



6 December 2016

You are hereby notified that the next Ordinary Meeting of the Council will be held at the Civic Centre, Campbelltown on Tuesday 13 December 2016 at 6.30pm.

Lindy Deitz  
General Manager

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## **Agenda Summary**

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## **1. ACKNOWLEDGEMENT OF LAND**

## **2. APOLOGIES**

### **2.1 Request for Leave - Councillor Bob Thompson**

#### **Reporting Officer**

General Manager

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#### **Attachments**

Nil

#### **Report**

Councillor Thompson has requested a leave of absence for health reasons.

Councillor Thompson intends to be absent from Council from Tuesday 13 December 2016 to Tuesday 28 February 2017 inclusive. It should also be noted that Councillor Thompson may return from leave early and if this is the case notice will be provided to the General Manager.

Under Section 234 of the *Local Government Act 1993* and clause 235A of the Local Government Regulations 2005 leave of absence can be granted to a Councillor with Council approval.

In accordance with the relevant legislation and regulations outlined above and having regard to the purpose for which this leave is requested, it is recommended that the application by Councillor Thompson be approved.

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

That Councillor Bob Thompson be granted leave of absence from Council incorporating all Council meetings from Tuesday 13 December 2016 to Tuesday 28 February 2017.

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

#### **3.1 Minutes of the Ordinary Meeting of Council held 22 November 2016**

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##### **Attachments**

Minutes of the Ordinary Meeting of Council held 22 November 2016 (contained within this report)

##### **Report**

That the Minutes of the Ordinary Meeting of Council held 22 November 2016 are presented to Council for confirmation.

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

That the Minutes of the Ordinary Meeting of Council held 22 November 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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**ATTACHMENT 1****Minutes Summary  
22 November 2016****ITEM TITLE****1. ACKNOWLEDGEMENT OF LAND****2. APOLOGIES****3. CONFIRMATION OF MINUTES****3.1 Minutes of the Ordinary Meeting of Council held 8 November 2016****4. DECLARATIONS OF INTEREST****5. MAYORAL MINUTE****5.1 Bryce Regan and Max Dunbier****6. PETITIONS**

No Petitions this round

**7. CORRESPONDENCE**

No correspondence this round

**8. REPORTS FROM OFFICERS****8.1 Draft Mt Gilead Planning Proposal - Outcome of Public Exhibition****8.2 Development Services Statistics September 2016****8.3 Council's Monitoring and Reporting obligations of Variations to Development Standards allowed under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)****8.4 Demolition of two existing single storey buildings and construction of a mixed use residential commercial building containing 44 apartments at Nos. 15-17 King Street, Campbelltown****8.5 Alterations to existing dwelling for use as a boarding house containing nine boarding rooms at No.21 Allman Street, Campbelltown****8.6 Legal Status Report****8.7 Contribution towards staff Christmas functions****8.8 Walkway Closure Application - Mantalini Street and Copperfield Reserve, Ambarvale****8.9 Investments and Revenue Report - October 2016****8.10 Quarterly Budget Review Statement as at 30 September 2016****8.11 Additional Road Names Bardia Sub-Precinct - Edmondson Park****8.12 Community Facilities****9. QUESTIONS WITH NOTICE****10. RESCISSION MOTION**

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**ITEM     TITLE**

**No rescission motion this round**

**11.       NOTICE OF MOTION**

**11.1      Feasibility of creating a BMX Track at St Helens Park**

**11.2      Sports Venue Sponsorship Policy**

**11.3      NSW Public Schools**

**12.       URGENT GENERAL BUSINESS**

**No reports this round**

**13.       PRESENTATIONS BY COUNCILLORS**

**13.1      Presentations by Councillors**

**14.       CONFIDENTIAL REPORTS FROM OFFICERS**

**14.1      Directors of Companies - City Development**

**14.2      Easements for Electrical Purposes over Lot 116 DP 1209435, Rolla Road,  
Glenfield**

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 22 November 2016**

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

**1. ACKNOWLEDGEMENT OF LAND**

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

**Council Prayer**

The Council Prayer was presented by the General Manager.

**2. APOLOGIES**

It was **Moved** Councillor Lake, **Seconded** Councillor Greiss that the **APOLOGY** from Councillor Thompson be received and accepted.

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

**3. CONFIRMATION OF MINUTES**

**3.1 Minutes of the Ordinary Meeting of Council held 8 November 2016**

It was **Moved** Councillor Lound, **Seconded** Councillor Chowdhury that the Minutes of the Ordinary Meeting of Council held 8 November 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed with an amendment to Item 8.11 - Audit, Risk and Improvement Committee to read:

That Council approve an increase in professional fees for independent Audit, Risk and Improvement Committee members to \$1200 per meeting for the Chairperson and \$1000 per meeting for the two independent members. Fees are inclusive of travel expenses.

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

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#### **4. DECLARATIONS OF INTEREST**

There were no Declarations of Interest at this meeting.

#### **5. MAYORAL MINUTE**

##### **5.1 Bryce Regan and Max Dunbier**

It was **Moved** Councillor Brticevic, **Seconded** Councillor Greiss that a letter of condolence be forwarded to the Regan and Dunbier families together with a copy of the Mayoral Minute.

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

#### **6. PETITIONS**

**No Petitions this round**

#### **7. CORRESPONDENCE**

**No correspondence this round**

#### **8. REPORTS FROM OFFICERS**

##### **8.1 Draft Mt Gilead Planning Proposal - Outcome of Public Exhibition**

**Meeting Note:** Mr Smithers, Mrs Durnan, Mr Lonza, Mr Gay, Ms Banister, Mr Kite, Mr Anderson and Ms Clarke addressed the meeting.

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

1. That Council endorse the amended draft Mt Gilead Planning Proposal generally in accordance with attachment 2 and forward to the Department of Planning and Environment for approval and referral to the Minister for Planning to make the plan.
  2. That Council approve the amended draft Mt Gilead Development Control Plan being an amendment to Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2, Part 6 generally in accordance with attachment 3.
  3. That notice of Council's approval of the amended draft Mt Gilead Development Control Plan being an amendment to Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2, Part 6, be published in the local newspaper in accordance with clause 21(2) Environmental Planning and Assessment Regulation 2000, and such notice include a commencement date equal to the date of notification of the amendment of Campbelltown Local Environmental Plan 2015 with regard to the rezoning of the Mt Gilead Urban Release Area.
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3.1 Minutes Of The Ordinary Meeting Of Council Held 22 November 2016

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4. That all those who provided a submission to the public exhibition of the draft Mt Gilead Planning Proposal and draft Mt Gilead Development Control Plan be advised of Council's decision.
5. That Council delegate authority to the General Manager to sign the application to the Minister for the Environment for the biodiversity certification of the Mt Gilead Urban Release Area.
6. That Council write to Roads and Maritime Services and Transport for NSW requesting assurance that the provision of a safe wildlife crossing of Appin Road will be included as part of any upgrading road-works. Also write to the Department of Planning Environment requesting formal support for this action.
7. That Council advise the owner of the Mt Gilead Retirement Estate that Council would only consider any change to the current rural zoning of the land occupied by the Mt Gilead Retirement Estate being Lot 2 DP 1065919 Glendower Street, Gilead through the lodgement of a site specific planning proposal request.
8. That Council write to the Minister for Transport requesting the provision of a bus service from Mt Gilead to and from the Campbelltown CBD from day one of the first occupancy.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, George, Greiss, Hunt, Lake, Lound, Manoto, Oates and Rowell.

Voting against the Council Resolution were Councillors: Borg, Moroney and Morrison.

## **8.2 Development Services Statistics September 2016**

It was **Moved** Councillor Lound, **Seconded** Councillor George that the information be noted.

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

## **8.3 Council's Monitoring and Reporting obligations of Variations to Development Standards allowed under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)**

It was **Moved** Councillor Greiss, **Seconded** Councillor Oates that the information be noted.

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

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#### **8.4 Demolition of two existing single storey buildings and construction of a mixed use residential commercial building containing 44 apartments at Nos. 15-17 King Street, Campbelltown**

It was **Moved** Councillor Greiss, **Seconded** Councillor Lound that development application 3675/2015/DA-RA for the demolition of existing structures and construction of a mixed use residential and commercial building containing 44 apartments, one ground floor commercial tenancy, basement car parking and strata subdivision at Nos. 15-17 King Street Campbelltown be approved, subject to the conditions detailed in attachment 1 of this report.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, George, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Oates and Rowell.

Voting against the Council Resolution were Councillors: Borg and Morrison.

#### **8.5 Alterations to existing dwelling for use as a boarding house containing nine boarding rooms at No.21 Allman Street, Campbelltown**

It was **Moved** Councillor Oates, **Seconded** Councillor Hunt that development application 2750/2015/DA-BH for the alterations to an existing dwelling for use as a boarding house containing nine boarding rooms at No. 21 Allman Street, Campbelltown be refused due to the inadequacy of the building's internal design and configuration to provide adequate amenity for future residents and the incompatibility of the development with the character of the area, which both result in the development's approval not being in the public interest.

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

Voting for the Motion were Councillors: Borg, Brticevic, Chivers, Chowdhury, George, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Motion was Councillor: Greiss.

#### **8.6 Legal Status Report**

It was **Moved** Councillor Rowell, **Seconded** Councillor Moroney that the information be noted.

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

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### 8.7 Contribution towards staff Christmas functions

It was **Moved** Councillor Lound, **Seconded** Councillor Lake that Council make a contribution total of \$4400 for the Indoor and Outdoor Staff Christmas Functions.

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

### 8.8 Walkway Closure Application - Mantalini Street and Copperfield Reserve, Ambarvale

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

1. That Council support the closure of the walkway connecting 12 and 14 Mantalini Street and Copperfield Reserve, Ambarvale.
2. That all persons having written to Council be advised of Councils decision.
3. That the applicant wishing to purchase the subject walkway be advised that a drainage easement and easement in favour of Jemena Gas Networks (NSW) Ltd will be required over the full width of the walkway.
4. That an application be made to Department Primary Industry, Crown Lands for approval to close the subject walkway.
5. That following approval from Crown Lands and upon closure of the walkway, the land be classified as operational land in accordance with Section 31(2) of the *Local Government Act 1991*, as amended.
6. That subject to Department Primary Industry, Crown Lands' approval to close the subject walkway, that Council approve the sale and creation of any necessary easements to allow the transfer of the walkway land.
7. That all documentation associated with the proposed walkway closure be executed under the Common Seal of Council, if required.

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

### 8.9 Investments and Revenue Report - October 2016

It was **Moved** Councillor Oates, **Seconded** Councillor Lake that the information be noted.

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

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### **8.10 Quarterly Budget Review Statement as at 30 September 2016**

It was **Moved** Councillor Hunt, **Seconded** Councillor Chowdhury that the adjustments recommended in the Quarterly Budget Review Statement be adopted.

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

### **8.11 Additional Road Names Bardia Sub-Precinct - Edmondson Park**

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

1. That Council approves the proposed road names in attachment 1 to this report for use in the Bardia Sub-Precinct of the Edmondson Park Urban Release Area.
2. That Council advertise its proposal to use these road names in local newspapers for a period of 28 days and notifies the authorities prescribed by the Roads Regulation 2008.
3. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.

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

### **8.12 Community Facilities**

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

1. That Council adopt the draft fees and charges outlined in the officer's report for public exhibition.
2. That Council endorse the introduction on new criteria for voluntary charity user groups as identified in the body of the report.
3. That the draft hall hire fees be adopted subject to no submissions being received after the public exhibition.
4. That Council write to all groups impacted by the changes at the conclusion of the exhibition period provided that no submissions are received.

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

## **9. QUESTIONS WITH NOTICE**

Nil at time of print.

## **10. RESCISSION MOTION**

**No rescission motion this round**

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## 11. NOTICE OF MOTION

### 11.1 Feasibility of creating a BMX Track at St Helens Park

It was **Moved** Councillor Brticevic, **Seconded** Councillor Oates that Council seek a report on the feasibility of creating a BMX track at the St Helens Park skate park, taking into consideration using soil from civil works in relation to constructing a car park at that location. In the event that the St Helens Park site is found not to be feasible, that other alternate sites for a BMX track within the City are investigated.

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

### 11.2 Sports Venue Sponsorship Policy

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

That a report be presented to Council investigating financial incentives to encourage sporting teams and other events to utilise Campbelltown Sports Stadium and with the funds to be included in future budgets. The report should address how to build the Region's competitive advantage to host major events at Campbelltown Sports Stadium (CSS) and how this would boost the reputation of the City and its' economy. It should also include and not be limited to:

- i) ways which funds could be used to attract major events
- ii) benefits to the residents of Campbelltown and the region
- iii) employment benefits
- iv) benefits to the local business community
- v) potential sponsorship with private partners
- vi) the potential for value capture and revenue generation.

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

A **Division** was called in regard to the Resolution for Item 11.2 - Sports Venue Sponsorship Policy with those voting for the Motion being Councillors Borg, Brticevic, Chivers, Chowdhury, George, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Resolution: nil.

### 11.3 NSW Public Schools

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

1. That Council notes the \$775m infrastructure backlog in NSW public schools, including a \$2,160,520 backlog at Leumeah High School and a \$2,693,879 backlog at Hurlstone Agricultural High School that put these schools in the top 10 most neglected schools in the state.
  2. That Council writes to the Minister for Education, The Hon. Adrian Piccoli MP, calling for immediate action by the government to address the neglect of NSW public schools, particularly in Campbelltown.
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3.1 Minutes Of The Ordinary Meeting Of Council Held 22 November 2016

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3. That copies of this correspondence be sent to the Member for Campbelltown Mr Greg Warren MP, the Greens NSW Education spokesperson Ms Tamara Smith MP, the leader of the Christian Democratic Party Rev. The Hon. Fred Nile MLC and the Chairman of the Shooters, Fishers and Farmers Party The Hon. Robert Borsak MLC.

An **Amendment** was **Moved** Councillor Greiss, **Seconded** Councillor Lound that Council write to the Member for Campbelltown, Mr Greg Warren MP, thanking him for his representations for the people of Campbelltown including issues of education.

**WON** and became the Motion

A **Division** was called in regard to the Amendment for Item 11.3 - NSW Public Schools with those voting for the Motion being Councillors Borg, Brticevic, Chivers, Chowdhury, George, Greiss, Hunt, Lake, Lound, Manoto, Morrison, Oates and Rowell.

Voting against the Amendment was Councillor Moroney.

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

A **Division** was called in regard to the Resolution for Item 11.3 - NSW Public Schools with those voting for the Motion being Councillors Borg, Brticevic, Chivers, Chowdhury, George, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Resolution: nil.

## **12. URGENT GENERAL BUSINESS**

**No reports this round**

## **13. PRESENTATIONS BY COUNCILLORS**

### **13.1 Presentations by Councillors**

1. Councillor Moroney advised that he recently attended the Annual General Meeting for the Georges River Combined Council Committee, where he was appointed as the Treasurer.
  2. Councillor Moroney advised that he recently attended the Light Up Camden event and whilst this event is outside of the Campbelltown Local Government Area he advised that there were initiatives that were different that may be beneficial to be incorporated into the Festival of Fishers Ghost making it an even better event. Staff may also wish to investigate.
  3. Councillor Lake advised that he represented the Mayor at the annual presentation of the Western Suburbs Junior Rugby League and noted that Campbelltown Collegians were overall winners of the Saturday competition, Campbelltown East Eagles were overall winners of the Sunday competition and Liverpool Catholic Club took out the competition overall.
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3.1 Minutes Of The Ordinary Meeting Of Council Held 22 November 2016

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4. Councillor Chivers advised that she represented the Mayor at the Beverley Park Special School Annual Presentation which was held this morning, where she was extremely honoured to be part of such a special event. Councillor Chivers gave a special mention to the Leumeah High School Students that were presented with an award for their ongoing commitment and support of the school, who visit Beverley Park every Friday and assist and support students. Councillor Chivers noted that this by far the best school presentation that she has ever attended.
5. Councillor Hunt advised that she represented the Mayor at the Remembrance Day ceremony noting that it was very pleasing to see so many young people in attendance.
6. Councillor Oates advised that she recently represented the Mayor at the Imagine Awards and noted that the Campbelltown Arts Centre took out a major award for the With Secrecy and Despatch exhibition which is an outstanding achievement.
7. Councillor Brticevic advised that he attended the HMAS Sydney (II) Anniversary which was very well attended and organised.
8. Councillor Brticevic advised that he attended the Ingleburn RSL Sub Branch Members Annual Dinner where Ray James was awarded Life Membership. Councillor Brticevic advised that he will be writing a letter of congratulations to Mr James.
9. Councillor Brticevic advised that the recent Western Sydney Wanderers event held at Campbelltown Stadium was a wonderful and well received event. Councillor Brticevic noted that he looks forward to the future partnership with the Western Sydney Wanderers and congratulated all staff involved in developing this partnership.
10. Councillor Greiss advised that he would like to acknowledge the Greater Sydney Commission for the release of the draft District Plans on the 21 November 2016, he looks forward to receiving a briefing on the South West District Plan in due course.

**Confidentiality Recommendation**

It was **Moved** Councillor Greiss, **Seconded** Councillor Moroney that the Council in accordance with Section 10A of the *Local Government Act 1993*, resolve to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Council's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

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

**The Ordinary Meeting of Council was adjourned at 8.37pm and reconvened as a meeting of the Confidential Committee at 8.38pm.**

**14. CONFIDENTIAL REPORTS FROM OFFICERS****14.1 Directors of Companies - City Development**

It was **Moved** Councillor Morrison, **Seconded** Councillor Lake that the information be noted.

**CARRIED**

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## 14.2 Easements for Electrical Purposes over Lot 116 DP 1209435, Rolla Road, Glenfield

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

1. That approval be provided for the granting of easements to benefit Endeavour Energy over Council land at Glenfield described as Lot 116 DP 1209435 on the terms as detailed in the body of this report.
2. That all documentation associated with the creation of the electricity easement be executed under the Common Seal of Council if required.

**CARRIED**

**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.39pm.**

### Motion

It was **Moved** Councillor Rowell, **Seconded** Councillor Moroney that the Council in accordance with Section 10 of the *Local Government Act 1993*, move to re-open the meeting to the public.

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

It was **Moved** Councillor Rowell, **Seconded** Councillor Moroney that the reports of the Confidential Committee and the recommendations contained therein be adopted.

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

There being no further business the meeting closed at 8.40pm.

Confirmed by Council on

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

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#### **4. DECLARATIONS OF INTEREST**

**Pecuniary Interests**

**Non Pecuniary – Significant Interests**

**Non Pecuniary – Less than Significant Interests**

**Other Disclosures**

#### **5. MAYORAL MINUTE**

**No mayoral minute this round**

#### **6. PETITIONS**

**No Petitions this round**

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## **7. CORRESPONDENCE**

### **7.1 The Hon Catherine Cusack MLC - Street Lighting Reform**

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#### **Attachments**

1. copy of letter to Council from The Hon Catherine Cusack MLC (contained within this report)
2. copy of letter from Council to the Premier NSW (contained within this report)

Response to Council's letter regarding street lighting reform.

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

That the letter be received and the information be noted.

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## ATTACHMENT 1



## ATTACHMENT 2



8 August 2016

The Hon Mike Baird MP  
Premier  
GPO Box 5341  
SYDNEY NSW 2001

Dear Premier

### **Street Lighting Reform**

I am writing to you to express a concern that the governance framework supporting the State's street lighting networks is in need of major reform.

Campbelltown City Council currently sources its street lighting services from Endeavour Energy, at a cost of \$3.3 million in 2015/16.

Over the past 5 years street lighting costs (capital and maintenance) have significantly escalated.

Council is of the view that despite having the responsibility to provide street lighting for their communities, Councils have little control over key aspects of service delivery, maintenance and improvement. Council is not aware of any service level contracts nor binding service regulation. Further, the NSW Public Lighting Code is limited in its effect and is not mandated.

The privatisation of providers such as Endeavour Energy is likely to leave Councils with little certainty over the level and nature of service to be provided into the future. Council is concerned that there is the potential for higher than reasonable "residual values" for aging street light assets to emerge, thereby acting to constrain future and timely lighting upgrades.

Council seeks your Government's support for reforms that will provide greater confidence surrounding street lighting pricing and service levels and which encourages the take up of new energy efficient and cost effective lighting solutions.

As you may be aware, there are many global and "smart" cities that are reducing their street lighting costs, improving public safety and minimising environmental impacts through the deployment of new technologies such as LED lighting and "smart" control systems. Effective street lighting reforms can help to deliver more sustainable city operation, greater efficiencies and community satisfaction.

7.1 The Hon Catherine Cusack MLC - Street Lighting Reform

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Council recently considered a report on LED street lighting and subsequently resolved:

1. *That Council, as a first step in a staged approach, proceed with calling for Expressions of Interest from suitably qualified companies to take on responsibility for designing, installing, maintaining (and possibly financing) a new Council owned LED public lighting network that includes the Campbelltown and Ingleburn CBDs, Minto, Leumeah, and Campbelltown Station car parks, Park Central and Mawson Park as well as Eagle Vale Drive.*
2. *That Council write to the State Government requesting that the street lighting network not form part of the "Poles and Wires" sale as currently proposed.*

Council believes that the reforms required to make the NSW Public Lighting Code more effective, would be more readily facilitated by excluding the street lighting component of the "poles and wires" sale. This action would also provide sufficient time to properly address where control of street lighting is best positioned to ensure that levels of service and cost outcomes are optimised for the benefit of the greater community.

Council is very firmly of the opinion that Councils should have the appropriate level of control over street lighting in order to satisfy the expectations of local communities and meet their legal obligations, including those relating to safety.

Council is committed to working towards the creation of Campbelltown as a "smart city" and believes that a new approach to street lighting is a fundamental step in this process. The benefits would include the introduction of:

- Smart pole technology
- Electric vehicle recharge stations servicing electric cars, mobility scooters and the like
- Precinct based wireless meshed communications systems delivering CCTV, WiFi, emergency assistance request points and public address systems

As I am sure you would be aware, the technology that could be enabled by this type of system and the community benefits to be gained therefrom would be extraordinary. Allowing Councils to control the street lighting network would facilitate the cost effective and timely delivery of "Smart Cities", especially in areas away from the central Sydney CBD.

In considering this matter, Council has determined that Tariff 5 charges associated with the buy-back of Endeavour Energy's street lighting network would cost in the order of \$10 million. Council is currently assessing the financial viability of such a proposal, and at this stage is of the view that the sale of the "poles and wires" inclusive of street lighting networks, would complicate and constrain its final financial consideration. Any additional financial burden generated by the inclusion of the street lighting network would only serve to lessen the economic viability of Council's street lighting strategy, thereby working against the community's best interests.

I would welcome the opportunity of discussing these concerns and the opportunities associated with the development of "smart city" technology in Campbelltown with you, at time which meets with your convenience. I can be contacted on (02) 4645 4659.

Should you require any further technical information concerning Council's street lighting position, contact should be made with Council's Director City Delivery, Mr. Wayne Rylands on (02) 4645 4636

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz  
General Manager

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## **7.2 Department of Planning and Environment**

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### **Attachments**

1. copy of letter to Council from Mr Stephen Murray - Executive Director, Regions Planning Services - Department of Planning and Environment (contained within this report)
2. copy of letter from Council to the Hon Rob Stokes (contained within this report)

Response to Councils letter regarding the proposed development application for Nos. 22-32 Queen Street, Campbelltown.

### **Officer's Recommendation**

That the letter be received and the information be noted.

---

## ATTACHMENT 1



**Planning &  
Environment**

Ms Lindy Deitz  
General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

16/13605

NOV09'16 07:53:40 RCVD

Dear Ms Deitz

Thank you for writing to the Hon Rob Stokes MP, Minister for Planning, about a development application for 22-32 Queen Street, Campbelltown. The Minister has asked me to reply on his behalf.

As you note, the Sydney West Joint Regional Planning Panel is currently the determining authority for the Queen Street development. The functions of that Panel in relation to the Campbelltown local government area are to be taken over by the new Sydney South West Planning Panel from 21 November 2016, and will operate under the authority of the Greater Sydney Commission.

I understand that as Council are still assessing the development application its assessment report will not be ready for reporting to a public determination meeting until the Sydney South West Planning Panel commences.

You will be advised in the near future of the appointments by the Minister for Planning to the new Panel.

Should you require any assistance with this matter, please contact Mr Stuart Withington, Manager, Planning Panels Secretariat, at the Department of Planning and Environment by telephone on 8217 2061.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

  
**Stephen Murray**  
Executive Director, Regions  
Planning Services

*3 November 2016*

## ATTACHMENT 2



11 October 2016

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

Dear Minister

### **Development Application for Nos. 22-32 Queen Street, Campbelltown**

A development application for refurbishment and additions to an existing commercial building, construction of a mixed use commercial/residential development comprising 594 apartments within seven towers, provision of new ground level retail tenancies, and provision of 1190 car parking spaces at Nos. 22-32 Queen Street, Campbelltown, has been lodged with Campbelltown City Council and is currently registered with the South West Joint Regional Planning Panel (SWJRPP) for determination.

With respect to this development application, Council is of the opinion that due to the scale of the proposal and the location of the site at the northern entry to the Campbelltown CBD, it would be more appropriate for the application to be put before the Sydney West Panel of the Greater Sydney Commission rather than the SWJRPP.

In this regard, at its Ordinary Meeting of 16 August 2016, Council resolved that:

"Council write to the Minister for Planning, the Hon Rob Stokes, requesting that development application for a six tower (596 unit) apartment complex for 22-32 Queen Street, Campbelltown be referred to the Sydney West Panel of the Greater Sydney Commission."

Council appreciates your consideration of this request and looks forward to your response in due course.

If you require any further information please contact Mr Jim Baldwin, Director City Development on (02) 4645 4575.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz  
General Manager

Civic Centre Queen Street Campbelltown PO Box 57 Campbelltown NSW 2560 DX5114  
Telephone 02 4645 4000 Facsimile 02 4645 4111 TTY 02 4645 4615  
Email [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au) Web [www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)  
ABN 31 459 914 087

## **7.3 Bronto Telescopic Platform**

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### **Attachments**

1. copy of letter to Council from the Member for Macquarie Fields - Anoulack Chanthivong MP (contained within this report)
2. copy of letter from Council to the Minister for Emergency Services - The Hon David Elliott MP (contained within this report)

Response to Council's letter regarding the reinstatement of the 37 Bronto Telescopic Platform at St Andrews Fire Station.

### **Officer's Recommendation**

That the letter be received and the information be noted.

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## ATTACHMENT 1



### Anoulack Chanthivong MP MEMBER FOR MACQUARIE FIELDS

11/11/16 08:05:00 PM

The General Manager  
Campbelltown City Council  
PO Box 57  
**CAMPBELLTOWN NSW 2560**

3 November 2016

Dear Lindy,

I refer to Council's letter to the Minister for Emergency Services, the Hon. David Elliott, MP concerning the removal of the 'Bronto' telescopic platform from St Andrews Fire Station.

I am pleased to support Council's motion calling for the reinstatement of this vital piece of equipment. This issue has caused a great deal of concern in the community – particularly given the current level of redevelopment within the City.

I have previously written to the Minister concerning this issue. However, as a result of Council's letter and motion, I have again written to the Minister.

When I am in receipt of the Minister's response I will write again.

Yours sincerely,

SIGNATURE HAS BEEN REMOVED

Anoulack Chanthivong, MP  
**Member for Macquarie Fields**

---

## ATTACHMENT 2



31 October 2016

The Hon David Elliott  
Minister for Emergency Services  
Level 33  
1 Farrer Place  
SYDNEY NSW 2000

Dear Minister

### **St Andrews Fire Station - Replacement of Firefighting Truck**

I refer to previous correspondence to you dated 28 June 2016 and response from Daryl Maguire MP dated 22 August 2016 regarding the above issue.

The Minister's response was discussed at Council's meeting of 25 October 2016 and the following resolved:

1. *That Council write a further letter to the Minister for Emergency Services outlining the Government's announcement of the review of the NSW Fire Certification and request the reinstatement of the 37 Bronto fire service equipment in Campbelltown until such time as the review is completed.*
2. *That a copy of this letter be sent to all local Members of Parliament.*

In accordance with Council's resolution, it is requested that the 37 Bronto fire service equipment be reinstated in Campbelltown until the NSW Fire Certification review is complete. Council is concerned that this major piece of fire fighting equipment has been withdrawn from service whilst the review may confirm Council's concerns that fire and rescue capability will be severely impacted by this premature decision.

For your information, copies of this letter will be sent to the Local Member for Campbelltown, Greg Warren and the Local Member for Macquarie Fields, Anoulack Chanthivong.

If you require any further information please do not hesitate to contact the Director City Delivery, Wayne Rylands, on 4645 4636.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz  
General Manager

Civic Centre Queen Street Campbelltown PO Box 57 Campbelltown NSW 2560 DX5114  
Telephone 02 4645 4000 Facsimile 02 4645 4111 TTY 02 4645 4615  
Email [council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au) Web [www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)  
ABN 31 459 914 087

## **7.4 Greater Sydney Commission - Scenic Hills**

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### **Attachments**

1. copy of letter to Council from Greater Sydney Commission (contained within this report)
2. copy of letter from Council to Greater Sydney Commission (contained within this report)

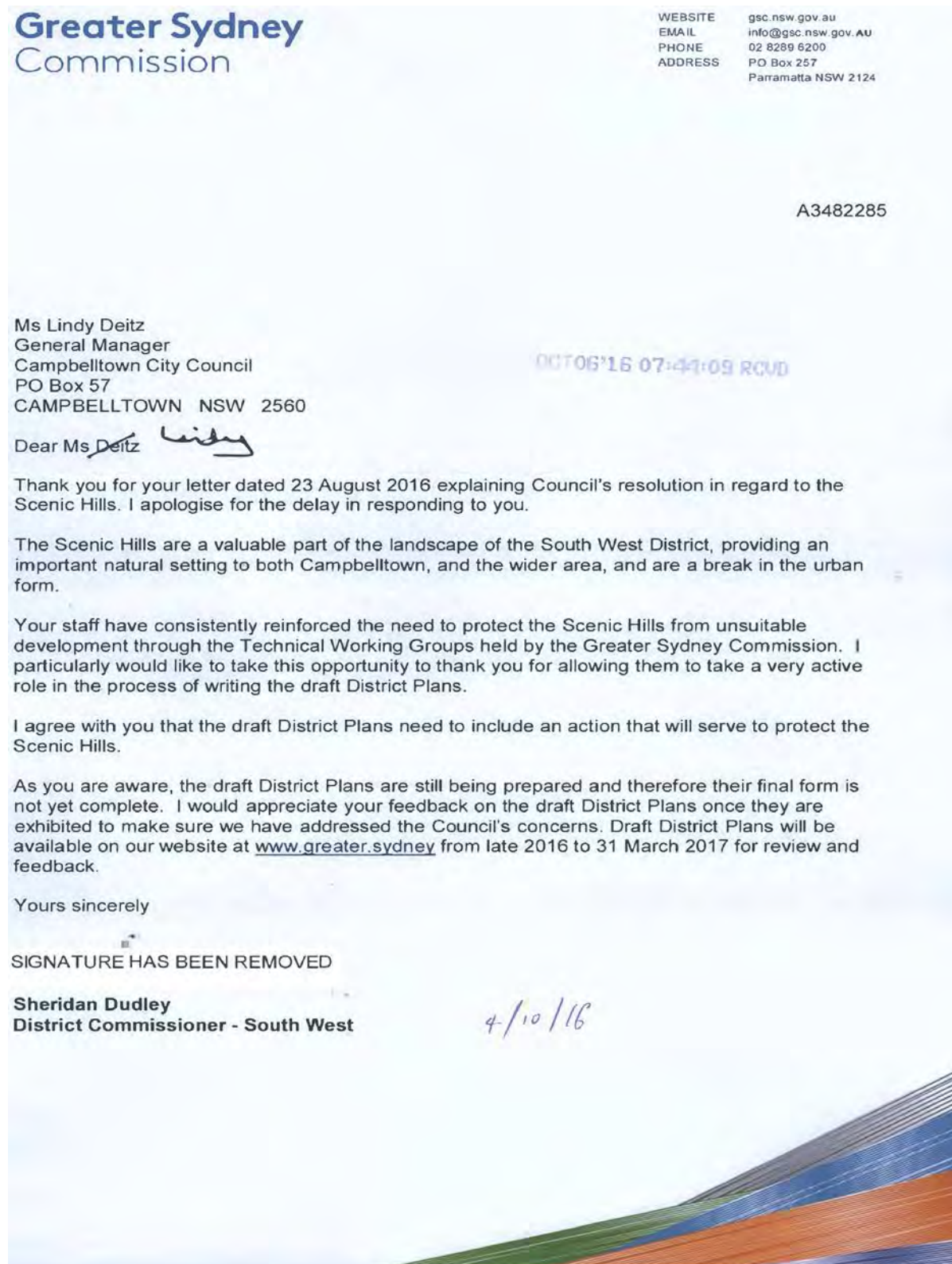
Response to Council's letter regarding a State Environment Planning Policy for the Scenic Hills.

### **Officer's Recommendation**

That the letter be received and the information be noted.

---

## ATTACHMENT 1





## ATTACHMENT 2



23 August 2016

Ms S Dudley  
District Commissioner - South West  
Greater Sydney Commission  
PO Box 257,  
PARRAMATTA NSW 2124

Dear Ms Dudley

### **Request for a State Environment Planning Policy for the Scenic Hills**

As you would be aware Campbelltown City Council has long promoted the strategic importance of the Scenic Hills, and the role that this landscape unit plays in providing:

- i. a buffer to the urban development areas of the Campbelltown, Camden and Liverpool Local Government Areas
- ii. a rural landscape backdrop to the urban areas of Campbelltown.

In February 2016 Council considered two Planning Proposal Requests for urban development within the Scenic Hills and in an attempt to strengthen its policy position resolved that:

"That Council write to the Minister for Planning requesting that in consultation with Campbelltown City Council a State Environmental Planning Policy be created to protect and preserve the environmental, historical, visual and rural landscape and character of the Scenic Hills consistent with the current Local Environment Plan."

At the same meeting Council also resolved:

That Council oppose any urban, rural-residential or commercial development of the Scenic Hills that is not in line with the current zoning.

That Council continues to protect and preserve the Scenic Hills from Glenfield to Campbelltown.

Subsequently Council wrote to the Minister for Planning seeking support for the creation of a State Environmental Planning Policy for the Scenic Hills. A report discussing the reply to Council's letter was considered by Council at its meeting on 19 July 2016 where Council resolved with Resolution No 113:

1. That Council make forward representation to the Greater Sydney Commission's District Commissioner for the South West to ensure the appropriate recognition of the values of the Scenic Hills be secured as part of the preparation of the South West District Plan, as well as protection from inappropriate development by means of clearly articulated planning outcomes consistent with Council's Planning position on the Scenic Hills.
2. That Council request the Director of Sydney Region West NSW Planning and Environment, Ms Catherine Van Laeren to address Council at the next available briefing evening.

I note that since this resolution was passed you attended Council's briefing evening on 26 July 2016 and as part of your presentation on your role as District Commissioner - South West Council was pleased to hear you articulate a detailed understanding of the importance of the Scenic Hills as a defining landscape unit, not only for Campbelltown but for the community of the wider South West area.

Council appreciated your presentation and is encouraged by your understanding of the importance of this rare and desirable landscape and of the Council's desire to preserve in perpetuity the environmental, historical, visual and rural landscape character of the Scenic Hills. To this end, the Council seeks your support to include appropriate controls within the South West District Plan to defend against future adverse impacts on the quality and integrity of this most important landscape and to achieve the desired outcome of the Council and the wider community.

I would be happy to discuss this matter in further detail should you require on 02 4645 4659, and I look forward to our continued work with you in your role as District Commissioner - South West.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz  
**General Manager**

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## **7.5 Member for Campbelltown - Mr Greg Warren MP**

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### **Attachments**

1. copy of letter to Council from Mr Greg Warren MP (contained within this report)
2. copy of letter from Council to Mr Greg Warren MP (contained within this report)

Forwarding a letter to Council on behalf of Mr John Sidoti Minister for Planning regarding the provision of Bus Services along Blaxland Road, Campbelltown.

### **Officer's Recommendation**

That the letter be received and the information be noted.

---



## ATTACHMENT 1



Ms Lindy Deitz  
General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

NOV 28 '16 08:03:54 (COW)

Dear Ms Deitz,

I write to advise that Mr John Sidoti MP, Parliamentary Secretary for Transport and Roads, has responded on behalf of the Hon. Andrew Constance MP, Minister for Transport and Infrastructure, to my representations regarding a Blaxland Road bus service.

Mr Sidoti advises that the Baird government has no plans to alter the existing Blaxland Road bus services that operate between Kraal Drive and Badgally Road.

I enclose a copy of the response for your information.

Interestingly, the Parliamentary Secretary claims that the Baird government monitors and adjusts Campbelltown's bus routes when necessary. Given my recent representations about the lack of bus services for students from Campbelltown to the University of Wollongong, I expect an imminent adjustment to that particular service.

Yours sincerely,

SIGNATURE HAS BEEN REMOVED

**Greg Warren MP**  
**Member for Campbelltown**  
Encl.

25 NOV 2016





**John Sidoti MP**

Parliamentary Secretary for Transport and Roads  
Member for Drummoyne

**COPY**

Our Ref: 00194293

Mr Greg Warren MP  
Member for Campbelltown  
PO Box 895  
CAMPBELLTOWN NSW 2560

*GREG.*

Dear ~~Mr~~ Warren

Thank you for your correspondence to the Minister for Transport and Infrastructure about a request for bus services along Blaxland Road. The Minister asked me to respond on his behalf.

Although the NSW Government tries to meet the travel needs of all customers, it is not always possible. I am advised route 877, 878, 879 and 880 services travel on the western end of Blaxland Road, between the Kraal Drive and Badgally Road. There are no plans to alter these services at this time.

Your request to provide bus services on Blaxland Road between Badgally Road and Campbelltown Road has been noted and will be considered as part of future planning of services in the area.

The NSW Government regularly monitors bus routes in the Campbelltown area and adjusts services when necessary.

Thank you for taking the time to write to the Minister.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

9 NOV 2016

**John Sidoti MP**

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## ATTACHMENT 2



31 October 2016

Mr Greg Warren MP  
Member for Campbelltown  
P O Box 895  
CAMPBELLTOWN NSW 2560

Dear Mr Warren

### **Blaxland Road, Campbelltown - Provision of Bus Services**

The provision of bus services along Blaxland Road, Campbelltown was discussed at Council's meeting of 25 October 2016. At this meeting Council resolved to write to you to thank you for your prompt representation to the Minister for Transport regarding the provision of bus services along Blaxland Road.

Council appreciates your efforts on behalf of the community in advocating for this important transport service.

If you require any further assistance with this matter, please do not hesitate to contact the Director City Delivery, Wayne Rylands, on 4645 4636.

Yours sincerely

SIGNATURE HAS REMOVED

Lindy Deitz  
General Manager

## **8. REPORTS FROM OFFICERS**

### **8.1 Draft Menangle Park Planning Proposal - Outcome of Public Exhibition**

#### **Division**

City Development

#### **Reporting Officer**

Acting Manager Environmental Planning

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#### **Attachments**

1. Menangle Park Locality Map (distributed under separate cover due to overall size of combined attachments)
2. Amended draft Menangle Park Planning Proposal including the Menangle Park Local Environmental Study Addendum Report (distributed under separate cover due to size of document (192 pages))
3. Amended draft Menangle Park Development Control Plan (distributed under separate cover due to size of document (112 pages))
4. Copy of letter from UrbanGrowth NSW and Dahua Group regarding a commitment to the construction of Spring Farm Parkway Stage One (distributed under separate cover due to overall size of combined attachments)

#### **Purpose**

To advise Council of:

- the submissions received as a result of the public exhibition of the draft Menangle Park Planning Proposal/draft Local Environmental Plan, draft Menangle Park Development Control Plan and associated planning documentation which were prepared to enable the rezoning of land at Menangle Park to provide for urban development
- relevant submissions received on the subject area as a result of the public exhibition of draft Campbelltown Local Environmental Plan 2014, now Campbelltown Local Environmental Plan 2015 (CLEP 2015).

(Refer to attachment 1 for a copy of the Menangle Park Locality Map).

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## History

Planning for the Menangle Park Urban Release Area has been ongoing since the publication of the Sydney Region Outline Plan in 1968. Under the Sydney Region Outline Plan, the district of Menangle Park was identified as proposed urban with development forecast to occur between 1985 and 1996.

In December 2001, in light of concerns regarding pressures on the Sydney housing market and housing affordability, the State Government announced that land in Western Sydney, including Menangle Park, be fast tracked for release. This followed further research into the main issues of air and water quality, which indicated that previous concerns regarding impacts could be overcome in a sustainable and viable manner through greater usage of public transport and the utilisation of Water Sensitive Urban Design principles. At this time the new Metropolitan Development Program (MDP) was established, which included Menangle Park with a projected residential allotment yield of 4200.

Council at its meeting held 17 December 2002, resolved to prepare a Local Environmental Plan and a Local Environmental Study for the Menangle Park Urban Release Area, and in January 2003 notified the (then) Department of Infrastructure, Planning and Natural Resources. All relevant agencies were consulted in March 2004 and a preliminary Local Environmental Study (LES) was prepared which considered six development options for Menangle Park. Despite the LES identifying that Menangle Park was capable of supporting urban development, the planning for the area was deferred due to the significance of the underlying coal resource, and the potential implications of mine subsidence for any proposed urban development.

In May 2006, the (then) Department of Planning advised Council that, mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make the development viable. The matter was reported to Council at its meeting held on 6 June 2006 where Council resolved to convene the Menangle Park Project Control Group with a view towards finalising the LES, and proceeding with the preparation of a draft local environmental plan (LEP) and draft development control plan (DCP).

In 2007, a comprehensive review was undertaken of the draft LES, (that was prepared in 2004), to update the document in light of a number of changes that had occurred since the original document was prepared, and to reflect changes in legislative requirements. This involved the preparation of a revised suite of technical studies to inform the preparation of the new LES, and preliminary consultation was undertaken with all the relevant agencies, who were consulted previously, to seek their comments on the draft LES.

A Councillor briefing session was held on 17 June 2008 to update Councillors on the progress of the project. At this briefing session, Councillors were advised of a number of constraints which affected the subject site, most notably the issue of flooding. As such, extensive computer modelling was undertaken and a number of options for development were investigated. As a result it was decided that no bulk fill of the flood plain should be permitted, and the development footprint should be set at the 1 in 100 year flood event.

Also in 2008, a public meeting was convened by Council to advise the community of the progress of the planning work that had been undertaken for the Menangle Park Release Area.

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## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

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Throughout 2010, consultation with State agencies and service providers was again undertaken, in accordance with section 62 (now repealed) of the *Environmental Planning and Assessment Act 1979*. At this time a large number of meetings (including on-site meetings) were held with relevant agencies to discuss their requirements relating to the finalisation of all the relevant documentation and detailed technical studies.

At the Councillor briefing session held on Tuesday 9 August 2011, Councillors were provided with an update of the progress of the rezoning process for the Menangle Park Urban Release Area, and advised of the key issues that were required to be addressed, such as those relating to flooding and drainage, transport (in particular the status of the proposed Spring Farm Parkway), and servicing of the site (including the provision of water and sewer infrastructure).

A further briefing to Councillors was held on 29 November 2011 advising that due to legislative changes Council was required to submit a draft planning proposal to the Department of Planning and Infrastructure (now NSW Planning and Environment) for determination by the Gateway Panel.

Council at its meeting held on 13 December 2011 resolved:

1. That Council endorse the draft Menangle Park Planning Proposal/draft Local Environmental Plan for lodgement with the Department of Planning and Infrastructure (now NSW Planning and Environment) for determination by the Gateway Panel
2. That Council approve the draft Menangle Park Development Control Plan for public exhibition purposes
3. That Council publicly exhibit the draft Menangle Park Planning Proposal/draft Local Environmental Plan in accordance with the determination of the Gateway Panel
4. That Council publicly exhibit the draft Menangle Park Development Control Plan as an amendment to the Campbelltown (Sustainable City) Development Control Plan 2009 in accordance with the provisions of the Environmental Planning and Assessment Regulation 2002.

A Gateway determination advising that Council could proceed with the proposed rezoning of the Menangle Park Urban Release Area, subject to certain conditions, was received in February 2012.

## Report

The draft Menangle Park Planning Proposal/draft Local Environmental Plan and the draft Menangle Park Development Control Plan were publicly exhibited from Tuesday 11 December 2012 until Friday 1 February 2013 at the Civic Centre, the HJ Daley Library during normal hours of operation and on Council's website. All affected property owners, relevant government agencies and service providers were notified by letter of the public exhibition period, and invited to make a submission on any of the exhibited material by Friday 1 February 2013.

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8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

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The objectives of the draft Planning Proposal as exhibited were to:

1. Establish the Menangle Park Urban Release Area.
2. Rezone land within the Menangle Park Urban Release Area to enable it to be developed for urban purposes in a sustainable manner by providing for approximately 3400 residential allotments of various sizes, a small commercial centre, employment land, community and recreation facilities, passive and active open space including protection of significant areas of riparian land (containing high quality vegetation) and items of both indigenous and non-indigenous heritage.
3. Provide for the integration of development within the Menangle Park Urban Release Area within the existing urban pattern.
4. Identify, protect and manage environmentally sensitive areas within the Menangle Park Urban Release Area including waterways and riparian corridors, biological linkages, remnant native vegetation and associated buffers.
5. Establish guiding principles for development within the Menangle Park Urban Release Area to facilitate the timely provision of physical and social infrastructure, the orderly phasing of the development of land, the protection of items of environmental and cultural heritage and the management of stormwater.

As a result of this public exhibition 22 submissions were received from government agencies and service providers and 11 submissions were received from the community. The table below identifies the main issues raised by these submissions and the comments of Council officers.

Subsequent to the public exhibition of the draft Menangle Park Planning Proposal in 2012 - 2013 Council included information with regard to the proposed rezoning of this release area on the maps that were publicly exhibited in 2014 as part of draft Campbelltown Local Environmental Plan 2014 (CLEP 2014). As a result an additional two submissions were received from government agencies and four from the community which have been included in the table below.

Due to a number of issues relating to the provision of significant road infrastructure Council resolved at its meeting held 28 April 2015 (where a report on the public exhibition of draft CLEP 2014 was discussed) to defer the rezoning of the Menangle Park Urban Release Area until these issues were satisfactorily addressed.

Please note that the references to clauses in the draft DCP (as exhibited) are prefixed by the number 12 and in the amended draft DCP are prefixed by the number 1. The reason for this change is due to a number of amendments that have occurred with the Campbelltown (Sustainable City) DCP since the public exhibition of the draft DCP which has resulted in the renumbering of certain clauses.

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**Greater Macarthur Land Release Investigation and Greater Macarthur Priority Growth Area**

Since the public exhibition of the draft Menangle Park Planning Proposal and associated documentation, the NSW State Government released the Greater Macarthur Land Release Investigation document for public comment. This document provides an investigation into the potential of land within the Greater Macarthur area to be developed for urban purposes to assist in addressing the growing need for new housing in the Sydney Basin. It also proposed to amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) by including certain land within the Greater Macarthur area as part of the South West Growth Centre. The land at Menangle Park is specifically noted as having potential for future residential development, and the document included an action to have the subject land rezoned by the end of 2015. There is also an action within the document to provide for the construction of the Spring Farm Link Road, the upgrading of Menangle Road and investigation into electrification of the rail line to Menangle Park.

Council at its meeting held 17 November 2015 considered a report on the Greater Macarthur Land Release Investigation (including the Preliminary Strategy and Action Plan) and resolved:

1. That Council express in principle support for the Greater Macarthur Land Release Investigation, subject to:
  - a) the early implementation of a fully funded infrastructure plan
  - b) a job creation strategy to cater for the increased population.
2. That Council requests a specific timeline for the provision of infrastructure and the job strategies as outlined in a) and b) above.
3. That Council forward a submission on the investigation (and its supporting documents) to the NSW Department of Planning and Environment consistent with the matters outlined in the report.

In response to the above resolutions the Department of Planning and Environment established a Greater Macarthur Steering Group where Council staff work with the Department of Planning and Environment, Transport for NSW and other agencies to prepare a Land Use and Infrastructure Strategy for the Menangle Park and Mt Gilead precincts of the Campbelltown-Macarthur Priority Growth Area. The Executive Director – Housing and Employment Delivery from the Department of Planning and Environment provided Councillors with a briefing on the Campbelltown-Macarthur Priority Growth Area on 7 June 2016 and a further briefing on 5 July 2016.

This strategy will guide rezoning and layout plans for each precinct of the growth areas. It will integrate important elements of the precincts including transport, open space, housing, employment lands and environmental protection. A new Special Infrastructure Contribution (SIC) levy will be established to cover the cost of regional road and transport infrastructure, regional open space and recreation, district cultural facilities, schools, emergency services and health facilities, strategic land use planning costs and environmental protection measures.

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## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

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To further facilitate this partnership the Department of Planning and Environment requested that Council enter into a Memorandum of Understanding (MoU) for progressing the planning and implementation of growth opportunities within the Campbelltown-Macarthur Priority Growth Area. Council at its meeting held 19 July 2016 considered a report on the MoU and resolved:

1. That the Memorandum of Understanding between Campbelltown City Council and the NSW Department of Planning and Environment shown as the attachment to the above report be executed and the General Manager be authorised to sign the Memorandum on Council's behalf.
2. That Council write to the Secretary of the Department of Planning and Environment seeking to organise with the Department that the satisfactory arrangements referred to in her letter to Council dated 14 July 2016 to be put into place for regional level infrastructure prior to rezoning being determined, meet with Council's satisfaction.

The MOU provides a formal commitment to the establishment of a Special Infrastructure Contributions scheme as a means to fund the critical and higher (regional) level infrastructure required to support the development of the Menangle Park Urban Release Area. Specifically this will provide for the development of the proposed Spring Farm Parkway, being the road link from the Camden Bypass to the M31 freeway and Menangle Road.

The Department of Planning and Environment has recently advised that the Growth Centres SEPP is now proposed to be amended to include the Greater Macarthur Priority Growth Area which covers the land releases at Menangle Park, Mount Gilead and Appin, and the urban renewal precincts along the Glenfield to Macarthur rail corridor. A report on the public exhibition of the proposed Greater Macarthur Priority Growth Area package was presented to Council at its meeting held on 25 October 2016 and Councillors resolved as follows:

1. That Council make a formal submission to the NSW Department of Planning and Environment concerning the exhibition of the Greater Macarthur Priority Urban Growth Area in August to September 2016, addressing the matters raised in the above report.
2. That as an addition to the submission that Council urge the NSW Government to pursue south facing ramps to the Hume Highway as a key element of the Greater Macarthur Priority Growth Area Infrastructure package.

Further Council has received correspondence (see copy of letter at attachment 4 including map indicating Stage One works) advising that both UrbanGrowth NSW and the Dahua Group (proposed purchasers of the land within Menangle Park that is currently owned by UrbanGrowth NSW) are willing to contribute funds toward the construction of Stage One works of the proposed Spring Farm Parkway. Stage one includes that section of the Spring Farm Parkway that would provide access from Menangle Road through to the release area via a bridge over the M31 freeway and will include access to and from the M31 via north facing ramps. UrbanGrowth NSW and the Dahua Group intend to offset the costs involved in this work against their respective future Special Infrastructure Contribution payments.

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## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

The provision of south facing ramps from the proposed Spring Farm Parkway to the M31 has not been investigated in detail as part of the Menangle Park rezoning process. However, it is understood that further investigation is currently being undertaken to identify the location of future south facing ramps to the M31 by the NSW Department of Roads and Maritime Services.

Due to the significance of the MOU between Council and the Department and the proposal to include the Greater Macarthur Priority Growth Area in the Growth Centres SEPP it is considered that the rezoning of the Menangle Park Urban Release Area can now be finalised

**Menangle Park submissions**

<b>Submissions from government agencies and service authorities</b>	
Organisation	Issue
1. Sydney Water	<ul style="list-style-type: none"> <li>• water supply:               <ul style="list-style-type: none"> <li>- there is sufficient capacity currently for 600 dwellings</li> <li>- upsizing of the water main will be required for the next 1,600 dwellings</li> <li>- connection to the future Narellan inlet main will provide for the entire Menangle Park Urban Release Area (MPURA)</li> </ul> </li> <li>• wastewater:               <ul style="list-style-type: none"> <li>- two pumping stations will be required</li> <li>- the first will be constructed on Sydney Water land in the northern part of the precinct and will service approx. 2,000 dwellings</li> <li>- the second will be constructed in the southern part of the precinct and is dependent on development within the precinct</li> <li>- however, prior to construction of the first pumping station Sydney Water will provide a temporary pump out facility for approx. 200 dwellings to accommodate development timeframes.</li> </ul> </li> </ul>
Comment <ul style="list-style-type: none"> <li>• Comments noted.</li> </ul>	
2. NSW Family & Community Services	<ul style="list-style-type: none"> <li>• notes proposal to prepare a draft s94 contributions plan and looks forward to commenting on this plan when prepared, to ensure adequate social and public infrastructure is provided</li> <li>• recognises the budget constraints re provision of rail services but considers that it is important to highlight the deficiencies of current transport services and hopes that the draft Planning Proposal considers the current transport issues impacting on neighbouring areas.</li> </ul>
Comment <ul style="list-style-type: none"> <li>• As there is no indication that the rail line will be electrified within the near future, it is considered that the proposed upgrading of the current bus service is appropriate at this stage. However, Council forwarded a letter in November 2014 to the Minister for Transport requesting the reconsideration of electrification of the railway line from Macarthur to Menangle Park. The Minister replied in January 2015 advising that the government did not have any current plans to electrify the line but that the Southern</li> </ul>	

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<p>Highlands Line has benefited from 55 extra weekly services since October 2013. However, as mentioned above the Greater Macarthur Land Release Investigation document proposed to investigate the electrification of the rail line to Menangle Park. As a result the Western Sydney Rail Needs Scoping Study Discussion Paper has been prepared and was the subject of a report to Council's Ordinary Meeting held on 8 November 2016 where Council resolved to forward a submission to the Commonwealth Department of Infrastructure and Regional Development and Transport for NSW. The submission supports the construction of a connection from the proposed Badgery's Creek airport to Narellan with an extension through to a potential new Menangle Park railway station.</p>	
<p>3. Busways Group Pty Ltd</p>	<ul style="list-style-type: none"> <li>• notes that the rail line will continue to provide an infrequent service and therefore recognises the need for an efficient bus service</li> <li>• requests an alternative bus route to that proposed in draft Menangle Park Development Control Plan (DCP) which includes bus only access from the existing Glenlee Road junction with Menangle Road</li> <li>• need to ensure that all intersections along the proposed bus route provide for standard 12.5m rigid buses</li> <li>• need to provide for bus priority in key locations</li> <li>• provides preferences for the location of bus stops and requests that indented bays not be provided as these impede re-entry of buses into the traffic flow.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• The issues raised can be dealt with during the initial subdivision development stage of the release area.</li> <li>• The proposed realignment of Glenlee Road will address the safety issues associated with the current intersection of Glenlee Road with Menangle Road. Also the proposed realignment of Glenlee Road will reduce the impact of increased traffic from the release area on the Sydney Catchment Authority Upper Canal and the associated stone bridge. Thus it is not considered appropriate to permit a bus only access route via the existing junction with Menangle Road.</li> <li>• Generally the proposed road widths within the draft DCP satisfy bus movements, however road widening may be required at critical bends, and this aspect will can be dealt with during the development application/construction certificate process.</li> </ul>	
<p>4. UrbanGrowth NSW (formerly Landcom)</p>	<ul style="list-style-type: none"> <li>• notes the reference to possible future south bound ramps to the F5 freeway and questions whether these should be identified for future acquisition</li> <li>• requests amendment of the zoning map: <ul style="list-style-type: none"> <li>– to include a parcel of land (west of the proposed Spring Farm Parkway) within the General Industrial Zone as noted on the structure plan contained within the draft DCP. Also requests that this land be removed from the lot size map</li> <li>– to realign the boundaries of the proposed north facing ramps to the F5 freeway</li> </ul> </li> <li>• requests amendment of the height map by replacing the building height of 7.5m for two storey buildings with 8.5m to be consistent with the NSW Housing Code.</li> </ul>

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<ul style="list-style-type: none"> <li>• Comment</li> </ul>	<ul style="list-style-type: none"> <li>• The issue of south facing ramps from the proposed Spring Farm Parkway to the M31 (previously known as the F5 Freeway) has not been investigated in detail as part of the Menangle Park rezoning process. However, it is understood that further investigation is currently being undertaken to identify the location of future south facing ramps to the M31 by the NSW Department of Roads and Maritime Services and by the Department of Planning and Environment through the Greater Macarthur Land Release Investigation process.</li> <li>• The parcel of land west of the proposed Spring Farm Parkway was not included in the General Industrial Zone as it is generally located within the 1:100 year flood line, and is an isolated pocket of land, and it is considered that the proposed rural zoning for this land is the most appropriate. Whilst it was included in the Proposed Structure Plan for the release area, it was not included within the draft zoning map. It should therefore be removed from the draft DCP maps to be consistent with Council's planning intentions.</li> <li>• The draft zoning map has been updated with regard to the north facing ramps to the M31, as Council has now received detailed mapping information with regard to their location.</li> <li>• As CLEP 2015 includes a building height of 8.5m for two storey buildings within the proposed R2 Low Residential Zone, it is appropriate to amend the Menangle Park height map to be consistent with this document as well as the NSW Housing Code.</li> </ul>
5. Dam Safety Committee	<ul style="list-style-type: none"> <li>• requests the submission of D1 Forms for each detention basins/dam proposed under the draft DCP.</li> </ul>
Comment	<ul style="list-style-type: none"> <li>• This issue would be dealt with when the development of the detention basins is proposed.</li> </ul>
6. NSW Trade and Investment Resources & Energy	<ul style="list-style-type: none"> <li>• advises of the development approval granted in December 2012 for the extraction of soil and sand from land owned by Landcom (now known as UrbanGrowth NSW) and notes that the draft DCP includes a buffer distance of at least 200m between the site and residential development to address dust issues, etc. Requests Council to be sure this distance is adequate as it would generally recommend a buffer of 500m</li> <li>• advises that whilst Illawarra Coal has approval to mine (only first workings) under the Nepean River south of the MPURA, Illawarra Coal has indicated that it is unlikely to mine further north and east of the current approved area, and intends to focus its operations west of the Nepean River</li> <li>• considers that in spite of the above intention of Illawarra Coal, potential residential purchasers are informed of the implications of the South Campbelltown Mine Subsidence District</li> <li>• notes the existence of several gas wells in the vicinity of the proposal, and that allowing residential development within the Petroleum Production Lease 4 area would sterilise valuable coal seam gas resources.</li> </ul>

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<p>Comment</p> <ul style="list-style-type: none"> <li>It is considered that the adequacy of the buffer distance of at least 200m to address dust issues etc. would be assessed at the time that any development application for sand mining is received.</li> <li>Applications for s149 Planning Certificates for all properties within the Menangle Park Urban Release Area will include a reference to the South Campbelltown Mine Subsidence District, thus future residents will be aware of this matter when purchasing land within the area.</li> <li>The draft zoning map includes five gas well sites proposed to be zoned SP2 Infrastructure Gas Wells. Council has now received advice from AGL stating it has no plans to drill three of these wells, therefore these three have been removed from the zoning map.</li> <li>AGL announced on 4 February 2016 that it will cease production through the Camden Gas Project in 2023 instead of 2035. The site and wells will be progressively decommissioned and the sites rehabilitated.</li> </ul>	
7. Mine Subsidence Board	<ul style="list-style-type: none"> <li>objects to the proposed four storey height limit within the proposed town centre, and considers that all improvements be limited to two storeys</li> <li>advises that single or two storey buildings are limited to a maximum length of 30m and maximum width of 18m.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>It is noted that the NSW Trade and Investment submission (number 6 above) advises that Illawarra Coal intends to focus its operations west of the Nepean River, not within the Menangle Park Urban Release Area.</li> <li>The viability of the proposed release area town/local centre would be put at risk if only two storey development was permitted throughout the site and no provision was made for four storeys within the local centre.</li> <li>In light of the advice from the Department of Planning in 2006 which states that "mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region" it is considered that Council should refer this objection to NSW Planning and Environment for resolution. However, Council is not satisfied that this objection can be sustained and that any restriction to two storeys would not be in the public interest.</li> </ul>	
8. Sydney Catchment Authority (SCA)	<ul style="list-style-type: none"> <li>requests the replacement of the current stormwater management provisions included within the draft DCP, with the SCA standard development controls for Land adjacent to the Sydney Catchment Authority's Upper Canal which aim to ensure no detrimental impacts on the canal re stormwater runoff and security fencing</li> <li>strongly supports the realignment of Glenlee Road which will result in the closure of the current intersection of Glenlee Road and Menangle Road across the canal</li> <li>whilst it is recognised that Roads and Maritime Services will consult with SCA re any road widening of Menangle Road, it is also requested that Council ensure that no construction work will impact on SCA's ability to access the canal</li> <li>requests that the canal be referred to as the Sydney Catchment Authority Upper Canal throughout all documentation.</li> </ul>

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Comment	
<ul style="list-style-type: none"> <li>The Sydney Catchment Authority's standard controls have already been included in the Campbelltown (Sustainable City) DCP as these controls affect land within other areas of the Campbelltown LGA.</li> <li>The canal will be referred to as the Sydney Catchment Authority Upper Canal in all documentation.</li> </ul>	
9. NSW Health South Western Sydney Local Health District	<ul style="list-style-type: none"> <li>acknowledges that the draft DCP has included environmental sustainability and healthy urban planning as key development objectives</li> <li>notes the intention to create walkable neighbourhoods with good access to public transport, provision of active and passive open spaces with pedestrian and cycle links</li> <li>recognises the limitations of the railway and considers that the bus system should be upgraded during the early stages of development of the site</li> <li>requests inclusion of access to healthy food as an objective in future plans and proposals, and promotes local farmers markets, community gardens and use of nature strips for edible landscaping</li> <li>concerned that the cost of infrastructure and noise amelioration strategies will impact on housing affordability</li> <li>requests that equitable access to health care and social services should be considered in future plans</li> <li>notes the Department of Planning's advice that mining of the coal resource should be restricted but considers that it may occur in the future and thus raises concerns re the impact of mine subsidence.</li> </ul>
Comment	
<ul style="list-style-type: none"> <li>Comments noted</li> <li>It is noted that NSW Health did not make a comment with regard to any potential health risks with regard to coal seam gas (CSG) mining. However, Council has since received advice from the Environmental Health Branch of NSW Health which states: <p>We generally consider that any residential development/rezoning near existing CSG wells should be subject to the same planning controls as residential development/rezoning near other types of industrial developments.</p> <p>The recent Greater Macarthur Land Release Investigation documentation considers that land within 200m of existing coal seam gas wells is encumbered and thus not suitable for urban development until the wells have been closed and sealed and gas operations have ceased. The draft DCP has been amended to address this issue.</p> </li> <li>The draft zoning map includes five gas well sites proposed to be zoned SP2 Infrastructure Gas Wells. Council has now received advice from AGL stating it has no plans to drill three of these wells; therefore, they have been removed from the zoning map.</li> <li>AGL announced on 4 February 2016 that it will cease production at the Camden Gas Project in 2023 instead of 2035. The site and wells will be progressively decommissioned and the sites rehabilitated.</li> </ul>	
10.Environment Protection Authority	<ul style="list-style-type: none"> <li>extensive information is provided for Council's consideration with regard to land use conflict, air quality, water quality and river flow, noise, contaminated land management and waste management.</li> </ul>



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	<p>This information also directs Council to various items of documentation and guidelines which aim to assist in the management of these matters</p> <ul style="list-style-type: none"> <li>• notes that the site contains sand and soil resources which may be mined, and recommends that this issue be considered as part of the draft planning proposal to enable appropriate management of any potential land use conflicts</li> <li>• recommends that wood heaters not be permitted within the release area and that reticulated gas be made available to all residences</li> <li>• notes the detrimental impact of vehicle emissions and recommends that electrification of the rail line be further investigated to assist with minimising vehicle kilometres travelled</li> <li>• raises the issue of noise impacts from a number of sources, e.g. road, rail, sand extraction, etc. and recommends assessment be undertaken with reference to various documents and policies</li> <li>• recommends that an assessment be undertaken to determine whether monitoring will be required to ensure that there is no increase in the nutrient load on the Nepean River from either stormwater runoff or any new sewage treatment scheme.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• The issue of potential land use conflicts would be addressed as part of the assessment process of any development application for the extraction of sand or soil within the locality.</li> <li>• It is recognised that vehicle emissions are a major source of air pollution and negotiations have already been held with a local bus company to ensure that an adequate bus service can be provided to the subject site in an effort to reduce private car usage. Also, the draft DCP provides for an extensive network of pedestrian and cycle paths to encourage walking and cycling.</li> <li>• With regard to domestic solid fuel heaters it is anticipated that gas will be available to all residences within the release area thus reducing the need for such heaters. However, it is noted that there are significant regulations currently in place within the Protection of the Environment Operations (Clean Air) Regulation 2010 to ensure that all domestic solid fuel heaters sold in NSW comply with emission limits specified in Australian Standard AS/NZS 4013:1999: Australian Domestic solid fuel burning appliances - method for determination of flue gas emission, and are marked accordingly. Advice with regard to wood heaters is also available on Council's website.</li> <li>• With regard to electrification of the railway line from Macarthur to Menangle Park it is noted that Council forwarded a letter in November 2014 to the Minister for Transport requesting the reconsideration of electrification of the railway line from Macarthur to Menangle Park. The Minister replied in January 2015 advising that the government did not have any current plans to electrify the line. However, as mentioned above the Greater Macarthur Land Release Investigation document proposed to investigate the electrification of the rail line to Menangle Park. As a result the Western Sydney Rail Needs Scoping Study Discussion Paper has been prepared and was the subject of a report to Council's Ordinary Meeting held on 8 November 2016 where Council resolved to forward a submission to the Commonwealth Department of Infrastructure and Regional Development and to Transport for NSW. The submission supports the construction of a connection from the proposed Badgery's Creek airport to Narellan with an extension through to a potential new Menangle Park railway station.</li> </ul>	

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	<ul style="list-style-type: none"> <li>• Development applications affected by noise impacts will be assessed against the provisions of all relevant government documents and policies.</li> <li>• The quality of stormwater will be controlled by Council's water quality objectives and controls within the Campbelltown (Sustainable City) Development Control Plan.</li> <li>• It is considered that the water quality objectives for the management of stormwater will ensure that there is no increase in the nutrient load on the Nepean River.</li> <li>• All other information is noted.</li> </ul>
11. NSW Office of Environment & Heritage (OEH)	<ul style="list-style-type: none"> <li>• requests assurance that surveys of <i>Pimelea spicata</i> were undertaken during favourable weather conditions and if so OEH should be provided with such results</li> <li>• concerned that many areas designated for offsets would be unlikely to support the same vegetation as that which is proposed to be removed</li> <li>• concerned that adequate certainty is not provided for offset areas to be secured and managed in perpetuity</li> <li>• considers that it is inappropriate that high value archaeological and cultural lands will fall within 6(a) Local Open Space, 1(a) Rural and 6(c) Private Open Space zones.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• Surveys for <i>Pimelea spicata</i> were undertaken during favourable weather conditions and a copy of such surveys has been sent to OEH.</li> <li>• OEH (previously known as DECCW) did not raise any concerns with regard to the Off Setting Strategy during previous consultation undertaken in 2010, when all the technical studies for the Menangle Park Urban Release Area were referred to government agencies for comment. However, it is recommended that prior to the issuing of any development applications for land containing high quality vegetation, all applicants must provide an Off Setting Strategy that satisfies Council that the location for offset revegetation is appropriate, and that all offsets are secured in perpetuity. It is also recommended that Council consult with OEH in assessing the contents of any Off Setting Strategy. The controls in clause 1.11.2 Flora and Fauna Conservation of the draft DCP have been amended to address this issue.</li> <li>• It is recognised that the previous 6(a), 6(c) and 1(a) zonings (now RE1 Public Recreation, RE2 Private Recreation and RU2 Rural Landscape) do not include objectives that specifically aim to protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values. However, whilst no major development is proposed for these lands, the provisions of clause 5.10 Heritage Conservation within CLEP 2015 and clause 1.10.1 Aboriginal Heritage of the draft DCP must be complied with. Also, the majority of the land that is classified as culturally significant, or likely to have a high potential for intact archaeological outcomes, is proposed to be dedicated to Council.</li> </ul>	
12. NSW Department of Primary Industries Office of Water	<ul style="list-style-type: none"> <li>• concerned that some riparian corridor widths, as previously agreed with Landcom (now UrbanGrowth NSW), have been reduced, and that a riparian corridor linking the Nepean River via Howes Creek to the Australian Botanic Garden has not been included within the Land Zoning map. Requests that either the link originally proposed between Howes Creek and the Australian Botanic Garden be reinstated or that the link via creek N3b (which flows around the southern boundary of the emplacement site) be utilised instead</li> <li>• requests the riparian corridors be zoned E2 Environmental Conservation</li> </ul>

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	<ul style="list-style-type: none"> <li>• requests a larger font size on figures in the draft DCP</li> <li>• recommends including the protecting and enhancing of wetlands on the site as a key objective within the draft DCP</li> <li>• recommends that clause 12.11.1 of the draft DCP be amended to include a table and figure which indicates creeks and riparian corridor widths, and that all riparian land is to be rehabilitated in accordance with previously negotiated riparian outcomes</li> <li>• recommends that control 3 in clause 12.12 of the draft DCP be amended to include the words riparian land or other before the word areas</li> <li>• requests amendment of Figure 4 within Appendix 15 of the draft DCP to show all agreed riparian corridors.</li> </ul>
<p>Comment</p>	<ul style="list-style-type: none"> <li>• The Local Environmental Study was prepared in July 2010 and thus did not include the updated structure plan, which was provided to Council by consultants in 2011, and was included within the draft DCP and used to prepare the zoning map. However, the areas specified as riparian corridors were defined on the zoning map and provisions proposed to be provided within the LEP to ensure their conservation, etc. It appears that the current footprint for the riparian lands west of the railway line was determined by the outcome of work prepared to support the development application for the proposed sand mining of this land by UrbanGrowth NSW (previously Landcom). With regard to the width of creek S1c within the southern portion of the release area, it is not considered that the width of this creek corridor has been reduced. However, the scale of the maps makes it difficult to accurately assess the width of the creek. Nonetheless a clause specifically relating to protecting and maintaining riparian land and watercourses has been included within Campbelltown LEP 2015, and it is recommended that this clause be amended to specifically refer to the land identified on the Menangle Park zoning map as requiring riparian protection.</li> <li>• There is no existing riparian corridor linking Howes Creek to the Australian Botanic Garden, and Council has not agreed to any rerouting of creeks N3a and N2c (which currently flow around the southern tip of the coal emplacement site and into the Nepean River via creek N3b) to achieve such an outcome due to the impacts of extra flows into Howes Creek, e.g. scouring issues. Council acknowledges the desire to provide a vegetative link between the Nepean River and the Australian Botanic Garden, and thus proposes that the link via creek N3b be utilised. This creek falls within the boundaries of the current Glenlee Planning Proposal (coal emplacement site), and the establishment of a vegetated link from the Nepean River to the Australian Botanic Garden is acknowledged within this proposal. Thus it is proposed that this matter be dealt with as part of the Glenlee Planning Proposal, and consultation be undertaken with UrbanGrowth NSW as the adjoining property owner with regard to this matter.</li> <li>• There was no equivalent zone within Campbelltown (Urban Area) LEP 2002 for the E2 zone referred to by the Office of Water. Thus, Council identified the specific riparian corridors on the zoning map and used the 6(a) Local Open Space Zone (now RE1 Public Recreation) as the majority of the riparian lands within Menangle Park are either owned by Council or will be dedicated to Council. However, as it is now proposed that this draft Planning Proposal amend CLEP 2015 it is considered that the riparian land and watercourses clause referred to in bullet point one above will adequately address the protection and maintenance of these waterways.</li> </ul>

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	<ul style="list-style-type: none"> <li>The draft DCP has been amended to: <ul style="list-style-type: none"> <li>increase the font size of all figures as necessary</li> <li>include a reference to the protection and enhancement of wetlands in Key Development Objective 11</li> <li>include riparian land or other before the word areas in control 3 of clause 1.12.</li> </ul> </li> <li>As a clause already exists within Campbelltown LEP 2015 to address riparian land and watercourses including appropriate widths, it is not considered necessary to provide further information within the draft DCP. The riparian corridor will also be included in the proposed environmental constraint mapping proposed to be included into CLEP 2015.</li> <li>It is not considered necessary to amend Figure 4 within Appendix 15 of the draft DCP to show all the agreed riparian corridors as this appendix specifically provides guidelines for streetscape and the public domain and this information is provided within the draft LEP.</li> </ul>
13. NSW Heritage Council	<ul style="list-style-type: none"> <li>notes the heritage objectives included within the draft DCP and requests similar inclusion within the objectives of the draft Planning Proposal</li> <li>requests inclusion of a further objective within the draft DCP which addresses heritage conservation or linking appropriate character development in the vicinity of heritage items or the like</li> <li>considers that any proposed development within the vicinity of any identified sites of environmental heritage should include controls with regard to height, setback, density and site cover</li> <li>suggests that increasing the height and bulk in areas around the town centre and railway and reducing the height and bulk around Glenlee estate could deliver the same housing yield with less impact on the rural setting and functioning of Glenlee estate</li> <li>advises that detailed assessment of non-indigenous archaeological sites should be required at the DA stage of any proposed development and should comply with the requirements of s139-146 of the <i>NSW Heritage Act 1977</i></li> <li>recommends the inclusion of the railway viaduct at Glenlee as a local heritage item in a new LEP. Suggests that further research may flesh out its heritage value and support its ongoing conservation.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>Objective (b) of the draft planning proposal provides for the protection of both indigenous and non-indigenous heritage. CLEP 2015 contains extensive existing objectives with regard to indigenous and non-indigenous heritage matters, and as the proposed rezoning of the Menangle Park Urban Release Area will create an amendment to CLEP 2015, it is not considered necessary to amend the objectives of the draft planning proposal.</li> <li>Whilst it is noted that detailed objectives are included in clauses 1.10.1 and 1.10.2 of the draft DCP for both indigenous and non-indigenous heritage, the draft DCP has been amended to include an additional Key Development Objective in clause 1.4 which ensures the conservation of heritage items, and that any development within the vicinity of heritage items takes into consideration the significance of such items.</li> </ul>	



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	<ul style="list-style-type: none"> <li>• In addition, an additional control has been included in clause 1.10.2 Non-Indigenous Heritage of the draft DCP, which provides for a road on the eastern and northern boundaries of Glenlee House to delineate its curtilage.</li> <li>• Council would support the inclusion of the railway viaduct at Glenlee as a local heritage item within the Campbelltown LEP on the condition that sufficient supporting information was provided to Council. It is recommended that further information be requested from the NSW Heritage Council with regard to this matter.</li> <li>• Other comments are noted.</li> </ul>
14. NSW State Emergency Services	<ul style="list-style-type: none"> <li>• not concerned by any future storm damage, but considers that the flooding issue is a concern and thus raises the following questions:             <ul style="list-style-type: none"> <li>○ will the proposed road over Howes Creek be impacted by floodwater?</li> <li>○ will the proposed Glenlee Road be able to accommodate a high volume of traffic due to a major event?</li> <li>○ will the proposed Spring Farm Parkway be constructed above a major flooding event level and when will it be built?</li> <li>○ concerned by the location of the land allocated for an emergency services facility in the south of the site, as this site is a known flood area. Requests consideration of a site within the northern area of the precinct.</li> </ul> </li> <li>• requests as part of this development that Council consider reconstructing the existing boat launching facilities on the Nepean River, which currently pose a very high risk to SES volunteers.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• The Spring Farm Parkway and the road over Howes Creek are proposed to be constructed above the 1:100 flood line.</li> <li>• The realigned Glenlee Road is proposed to be developed as a bus route/collector road with a carriageway width of 11.6m. However, the draft DCP has been amended to include a provision for the carriageway width of bus routes to be locally widened at bus stops to 12.0m to allow for a 2.5m bus bay.</li> <li>• The site allocated as the location for an emergency services facility is above the 1:100 year flood line and was to be located on land that was within Council's ownership. Whilst Council no longer owns this land it is understood that provision will still be available for the construction of an emergency services facility on land that is proposed to be zoned SP2 Infrastructure - Public Facilities. Council does not own any land within the northern area of the precinct, and is thus unable to offer an alternative site in this area.</li> <li>• The request for the reconstruction of the boat launching facilities is not part of the planning process, and is thus irrelevant to this rezoning proposal. However, this matter was referred to the Director of City Delivery for further investigation.</li> </ul>	
15. Endeavour Energy	<ul style="list-style-type: none"> <li>• advises that the existing distribution network within the Menangle Park area does not have the capacity required to supply the proposed Menangle Park Urban Release Area</li> <li>• however, advises of the following infrastructure that will be required to meet future electricity needs:             <ul style="list-style-type: none"> <li>○ one hectare of land for a zone substation located above the 1:100 flood level</li> </ul> </li> </ul>

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	<ul style="list-style-type: none"> <li>○ distribution substations which are generally located within an easement on individual allotments, and will be provided by the developer</li> <li>○ distribution cables which will be installed underground from the zone substation throughout the site, and will be provided by the developer</li> <li>• advises of the existence of the two 66kV overhead feeders which cross the north eastern portion of the release area, and the proposal to provide an additional feeder</li> <li>• also advises that 24 hour access is required for the feeders for maintenance and repairs</li> <li>• a further submission from Endeavour Energy advised of its preference to locate the zone substation in a central position on land currently owned by UrbanGrowth NSW and requested that this site be zoned infrastructure.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• Originally a site was identified for the development of an electricity zone substation that was above the 1:100 year flood line and within Council's ownership. However, in light of Endeavour Energy's decision to relocate the electricity substation and the fact that its development can be permitted through the provisions of State Environmental Planning Policy (Infrastructure) 2007, it is considered that the rezoning of the proposed substation site could be addressed in a future housekeeping amendment to Campbelltown LEP 2015. However, it is considered appropriate to include its location within the amended draft Menangle Park Development Control Plan. Further it is proposed to write to Endeavour Energy to ensure that the feeder lines to the substation do not visually impact on the proposed development of the release area.</li> <li>• It is noted that the objectives and controls with regard to any proposed development near or on electricity easements, has been included within clause 2.19 Volume 1 of Campbelltown (Sustainable City) DCP.</li> <li>• Other comments noted.</li> </ul>	
16. Jemena Gas Networks	<ul style="list-style-type: none"> <li>• advises that Jemena Gas Networks currently has the 850 High Pressure Trunk Gas Main and the Eastern Gas Pipeline located within the north eastern corner of the Menangle Park Urban Release Area</li> <li>• the preparation of a Pipeline Safety Management Study is required to be submitted with any proposed development application for land within the vicinity of either of these gas mains.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• It is noted that the objectives and controls with regard to land adjacent to or affected by gas easements, has been included within clause 2.20 Volume 1 of Campbelltown (Sustainable City) DCP. However, the location of the gas pipelines has been identified on the Urban Structure Plan within the draft Menangle Park DCP.</li> <li>• Other comments noted.</li> </ul>	
17. Gorodok	<ul style="list-style-type: none"> <li>• advises that Gorodok owns the Moomba-Sydney Ethane Pipeline which traverses the north eastern corner of the Menangle Park Urban Release Area</li> <li>• any future development applications for dwellings or sensitive land uses on land within 750m of the pipeline easement will require a risk assessment in accordance with AS2885.1</li> </ul>

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	<ul style="list-style-type: none"> <li>advises that the gas pipeline does not preclude development but requires assessment of any proposals in proximity to the pipeline easement.</li> </ul>
<p>Comment</p> <p>It is noted that the objectives and design requirements with regard to land adjacent to or affected by gas easements, have been included within clause 2.20 Volume 1 of Campbelltown (Sustainable City) DCP. Further, the location of the gas pipeline has been identified on the Urban Structure Plan Map within the draft Menangle Park DCP.</p> <ul style="list-style-type: none"> <li>Other comments noted.</li> </ul>	
18. Wollondilly Shire Council	<ul style="list-style-type: none"> <li>generally supports the methodology proposed for the Menangle Park Urban Release Area, and specifically the provision of the Spring Farm Parkway and proposed access to the F5 Freeway</li> <li>considers that additional car parking will be required at Macarthur and Campbelltown railway stations and that the State Government should address this issue</li> <li>notes that the expected increase in traffic movements will impact on the Campbelltown LGA and not specifically on the Wollondilly LGA</li> <li>considers that the village of Menangle will benefit from the development of Menangle Park through the provision of a better bus service, reticulated sewer service and local shopping centre</li> <li>notes that the population projections within the Menangle Park Local Environmental Study for Wollondilly are now out-of-date</li> <li>suggests updating the LES to include the potential release area of Wilton Junction and Appin.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>Comments noted.</li> </ul>	
19. Australian Rail Track Corporation Ltd	<ul style="list-style-type: none"> <li>requests that Council consider State Environmental Planning Policy (Infrastructure) 2007 and Development Near Rail Corridors and Busy Roads–Interim Guideline (2008)</li> <li>supports inclusion of noise management provisions within the draft DCP, however, recommends that the documents State Environmental Planning Policy (Infrastructure) 2007 and Development Near Rail Corridors and Busy Roads–Interim Guideline (2008) be referred to in clause 12.14 instead of the reference to design standards and setbacks required by the NSW Roads and Traffic Authority and State Rail, as the names of these organisations has changed.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>Rather than include the names of specific documents, clause 1.14 of the draft DCP has been amended to refer to the design standards and setbacks required by the relevant government road and rail authorities.</li> </ul>	
20. Cubbitch Barta Native Title Claimants	<ul style="list-style-type: none"> <li>concerned that there has been no correspondence or consultation since 2008 with regard to aboriginal heritage</li> <li>concerned that the loss of aboriginal heritage is not as important as the loss of vegetation</li> <li>concerned that whilst open space is proposed within high sensitivity areas the result is not conservation, as often this open space will include drainage and servicing infrastructure</li> <li>concerned that aboriginal heritage is not listed in the objectives of the draft planning proposal.</li> </ul>

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	<p>Comment</p> <ul style="list-style-type: none"> <li>• A meeting of representatives of the aboriginal community, Council, Landcom, Ms Jo McDonald (author of the Menangle Park Indigenous heritage report) and APP (the consultancy project managing this matter) was held on 22 March 2010 at the Civic Centre, Campbelltown, and a number of issues were discussed and Ms McDonald amended her report accordingly.</li> <li>• It is recognised that both aboriginal and non-indigenous heritage should be included in the objectives of the draft planning proposal.</li> <li>• Ms Chalker (from Cubbitch Barta Native Title claimants) at a meeting with Council officers advised that she had no objection with the provisions included within the draft DCP, and with the updated provisions within the draft Campbelltown (Sustainable City) DCP. However, she requested that the term indigenous heritage be replaced with aboriginal heritage. As such all planning documentation has been amended to acknowledge this request.</li> <li>• It is noted that any proposed development within the release area must address the provisions with regard to Aboriginal heritage contained within the draft Menangle Park DCP.</li> </ul>
<p>21. Transport for NSW</p>	<ul style="list-style-type: none"> <li>• Transport for NSW (TfNSW) and Roads and Maritime Services (RMS) have been working with UrbanGrowth NSW and have agreed on the alignment of the proposed Spring Farm Parkway and north facing ramps</li> <li>• advises that any reference to committing TfNSW or RMS for future funding of infrastructure should be removed. TfNSW and Council should work together to determine funding options.</li> </ul>
	<p>Comment</p> <ul style="list-style-type: none"> <li>• It has always been considered that the proposed Spring Farm Parkway would be a road of regional significance, and therefore not infrastructure that Council should be required to fund. The Department of Planning and Infrastructure (now NSW Planning and Environment) instructed Council to zone the road under the 5(b) Special Uses Arterial Roads zone on the zoning map, and also requested Council to publicly exhibit the draft Menangle Park Planning Proposal (in 2012-2013) even though RMS had not agreed to be the acquisition authority for the Parkway, as required by such zoning. However, the public exhibition of draft Campbelltown LEP 2014 identified the route of the proposed Spring Farm Parkway as Zone SP2 Infrastructure and there was no acquisition requirement for RMS to purchase the land.</li> <li>• Council has now agreed to be a party to, and signed, the Greater Macarthur Priority Growth Area Memorandum of Understanding with the Department of Planning and Environment, which states that a new Special Infrastructure Contribution (SIC) levy will be established to cover the cost of regional infrastructure to support the development of the Menangle Park Urban Release Area. It is therefore considered appropriate for Council to now identify the acquisition authority of the route of the proposed Spring Farm Parkway and the north facing ramps onto the M31 freeway as the RMS.</li> <li>• Council has received assurance from UrbanGrowth NSW and the Dahua Group to commit to the construction of Spring Farm Parkway Stage One. A copy of a letter advising of this assurance is shown at attachment 4 including a map indicating the extent of Stage One works.</li> </ul>

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22. Fire & Rescue NSW	<ul style="list-style-type: none"> <li>• recommends that all developments comply with the Building Code of Australia and relevant Australian Standards</li> <li>• recommends compliance with Fire &amp; Rescue NSW Guidelines for Emergency Vehicle Access Policy No 4.</li> <li>• provides information with regard to the installation of fire hydrants</li> <li>• recommends prominent signposting for all streets and buildings to facilitate rapid fire fighting response times.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• Comments noted.</li> </ul>	
<b>Submissions from the community</b>	
<p>23. Rhodes Haskew Associates</p> <p>Re - Lots 7-9 DP 791365 Menangle Road, Menangle Park</p>	<ul style="list-style-type: none"> <li>• acknowledges Council's original intention for a rural zoning on Lots 7-9 DP 791365 (being the narrow portion of land between the F5 freeway and Menangle Road) and to permit additional land uses to provide for a service station, retail plant nursery and landscape supply establishment, and notes the Gateway determination to not use the additional use provisions, but rather use a land use zone that includes such uses</li> <li>• requests Council to consider either the rezoning of the subject land to Zone SP3 Tourist as included in the Standard Instrument LEP, or using Schedule 1 – Additional Permitted Uses as originally proposed by Council.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• The use of the SP3 Tourist Zone for Lots 7-9 is not considered appropriate as it includes tourist and visitor accommodation as a permitted land use, and these uses are not considered conducive with the location of this land being adjacent to the M31 (previously F5 freeway). It is also Council's preference to provide tourist and visitor accommodation within the proposed local centre of Menangle Park. However, it is noted that Council proposed within draft Campbelltown LEP 2014, when it was publicly exhibited, to rezone Lots 7-9 as RU6 Transition Zone, and include service station, retail plant nursery and landscape supply establishment as permitted land uses with consent. It is considered that the RU6 zone is the most appropriate zoning for this land at this time and the draft Menangle Park Planning Proposal has been amended to address this issue. It is also noted that the draft Planning Proposal provides a minimum residential subdivision standard of one hectare for Lots 7-9.</li> </ul> <p>However, it is recognised that the land located between the M31 freeway and Menangle Road could be capable of accommodating some future broad acre tourist uses eg recreational vehicle parking, and as such it is proposed that further investigation be undertaken to pursue this opportunity.</p>	
<p>24. Michael Brown Planning Strategies</p> <p>Re - Lot 11 DP 786117, Racecourse Avenue, Menangle Park</p>	<ul style="list-style-type: none"> <li>• requests amending the proposed rural zoning of Lot 11 to part 6(a) Local Open Space (for that part of the site that is flood affected) and part 2(b) Residential for the rest of the site.</li> </ul>



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<p>Comment</p> <ul style="list-style-type: none"> <li>It is considered that the Menangle Park Urban Release Area is already providing significant areas of public open space, and the addition of further land is thus not considered to be required.</li> <li>It is not considered appropriate to permit further residential development on Lot 11, as this property cannot be assured of flood free access.</li> </ul>	
<p>25. Michael Brown Planning Strategies</p> <p>Re - 32, 62, 92 &amp; 112 Racecourse Avenue, 18 Payten Street and 80 Cummins Road, Menangle Park</p>	<ul style="list-style-type: none"> <li>acknowledges that all the subject properties are proposed to be rezoned to 2(b) Residential</li> <li>requests the following amendments to the planning documentation: <ul style="list-style-type: none"> <li>higher density residential development should be permitted on land adjacent to the railway line</li> <li>the minimum small lot size should be reduced from 300sqm to 250sqm</li> <li>the height controls for higher density residential development should be increased to four storeys and to six storeys at gateway locations to the town centre on Racecourse Avenue</li> <li>the height controls for the town centre should be increased to six storeys</li> <li>the maximum floor area for secondary dwellings should be increased from 50sqm to 60sqm.</li> </ul> </li> <li>considers that these proposed amendments would: <ul style="list-style-type: none"> <li>assist in the relocation of horse trainers to the Harness Park site thus freeing up their properties for redevelopment</li> <li>ensure that residential targets are achieved and that there will not be a shortfall in funding for infrastructure</li> <li>provide an increase in persons utilising public transport</li> <li>be in accordance with sound town planning outcomes and that of the State Government Policy in relation to Urban Consolidation, Housing Affordability and a number of other State Environmental Planning Policies.</li> </ul> </li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>Whilst it is recognised that in certain locations higher density development is appropriate adjacent to railway lines, the urban designers for the Menangle Park Urban Release Area considered that higher density development was better located around the local centre and overlooking public open space. However, it is recognised that there may be an opportunity to review the location and density of future residential development within Menangle Park, in light of work being undertaken by State agencies with regard to the provision of a rail link from Camden to Macarthur.</li> <li>To be consistent with Campbelltown LEP 2015 it is considered appropriate to maintain the minimum small lot size of 300sqm.</li> <li>It is considered that the proposed maximum two storey development for residential areas, as recommended by the urban designers, is appropriate, and that only development within the local centre should provide for a maximum of four storeys.</li> <li>Campbelltown (Sustainable City) DCP currently includes provisions for the development of garden flats with a maximum floor area of 60sqm, which are not subdivisible unless consistent with the minimum lot size provisions. The draft Menangle Park DCP proposes to provide for the development of studio apartments which would be located above a garage, carport or like structure of the principal dwelling, could be</li> </ul>	

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	capable of being strata subdivided and have a maximum floor area of 50sqm. It is considered that these maximum floor areas are appropriate for garden flats and studio apartments.
<p>26. Michael Brown Planning Strategies</p> <p>Re - Land owned by the NSW Harness Pty Ltd</p>	<ul style="list-style-type: none"> <li>• NSW Harness Pty Ltd proposes significant improvements and development of the Harness Park and wishes to ensure that such development can proceed in a timely manner</li> <li>• recognises the benefits of the existing use rights that the Harness Park currently enjoys and the proposed 6(c) Private Open Space zoning, but requests additional certainty with regard to the proposed future development of the park</li> <li>• requests the following additional permitted uses be included in Schedule 2: <ul style="list-style-type: none"> <li>○ permanent stables for trainers, offices and accommodation for stable hands</li> <li>○ a Centre of Excellence for educating trainers, drivers and stable hands</li> <li>○ day stabling yards</li> <li>○ stock feed sheds</li> <li>○ veterinary facilities</li> <li>○ farrier facilities.</li> </ul> </li> <li>• concerned that the acoustic report has not addressed the impact of the Harness Park on new residents and advises that the Club's business should not be jeopardised by new incoming residents</li> <li>• notes the need to resolve the issue of the establishment of easements across the Harness Park land to provide for stormwater drainage from land on the eastern side of the railway line. Notes that the Harness Park has had to undertake significant works to address stormwater flows that were impacting on recent construction works within the Park, and expects to be reimbursed for such works through s94 development contributions</li> <li>• notes that Figure 12.2 of the draft DCP (Urban Structure Plan) incorrectly shows that portion of land proposed to be purchased by the Harness Park as being zoned rural instead of private open space</li> <li>• requests amendment of Figure 12.6 (Areas of Indigenous Heritage Sensitivity) to replace the area in the southern portion of the site adjacent to the railway line that is shown as an area of cultural significance, with Zone 2 – Moderate potential for intact archaeological outcome</li> <li>• considers that the height of buildings within the town centre should be raised to 20m or six storeys, and that properties adjoining the town centre and within close proximity to the railway station should have a 12-15m height control. Considers that raising the density will encourage horse trainers currently located within the village to relocate to the Harness Park site, and will create a sense of place for the village</li> <li>• objects to vegetated land within the northern part of the Harness Park being used as an off set for the removal of vegetation within other parts of the Menangle Park Release Area to enable development to occur</li> <li>• requests that the area located within the northern part of the site that is above the 1:100 year flood line be rezoned to 2(b)</li> </ul>

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	Residential. Considers that such rezoning would assist Council in achieving the residential targets that are implicit in ensuring that the contributions towards matters such as road upgrades can be met.
<p>Comment</p> <ul style="list-style-type: none"> <li>It is recognised that the proposed 6(c) Private Open Space (now RE2 Private Recreation) zoning of the harness park may not provide sufficient certainty with regard to the future development aspirations of the property owners, even though this development could be considered as ancillary to the existing harness park use. However, whilst Council is aware that the Gateway Panel is not supportive of the use of Schedule 1 in Campbelltown LEP 2015 for additional permitted uses, it is recommended that due to the State significance of the Harness Park, listing the following uses within Schedule 1 should be considered: <ul style="list-style-type: none"> <li>permanent stables for trainers, offices and accommodation for stable hands</li> <li>educational establishment for educating trainers, drivers and stable hands</li> <li>day stabling yards</li> <li>stock feed sheds</li> <li>veterinary facilities</li> <li>farrier facilities.</li> </ul> </li> </ul> <p>It is noted that significant building works have already been approved by Council with regard to some of the above proposed activities.</p> <ul style="list-style-type: none"> <li>With regard to the concern that the Club's business should not be jeopardised by new incoming residents' it is considered that the long standing history and significant existence of the harness park will make it very clear to future residents of the implications of living in proximity to such a venue.</li> <li>The issue of establishing easements across the harness park land will be dealt with as part of the preparation of the Menangle Park Development Contributions Plan.</li> <li>Figure 1.2 (Urban Structure Plan) of the draft DCP identifies the land which has now been purchased by the Harness Park as being private open space and not rural as suggested. However it is acknowledged that it is difficult to differentiate between the colours used in the legend to the map to identify what land is rural and what is private open space. It is also considered that the private recreation and private open space land uses be combined and defined as private open space. It is recommended that Figure 1.2 be amended to address these issues.</li> <li>The request to amend Figure 1.6 is based on the outcomes of a Preliminary Non-Indigenous Archaeological Assessment undertaken by the consultancy Artefact for the land proposed for development of a stable complex. However, this assessment only dealt with non-indigenous matters and Figure 1.6 specifically refers to Aboriginal matters, and information provided verbally from the aboriginal community indicates that this site is highly likely to contain indigenous heritage archaeology. Thus it is not considered appropriate to amend Figure 1.6. However, please note that archaeological salvage works have since been carried out under the conditions of Aboriginal Heritage Impact Permit C0000300 in relation to a development application for the construction of a horse stabling and training facility on this land.</li> <li>It is considered that the proposed maximum two storey development for all residential areas and the proposed maximum of four storey development within the local centre, as recommended by the urban designers, is appropriate for this particular release area at this time.</li> </ul>	

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	<ul style="list-style-type: none"> <li>• The Offsetting Strategy prepared by GHD Pty Ltd only provides for offset revegetation on land owned by Council (or will be dedicated to Council) or Landcom (now UrbanGrowth NSW). There is no proposed offsetting revegetation on land owned by the Harness Park.</li> <li>• The land requested to be rezoned to 2(b) Residential (now R2 Low Density Residential) contains high quality native vegetation and was originally part of a larger parcel of land extending north into Lot D DP 19853 (owned by UrbanGrowth NSW - Landcom) and was assessed for future residential development as it was located above the 1:100 year flood line. However, due to the cost of providing flood free access to this land and the significance of the vegetation, both NSW Harness Pty Ltd and Landcom previously agreed to not pursue a residential zoning for this land at this stage. No further advice has been received with regard to the provision of any flood free access to this site.</li> </ul>
27. Property owner Menangle Road	<ul style="list-style-type: none"> <li>• considers that the period of public exhibition over the Christmas holiday was inappropriate and will write to the Department of Local Government and ICAC</li> <li>• objects to overdevelopment of the area</li> <li>• concerned by potential flooding of land south of Menangle Road and the implications of this on Council by future land owners</li> <li>• concerned that The Pines is zoned rural but is rated residential and wishes to discuss this issue further with Council</li> <li>• requests information on why land sold to the Harness Park has not been included in the Menangle Park Draft Plan</li> <li>• concerned by the impact of increased traffic flows and the inadequate public transport</li> <li>• states that the Menangle/Menangle Park area is the birthplace of Australian agriculture, it is prime agricultural land and questions a proposal that does not reflect this fact</li> <li>• advises that the proposal has been well hidden by the Campbelltown City Council, many in the Menangle Community know nothing about it</li> <li>• advises that this draft proposal has not been looked at holistically across the valley (both sides of the Nepean)</li> <li>• provided additional information re extracts from the Insurance Council of Australia with regard to the risks of allowing development to occur in flood prone areas.</li> </ul>
Comment	<ul style="list-style-type: none"> <li>• It was Council's intention to publicly exhibit the draft planning proposal earlier in 2012. However, the Department of Planning and Infrastructure (now NSW Planning and Environment) (DPE) required Council to obtain approval from Roads and Maritime Services (RMS) to be named as the acquisition authority for the proposed Spring Farm Parkway. Council thus had to delay the commencement of the exhibition until a response from RMS was received. However, as no response from RMS was forthcoming the DPE requested Council to exhibit the draft planning proposal as soon as possible and without the approval of RMS. Unfortunately, this occurred over the Christmas period, but the required exhibition period of 28 days was extended to 53 days to allow sufficient time for the community to lodge submissions over this busy period.</li> <li>• The proposed development yield of 3400 residential allotments is considerably less than the 4200 allotments that were proposed in the Preliminary Menangle Park Local Environmental Study that was prepared in 2004, and noted in the State Government's 2006-2007 Metropolitan Development Plan.</li> </ul>

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- With regard to flooding issues the development footprint of the release area is governed by the 1:100 year flood line, and Council's position has always been to ensure that no new development occurs below this line. Therefore, a large portion of the land fronting the Nepean River, south of Menangle Road (depicted as Riverview within the Streetscape Master Plan included in the draft DCP) will not be able to be developed for residential purposes as it is flood affected.
  - The parcel of land that Council sold to NSW Harness Pty Ltd is included in the draft Menangle Park Planning Proposal (proposed to be rezoned to RE2 Private Recreation), and is also included in the main section of the draft DCP. However, it is not included within the Streetscape Master Plan (being an appendix to the draft DCP) as it is not relevant to this document.
  - It is considered that the proposed traffic planning and management of the Menangle Park Urban Release Area will be able to accommodate the anticipated future development of the subject site.
  - It is acknowledged that Menangle Park is currently a rural area, however not all of the land has been actively employed for agricultural purposes for a number of years. Nonetheless, there are large areas of land adjoining the Nepean River, which are flood affected and will continue to have the ability to be used for agricultural purposes. It is also important to note that Menangle Park has been recognised within the State Government's Metropolitan Development Plan for many years as a site suitable for future urban development, and the majority of the residents have been aware of this fact for some time. The development of Menangle Park for urban purposes was also recognised in Department of Planning and Environment's recent publication Greater Macarthur Land Release Investigation. In addition, it is noted that no government department has advised Council that this land should be preserved because it is the birthplace of Australian agriculture.
  - The Menangle Park community have been kept informed of the proposed rezoning of the release area and were individually notified of the public exhibition. In addition Council specifically requested Wollondilly Shire Council to notify all relevant property owners within its local government area of the public exhibition.
  - As previously noted, land at Menangle Park has been listed on the NSW Metropolitan Development Plan (MDP) for many years as worthy of consideration for future urban development. In preparing the MDP the State Government took into consideration the impact of rezoning rural land for urban purposes. During the preparation of the planning documentation required for the rezoning of the proposed Menangle Park Urban Release Area, the suitability and capability of the site was addressed. It is noted that the whole valley of the Nepean River within the Menangle area was previously used for agricultural purposes, and parts of it are still being used productively for both agriculture and sand mining. However, planning for the housing of Sydney's future population always requires a degree of compromise, and decisions with regard to the greater good of the community are often difficult to resolve. The planning for the proposed Menangle Park Urban Release Area is no different. Whilst it is recognised that not all matters are resolved to everybody's satisfaction, it is considered that the proposed draft planning proposal and draft development control plan will provide for a viable urban community whilst appropriately respecting the existing natural and cultural heritage qualities of the land.
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<p>28. Campbelltown Steam and Machinery Museum</p> <p>Re: Lot 2000 DP 790848 Menangle Road</p>	<ul style="list-style-type: none"> <li>• requests being excluded from the draft planning proposal</li> <li>• concerned that as the museum site is proposed to be rezoned to residential its rates will increase and this could either result in the museum closing down or relocating. This would create a financial loss to not only the museum, but also the community and businesses of Campbelltown who currently benefit from the number of visitors to the site</li> <li>• notes that the site is subject to a number of easements which would restrict development</li> <li>• considers that the museum's open days are incompatible with proposed surrounding residential properties</li> <li>• concerned by vandalism issues if the site is surrounded by residential properties.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• The concerns regarding the rezoning of the Campbelltown Steam and Machinery Museum are not unreasonable and the site of the museum should remain under its current rural zoning and not be rezoned residential as proposed.</li> </ul>	
<p>29. Email submission</p>	<ul style="list-style-type: none"> <li>• supports the provision of the Spring Farm Parkway</li> <li>• supports the electrification of the rail line to Menangle Park and asks whether Council will commit to pursuing the need for upgraded rail infrastructure with the State Government</li> <li>• does not support the provision of bus facilities as an alternative to rail.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• With regard to electrification of the railway line from Macarthur to Menangle Park it is noted that Council forwarded a letter in November 2014 to the Minister for Transport requesting the reconsideration of electrification of the railway line from Macarthur to Menangle Park. The Minister replied in January 2015 advising that the government did not have any current plans to electrify the line. However, as mentioned above the Greater Macarthur Land Release Investigation document proposed to investigate the electrification of the rail line to Menangle Park. As a result the Western Sydney Rail Needs Scoping Study Discussion Paper has been prepared and was the subject of a report to Council's Ordinary Meeting held on 8 November 2016 where Council resolved to forward a submission to the Commonwealth Department of Infrastructure and Regional Development and Transport for NSW. The submission advocates the construction of a connection from the proposed Badgery's Creek airport to Narellan with an extension through to a new Menangle Park railway station.</li> </ul>	
<p>30. Resident of Menangle Park</p>	<ul style="list-style-type: none"> <li>• concerned that the draft planning proposal does not enable residents to utilise their existing usage rights of training their horses</li> <li>• requests keeping the existing racing history of Menangle Park instead of developing the land for urban development which will cause additional traffic problems as experienced on Narellan Road</li> <li>• concerned by potential flooding issues.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• This draft planning proposal does not place any obligation on property owners to develop their land. Thus property owners can continue to use their land under the existing use provisions contained within the Environmental Planning and Assessment Regulation 2000.</li> </ul>	

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	<ul style="list-style-type: none"> <li>Menangle Park has been recognised within the State Government's Metropolitan Development Plan for many years as a site suitable for future urban development, and this position is confirmed in the Department of Planning and Environment's recent document Greater Macarthur Land Release Investigation.</li> <li>No development is proposed to be permitted below the 1:100 year flood line.</li> </ul>
<p>31. Menangle Community Association (Wollondilly LGA)</p>	<ul style="list-style-type: none"> <li>concerned that no recognition has been given to the view from Menangle Road west of the F5 Freeway across the Nepean River to the village of Menangle, and no consideration has been given to this valley's Australian agricultural history</li> <li>considers that this development does not add to, it actually removes the harmonisation of the natural features and the heritage characteristics which are important to the population's relationship with its area</li> <li>concerned by the lack of infrastructure and air quality, and considers that government must overcome the problems associated with the electrification of the railway line</li> <li>considers that the Spring Farm Parkway must be completed before any construction work starts or any increase in events at Tabcorp Park (the Harness Park)</li> <li>requests that Camden, Wollondilly and Campbelltown Councils become involved in the formation of and contributing to, a conservation plan, covering the Cowpastures and the Camden Park Estate's original 30,000 acres and incorporating the other heritage assets like the Great Southern Railway. This will assist in the preservation of Australia's oldest agricultural heritage.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>Whilst recognition of the views from Menangle Road across to Menangle Village (within Wollondilly Shire) have not been specifically acknowledged within the exhibited planning documentation, the draft DCP does include references to views from Menangle Road to the Nepean River and vice versa, and it is noted that some of these views will be compromised.</li> <li>With regard to electrification of the railway line from Macarthur to Menangle Park it is noted that Council forwarded a letter in November 2014 to the Minister for Transport requesting the reconsideration of electrification of the railway line from Macarthur to Menangle Park. The Minister replied in January 2015 advising that the government did not have any current plans to electrify the line. However, as mentioned above the Greater Macarthur Land Release Investigation document proposed to investigate the electrification of the rail line to Menangle Park. As a result the Western Sydney Rail Needs Scoping Study Discussion Paper has been prepared and was the subject of a report to Council's Ordinary Meeting held on 8 November 2016 where Council resolved to forward a submission to the Commonwealth Department of Infrastructure and Regional Development and Transport for NSW. The submission supports the construction of a connection from the proposed Badgery's Creek airport to Narellan with an extension through to a potential new Menangle Park railway station.</li> <li>The draft planning proposal includes a provision to ensure that Council is satisfied that arrangements have been made for the provision of local infrastructure to service the needs generated by any proposed development.</li> </ul>	

## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

<p>32. Property owner - Menangle Road</p>	<ul style="list-style-type: none"> <li>• requests that urban development not be permitted on all land south of Menangle Road and west of the F5 Freeway. Advises that this land is part of the Menangle Park/Menangle valley, has significant historic agricultural heritage, supports a large variety of wildlife and native vegetation, and includes flood affected land and wetlands. Also advises that the proposed urban development will restrict the significant views from Menangle Road across the Nepean River to the Menangle village in Wollondilly Shire. Proposes that this area of land could be left for a community dairy or community farm for the Campbelltown LGA. Considers that this is a precinct for retaining the land as The Menangle Agriculture Conservation Precinct &amp; Wildlife Reserve</li> <li>• considers that the provision of public open space within the release area is not sufficient or appropriate</li> <li>• concerned by the loss of a carbon absorbing environment through urban development</li> <li>• concerned there has not been sufficient investigation into indigenous heritage within the subject land considers that the people of Wollondilly will be most affected by this proposal as they will be able to see the proposed housing on the southern side of Menangle Road, and that most of them know nothing about what is proposed.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• The development of any rural land for urban purposes clearly results in a significant change in its biodiversity. However, the extensive work that has been undertaken by the various consultants with regard to the proposed Menangle Park Urban Release Area has shown that whilst recognising the constraints of the site it is capable of supporting urban development. The land south of Menangle Road is significantly constrained by flood affection, and thus only a portion of it can be developed for residential uses. Please see further comments with regard to this issue contained in submission 27 above.</li> <li>• It is proposed that there will be approximately 115ha of public open space within the release area and approximately 18ha has been nominated for sporting fields and associated facilities. It is considered that the public open space land within Howes Creek (which varies in width from 100-300m) will be able to provide for passive recreational activities despite the location of the proposed Spring Farm Parkway on its northern boundary.</li> <li>• There is proposed to be a total area of public open space, private open space, riparian land and rural land of approximately 410ha (being more than half the proposed release area land) which will assist in reducing any proposed loss of the carbon absorbing environment.</li> <li>• It is considered that the work undertaken by the consultant Ms Jo McDonald and liaison with the Aboriginal community, has sufficiently dealt with Aboriginal heritage within the proposed release area.</li> <li>• Council specifically requested Wollondilly Shire Council to notify all relevant property owners within its local government area of the public exhibition of the MPURA. It is recognised that distant views from Menangle Village across the Nepean River and the railway line are likely to include parts of the future urban development within Menangle</li> </ul>	

## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

	<p>Park. However, whilst properties on the southern side of Station Street, Menangle Village currently have views across rural land towards Menangle Park, it is noted that a strip of land on the northern side of Station Street is currently zoned residential but has not been fully developed to date. It is also noted that a draft planning proposal has been prepared by Wollondilly Council to rezone a significant area of land adjoining this strip on the northern side of Station Street to provide for additional residential development including a neighbourhood centre, thus the views from existing properties on the southern side of Station Street are likely to be compromised in the future if this land is developed.</p>
	<ul style="list-style-type: none"> <li>• Council is unable to verify the information shown on page three of this submission with regard to flood mapping in the 1991 Department of Planning report. This information is in total variance to any flooding information that Council has access to, which includes the Upper Nepean River Flood Study prepared by the NSW Department of Land and Water Conservation in 1995.</li> <li>• It is noted that the 1988 flood photo provided as part of this submission, was taken from the entrance to No 12 Racecourse Avenue, and is overlooking the northern part of the property known as Lucky Lodge and the southern portion of Racecourse Avenue, with Menangle Road shown in the distance.</li> </ul>
<p>33. Property owners Menangle Road outside of release area boundaries</p>	<ul style="list-style-type: none"> <li>• as owners of property on Menangle Road, Glen Alpine (outside of the Menangle Park Urban Release Area) they support the planned development of the region</li> <li>• disappointed that the properties located between the F5 Freeway/railway and Menangle Road at Glen Alpine (currently zoned 7(d4) Environmental Protection) are not included in the proposed rezoning of Menangle Park, and requests Council to consider including these properties in its consolidating LEP.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>• Council at its meeting held 13 May 2008 considered a report on a proposal by the property owners of 10–46 Menangle Road, Glen Alpine to rezone their land from Zone 7(d4) Environmental Protection to a residential zoning with a minimum residential lot size of 2000sqm. Council resolved to defer consideration of this request pending the finalisation of the Menangle Park Urban Release Area process. However, this issue was again raised as part of the public exhibition of draft Campbelltown LEP 2014 and was the subject of a further report to Council on 21 June 2016 where Council resolved to not to initiate/resource any planning amendments in the subject locality.</li> <li>• It is also noted that Council at its meeting held 9 May 2006 considered a report on a proposal to rezone Lot 1, DP 589241 (101 Menangle Road, Menangle Park) to provide for the development of a rural/environmental themed community title development. Council also resolved to defer consideration of this request pending the finalisation of the Menangle Park Urban Release Area process.</li> </ul> <p>However, please note that these lands have been included within the Department of Planning and Environment's recent document Greater Macarthur Land Release Investigation, and will thus be considered in any future assessment for urban development in this area by the Department.</p>	

## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

The following submissions were received as part of the public exhibition (which occurred in 2014) of draft Campbelltown Local Environmental Plan 2014.

<b>Submissions from government agencies</b>	
Submitter	Issue
1. NSW Trade & Investment Resources & Energy Mineral Resources Branch	<ul style="list-style-type: none"> <li>refers to the three identified extractive resource areas in the vicinity of the subject land and the implication of any detrimental impact on potential future urban development at Menangle Park from activities associated with these resources</li> <li>notes that the subject land falls within the South Campbelltown Mine Subsidence District and thus would be concerned by any development that would not allow for future full extraction of the underground coal resources.</li> </ul>
<b>Comment</b> <ul style="list-style-type: none"> <li>It is considered that the implications of any activity with regard to the three identified extractive resources would be assessed as part of any future development applications for either the extraction of the resources or future urban development.</li> <li>With regard to the concern raised by any development that would inhibit full extraction of the coal resource please note the advice received from the Department of Planning in 2006 which states that mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region.</li> </ul>	
2. NSW Department of Primary Industries Office of Water	<ul style="list-style-type: none"> <li>concerned that the previously negotiated outcomes for riparian lands have not been included in the public exhibition material for draft Campbelltown LEP 2014. In particular the agreed width of certain riparian corridors has been reduced.</li> </ul>
<b>Comment</b> <ul style="list-style-type: none"> <li>Whilst a clause specifically relating to protecting and maintaining riparian land and watercourses has been included within Campbelltown LEP 2015, this clause does not cover all the riparian land that was referred to in the public exhibition of the draft Menangle Park Planning Proposal. This clause and the maps have been amended to address this issue.</li> </ul>	
<b>Submissions from the community</b>	
3. Michael Brown Planning Strategies  Re - Land owned by the NSW Harness Pty Ltd	<ul style="list-style-type: none"> <li>this submission was also submitted as part of the public exhibition of the draft Menangle Park Planning Proposal. Please see item 26 above.</li> </ul>
<b>Comment</b> <ul style="list-style-type: none"> <li>See item 26 above.</li> </ul>	



## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

4. Michael Brown Planning Strategies  Re - Lot 11 DP 786117 Racecourse Ave, Menangle Park	<ul style="list-style-type: none"> <li>this submission was also submitted as part of the public exhibition of the draft Menangle Park Planning Proposal. Please see item 24 above.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>Please see item 24 above.</li> </ul>	
5. Michael Brown Planning Strategies  Re - Glenlee House	<ul style="list-style-type: none"> <li>requests the subject site be rezoned for more intensive residential development.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>Since receiving this submission the Council has received a formal planning proposal to rezone the subject site for more intensive residential purposes. This proposal will therefore be dealt with as a separate matter and not part of this draft planning proposal.</li> </ul>	
6. ABC Planning  Re - 41 Cummins Road	<ul style="list-style-type: none"> <li>requests the subject site be rezoned to R4 High Density Residential to permit residential flat buildings</li> <li>requests the proposed maximum building height be increased from 8.5m to 13m</li> <li>requests the maximum FSR of 0.75:1 be increased to 1.2:1.</li> </ul>
<p>Comment</p> <ul style="list-style-type: none"> <li>The planning for the Menangle Park Urban Release Area took into consideration the character of the Menangle Park environment and the constraints of the site. Thus it was considered that the proposed R2 Low Density Residential zoning for the bulk of the release area with an R3 Medium Density zoning adjacent to the proposed town centre would produce the most appropriate outcome for the site providing for approximately 3400 residential lots. It is also considered that the height limit of 8.5m within these zones is appropriate whilst the town centre proposes a height limit of 15m to accommodate three-four storey commercial/residential development. Thus to increase the height limit and density of development outside of these provisions would be inconsistent with the vision that has been established as the most acceptable for the development of the Menangle Park Urban Release Area. It is noted that the town centre is proposed to provide approximately 20,000sqm of employment gross floor area (GFA) which is consistent with the proposed 20,000 - 30,000sqm GFA noted within the Greater Macarthur Land Release Investigation document relevant to the Menangle Park town centre.</li> </ul>	

### Issues - Draft Campbelltown Local Environmental Plan 2014 (CLEP 2014) maps as exhibited

The following information addresses a number of anomalies that have arisen with regard to the maps that were publicly exhibited as part of CLEP 2014 and those exhibited previously in 2012-2013.

**Land Reservation Acquisition Map**

Not all the land required to be acquired for proposed infrastructure, local open space and community facility purposes, necessary for the development of the release area, was included on the exhibited Land Reservation Acquisition Map (LRAM). However, as the exhibited proposed zoning map indicates, it was clearly Council's intention to define all land required for infrastructure, local open space and community facility purposes and clause 5.1 of CLEP 2015 provides information regarding the nominated acquisition authority for such land. Also as noted previously, Council has signed a Memorandum of Understanding with the Department of Planning and Environment with regard to the imposition of a Special Infrastructure Contribution within the Greater Macarthur Priority Growth Area to ensure the provision of the proposed Spring Farm Parkway. Thus it is considered justifiable for the LRAM to be amended to include all lands that are proposed to be acquired and that the acquisition authority for the proposed Spring Farm Parkway should be the RMS.

**Additional Permitted Uses Map**

The additional permitted use of providing for markets on land owned by the NSW Harness Racing Club (as noted in the public exhibition of the draft CLEP 2014) is not required as the proposed RE2 Private Recreation zoning of the subject land provides for markets as a permitted land use with consent.

**Environmental Constraints Map**

The exhibited Environmental Constraints Map (ECM) identifies certain land within the north eastern portion of the release area as being steep and within the escarpment preservation area which imposes conditions for future development through the provision of clauses 7.6 and 7.8 of CLEP 2015. This land was previously identified within Campbelltown Local Environmental Plan - District 8 (Central Hills Lands) (CLEP8) as being steep and within an escarpment preservation area. However, the proposed intention of this land in the planning for the Menangle Park Urban Release Area has always been to provide for its development for urban purposes as is shown in the exhibited zoning and lot size maps. Also, the previous public exhibition of the Menangle Park Urban Release Area proposed to remove the provisions of CLEP 8 as they affected this land. It is therefore recommended that the removal of this area from the ECM be undertaken as a future amendment to CLEP 2015.

The exhibited ECM did not identify land within the southern portion of the release area where it is proposed that no habitable buildings will be permitted due partly because the majority of the land is flood affected and a separate portion being steep land and visually prominent. This matter was clearly identified within the draft planning proposal and zoning maps that were publicly exhibited in the previous exhibition in 2012-2013, however, they were omitted from the planning documentation that was publicly exhibited as part of CLEP2014. It is therefore recommended that instead of delaying the rezoning of the whole of the release area by re-exhibiting the planning proposal again at this stage, that appropriate provisions to address this omission be included in a future amendment to CLEP 2015. In the meantime it is noted that where the land is flood affected the current provisions of clause 7.2 of CLEP 2015 would apply. With regard to the issue of no habitable buildings being permitted on the portion of land that is steep, the Urban Structure Plan, within the draft Menangle Park DCP, notes the land as rural due to its high visibility from the southern freeway approach. Nonetheless this provision in the draft DCP has been strengthened to ensure no misunderstanding of the intent of the objective.

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**Elderslie Banksia Scrub Forest**

Extensive investigation was undertaken, prior to the public exhibition of the draft Menangle Park Planning Proposal, with regard to the nature of the existing flora and fauna on the subject land. A comprehensive site visit was undertaken by Council officers, ecological consultants and representatives of the NSW Department of Environment and Heritage. A subsequent technical report was prepared and included in the public exhibition of the draft Menangle Park Planning Proposal in 2012-2013.

Since that time there has been some not insignificant regrowth of vegetation on land owned by UrbanGrowth NSW which has recently been recognised as Elderslie Banksia Scrub Forest. This vegetation is noted as an endangered ecological community under the *Threatened Species Conservation Act 1995*. At the time of the writing of the Menangle Park Flora, Fauna and Aquatic Assessments in 2009 it is understood that there was no indication of the presence of any Elderslie Banksia Scrub Forest.

The land where this vegetation has been identified is proposed under the draft Menangle Park Planning Proposal to be zoned residential. In order to ensure its preservation into the future, it is recommended that further investigation be undertaken to identify a more appropriate zone. It is therefore recommended that this proposed change in zoning should be the subject of a future amendment to CLEP 2015. The subject vegetation is protected under the provisions of the *Threatened Species Conservation Act 1995*. However, as Council is proposing to include a Terrestrial Biodiversity (TB) clause and map within CLEP 2015 those areas of significant vegetation within the release area will be included on the TB map. The draft Menangle Park Development Control Plan has also been amended to show the area of Elderslie Banksia Scrub Forest as high quality vegetation.

**Provision of Local and Regional Infrastructure**

A draft Menangle Park Section 94 Development Contributions Plan is currently being finalised and will be the subject of a future report to Council for endorsement for public exhibition purposes. It is anticipated that this will occur prior to the finalisation of the proposed rezoning of the Menangle Park Urban Release Area. The document will provide for all proposed local infrastructure to be funded and constructed in a timely manner and to the satisfaction of Council. The plan will identify the community, open space and recreation, transport and traffic management, and water cycle management facilities that will be required to meet the demands of the incoming population. The contributions calculated in the draft plan are likely to exceed the \$30,000 cap per residential dwelling/lot set by the NSW Government. This means that a submission will need to be made to the Independent Pricing and Regulatory Tribunal for assessment as to whether the exceedance of the cap is justified. Lodgement of such a submission cannot occur until after the public exhibition of the draft s94 plan.

A clause will also be included within CLEP 2015 to ensure that development consent is not granted for the subdivision of land within the Menangle Park Urban Release Area until satisfactory arrangements have been made to contribute to the provision of local infrastructure as defined in the draft development contributions plan.

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**Menangle Park Local Environmental Study Addendum Report**

The Menangle Park Local Environmental Study (LES) was prepared in July 2010 to investigate the capability of the subject site to provide for future urban development. It was included in the planning documentation that was publicly exhibited to support the proposed rezoning of the Menangle Park Urban Release Area.

Whilst the information in the LES is still relevant today, there were a number of matters that needed to be updated and thus an addendum report has been prepared to address these matters which include the following:

- the inclusion of the Menangle Park Urban Release Area within the Greater Macarthur Priority Growth Area
- minimal changes to those State Environmental Planning Policies that are relevant to this draft planning proposal
- updating of information with regard to coal seam gas wells
- design changes to the proposed Spring Farm Parkway
- information with regard to the Elderslie Banksia Scrub Forest
- updating of information with regard to the provision of utility services
- updating of information with regard to infrastructure provision and funding.

A copy of the Menangle Park Local Environmental Study Addendum Report is included in attachment 2.

**Draft Menangle Park Development Control Plan**

A number of amendments have been made with regard to the draft Menangle Park Development Control Plan (DCP) as noted in this report and listed below. Also an additional control has been included in clause 1.7 Street Network and Design to clarify the proposed realignment of Glenlee Road and its intersection with Menangle Road, which would result in the closure of the stone bridge across the Sydney Catchment Authority Upper Canal, as shown in Figure 1.3 Indicative Street Layout Plan, and ensure that the construction of the proposed realignment is completed prior to the release of any new residential lots within the northern precinct of the release area.

**Draft South West District Plan**

On 21 November 2016 the Greater Sydney Commission released six draft District Plans for the Greater Sydney Region comprising the North, West, West Central, Central, South and South West Districts. The draft South West District Plan (the draft SWDP) encompasses the local government areas of Campbelltown, Wollondilly, Camden, Fairfield and Liverpool. The draft SWDP sets out priorities and actions that will underpin the 20-year vision for the South West District in order to deliver a Productive, Liveable, and Sustainable Greater Sydney.

The vision statement for the South West District is:

South West Sydney is a place where opportunity, success and prosperity are forged from humble beginnings, where innovation thrives, smart jobs are created, international business connections are established and global investment is supported. Local people form the basis of a highly skilled and educated workforce that continues to grow and invest in itself and its future.

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## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

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The draft SWDP sits in the middle of the hierarchy of metropolitan, district and local planning for the Greater Sydney Region and will:

- implement a strategic and integrated approach to managing Greater Sydney's growth by linking State and regional-level aspirations with Local Environmental Plans (LEPs) and providing a clear line of sight between these documents
- align land use decisions and infrastructure planning through better research, decision-making and collaboration with local government and key State agencies and stakeholders
- be monitored and reported on, with implementation managed by coordination across Government
- help to inform the 2017 review of Greater Sydney's regional plan (currently A Plan for Growing Sydney).

Having regard to the vision and priorities of the draft SWDP, it is considered that the draft Menangle Park Planning Proposal is not inconsistent with the draft district plan, and is considered more specifically a project important to the South West District, in that the proposal will contribute to the facilitation of the metropolitan priorities relating to A Productive Sydney, A Sustainable Sydney and A Liveable Sydney as it would:

- assist in meeting the five year housing target for Campbelltown of 6800 dwellings
- assist in meeting the 20 year jobs target for Campbelltown of 27,000 jobs
- assist in providing housing diversity and affordability

### Conclusion

Generally any matters of concern raised by the government agencies and service providers have been addressed in the responses above. Of the 11 submissions received from the community:

- 6 support the proposed rezoning, 5 of which requested additional provisions which would provide for an increase in development yields
- 2 raised issues specific to their individual properties
- 3 do not support the proposed rezoning of the land south of Menangle Road and consider that it should remain rural due to its historic agricultural heritage.

The main concern for Council, and the cause for the delay in this draft Planning Proposal proceeding, has been the difficulty that Council has had in acquiring confirmation from the various areas of State Government of a funding mechanism to ensure the construction of the proposed Spring Farm Parkway and its connection to the M31 freeway and Menangle Road. This link to the M31 is vital in providing an alternative road route for the future residents of Menangle Park, other than that of the already very busy Menangle Road and regularly congested road networks around the Macarthur Shopping Centre and Macarthur Railway Station, Gilchrist Drive and Narellan Road.

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## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

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UrbanGrowth NSW has prepared a detailed concept design for the full length of the Spring Farm Parkway including a cost estimate for the delivery of Stages One and Two. Both UrbanGrowth NSW and the Dahua Group have advised Council of their commitment to provide funding for the construction of Stage One of the proposed Spring Farm Parkway. This funding would then be offset against any future Special Infrastructure Contribution that would be required under the proposed Growth Centres SEPP as provided in the MOU between Council and the Department of Planning and Environment and referred to previously in this report.

As a result of the submissions received during the public exhibition of the draft Menangle Park Planning Proposal/draft Local Environmental Plan and the draft Menangle Park Development Control Plan in 2012-2013, and the public exhibition of draft Campbelltown Local Environmental Plan 2014, the following amendments to the planning documentation are proposed. A copy of the amended draft planning proposal is included in attachment 2 and a copy of the amended development control plan is shown in attachment 3.

### **Proposed amendments to planning documentation**

#### **Draft Menangle Park Planning Proposal**

- amend the zoning map to be consistent with Campbelltown LEP 2015 as publicly exhibited with the exception of land owned by the Campbelltown Steam and Machinery Museum being Lot 2000 DP 790848, Menangle Road which is proposed to retain its rural zoning
  - amend the zoning map to remove the SP2 Infrastructure – Gas Wells Zone which identified the three gas wells that AGL has advised that it has no plans to drill
  - amend the boundaries of the proposed north facing ramps to the M31 (previously known as the F5 freeway) and proposed road widening of Menangle Road on the zoning map in accordance with updated information received from UrbanGrowth NSW
  - amend the environmental constraints map to ensure that the proposed riparian corridor widths take into consideration the comments raised by the NSW Department of Primary Industries Office of Water
  - amend the provision relating to riparian lands in Part 2 – Explanation of the Provisions with regard to clause 7.3 of Campbelltown LEP 2015 to refer to the land identified as riparian protection on the environmental constraints map
  - amend the building height map for two storey buildings from 7.5m to 8.5m, to be consistent with the Campbelltown LEP 2015 and the NSW Housing Code
  - include Zone RU6 Transition within the Land Use Table of Campbelltown LEP 2015
  - replace any reference within the document to the Sydney Water Supply Upper Canal with Sydney Catchment Authority Upper Canal
  - amend the Land Reservation Acquisition Map (LRAM) to include land proposed to be acquired by public authorities. The LRAM that was publicly exhibited within draft Campbelltown LEP 2014 did not include all the land identified on the exhibited Proposed Land Zoning Map as being land proposed to be acquired by public authorities
  - include the location of the Menangle Park Urban Release Area on an Urban Release Area Map
  - include a provision to ensure that development consent is not granted for the subdivision of land within the Menangle Park Urban Release Area until satisfactory arrangements have been made to contribute to the provision of local infrastructure
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## 8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

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- include an amendment within Part 2 – Explanation of the Provisions to list the following land uses for the Harness Park within Schedule 1 Additional permitted uses:
  - permanent stables for trainers, offices and accommodation for stable hands
  - educational establishment for educating trainers, drivers and stable hands
  - day stabling yards
  - stock feed sheds
  - veterinary facilities
  - farrier facilities.
- update Section D – State and Commonwealth Interests as a result of the comments received through the public exhibition process.

### **Future Amendments of Campbelltown LEP 2015**

A number of matters have been raised in this report which are proposed to be investigated as future amendments to Campbelltown LEP 2015. These include the following:

- identify land in consultation with NSW Transport and Roads and Maritime Services for the future construction of southbound ramps from the proposed Spring Farm Parkway to the M31 (previously known as the F5 Freeway)
- request further information from the NSW Heritage Council to support the issue of including the railway viaduct at Glenlee as a local heritage item within the Campbelltown LEP 2015
- rezone the land of the proposed electricity substation to Zone SP2 Infrastructure
- rezone the land which contains Elderslie Banksia Scrub Forest to ensure its preservation into the future
- remove the land identified as Development on Steep Land (Scenic Hills) and Escarpment Preservation Area from the Environmental Constraints Map
- include provisions to prohibit the development of habitable buildings within land identified within the southern precinct of the subject site which is either flood affected or visually prominent
- investigate possible future broad acre tourist uses on land located between the M31 freeway and Menangle Road

### **Campbelltown (Sustainable City) DCP**

- it is proposed to include the draft Menangle Park DCP as Part 7 of Volume 2.

### **Draft Menangle Park DCP**

- amend maps to:
    - identify the realignment of the northbound ramps to the M31 freeway and widening of Menangle Road
    - identify the proposed site of the electricity substation
    - identify the land containing Elderslie Banksia Scrub Forest
    - include the proposed road delineating the western and northern boundary of the curtilage of Glenlee House
    - identify the location of the gas pipelines
  - increase the font size of all figures to ensure legibility
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8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

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- include a reference to the protection and enhancement of wetlands in Key Development Objective 11 of section 1.4 Visions and Objectives
  - include an additional Key Development Objective in section 1.4 Visions and Objectives, which ensures the conservation of heritage items, and that any development within the vicinity of heritage items takes into consideration the significance of such items
  - amend the legend to Figure 1.2 Urban Structure Plan, to clearly differentiate between the colours used to provide for better clarification of proposed land uses, and combine the private recreation and private open space land uses
  - redefine as rural that land within Figure 1.2 Urban Structure Plan, which is defined as industrial and located west of the proposed Spring Farm Parkway, to ensure consistency with the proposed zoning map
  - include an additional objective and control in clause 1.7 Street Network and Design to ensure that the construction of the proposed realignment of Glenlee Road and its intersection with Menangle Road is completed prior to the release of any new residential lots within the northern precinct of the release area
  - include a reference to the carriageway of bus routes being locally widened at bus stops to 12.0m to allow for 2.5m bus bays in Figure 1.4a Road Sections - Collector Road (Bus Route)
  - include an additional control in clause 1.10.2 Non-Indigenous Heritage, which provides for a road on the western and northern boundaries of Glenlee House to delineate its curtilage
  - replace all reference to indigenous heritage with Aboriginal heritage
  - ensure that the water canal is referred to as the Sydney Catchment Authority Upper Canal
  - amend clause 1.11.1 to remove the reference to DECCW guidelines and replace with the NSW Department of Primary Industries Office of Water Guidelines for Riparian Corridors as the Department of Environment, Climate Change and Water no longer exists under that name
  - amend control 2 in clause 1.11.2 Flora and Fauna Conservation, to ensure that all applications for development proposals affecting native vegetation, provide an off-setting strategy that satisfies Council that the location for offset revegetation is appropriate, and that all offsets are secured in perpetuity. It is also recommended that Council consult with the NSW Office of Environment and Heritage in assessing the contents of any off-setting strategy
  - amend control 3 in clause 1.11.2 Flora and Fauna Conservation, to ensure that provisions have been made to secure the future management of any proposed offset revegetation areas
  - include riparian land or other before the word areas in control 3 of section 1.12 Bushfire Management
  - amend the first control in clause 1.13 Air Quality advising that land within 200m of existing coal seam gas wells is encumbered and thus not suitable for urban development until the wells have been closed and sealed and gas operations have ceased
  - amend control 1 in section 1.14 Noise Management, to refer to the design standards and setbacks required by the relevant government road and rail authorities
  - amend the Menangle Park Landscape Strategy (being an appendix to the draft Menangle Park DCP) to ensure the accuracy of all maps with regard to the proposed location of drainage basins and clarify existing information regarding root barriers for street trees.
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**Miscellaneous**

- consult with UrbanGrowth NSW with regard to providing a vegetated link from the Nepean River to the Australian Botanic Garden, as part of the preparation of the Glenlee Planning Proposal.

A copy of the amended draft Menangle Park Planning Proposal is marked attachment 2, and a copy of the amended draft Menangle Park DCP is marked attachment 3. The draft Menangle Park DCP is proposed to be included as Part 7 in Volume 2 – Site Specific Development Control Plans of the Campbelltown (Sustainable City) Development Control Plan 2015.

**Government agency objections**

It is noted that Council received two significant objections from government agencies to the public exhibition of planning documentation for the MPURA which occurred in December 2012-January 2013. These relate to the Mine Subsidence Board's objection to any four storey development within the proposed local centre and that all development be limited to two storeys, and the requirement from Transport for NSW that it and Roads and Maritime Services not be committed to provide any future funding for infrastructure.

The subsequent public exhibition of the proposed rezoning of the MPURA as part of the draft Campbelltown LEP 2014 public exhibition did not require Roads and Maritime Services to be the acquisition authority for the land of the proposed Spring Farm Parkway. However, as Council is proposing to amend the Land Reservation Acquisition Map to include all proposed acquisition authorities, as noted previously in this report, it is considered appropriate to refer both this issue and the objection from the Mine Subsidence Board to NSW Planning and Environment for resolution.

**Officer's Recommendation**

1. That Council endorse the amended draft Menangle Park Planning Proposal generally in accordance with attachment 2, and forward to the Department of Planning and Infrastructure (noting that Council has received an objection to the draft planning proposal from the Mine Subsidence Board and Transport for NSW and Roads and Maritime Services) for approval by the Minister for Planning.
  2. That Council approve the amended draft Menangle Park Development Control Plan being an amendment to Campbelltown (Sustainable City) Development Control Plan, generally in accordance with attachment 3.
  3. That notice of Council's approval of the draft Menangle Park Development Control Plan (DCP) be published in the local newspaper in accordance with clause 21(2) Environmental Planning and Assessment Regulation 2000. Such notice will advise that the DCP will come into effect on the date that notification of the rezoning of the Menangle Park Urban Release Area is published on the NSW Legislation website.
  4. That all those who provided a submission to the public exhibition of the draft Menangle Park Planning Proposal/draft Local Environmental Plan and the draft Menangle Park Development Control Plan be advised of Council's decision.
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8.1 Draft Menangle Park Planning Proposal - Outcome Of Public Exhibition

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5. That Council request further information from the NSW Heritage Council to support the proposal to include the railway viaduct at Glenlee as a local heritage item within Campbelltown LEP 2015.
  6. That Council consult with Transport for NSW and Roads and Maritime Services to identify land for the future construction of southbound ramps from the proposed Spring Farm Parkway to the M31.
  7. That the following additional matters be investigated for inclusion in the Campbelltown Local Environmental Plan 2015:
    - rezoning of the land of the proposed electricity substation to Zone SP2 Infrastructure
    - rezoning of the land which contains Elderslie Banksia Scrub Forest to ensure its preservation into the future
    - removal of the land identified within the Menangle Park Urban Release Area as Development on Steep Land (Scenic Hills) and Escarpment Preservation Area from the Environmental Constraints Map
    - include provisions to prohibit the development of habitable buildings within land identified within the southern precinct of the subject site which is either flood affected or visually prominent
    - possible zoning of the land located between the M31 freeway and Menangle Road to provide for future broad acre tourist uses.
  8. That Council consult with UrbanGrowth NSW with regard to providing a vegetated link from the Nepean River to the Australian Botanic Garden, as part of the preparation of the Glenlee Planning Proposal.
  9. That Council write to the Minister for Transport requesting the provision of a bus service from Menangle Park to and from the Campbelltown CBD from day one of the first occupancy.
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8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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**8.2 Outcome of the Public Exhibition of the draft Planning Proposal for the Glenfield Waste Site**

**Division**

City Development

**Reporting Officer**

Acting Manager Environmental Planning

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**Attachments**

1. Previous report to Council of 22 March 2016 (contained within this report)
2. Revised draft Planning Proposal and maps (contained within this report)
3. Map illustrating the footprint of the proposed Recycling Material Facility and the vegetation proposed to be cleared as part of the State Significant Development for a recycling material facility at Glenfield Waste Site (contained within this report)
4. Submissions received from public authorities (contained within this report)
5. A summary of the issues raised by public authorities, officer's comments and recommended approach to address the raised issues (contained within this report)
6. Map illustrating the location of the parts of the site that are subject to Sydney Train, Liverpool City Council and Office of Strategic Land submissions (contained within this report)
7. Map illustrating the potential locations of a future car park on the land located south of Cambridge Avenue (contained within this report)
8. A copy of Council's letter to the Department of Planning and Environment regarding justification of the proposed local clauses (contained within this report)
9. Matters raised by residents, officer's comments and recommended actions (contained within this report)
10. Proposed site specific local clauses that form part of the Amendment to the Campbelltown Local Environmental Plan 2015 (contained within this report)
11. Technical studies (attachment 2 under the Planning Proposal) (distributed under separate cover due to size of document 959 pages)

**Purpose**

1. To advise Council on the outcome of the public exhibition of the draft planning proposal for the Glenfield Waste Site.
  2. To seek Council's endorsement to submit the revised draft planning proposal to the Department of Planning and Environment for finalisation and gazettal.
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### History

In June 2012, Environmental Planning Services on behalf of the owners of the Glenfield Waste Site submitted to Council a planning proposal request to enable the subject site to be used for industrial development and car parking purposes.

Council officers reviewed the applicant's planning proposal request and prepared a revised draft planning proposal. On 19 June 2013, Council submitted the draft planning proposal to the Department of Planning and Environment (the Department) and later received a Gateway Determination (dated 6 August 2013) shown under attachment 1.

Council on 3 October 2013 provided the Department with additional information to address the matters raised by the Gateway Determination and as result, received a revised Gateway Determination from the Department, dated 9 December 2013.

Council at its meeting held 22 March 2016 resolved:

1. That Council endorses the public exhibition of the draft Planning Proposal and associated technical studies for the Glenfield Waste Site as per the Gateway Determination Conditions.
2. That the residential properties immediately adjacent to the site be notified of the public exhibition of the draft Planning Proposal.
3. That a further report be submitted to Council on the outcome of the public consultation.
4. That Council advises the applicant of Council's decision.

A copy of the previous report that was presented to Council on 22 March 2016 (refer to attachment 1) and includes detailed information of the draft Planning Proposal and previous Council's resolutions.

Council placed the draft planning proposal and associated technical studies on public exhibition from 6 April to 6 May 2016 for public comment.

This report presents to Council the details of the outcome of the public exhibition and recommends that Council endorse the proposed rezoning of the Glenfield Waste Site with the inclusion of a number of additional local clauses under the Campbelltown Local Environmental Plan 2015 (CLEP). The proposed local clauses would ensure that a number of additional requirements are met (such as the preparation of a site specific development control plan) prior to the development of the site for industrial purposes.

The draft planning proposal has been revised to reflect the outcome of the public consultation (refer to attachment 2).

Notably, to avoid duplication of maps under the attachments of this report, the majority of the maps have only been included as part of the revised draft planning proposal which is shown as attachment 2 to this report. As such, a reference to any of those maps under this report includes the Map number and a reference to attachment 2 (revised draft planning proposal).

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### Report

Property Description: Lot 91 DP 1155962, Lot 1 DP 113201 and Lot 2 DP 333578

Owner: JC & FW Kennett Pty Ltd

Property Description: Lot 3 DP 735524 and Lot 3 DP 736881

Owner: Figela Pty Ltd

Property Description: Lot 92 DP 1155962

Owner: Transport for NSW

### The Site

The Glenfield Waste Site (GWS) comprises two large parcels of land, the northern parcel, located within the Liverpool Local Government Area (LGA) and the southern parcel, located within the Campbelltown LGA. This proposed rezoning application relates only to the southern parcel that is located within the Campbelltown LGA (bisected by Cambridge Avenue and the East Hills Railway Line).

The site subject to this draft planning proposal is approximately 48 hectares in area and shown as Map 3.1 (refer to attachment 2).

The Georges River forms the eastern boundary of the GWS. A strip of open space land separates the subject site from the Georges River and acts as a buffer between the river and the existing recycling facility.

A TransGrid electricity easement passes along part of the site located south of Cambridge Avenue. This area of the GWS is currently unoccupied open space, used only for grazing horses and acts as a buffer between the recycling facility to the north and the residential areas to the south.

The East Hills Railway Line cuts through the northern part of the Campbelltown portion of the GWS in an east-west direction. The remaining strip of land within the Campbelltown LGA, north of the railway line, is approximately four hectares in area. This strip of land is accessed via two culverts under the East Hills Railway Line.

### Existing Zoning

The GWS is currently subject to the following local plans:

1. Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002)
  2. Campbelltown Local Environmental Plan 2015 (CLEP).
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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Most of the land that is subject to this draft planning proposal is included under the CLEP as a Deferred Matter and as such LEP 2002 is currently the principal planning instrument that applies to these allotments. The deferred areas under the CLEP are currently zoned 1(a) Rural A Zone under LEP 2002. The current zoning map under LEP 2002 is shown as Map 3.3 (refer to Attachment 2).

The railway corridor that passes through the site, the proposed Georges River Parkway, Cambridge Avenue and the strip of open space corridor that runs adjacent to the Georges River have been assigned appropriate zones under the CLEP as shown on Map 3.4 (refer to attachment 2). Those areas will retain the current zoning under the CLEP with the exception of part of the open space corridor which is proposed to be reduced in width (from approximately 160 metres to approximately 40 to 70 metres). The proposed reduction in the width of this open space corridor is a result of consultation between Office of Strategic Land and the applicant in relation to acquisition matters. More details on this matter are included under the previous report to Council, which is shown under attachment 1 to this report.

### **Proposed zoning**

The draft planning proposal that was publicly exhibited sought to rezone an area north of Cambridge Avenue for industrial development (Zone IN1 General Industrial) and rezone the area south of Cambridge Avenue (that is burdened by an electricity easement) for car parking purposes (Zone SP2 Car Park).

The property to the North-West that is owned by Transport for NSW (Lot 92 in DP 1155962) is proposed to be rezoned Zone SP2 (Railway Corridor). This area is currently a deferred matter under the CLEP.

The open space corridor that runs along Georges River is proposed to be reduced in width, with the area along the river to maintain the current zoning under the CLEP of RE1 Public Recreation, while the remaining area of this open space strip is proposed to be rezoned to Zone IN1 General Industrial.

As a result of the public exhibition and consultation process with public agencies a number of amendments are proposed to the rezoning map in responding to the issues raised. The proposed changes and justification are detailed in this report.

### **State Significant Development – Recycling Material Facility**

The GWS is currently subject to a State Significant Development (SSD) for a Recycling Material Facility (RMF). The Recycling Material Facility is proposed to recycle a maximum of 450,000 tonnes of material per year.

While the Recycling Material Facility is proposed to occupy part of the GWS, the SSD application is seeking approval to clear the majority of the vegetation on site, beyond the footprint of the proposed recycling facility. The footprint of the proposed Recycling Material Facility and the vegetation proposed to be cleared as part of the SSD application is shown on an attached map (refer to attachment 3).

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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The GWS is also subject to a draft planning agreement between the landowners and the Minister for Planning and Environment (the Department) in lieu of the provision of regional contributions for the proposed Recycling Material Facility. The planning agreement provides that the developer and the landowners will make a development contribution by way of the dedication of approximately 10.575 hectares of land (some of which is within the Liverpool LGA) to the Minister for the purpose of public passive recreation (development contribution). The developer will do so by first subdividing the site to create the parcels of land to be dedicated. The notification of the draft planning agreement closed on 28 October 2016 and the draft planning agreement is currently being finalised by the Department of Planning and Environment (the Department) for the Minister's approval. A copy of the draft planning agreement is available for view on the Department's website.

### **Outcome of the public exhibition**

The draft planning proposal and associated studies were publicly exhibited from 6 April until 6 May 2016, as per Council's resolution of 22 March 2016 and the conditions specified by the Gateway Determination (issued by the Department on 9 December 2014).

Copies of the draft planning proposal and supporting documentation were placed on public exhibition at the following locations:

- Council's Civic Centre
- Campbelltown HJ Daily Library
- Glenquarie Branch Library
- Council's website.

Individual letters advising of the public exhibition of the GWS draft planning proposal were sent to all adjoining residents and relevant public agencies as required by the Gateway Determination. In addition, Council consulted with all the relevant aboriginal entities/groups who registered an interest in the draft planning proposal (eight entities/individuals) however, no submissions were received from any of the consulted aboriginal groups/individuals.

Council received a total of 23 submissions of which 10 submissions were from public authorities/agencies and the remaining 13 submissions were from adjacent residents.

### **Submissions received from Public Authorities/Agencies**

Council consulted with all the relevant authorities specified under the Gateway Determination and received 10 written correspondences from the following public authorities:

1. Office of Strategic Lands (OSL)
  2. NSW Department of Primary Industries (DPI)
  3. TransGrid
  4. Office of Environment and Heritage (OEH)
  5. NSW Road and Maritime Services (RMS)
  6. Liverpool City Council
  7. Transport for NSW (TfNSW)
  8. Sydney Trains
  9. Water NSW
  10. NSW Rural Fire Services (RFS).
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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Water NSW indicated that it had no comments on the draft planning proposal as it is not likely that any of its water supply infrastructure would be impacted by the proposal. RFS submission also raised no objection to the draft planning proposal. Copies of the submissions received from the above public authorities are shown under attachment 4 to this report.

A summary of the issues raised by the remaining eight public authorities, including discussions and recommended approach to address the raised issues are discussed in details under Attachment 5 of this report. Below is a summary of the key issues raised by public authorities:

### **Issue 1      The suitability of the proposed zoning of SP2 Car Park for the area located south of Cambridge Avenue (Part Lot 3 DP 736881) – issue raised by TfNSW**

TfNSW questioned the suitability of the proposed SP2 (Car Park) zoning for the land located south of Cambridge Avenue (the part of the site marked Area A on the Map under attachment 6 of this report) and suggested that this matter be further investigated. TfNSW also pointed out that an acquisition authority would need to be defined for Area A, which would also require the approval of the nominated authority. TfNSW further advised that it does not support it being nominated as the acquisition authority for the subject land.

### **Comments and recommended approach - Issue 1**

After further investigation and careful consideration of the submission received from TfNSW and consultation with TransGrid, it became apparent that the proposed zoning of SP2 (car park) for this portion of the site (Part Lot 3 DP 736881) would not be suitable for the following reasons:

1. A major TransGrid electricity easement runs through this part of the site. For this reason, under Section 45 of the Infrastructure SEPP, Council is obliged to consult with TransGrid and consider its submission, prior to granting consent for a car park to occur on this part of the site. As such, assigning an SP2 Car Park zone for this parcel of land would preempt the development application process under the legislation, and provide a false assumption that all of Area A is to be used for car parking purposes regardless of TransGrid's comments at the development application process.
  2. Staff from the Asset Strategy Section of TransGrid has verbally advised Council's officer that the TransGrid Easement Guidelines for Third Party Development (TransGrid Guidelines) are currently being revised with an intention to provide more rigorous controls on the type of development that may occur on land affected by electricity easements. TransGrid indicated that its infrastructure covers the whole area that is proposed to be rezoned for car parking purposes, and requested detailed plans and drawings to enable their engineers to provide comments on the use of the site for car parking purposes. Such drawings and detailed information are not yet available for the site, given that the proposal is at the rezoning stage. Notably, the current TransGrid Guidelines requires a 30 metre setback from towers/structures and a 10 metre set from Cables. Applying these development measures to the site (while taking into consideration the need to locate the car park away from residential properties) shows that potentially only a strip of land along Cambridge Avenue would be suitable for car parking purposes. The location of the car park would also be subject to
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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Council's approval and consultation with TransGrid at the development application stage. A map illustrating the potential location of a future car park within this area is included (refer to attachment 7).

3. The land that is proposed to be rezoned to SP2 (Car Park) is approximately 12 hectares in area and it is anticipated that only a small portion of this land would be suitable to be used for a private car park, subject to TransGrid concurrence. The car park is intended to service the industrial area to the north. As such, the proposed zoning of SP2 Car Park for the whole site would provide a false perception in terms of the scale and the location of a future car park at this location.
4. None of the private car parks within Campbelltown LGA has been assigned a similar zone (i.e. SP2 (Car Park)), and there is no compelling reason to why this site should be treated any different.
5. The SP2 Infrastructure zone has been consistently applied to public infrastructure under the CLEP such as roads and railway corridors. Areas zoned SP2 Infrastructure are usually owned or are marked to be acquired by public authorities on the Land Reservation Map of the CLEP. As such, assigning an SP2 Car Park for a private car park would falsely imply that the land is to be used for public purposes and ultimately would be acquired by a public agency.

Under the Infrastructure SEPP an electricity easement is permissible on a site irrespective of its zoning and as such there is no need to provide a special zone for this part of the site to reflect the use of it by TransGrid.

The site is currently marked as a Deferred Matter under the CLEP and currently zoned 1(a) Rural Zone under LEP 2002. It is not considered appropriate to rezone the site to an equivalent zone of RU2 Rural Landscape under the CLEP as car parks are not a permissible land use within this zone.

Maintaining the status quo of deferring the land from under the CLEP is also not a preferred outcome, as Council aims to gradually revise all the areas marked deferred Matters and assign them the appropriate zone under the CLEP. Notably, this procedure would require Council to go through a formal amendment to the CLEP via the current draft Planning Proposal process.

Under the Standard Instrument (Local Environmental Plans) Order 2006 (SI LEP), Council is not able to introduce new zones for a site and must assign zones from the list of zones specified under the SI LEP.

Given the above, it is recommended that the proposed zoning of SP2 (Car Park) for this site be changed to RE2 Private Recreation. This is considered a reasonable approach for the following reasons:

- the site would continue to be maintained by the owner
  - the proposed zoning of RE2 Private Recreation would provide clarity and certainty in relation to the land acquisition concern raised by TfNSW, as land zoned for private open space purposes need not to be acquired by a public authority
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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- the RE2 Private Recreation zone would still allow for a car park to occur on the site, subject to the development application process and TransGrid's approval
- this part of the site would continue to provide a buffer between the residential areas to the south and industrial uses to the north
- the proposed zoning of RE2 Private Recreation would not falsely imply that the whole site (12 hectares) is suitable for car parking purposes.

### **Issue 2      The suitability of the proposed zoning of IN1 General Industrial for the area located north of the East Hills Railway Line (Part Lot 91 DP 1155962) – issue raised by Sydney Trains and Liverpool City Council**

Sydney Trains does not support the area located north of the East Hills Railway Line (marked Area B under attachment 6) to be rezoned for industrial purposes and provided the following reasons:

1. The land to the north of the East Hills Railway corridor can only be accessed via two culverts owned by Sydney Trains. The operators/owners of the site only have permission to use these access points for the current operations of the site as a Waste Tip. The proposed zoning will enable the use for this land for additional uses that may generate an increase in vehicle movements which the underpass may not be able to cater, nor would that Sydney Trains allow for.
2. Sydney Trains indicated that it may also not allow services such as water, electricity and the like to be provided to this part of the site, because of potential structural impacts on the underpass. Notably, the additional concern regarding servicing was raised by Sydney Trains on 7 November 2016 at a meeting facilitated by Council staff between, the applicant (EPS), Transport for NSW, Liverpool City Council, Sydney Trains and the Department. Sydney Trains at the subject meeting further inferred that should the site north of the rail corridor be rezoned for industrial purposes, the applicant would need to enter into a formal agreement with Sydney Trains and undertake additional work to ascertain the structural capabilities of the underpass.

Liverpool City Council also objected to Area B being rezoned for industrial purposes for the following main reasons:

1. The proposed industrial uses on the northern side of the railway would present a poor appearance to the future regional recreation area.
2. The proposed industrial uses on the northern side of the railway would seem impractical, and has the potential to create a precedent for requests relating to the rezoning of land for industrial, north of the railway line, in what is intended to be a future regional recreation area beside the Georges River.

### **Comments Recommended approach – Issue 2**

To address the above issue, and in lieu of an industrial zoning it is proposed to assign an RU2 Rural Landscape zone under the CLEP to the area north of the East Hills Railway Line (Area B) which is an equivalent zone to the lands current zoning of 1a (Rural) A Zone under LEP 2002.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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Notably, at the meeting on 7 November 2016, Sydney Trains indicated that assigning a like-for-like zone would be acceptable as it would not result in intensification of land uses compared to an industrial zone.

Maintaining the status quo of deferring the land from under the CLEP is not a preferred outcome, as the aim is to revise all the deferred areas within Campbelltown LGA and assign them a proper zone under the CLEP to ultimately have one local environmental plan for the Campbelltown LGA.

Area B is approximately four hectares and forms part of Lot 91 in DP 1155962. Subject to Council's endorsement and the Minister's approval of this amendment to the CLEP, Lot 91 would eventually be subdivided for industrial purposes with a residual rural lot (being Area B). As such, the proposed amendment to the CLEP would need to be designed to facilitate the future industrial subdivision application and the creation of Area B as a separate rural allotment. To address this matter, it is proposed to assign a minimum subdivision standard of three hectares for Area B as part of this proposed amendment.

Notably under Section 4.2A (3) (b) of the CLEP, once Area B is created as a separate allotment it would have a dwelling entitlement. Area B is not considered suitable for residential development for a number of reasons including contamination, noise and access to utilities.

To address the above matter, it is proposed to include an additional local clause that would specify that a separate rural allotment on this site would not have a dwelling entitlement.

A maximum building height of 8.5 metres is proposed for Area B which is consistent with similar areas zoned RU2 Rural Landscape under the CLEP.

### **Issue 3      The Traffic Study findings were based only on the future use of the site for warehousing and logistics purposes and as such are not inclusive. The proposed zoning would also make Hardware and Building Supply a permissible use – issue raised by Roads and Maritime Services**

On 11 March 2016, an amendment to the SI LEP came into effect and made Garden Centres and Hardware and Building Supply a permissible use within the IN1 General Industry Zone under all local environmental plans that were made under Section 33A of the Act, including the CLEP. At the time when the traffic study was prepared, those land uses were not permissible under the IN1 General Industry Zone and as such were not considered by the traffic study. Such uses are considered more appropriate to occur within areas zoned for business and commercial purposes.

The applicant has indicated to Council's staff that the owners have no intentions to develop the site for this type of development as the surrounding road network, in its current condition, would not be capable of handling the increased traffic generated by the use of the site for a Garden Centre or Hardware and Building Supply Chain. The applicant also indicated to Council that the proposal would be economically unviable, if it were to include an upgrade of Cambridge Avenue and the causeway.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### **Recommended approach – Issue 3**

Notably, under the IN1 General Industry Zone a range of land uses that are similar to hardware and building supplies are also permissible including, garden centres and landscaping material supplies. Under the CLEP, those land uses are a type of retail premises. Below is list of all the current permissible uses within IN1 General Industrial zone under the CLEP:

Animal boarding or training establishments; Boat building and repair facilities; Car Parks; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Mortuaries; Neighbourhood shops; Passenger transport facilities; Places of public worship; Roads; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Storage premises; Take away food and drink premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres.

Notably, not all of the permissible uses would be appropriate to occur on this site. Any proposal to redevelop the site for any of the above permissible uses would need to be submitted to Council through the development application process, with sufficient and detailed technical studies to support the development application. So, while there is a range of permissible uses under the IN1 General Industrial, which does not automatically imply that, the GWS would be suitable for all the permissible uses under the subject zone.

To address the concerns raised by RMS in relation to protecting the existing capacity of Cambridge Avenue, it is proposed to include a local clause under the CLEP that restricts the size of future retail premises in the industrial zone on this site to 100sqm, unless it can be demonstrated to Council, that Cambridge Avenue would be capable of accommodating the increase in traffic volumes.

The above proposal would prevent a retail store the size of Bunnings to occur on the site, thus addressing the concerns raised by RMS.

### **Issue 4      Potential removal of the vegetation of site at the development application stage – issue raised by Office of Environmental and Heritage**

The submission from OEH raised a concern in relation to Council's approach to defer dealing with the native vegetation issue at this stage, given that the site contains 13.77ha of Critically Endangered Cumberland Woodland (CPW), in addition to the presence of a number of threatened micro chiropteran bats and trees with 109 hollows.

OEH submission pointed out that any future development involving impacts on endangered ecological communities and threatened species would be subject to the provision of Section 5A of the Act. The applicant may be required to prepare a Species Impact Statement (SIS) at the development stage. Depending on the findings of the SIS, OEH concurrence may also be required.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### **Recommended approach – Issue 4**

Council held a telephone conference with OEH on 1 September 2016 and the matters raised by OEH submission were discussed. At the meeting, Council indicated its intention to include a local clause under the CLEP to ensure that proper management of vegetation on site occurs at the development stage. OEH supported Council approach to include a local clause under the CLEP.

Council has been working on a draft Terrestrial Biodiversity local clause for inclusion under the CLEP. This draft Clause is proposed to be applied to a number of urban release areas within Campbelltown LGA including Menangle Park and Mt Gilead Urban Release Area. A copy of the draft Terrestrial Biodiversity is included under Attachment 10 to this report. This clause is similar to biodiversity local clauses that have been endorsed for inclusion under a standard instrument LEPs for a number of Councils including Ku-ring-gai Council and the Blue Mountains Council.

The Terrestrial Biodiversity Clause would ensure that where the CPW on site were to be adversely impacted, measures to offset the loss of biodiversity would be implemented.

As mentioned earlier in this report, the GWS is currently subject to a SSD and the SSD application is seeking to clear the majority of the vegetation on site (refer to Attachment 3). Notably, if the SSD were to grant approval for the clearing of the majority of vegetation on this site, the above clause would become redundant. However, given the uncertainty in timing of the SSD approval, it is proposed that the above Terrestrial Biodiversity local clause be applied to the GWS.

### **Issue 5      The need to prepare a Development control plan – issue Raised by RMS**

The need to prepare a site specific DCP has been previously identified in the report to Council (Council meeting of 22 March 2016) and was also raised by RMS submission. A site specific DCP would ensure the orderly development of the site.

### **Recommended approach – Issue 5**

A site specific DCP requirement is proposed to form part of the amendment to the CLEP and an additional local clause to this effect is also proposed. It is proposed that the site specific DCP would provide for the following matters:

- the subdivision pattern including internal roads layout, entries to the site, intersection treatments and any restrictions to and from the site on vehicle access and movements
  - pedestrian connectivity between the areas of the site that are bisected by Cambridge Avenue
  - detailed urban design controls for the future development sites
  - the impact of development on flora and fauna and achieving satisfactory ecologically sustainable development outcomes
  - stormwater detention and water quality management
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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- the relationship between the development and neighbouring sites, including urban and natural environments
- the impact of noise and other emissions from industrial land uses and associated activities
- the protection and enhancement of the amenity of residents in the vicinity of the development and any proposed car park on the area south of Cambridge Avenue.

### **Issue 6      Blocking access to the area of the site located within Liverpool LGA as a result of the proposed rezoning - issue Raised by Liverpool City Council**

The area to the north of the subject site and within the Liverpool LGA is a future regional recreation area beside the Georges River. Any rezoning of the subject site should not block access to the future regional recreation area.

#### **Comments and Recommended approach – Issue 6**

A large parcel of land (approximately 40 hectares) located within Liverpool City Council can only be accessed through the two culverts under the East Hills Railway Line at no cost to Council. As part of the amendment to the CLEP, it is proposed to include a local clause that requires public access for pedestrian and vehicles to the existing culverts under the railway line. However, public access through the culverts should only be allowed, subject to Office of Strategic Land acquiring the land for public recreation purposes.

In other words, if the land within Liverpool LGA were to be acquired by Office of Strategic Land for public recreation in the future, the local clause would ensure that this land would be accessible. Notably, at that point, the culverts would need to be upgraded to ensure safe passage for vehicles and pedestrian. More importantly, until such time that the area within Liverpool LGA is acquired by Office of Strategic Land and the culverts are upgraded, public access through the culverts should not be allowed.

### **Issue 7      Proposed rezoning of a small portion of land south of Cambridge Avenue from SP2 Car Park to RE1 Public - issue Raised by Office of Strategic Land**

Office of Strategic Land submission is mainly related to a small portion of land that is located south of Cambridge Avenue between the area that is currently zoned RE1 Public Recreation and the proposed Georges River Parkway. This area is marked Area C on the map of Attachment 6 to this report. Area C was originally proposed to be rezoned to SP2 Car Park.

Office of Strategic Land requested that this portion of land be zoned to RE1 Public Recreation and also be included on the Land Reservation Acquisition Map to be later acquired by Office of Strategic Land.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### **Comments and recommended approach – Issue 7**

Area C forms part of the land to be acquired by Office of Strategic Land as part of the draft Planning Agreement between the Minister for Planning and Environment and the owners in lieu of Development Contributions for the proposed Recycling Material Facility. As such, it is proposed that this area be rezoned to RE1 Regional Recreation and the Land Reservation Acquisition Map be also amended to reflect the proposed change to the zoning of this area as per Office of Strategic Land submission.

### **Comments received from adjoining residents**

Council received 13 submissions from adjoining residents primarily opposing the area proposed for car parking purposes south of Cambridge Avenue. Concerns were also raised in relation to potential loss of wildlife habitat and impacts on the residential amenity of the adjoining residents. All matters raised by residents, officer comments and recommended actions are detailed under attachment 9 of this report. A summary of the main issues raised by the residents is provided in below:

#### **1. Proposed Car parking south of Cambridge Avenue**

All submission received from the residents raised concerns related to the potential impacts of the use of the site located south of Cambridge Avenue for car parking purposes in terms of impacts on their residential amenity, including noise and light spills.

#### **Comments and recommended approach**

The proposed zoning of the SP2 Infrastructure (car park) for the area south of Cambridge Avenue was primarily to allow for a small private car park to service the industrial areas that are proposed north of Cambridge Avenue. It was never intended that the whole site of 12 hectares be redeveloped for car parking purposes.

After reviewing submissions from residents, public authorities and TransGrid, it became apparent that the proposed zoning of SP2 Infrastructure (car park) is not an appropriate zone for this part of the site, for the reasons outlined in this report. In this regard, it is recommended that the proposed zoning of this part of the site be amended to Zone RE2 Private Recreation.

It is proposed to add an additional requirement under the CLEP to restrict any vehicle with a gross vehicle mass of 4.5 tonnes or more from parking within this part of the site, and to ensure that a car park within this area be located to minimise impacts on residential amenity of adjoin residents.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### **Loss of wild life habitat**

After reviewing the submissions and speaking with a number of residents, it became apparent that the residents misunderstood the draft planning proposal as they misinformed the vegetated areas south of Cambridge Avenue were proposed to be cleared as part of the proposal. Some residents also raised concerns regarding a proposal to fill the creek located near Goodenough Street and a proposal to close off Cambridge Avenue. As such, the majority of the concerns raised by the submissions were unfounded.

### **Comments and recommended approach**

There is no proposal to remove the vegetated corridor along the Georges River, nor any existing vegetation located south of Cambridge Avenue. In fact, the State Government has recently publicly exhibited a draft planning agreement where the ownership for the land immediately adjacent to the Georges River is proposed to be transferred to the State Government. A copy of the draft planning agreement is available for view from the Departments website.

Given the above no changes in this regard is proposed.

### **Summary of the revised proposed zoning as a result of the public exhibition**

Consultation with public authorities and adjoining residents has identified a number of issues with the proposed zoning, as discussed in previous sections of this report. In summary the following changes to the draft zoning map are proposed:

1. The area south of Cambridge Avenue and west of the proposed Georges River Parkway (Part of Lot 3 DP 736881) (Area A under attachment 6) is now proposed to be rezoned to RE2 Private Recreation. This area, as publicly exhibited, was proposed to be zoned to SP2 Car Park.
2. The area located north of the East Hills Railway Line (part of Lot 91 DP 1155962) (Area B under attachment 6) is now proposed to be assigned an RU2 Rural Landscape zone, which is the equivalent zone to the existing zoning of 1(a) Rural A Zone under LEP 2002. This area, as publicly exhibited, was proposed to be zoned to IN1 General Industrial.
3. The area located between the proposed Georges River Parkway and the regional open space (Part of Lot 3 DP 736881) (Area C under attachment 6) is proposed to be rezoned to RE1 Public Recreation. This area as publicly exhibited was proposed to be zoned to SP2 Car Park.

A revised zoning map is shown as Map 3.5 under attachment 2 of this report.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### **Proposed additional local clause for the Glenfield Waste Site under the CLEP**

The draft planning proposal that was publicly exhibited proposed a number of requirements through site specific local clauses that would form part of the proposed amendment to the CLEP. As a result of the public consultation, additional local clauses are proposed to address specific matters raised by public agencies.

In this regard, Council provided a letter to the Department justifying the proposed local clauses, a copy of which is shown as attachment 8 to this report. Council received an informal response from the Department via email, advising that the proposed local clauses are not considered unreasonable, with the exception of the local clause that restricts the type of vehicles that would be allowed to use a car park on the land located south of Cambridge Avenue (Area A under attachment 6). The Department's informal opinion indicated that this matter may be addressed at the development application stage, and as such does not need to be included as part of the amendment to the CLEP.

Council in the past was able to introduce a similar provision under the CLEP. Council included a site specific restriction in relation to the size of vehicles that would be allowed to utilise a service station at 194 Campbelltown Road Denham Court. This restriction is found under Schedule 1 Additional Permitted Uses, Clause 17 Use of certain land at 194 Campbelltown Road, Denham Court which states:

Clause17: Use of certain land at 194 Campbelltown Road, Denham Court.

- (1) This clause applies to land at 194 Campbelltown Road, Denham Court being Lots 73 and 74, DP 22711.
- (2) Development for the purpose of a service station is permitted with development consent, if the service station:
  - (a) does not include a diesel or gas fuelling point for long vehicles (within the meaning of rule 200 of the Road Rules 2014)
  - (b) is not designed or constructed to be used by such long vehicles
  - (c) is designed and constructed to be used by heavy vehicles (within the meaning of the Road Rules 2014) only for the purpose of fuelling
  - (d) is not able to be accessed from a freeway.

The proposed local clauses for the GWS are included (refer to attachment 10). A dot point summary of the matters that are proposed to be addressed through local clauses is provided below:

1. A requirement for the need to prepare a Development Control Plan/Master Plan
  2. Preparation of flood assessment and stormwater management plan
  3. Provisions of additional access to the site that is flood free
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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4. Proper management of vegetation on site through the application of a biodiversity clause
5. Restriction on heavy vehicles to use the area south of Cambridge Avenue for parking purposes
6. Restriction on dwelling entitlement for the area proposed to be zoned RU2 Rural Landscape
7. Requirement to provide pedestrian and public access to the existing access points/culverts under the East Hills Railway Line at no cost to Council
8. Restriction on public access through the existing access points/culverts under the East Hills Railway Line
9. Introducing a limit of 100sqm on the combined maximum gross floor area that may be used for the purposes of retail premises, unless it can be demonstrated to Council's satisfaction, that Cambridge Avenue is capable of accommodating the additional traffic generated by the proposed retail premises

Notably, Council staff consulted with the applicant in relation to the proposed local clauses, and kept staff from Department informed of all the proposed local clauses. The applicant has agreed to the revised zoning and the proposed site specific local clauses that were introduced in response to issues raised by public authorities.

### **Where to from here?**

The draft planning proposal has been revised based on the outcome of the public exhibition and consultation with the relevant public authorities. The applicant has agreed to the revised zoning and the proposed site specific local clauses that were introduced in response to issues raised by public authorities.

It is not considered that any of the proposed amendment to the draft planning proposal is of such a nature that would require Council to re-exhibit the draft planning proposal. More importantly, the changes do not impact upon the intended outcome of the draft planning proposal and its objectives.

Council has now satisfied all the requirement of the Gateway Determination, dated 9 December 2013. Subject to Council's endorsement of the revised draft planning proposal, the draft planning proposal and associated information will be sent to the Department for making. Notably, Council was not provided with delegation to make the draft amendment to the CLEP.

The Parliamentary Counsel will legally draft the amendment to the CLEP and revise the wordings of the proposed local clauses, prior to the making of the instrument.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### **Draft South West District Plan**

On 21 November 2016 the Greater Sydney Commission released six draft District Plans for the Greater Sydney Region comprising the North, West, West Central, Central, South and South West Districts. The draft South West District Plan (the draft SWDP) encompasses the local government areas of Campbelltown, Wollondilly, Camden, Fairfield and Liverpool. The draft SWDP sets out priorities and actions that will underpin the 20-year vision for the South West District in order to deliver a Productive, Liveable, and Sustainable Greater Sydney.

The vision statement for the South West District is:

South West Sydney is a place where opportunity, success and prosperity are forged from humble beginnings, where innovation thrives, smart jobs are created, international business connections are established and global investment is supported. Local people form the basis of a highly skilled and educated workforce that continues to grow and invest in itself and its future.

The draft SWDP sits in the middle of the hierarchy of metropolitan, district and local planning for the Greater Sydney Region and will:

- implement a strategic and integrated approach to managing Greater Sydney's growth by linking State and regional-level aspirations with Local Environmental Plans (LEPs) and providing a clear line of sight between these documents
- align land use decisions and infrastructure planning through better research, decision-making and collaboration with local government and key State agencies and stakeholders
- be monitored and reported on, with implementation managed by coordination across Government
- help to inform the 2017 review of Greater Sydney's regional plan (currently *A Plan for Growing Sydney*).

Having regard to the vision and priorities of the draft SWDP, it is considered that the draft GWS Planning Proposal is not inconsistent with the draft district plan, and is considered more specifically, to be able to assist in the facilitation of the metropolitan priorities relating to A Productive Sydney and A Sustainable Sydney as the it would create accessible local jobs within the reach of Campbelltown's residents.

### **Conclusion**

The draft planning proposal, enabling the Glenfield Waste Site to be developed for industrial purposes, presents an opportunity to provide additional industrial development within the Campbelltown LGA. The site is ideally located for this type of development and would provide much needed local jobs for Campbelltown residents. While the subject site is within close proximity to public infrastructure and Glenfield Railway Station, it is physically isolated from nearby residential development by roads and the parcel of land south of Cambridge Avenue, Glenfield.

The draft planning proposal has been revised based on the outcome of the public exhibition and consultation with the relevant public authorities. The applicant has agreed to the revised zoning and the proposed site specific local clauses.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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It is not considered that any of the proposed amendments to the draft planning proposal are of such a nature that would require council to re-exhibit the draft planning proposal. The changes have not impacted upon the intended outcome of the draft planning proposal.

Council has satisfied the requirements of the Gateway Determination with respect to the draft planning proposal. it is therefore recommended that council endorse the revised draft planning proposal and send it to the Department for making.

### **Officer's Recommendation**

1. That Council endorse the revised draft Planning Proposal generally as shown under attachment 2 and forward it to the Department of Planning and Environment for gazettal.
  2. That Council advise the residents who made a submission and the applicant of Council's decision.
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## **ATTACHMENT 1**

**TITLE     Planning Proposal - Rezoning of the Glenfield Waste Site**

### **Reporting Officer**

Manager Environmental Planning

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### **Attachments**

1. Correspondence from the Department of Planning and Environment (contained within this report)
2. Revised draft Planning Proposal and maps (contained within this report) with Technical Studies (distributed under separate cover due to their size of 995 pages)

### **Purpose**

To seek Council's endorsement to place a revised planning proposal and associated technical studies on public exhibition, to primarily enable the Glenfield Waste Site (GWS) at Cambridge Ave, Glenfield to be used for industrial purposes and a private car park to service the industrial uses.

### **History**

In June 2012, Council received a draft rezoning submission report from Environmental Property Services, on behalf of the property owners of the GWS, requesting Council to rezone the site to generally enable industrial development and a car park.

Council on 18 June 2013 considered a report on the draft planning proposal and resolved in part as follows:

"That Council endorse the draft planning proposal from Environmental Property Services, on behalf of the property owner JC & FW Kennett Pty Ltd for the rezoning of Glenfield waste site to generally enable industrial development as presented by this report and lodge the draft Planning Proposal with the Department of Planning and Infrastructure for determination by the Gateway Panel."

Accordingly, on 6 August 2013 Council received a Gateway Determination from the Department of Planning and Environment (the Department) that supported the proposal subject to a number of conditions. These conditions required additional information to be placed on public exhibition with the planning proposal in relation to flora and fauna, heritage, acoustic (noise impact), stormwater management and flooding and traffic impact (roadwork capacity and infrastructure improvements).

As part of the Gateway Determination Council was also required to update the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with S117 Directions related to heritage conservation, integrated land use and transport and flood prone land.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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In light of the requirements under the Gateway Determination, Council provided the Department with additional information in relation to S117 Directions, and sought variation to one of the Gateway conditions that required the preparation of additional information for stormwater and flooding prior to public exhibition. Notably, Council's engineers are of the opinion that while a detailed stormwater and flood study must be prepared for the site, it may be prepared at a later stage as part of any future subdivision application for the site.

Accordingly, on 9 December 2014 the Department issued a revised Gateway determination a copy of which is shown under Attachment 1. The revised Gateway determination removed the condition requiring additional stormwater and flooding information at this stage, subject to providing an additional access point to the site from Cambridge Avenue, in an area that is not potentially affected by flooding. In addition the Department advised Council that the planning proposal is considered to be consistent with S117 Direction 2.3 Heritage Conservation and suggested that Council include additional information in relation to cycling and pedestrian options to justify consistency with S117 Direction No 3.4 Integrating Land Use Transport.

In accordance with the revised Gateway Conditions, the applicant prepared all the required studies to Council officer's satisfaction. The planning proposal shown under Attachment 2 to this report has been revised and updated to reflect the findings of the technical studies.

A submission to the then draft Campbelltown Local Environmental Plan 2014 (the draft CLEP 2014) was received during the public exhibition period from the NSW Office of Strategic Lands (OSL) in relation to land acquisition matters of the adjacent open space corridor. OSL advised Council via its submission that it would not accept the part of the open space corridor that has been subject to landfill and that which contains monitoring wells for gas and water.

As this planning proposal was already lodged with Council, it was considered appropriate to address the submission to the then draft CLEP 2014 via an amendment to this Planning Proposal to include the existing open space corridor.

In consultation with the OSL, the applicant undertook a survey to ascertain the width of the open space corridor to be acquired by OSL with the remaining corridor land to be zoned for industrial uses. A copy of the survey was submitted to Council in August 2015 and shown as Map 3.12 under Attachment 2 to this Report.

Council in September 2015 revised the planning proposal boundary to include the required open space corridor and additional area to be rezoned for industrial purposes and sought a revised Gateway Determination from the Department.

On 8 February 2016, Council received an 'Alteration of Gateway Determination' which addressed the site boundary and zoning variation and required Council to finalise the proposed amendment to the Campbelltown Local Environmental Plan 2015 (the CLEP) by 15 September 2016. A copy of the 'Alteration to the Gateway Determination' is included under attachment 1 to this report.

A brief overview of the planning proposal was provided to Councillors at the 23 February 2016 briefing evening.

This report seeks Council's endorsement to place the planning proposal and associated technical studies on public exhibition for public comments.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### Report

Property Description: Lot 91 DP 1155962, Lot 1 DP 113201 and Lot 2 DP 333578

Owner: JC & FW Kennett Pty Ltd

Property Description: Lot 3 DP 735524 and Lot 3 DP 736881

Owner: Figela Pty Ltd

Property Description: Lot 92 DP 1155962

Owner: Transport for NSW

### The Site

The Glenfield waste site comprises two large parcels of land, the northern parcel, located within the Liverpool Local Government Area (LGA) and the southern parcel, located within the Campbelltown LGA. This proposed rezoning application relates only to the southern parcel that is located within the Campbelltown LGA (bisected by Cambridge Avenue).

The site subject to this Planning Proposal is approximately 48 hectares in area and shown as Map 3.1, under Attachment 2 of this report.

The Georges River forms the eastern boundary of the GWS. A strip of open space land separates the subject site from the Georges River, and acts as a buffer between the river and the existing recycling facility.

An electricity easement passes along the site located south of Cambridge Avenue. This area of the site is currently unoccupied open space, used only for grazing horses and acts as a 'buffer' between the recycling facility to the north and the residential areas to the south.

### Draft Planning Proposal – Amendment No. 2 to the CLEP

The draft Planning Proposal seeks to rezone an area north of Cambridge Ave to enable industrial development, and rezone an area south of Cambridge Avenue (that is burdened by an electricity easement) for car parking purposes. The area south of Cambridge Ave will be subject to the outcome of consultation with Transgrid, who owns the electricity easement that runs through the southern part of the site.

The proposed rezoning will form the second amendment (Amendment No 2) to the CLEP. The first amendment to the CLEP will be a required administrative amendment resulting from a boundary adjustment and is outlined in a separate report in the March 2016 business paper.

### Existing Zoning

The site is currently subject to the following plans:

1. Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002)
2. Campbelltown Local Environmental Plan 2015 (The CLEP)

Most of the land that is subject to this planning proposal is included under the CLEP as a 'Deferred Matter' and as such Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002) is currently the principal planning instrument that applies to these allotments. The

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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deferred areas under the CLEP are currently zoned 1(a) Rural Zone under LEP 2002. The current zoning map under LEP 2002 is shown as Map 3.3 under Attachment 2 of this report.

The railway corridor that passes through the site, the proposed Georges River Parkway, Cambridge Avenue and the strip of open space corridor that runs adjacent to the Georges River have been assigned appropriate zones under the CLEP as shown on the Map 3.4 of Attachment 2. Those areas will retain the current zoning under the CLEP with the exception of part of the open space corridor which is proposed to be reduced in width (from approximately 160 metres to approximately 40 to 70 metres)

### **Proposed Zoning**

The properties owned by JC & FW Kennett Pty Ltd and Figela Pty Ltd, located north of Cambridge Avenue are proposed to be zoned Zone IN1 General Industrial.

The land that is proposed to be acquired by OSL (as mentioned previously in this report) is proposed to retain the current zoning under the CLEP RE1-Public Recreation, while the remaining area of this open space strip is proposed to be rezoned Zone IN1-General Industrial.

The property to the north west owned by Transport for NSW (Lot 92 in DP 1155962) is proposed to be rezoned Zone SP2 (Railway Corridor). This area is currently a deferred matter under the CLEP.

The part of the site south of Cambridge Avenue (Part Lot 3 DP 736881) is proposed to be rezoned Zone SP2 Infrastructure (Car Park). A proposed land zoning map is shown as Map 3.5 under Attachment 2 of this report.

### **Proposes lot sizes and proposed height of buildings**

It is proposed that the future industrial areas be allocated a minimum lot size of 4000sqm, and a maximum building height of 12 meters which are consistent with the minimum lot sizes and building heights for areas currently zoned IN1 General Industrial across the LGA (Ingleburn and Minto industrial areas).

### **Gateway Determination – December 2014**

On 9 December 2014 the Department issued a revised Gateway determination, a copy of which is shown under Attachment 1.

The Gateway Determination required Council to meet certain conditions. These conditions have now been met and are discussed in more detail below:

**Condition 1:** Prior to undertaking public exhibition, Council is to update the 'objectives or intended outcomes' within the planning proposal to identify the uses proposed for the subject land. The planning proposal is to be updated to correctly reference the name of the zone for land proposed to be rezoned for special purposes - railway.

### **Comments**

The Planning Proposal has been updated and now includes a description of the intended land uses of the site.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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It is proposed that the part of the site located north of Cambridge Avenue be used for industrial development with a focus on warehousing and logistics. The part of the site that is located south of Cambridge Avenue is proposed to be used for car parking purposes to service the future industrial development.

Notably, if the land is to be rezoned to Zone IN1 General Industrial under the CLEP a range of additional land uses will become permissible as follows:

Animal boarding or training establishments; Boat building and repair facilities; Car parks; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Freight transport facilities; General industries; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Mortuaries; Neighbourhood shops; Passenger transport facilities; Places of public worship; Roads; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Storage premises; Take away food and drink premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres

**Condition 2:** Prior to undertaking public exhibition, Council is to update the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with the below S117 Directions:

- No 2.3 Heritage Conservation
- No 2.3 3.4 Integrating Land Use and Transport
- No 2.3 4.3 Flood Prone Land.

### Comments

The planning proposal has been updated to adequately demonstrate consistency or justify any inconsistency with the above S117 Directions. A copy of the revised draft Planning Proposal is shown under Attachment 2.

**Condition 3:** Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:

- flora and fauna
- heritage
- acoustic (noise impact)
- traffic impact (road network capacity and infrastructure improvements).

### Comments

Additional information in regard to the above matters has been prepared by the applicant and submitted to Council as follows:

#### 1. Flora and Fauna

An Ecological Assessment for the GWS, prepared by Environmental Property Services has been submitted. The ecological study is supported by a number of field surveys and studies including an assessment of the woodland vegetation, a detailed flora and fauna field surveys and hollow bearing tree assessment.

The additional information has been prepared by the applicant in consultation with Council's officers and the Office of Environment and Heritage (OEH).

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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The main findings of the ecological study are as follows:

- The subject site supports vegetation that meets the criteria for Cumberland Plain Shale Woodlands, which is listed as critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act)
- Threatened bat species were recorded during the targeted surveys being *Pteropus poliocephalus* (Grey-headed Flying-fox), *Saccolaimus flaviventris* (Yellow-bellied Sheath-tail-bat), *Mormopterus norfolkensis* (East-coast Freetail-bat), *Miniopterus australis* (Little Bentwing bat) and *Miniopterus schreibersii oceanensis* (Eastern Bentwing bat)
- No threatened frog, waterbird, arboreal mammal, or fish species were identified during surveys and are considered unlikely to occur on the investigation area
- The investigation area supported a farm dam which provided an area of open, deep water for common waterbird species
- The investigation area supported a relatively high number of hollow bearing trees.

In November 2014 an additional Biobanking Credit Assessment (Field Work Report), and a Cumberland Plain Shale Woodlands Assessment were prepared by SLR Consulting Australia Pty Ltd for the Glenfield Site. The draft biodiversity offset is a proposed option to provide compensation for any impacts upon the Cumberland Plain Shale Woodland. Further consultation with the Commonwealth Department of Environment and OEH at the subdivision stage would be required to determine the best pathway for providing the best possible ecological outcomes for the site.

The additional information provided by the applicant in relation to flora and fauna is considered sufficient for the rezoning stage and will be placed on public exhibition as part of the planning proposal. However, it is considered important that the amendment to the CLEP include a specific requirement (additional local clause) for a detailed biodiversity offset strategy to be prepared as part of any development application for industrial development on the site that proposes to remove vegetation.

Given that the site contains critically endangered vegetation, it is recommended that while the planning proposal is on public exhibition, Council formally consult with the Chief Executive of the Office of Environment and Heritage as required by Section 34A (Special Consultation Procedures Concerning Threatened Species) of the *Environmental Planning and Assessment Act 1979*.

### 2. Heritage

There is no significant European cultural heritage located on the subject site.

Additional information in relation to aboriginal heritage has been prepared by the applicant in consultation with Council's officers and OEH. Archaeological and Heritage Management Solutions Pty Ltd (AHMS) prepared an Aboriginal Heritage Preliminary Assessment report for the rezoning of the site. The additional information included an assessment of significance with the preliminary assessments identifying four specific sites that had the potential for Aboriginal Archaeological significance.

Council consulted further with OEH, and as a result the applicant was required to provide additional information for the rezoning stage. The additional information included an assessment that reviewed the heritage significance of the four specific sites identified as part of its preliminary assessment.

Three sites were found to have 'low' value and only one site located south of Cambridge Avenue was identified to have a 'moderate' value, and therefore, has the potential to contain

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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extensive and/or old cultural materials. The majority of this site is currently zoned RE1 Public Recreation with a portion zoned SP2 Road. This planning proposal does not seek to vary those zones. In addition to the RE1 and SP2 Zones, part of the site is also currently zoned 1(a) Rural under LEP 2002. This part of the site is proposed to be rezoned SP2 Car Park for car parking purposes.

Additional characterisations of this site deposit and more detailed investigations of this area should occur at the development application stage. Notably, a special site card for this area has been completed and lodged with the Aboriginal Heritage Information Management System registrar to ensure that this area will be identified at the development application stage and suitable conditions included in any consent issued on the land for the appropriate archaeological management of the site.

The additional information provided by the applicant in relation to aboriginal heritage is considered sufficient at this stage. OEH prefers a more rigorous archaeological investigation to be undertaken to identify the nature and extent of any archaeological deposits prior to rezoning rather than at the development stage. However, OEH advised, if no further assessment will be undertaken at this stage, more information should be included in the report about potential level of impact that will occur to the site as a result of the proposed development.

In this regard, Council will be further consulting with the aboriginal communities, while the planning proposal is on public exhibition, and seek their views on this matter.

### **3. Acoustic (noise impact)**

SLR Consulting, on behalf of the applicant has undertaken a noise assessment relating to the proposed rezoning of the southern parcel of the GWS.

The aim of this assessment was to assess the potential noise impacts from land use changes associated with the rezoning on surrounding sensitive receptors i.e. residential premises. Noise emission levels for a hypothetical industrial estate were predicted to comply with the relevant noise goals during day, evening and night-time periods at all existing residential locations considered under calm and prevailing weather conditions. Furthermore, no specific noise mitigation measures, besides the existing mound and fence, have been included in the noise model. It is possible that actual noise emissions from the proposed industrial estate would be less than those predicted.

Predicted noise levels could be greatly reduced with judicious planning along with the use of equipment incorporating 'quiet' engineering design, the addition of acoustically designed enclosures, noise barriers or using management techniques. It is also possible that considerable screening of acoustically significant activities would be provided by buildings once the site is developed.

### **4. Traffic impact (road network capacity and infrastructure improvements)**

AECOM on behalf of the applicant prepared a preliminary Traffic and Transport Review of the subject site.

The findings of the review indicates that the site would appear to be appropriate for 'Zone IN1 General Industrial Zone' from a transport perspective, subject to further detailed traffic impact assessment to determine the capacity of the existing network and identify the extent of required infrastructure improvements.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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The site currently has two access points. It is proposed that an additional access point be created from Cambridge Avenue to service the future industrial developments at the site.

In addition to the preliminary Traffic and Transport Review prepared by AECOM, Anton Reisch Consulting Pty Ltd prepared a detailed Traffic Impact Assessment on behalf of the applicant to appropriately assess the potential traffic and transport impacts arising from the Proposal. Following is a dot point summary of the findings of this study:

- In the AM (commuter peak hour 7:00am – 8:00am) the Site trip generation is estimated at 265 vehicle trips per hour (vph), and in the PM (commuter peak hour 4:00pm – 5:00pm) the Site trip generation is estimated at 275vph
- The Site provides 2 existing access points to the local road network, Cambridge Avenue and Railway Parade. The intersection of Cambridge Avenue currently provides primary access to the Site, but the volume of additional trips generated by the Proposal dictates that a new intersection will need to be provided to Cambridge Avenue to service the rezoned land
- The Proposal would have only a very moderate impact on the road network through to the year 2024.

**Condition 4:** Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") as follows:

- the planning proposal must be made publicly available for a minimum of 28 days
- the relevant planning 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 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).

### Comments

It is recommended that that the planning proposal be placed on public exhibition as per the above condition. In addition it is recommended that all residential properties that are located adjacent to the site be individually notified of the public exhibition of the planning proposal.

**Condition 5:** Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Transport for NSW
  - Railcorp
  - Sydney Water
  - Telstra
  - Transgrid
  - Sydney Catchment Authority
  - Sydney Metropolitan Catchment Management Authority
  - Office of Environment and Heritage
  - NSW Department of Primary Industries -Agriculture
  - NSW Trade and Investment - Minerals and Petroleum (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries)
  - NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
  - Office of Strategic Lands regarding the dedication of land, which adjoins the eastern boundary of the subject land and which is zoned 6(b) Regional Open Space under Campbelltown (Urban Area) LEP 2002, and its removal from the Land Reservation Acquisition Map.
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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- Adjoining LGAs.

To date Council has consulted with the following public authorities:

### 1. Transport for NSW

Council consulted with Transport for NSW in relation to the proposed rezoning of Lot 92 DP 1155962 (owned by Transport for NSW). No official/written response has yet been received from Transport for NSW, however verbal advice indicated that there is no objection to the proposed rezoning. Council will consult again with Transport for NSW while the proposal is on public exhibition.

### 2. Office of Environment and Heritage

Council consulted with OEH in relation to the required flora and fauna study and the Preliminary Aboriginal Heritage Study. The applicant undertook additional surveys and studies as required by Council and OEH. Council will consult with OEH again, while the proposal is on public exhibition.

### 3. Office of Strategic Lands

The matter relating to land acquisition has been resolved. The applicant undertook a survey plan in consultation with OSL, and the land acquisition map is proposed to be amended as shown as Map 3.11 under attachment 2 to reflect the outcome of the consultation.

### 4. NSW Roads and Maritime Services

Council has consulted with NSW Roads and Maritime Services (RMS) in relation to the scope of the traffic impact assessment. Council received an email in relation to the matters that need to be addressed by the traffic impact assessment. The applicant has prepared a traffic impact assessment taking into consideration feedback from RMS and Council's Engineers.

Notably, Council will consult with all relevant public agencies listed under the gateway conditions of the revised Gateway Determination during the public exhibition of the draft Planning Proposal.

### **Proposed additional local clauses to the CLEP for the Glenfield Waste Site**

A number of additional requirements became apparent as a result of the additional investigations/studies prepared for the site by the consultant, consultation with the Office of Environment and Heritage and/or the review of those studies by Council's officers as discussed above.

The additional proposed requirements as part of the amendments to the CLEP are as follows:

#### **a) Development Control Plan/Master Plan**

Prior to any future development application for industrial purposes for this site, a development control plan/master plan shall be prepared for the site that shows the internal road layout, entry points to the site, stormwater detention basins (where required) and the extent of the vegetation proposed to be cleared.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### **b) Flood and stormwater management plan**

A detailed flood and stormwater management plan shall be prepared as part of the development application for the site.

### **c) Access arrangement to the site**

Vehicle access to the site shall be flood free and satisfy the consent authority that the local road network is not adversely affected. A third access from the site shall be provided at Cambridge Avenue.

### **d) Vegetation management**

Where vegetation on site is proposed to be cleared, the applicant shall implement an offsetting strategy to Council's satisfaction.

### **e) Restriction on the type of vehicles to use the area south of Cambridge Avenue that is proposed for car parking purposes**

It is proposed to add an additional requirement under the CLEP to restrict any vehicle with a GVM mass of more than 4.5 tonnes within the area proposed to be rezoned for car parking services. This would minimise noise on the adjacent residential neighbourhoods.

## **Conclusion**

The draft planning proposal to enable the Glenfield waste site to be developed for industrial purposes presents an opportunity to provide additional industrial development within the Campbelltown LGA. The site is ideally located for this type of development and would provide much needed local jobs for Campbelltown residents. While the subject site is within close proximity to public infrastructure and Glenfield Railway Station, it is physically isolated from nearby residential development by roads and the parcel of land south of Cambridge Avenue, Glenfield.

The site has major biodiversity values, and prior to the removal of any vegetation on site, an offsetting strategy must be prepared and implemented to the satisfaction of Council and any other relevant public authorities.

The draft planning proposal has been revised based on the additional information provided by the applicant and the gateway conditions.

It is recommended that Council endorse the public exhibition of the revised planning proposal and associated studies (attachment 2) as per the Gateway Conditions.

## **Officer's Recommendation**

1. That Council endorse the public exhibition of the draft planning proposal and associated technical studies for the Glenfield Waste Site as per the Gateway Determination Conditions.
  2. That the residential properties immediately adjacent to the site be notified of the public exhibition of the draft planning proposal.
  3. That a further report be submitted to Council on the outcome of the public consultation.
  4. That Council advise the applicant of Council's decision.
-

## **ATTACHMENT 2**



# **Planning Proposal Glenfield Waste Site Campbelltown City Council**

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Proposed Amendment to Campbelltown  
Local Environmental Plan 2015

### [PLANNING PROPOSAL – GLENFIELD WASTE SITE]

Note: Proposed amendments to the Planning Proposal as a result on the public exhibition are in light blue text.

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## Appendices

**Appendix 1:** Letters received from the Department of Planning and Environment

**Appendix 2 :** Technical Studies, Flood Map and Bushfire Prone Land Map (distributed under separate cover due to their size of 995 pages)

*Attachment 2.1 - Infrastructure Report (SMEC Urban, May 2012)*

*Attachment 2.2 - Traffic Impact Assessment (Anton Reisch Consulting Pty Ltd, October 2014)*

*Attachment 2.3 - Traffic and Transport Report, (AECOM, May 2013)*

*Attachment 2.4 - Glenfield Ecological Assessment (Environmental Property Services, updated May 2015)*

*Attachment 2.5 - Aboriginal Heritage Preliminary Assessment (Alan Williams, updated August 2014)*

*Attachment 2.6 - Contamination Land Report (Consulting Earth Scientists, May 2012)*

*Attachment 2.7 - Noise Impact Assessment (SLR Global Environmental Solutions, April 2015)*

*Attachment 2.8 – Upper Georges River Flood Study*

*Attachment 2.9 – Flood Map*

*Attachment 2.10 – Bushfire Prone Land Map*



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### **Appendix 3: Maps**

*Map 3.1 Location Plan of the Subject Site*

*Map 3.2 Aerial Photo of the Subject Site*

*Map 3.3 Existing Zoning Map under LEP 2002*

*Map 3.4 Existing Zoning Map under the CLEP*

*Map 3.5 Proposed Zoning Map under the CLEP*

*Map 3.6 Existing Lot Size Map under the CLEP*

*Map 3.7 Proposed Lot Size Map under the CLEP*

*Map 3.8 Existing Height Map under the draft CLEP*

*Map 3.9 Proposed Height of Buildings Map under the CLEP*

*Map 3.10 Existing Land Reservation Acquisition Map under the CLEP*

*Map 3.11 Proposed Land Reservation Acquisition Map under the CLEP*

*Map 3.12 Survey Plan Map – Boundary Adjustment*

*Map 3.13 Proposed Clause Application Map under the CLEP*

*Map 3.14 Proposed Terrestrial Biodiversity Map under the CLEP*

*Map 3.15 Existing Land Application Map under the CLEP*

*Map 3.16: Proposed Land Application Map under the CLEP*

### **Appendix 4: Local Clauses** - Refer to the following Attachments under Council's report:

Attachment 8 - A copy of Council's letter to the Department of Planning and Environment regarding justification of the proposed local clauses

Attachment 10 - Site specific local clauses that form part of the proposed amendment to the Campbelltown Local Environmental Plan 2015

### **Appendix 5: Outcome of the Public Consultation** - Refer to the following Attachments under Council's report:

Attachment 4 - Submissions received from public authorities

Attachment 5 - A summary of the issues raised by public authorities, officer's comments and recommended approach to address the raised issues

Attachment 9 - Main matters raised by residents, officer's comments and recommended actions

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### History

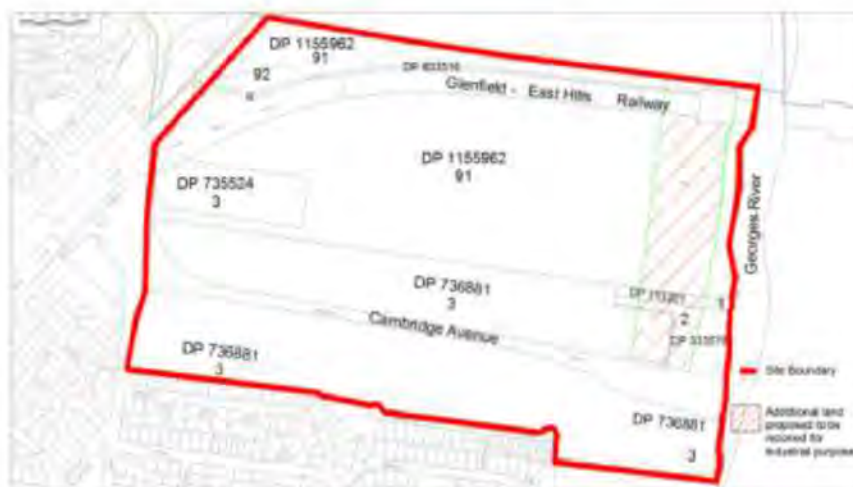
- This Planning Proposal relates to the Glenfield Waste Site, located at Cambridge Avenue, Glenfield.
  - In June 2012, Environmental Planning Services on behalf of the owners of the Glenfield Waste Site submitted to Council a planning proposal to enable the subject site to be used for industrial development and car parking purposes.
  - Council officers reviewed the applicant's planning proposal and prepared a revised Planning Proposal.
  - Council on 19 June 2013 submitted the Planning Proposal to the Department of Planning and Environment (the Department) and later received a Gateway Determination (dated 6 August 2013) shown under Appendix 1.
  - Council on 3 October 2013 provided the Department with additional information to address the matters raised by the Gateway Determination.
  - As a result, Council received a revised Gateway Determination from the Department, dated 9 December 2013 a copy of which is shown under Appendix 1.
  - The revised Gateway Determination required Council, prior to public exhibition, to provide additional information to adequately demonstrate consistency or justify any inconsistencies with some of the S117 Directions, undertake a number of additional studies and consult with a number of public authorities.
  - ~~To date~~ Council, **prior to the public exhibition**, consulted with a number of public authorities including the Office of Environment and Heritage (OEH), Roads and Maritime Services (RMS) and the Office of Strategic Lands (OSL).
  - ~~Further consultation with all the relevant public agencies will occur during the public exhibition period, as per the requirements of the revised Gateway Determination.~~
  - **Prior to the public Exhibition, and** in line with the conditions of the revised Gateway Determination the applicant provided additional information in relation to the following:
    - Flora and fauna
    - Heritage
    - Acoustic (noise impact)
    - Traffic impact (road network capacity and infrastructure improvements)
  - The Planning Proposal ~~has been~~ **was** updated to reflect the findings of the additional studies and consultation with OEH and OSL. A copy of the technical studies is shown under Attachment 2 of this planning proposal.
  - An open space corridor (approximately 160 metres in width) is located between the Glenfield Waste Site and the Georges River. This strip of land is currently zoned RE1
-



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Public Recreation under the Campbelltown Local Environmental Plan 2015 (the CLEP). A large portion of this open space has been subject to landfill practices as part of the historical operation of the Glenfield Waste Site. This strip of open space was not originally included as part of the site subject to this planning proposal as it was assigned a zone of RE1 Public Recreation under the then draft CLEP 2014, while the Glenfield Waste Site was marked as a 'deferred matter' under the zoning maps of the then draft CLEP.

- As part of consultation with public authorities during the preparation of the then draft CLEP, Council consulted with the OSL in relation to land acquisition matters.
- OSL advised Council that it would only be interested in acquiring the part of the open space corridor that does not contain landfill.
- Accordingly, and in consultation with OSL, the applicant prepared a survey plan to ascertain the exact boundary of the strip of land to be acquired by OSL. A copy of the survey plan is shown under Appendix 3 (Map 3.12) of the planning proposal.
- In August 2015, the applicant submitted to Council a survey plan that shows the exact boundary of the land to be acquired by OSL (ranges approximately from 40m to 70m in width). OSL advised Council that the survey plan reflects what has been agreed between the owner/applicant and OSL.
- As a result, the site subject to this planning proposal has been amended to include the open space corridor located adjacent to the Georges River. The part of this strip that will not be acquired by OSL is proposed to be rezoned for industrial purposes.
- Given that the site boundary of the planning proposal has been amended to include the additional land, Council sought a revised gateway determination based on the new boundary of the site and the additional information provided under this Planning Proposal. Figure 1 below shows the additional land to be rezoned for industrial purposes and the new site boundary.



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

- On 8 February 2016, Council received a letter from the Department of Planning which included an 'Alteration of Gateway Determination'. The alteration addressed the site boundary variation and extended the date for the finalisation of the proposed rezoning to 15 September 2016. A copy of the Department's leAppendix 1.
- The planning proposal and associated studies were placed on public exhibition from 6 April 2016 until 6 May 2016.
- Council received a total of 23 submissions of which 10 submissions were from public authorities/agencies and the remaining 13 submissions were from adjacent residents.
- Council consulted with RMS and all the relevant authorities specifies under the Gateway Determination.
- The planning proposal has been revised to reflect the outcome of the consultation with public agencies and residents.
- Council has satisfied the requirements of the Gateway Determination with respect to the Planning Proposal.

The parcels of land that are proposed to be rezoned as part of this amendment to the CLEP are listed in the table below. The total site area is approximately 60 hectares and approximately 40 36 hectares are proposed to be rezoned for industrial purposes

**Figure 1 The Glenfield Waste Site showing the additional land to be rezoned for industrial purposes**

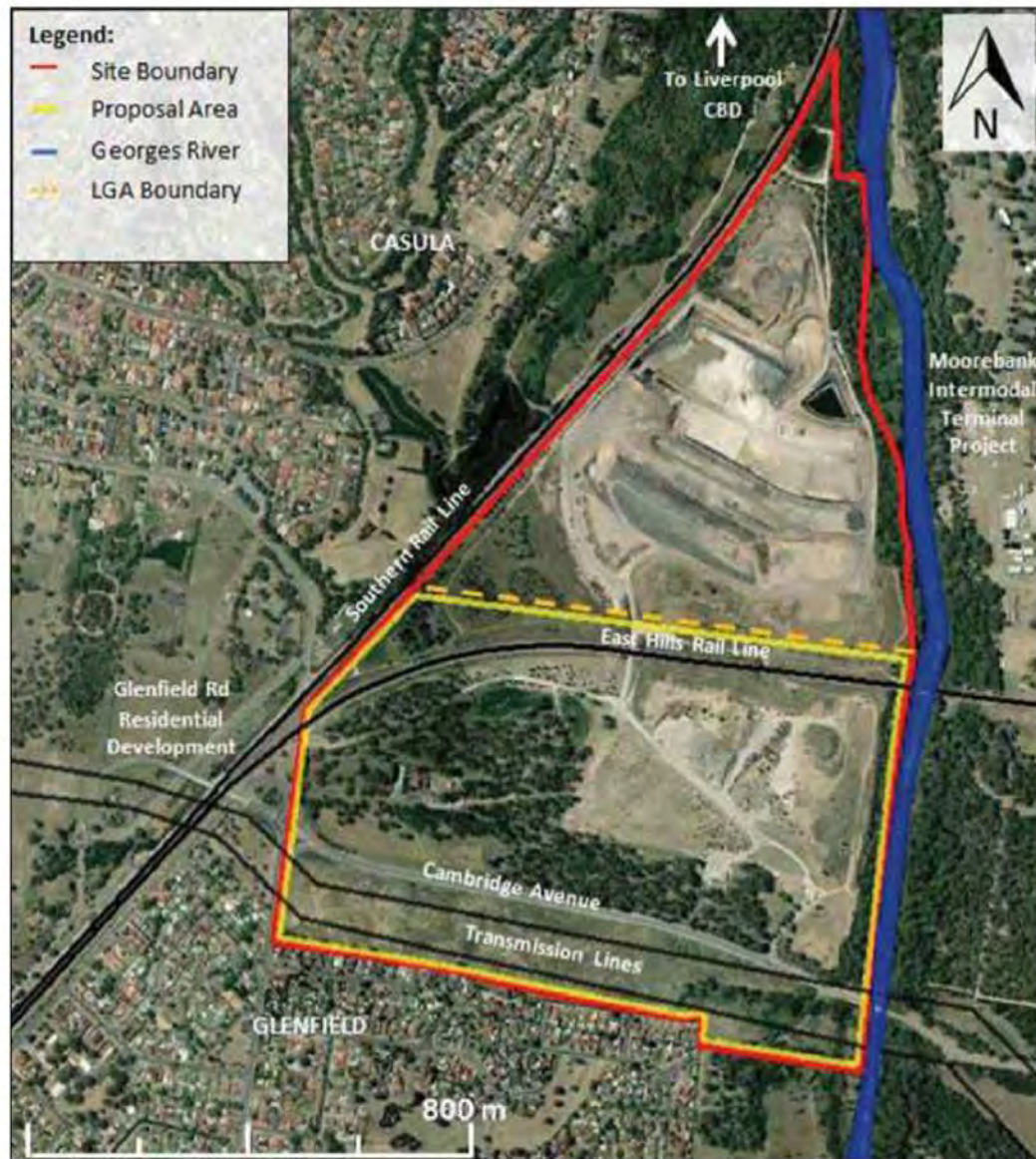
Parcel Description	Property Address	Owners Name	Property Area (m2)
Lot 3 DP 735524	Lot 3 Canterbury Road, GLENFIELD NSW 2167	Figela Pty Ltd	24320
Lot 2 DP 333578	Lot 1 Cambridge Avenue, GLENFIELD NSW 2167	JC & FW Kennett Pty Ltd	13460
Lot 1 DP 113201	Lot 1 Cambridge Avenue, GLENFIELD NSW 2167	JC & FW Kennett Pty Ltd	4148
Lot 3 DP 736881	Lot 3 Cambridge Avenue, GLENFIELD NSW 2167	Figela Pty Ltd	252100
Lot 91 DP 1155962	Lot 1 Cambridge Avenue, GLENFIELD NSW 2167	JC & FW Kennett Pty Ltd	294900
Lot 92 DP 1155962	Lot 92 Canterbury Road, GLENFIELD NSW 2167	Transport For NSW	4661



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

### Background

The Glenfield Waste Site is a triangular shaped parcel of land bounded by the Georges River to the east, the Southern Rail Line to the west and the Glenfield residential area to the south as illustrated in the Figure 1.1 Below



**Figure 1.1: Glenfield Waste Site**

The Glenfield Waste Site is bisected by a local government boundary (LGA) i.e. the Liverpool LGA to the north, and Campbelltown LGA to the south as illustrated in Figure 1.1.



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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The southern parcel of land is approximately 60 hectares in area and located at Cambridge Avenue, Glenfield (the site).

### **Current Land Use Activities**

The Glenfield Waste Site's northern and southern parcels of land function as the Glenfield Waste Services Facility.

The primary land use activities conducted on the northern parcel of land are soil and sand extraction and non – putrescible solid waste land fill. To create the land fill cells, soil/clay, shale and sandstone are extracted and stockpiled for various operational applications.

Waste is delivered to the landfill cell where it is then sorted for recyclables (brick, concrete, steel timber etc.) and processed by shredding prior to being compacted to minimise the cubic metre capacity and maximise the density. This in turn allows for a longer lifespan of the landfill cell, which is important as space is a limited resource and suitable landfill sites are well documented to be in short supply within the Sydney Metropolitan Area.

At the end of each day, waste that has been placed in the cells and compacted is covered with a layer of the extracted soil/clay/shale. This minimises odour and prevents litter from escaping into the surrounding environment. The excess shale and sandstone are exported from the site as a saleable resource and used in the building and construction industries.

The primary land use activity conducted on the southern parcel of land is recycling of waste which is predominantly construction and demolition waste.

The southern parcel of land accommodates the weigh bridge, the site office, mechanical plant workshop and the site manager's premises/offices. Operationally it serves as the depot for various plant and earth moving equipment, bin storage areas and sediment control basins for storm water management. Importantly, the southern parcel of land provides the access to the northern parcel of land.

During land fill operations vehicles transporting non – putrescible solid waste enter the waste disposal facility from Cambridge Avenue. The vehicle is weighed and the load is inspected for wastes that will not comply with the landfill's waste licence and acceptance criteria. If the waste is acceptable the load is either taken to the recycling area on the southern parcel of land or the landfill area on the northern parcel of land. After the vehicle off loads the waste the vehicle returns to the weigh bridge, is weighed then exits the waste disposal facility via Cambridge Avenue. The operation's layout is illustrated in Figure 1.2 below.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

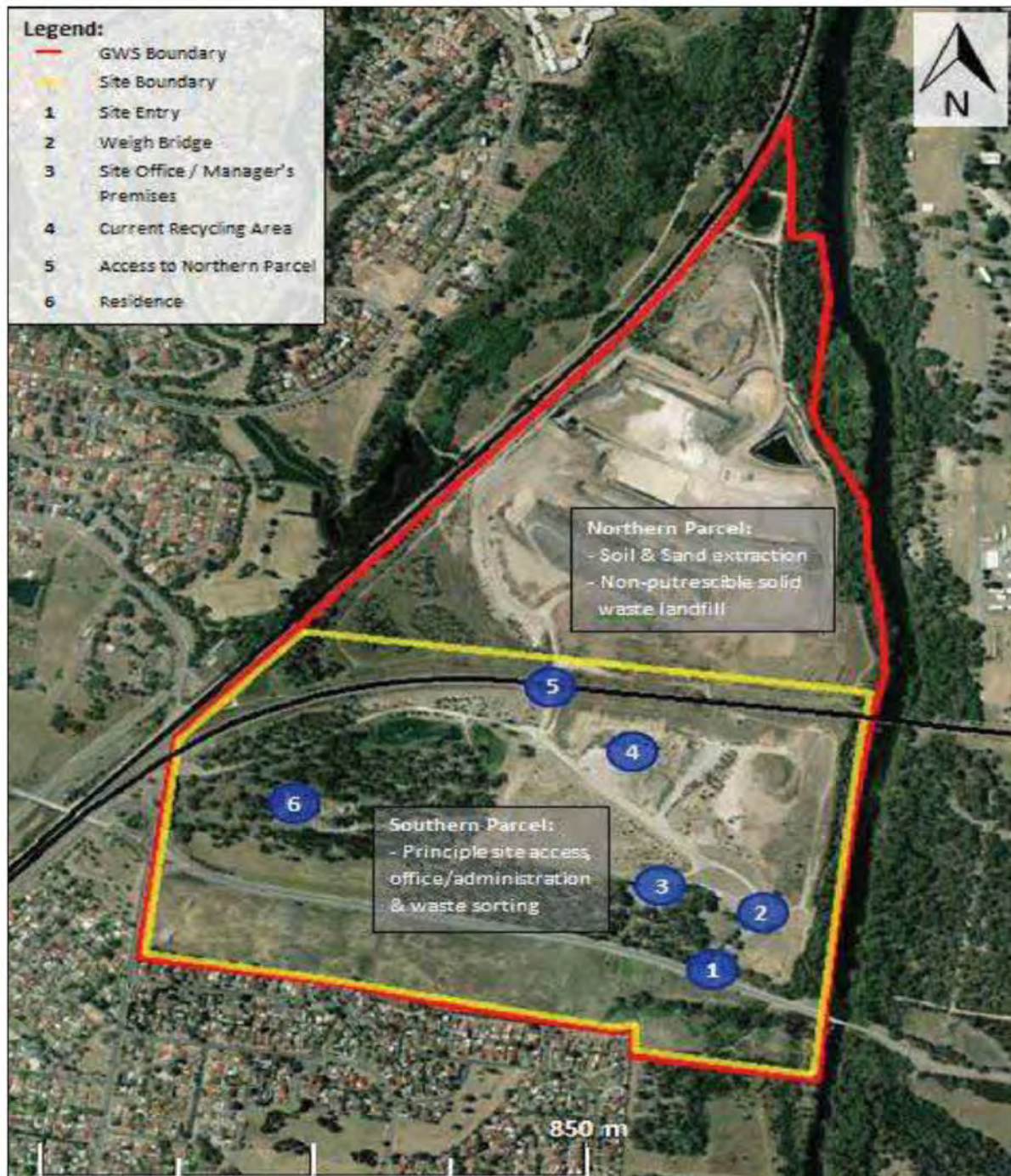


Figure 1.2: Operational Layout

## **Existing Zoning - Campbelltown (Urban Areas) Local Environmental Plan and the CLEP**

The site is currently subject to the following plans:

1. Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002); and
2. The Campbelltown Local Environmental Plan 2015 (The CLEP)

The majority of the allotments that are subject to this planning proposal are included under the CLEP as a 'Deferred Matter' and as such Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002) is currently the principal planning instrument that applies to these allotments. The deferred areas under the CLEP are currently zoned 1(a) Rural Zone under LEP 2002. The existing zoning map under LEP 2002 is shown as Map 3.3 under Appendix 3.

The railway corridor that passes through the site, the proposed Georges River Parkway, Cambridge Avenue and the strip of open space corridor that runs adjacent to the Georges River have been assigned appropriate zones under the CLEP as shown on the Map 3.4 of Attachment 3. Those areas will maintain the current zoning under the CLEP with the exception of part of the open space corridor which is proposed to be reduced in width (from approximately 160 metres to approximately 40 to 70 metres) [as a result of consultation with OSL](#).

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## Part 1 – Objectives or Intended Outcomes

The objective of the planning proposal is generally to enable the site to be developed for industrial purposes, particularly for warehousing and logistic. The southern parcel, being constrained by the electricity easement, is considered suitable for car parking purposes, subject to consultation with TransGrid and Council's approval.

The objectives and intended outcomes of this planning proposal are as follows:

- To enable part of the regional open space that is located adjacent to the Georges River and north of Cambridge Avenue to be rezoned for industrial purposes.
- To enable the part of the Glenfield Waste Site located north of between Cambridge Avenue and the East Hills Railway Line, Glenfield to be developed for industrial development.
- To maintain the rural zoning of the part of the site located north of the East Hills Railway Line.
- To enable the area of the site located between the proposed Georges River Parkway (Part of Lot 3 DP 736881) and the open space corridor adjacent to the Georges River to be used for public recreation.
- To enable the part of the site that is located south of Cambridge Avenue to be used as a private car park for vehicles with a gross vehicle mass (GVM) not exceeding 4.5 tonnes.
- To enable a parcel of land (Lot 92 DP 1155962) that is owned by Transport for NSW and located north of the railway line that passes through the site to be rezoned to Zone SP2 Railway Corridor under the CLEP to reflect the current land use of this parcel of land. Notably this parcel is marked as a "deferred mater" under the CLEP. This parcel of land is currently zoned 'Zone 1 (a) Rural A Zone' under LEP 2002.

### Proposed Land Uses

It is proposed by the applicant that the part of the site located north of Cambridge Avenue be used for industrial development with a focus on warehousing and logistics. The part of the site that is located south of Cambridge Avenue is proposed to be used for car parking purposes to service the future industrial development. However, once the land is rezoned for industrial purposes, a range of additional land uses would become permissible under the CLEP as follows:

Animal boarding or training establishments; Boat building and repair facilities; Car parks; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Helipads; Highway service centres; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Mortuaries; Neighbourhood shops; Passenger transport facilities; Places of public worship; Roads; Rural industries; Rural supplies; Service stations; Sex services premises; Signage; Storage premises; Take away food and drink premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres.



Notably On 11 March 2016, an amendment to the SI LEP came into effect and made 'Garden Centres' and 'Hardware and Building Supply' a permissible use within the IN1 General Industry Zone under all local environmental plans that were made under Section 33A of the Act, including the CLEP. At the time when the traffic study was prepared, those land uses were not permissible under the IN1 General Industry Zone and as such were not considered by the traffic study. Such uses are considered more appropriate to occur within areas zoned for business and commercial purposes.

Notably, not all of the permissible uses would be appropriate to occur on this site. Any proposal to redevelop the site for any of the above permissible uses would need to be submitted to Council through the development assessment process, with sufficient and detailed technical study to support the development application. So, while there is a range of permissible uses under the IN1 General Industrial, that does not 'automatically' imply that the GWS would be suitable for all the permissible uses under the subject zone.

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## Part 2: Explanation of provisions

### 2.1 Proposed Amendment to the CLEP

Generally, the majority of the land located north of Cambridge Avenue is proposed to be rezoned to enable industrial development, with the exception of the parcel of land owned by Transport for NSW and the area located north of the East Hills Railway Line.

The land owned by Transport for NSW (Lot 92 DP 1155962) is 4460sqm in area and is currently zoned 'Zone 1 (a) Rural A Zone' under LEP 2002. This land is proposed to be rezoned to Zone SP2 Railway Corridor under the CLEP to reflect its current land use. Notably, this parcel of land is currently marked as a "deferred matter" under the CLEP.

The area located north of the East Hills Railway Line is approximately 4 hectares in area and is currently zoned 'Zone 1 (a) Rural A Zone' under LEP 2002. This land is proposed to be rezoned to RU2 Rural Landscape under the CLEP, which is equivalent to the existing zone of 1(a) Rural A Zone under LEP2002.

The open space corridor that is located north of Cambridge Avenue, adjacent to the Georges River (Part of Lot 91 DP 1155962) is currently zoned Zone RE 1 Public Recreation under the CLEP. Part of this open space corridor is also proposed to be rezoned to IN1 General Industrial under the CLEP. This came about as a result of consultation with OSL in relation to a land acquisition matter.

The part of the site that is located south of Cambridge Avenue (Part Lot 3 DP 736881) and is currently zoned 1(a) Rural A Zone under LEP 2002 is proposed to be used for car parking purposes for vehicles with a maximum GVM of 4.5 tones. ~~As such the~~ This part of this allotment is proposed to be rezoned to Zone ~~SP2 (Car Parking)~~ RE2 Private Open Space under the CLEP. Notably, this part of the allotment is currently marked as a 'Deferred Matter' under the CLEP.

The area of the site located between the proposed Georges River Parkway (Part of Lot 3 DP 736881) and the open space corridor adjacent to the Georges River is proposed to be rezoned to RE2 Public Recreation.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### c) Lot size map

It is proposed to amend the Lot Size Map so that:

- the part of the site that is proposed to be zoned to IN1 General Industry be allocated a minimum lot size of 4000sqm, which is consistent with the minimum lot sizes for areas zoned IN1 General Industry across the LGA;
- the part of the site that is proposed to be zoned to RU2 Rural Landscape be allocated a minimum lot size of 3 hectares, to enable this land to be legally subdivided under the CLEP at the subdivision stage.

A copy of the proposed lot size map under the CLEP is shown as Map 3.7 under Appendix 3.

### d) Height of Buildings Map

It is proposed to amend the building height map to assign a maximum height of 12 metres for the part of the site that is proposed for industrial uses and 8.5 metres for the part of the site that proposed to maintain a rural zone. This proposal is consistent with the building height for similar type development across Campbelltown LGA. A copy of the proposed height of building map is shown as Map 3.9 under Appendix 3.

### e) Land Reservation Acquisition Map

It is proposed to amend the Land Reservation Acquisition Map to reflect the outcome of consultation with OSL and OSL recent submission as discussed under the History Section of this planning proposal and the outcome of public consultation under Attachment 5 of Council's report. A copy of the existing and proposed land reservation acquisition maps are shown consecutively as Map 3.10 and Map 3.11 under Appendix 3.

### f) Clause Application Map

It is proposed to include an additional map that shows the site subject to the proposed 'site specific' local clauses under the CLEP.

A copy of the proposed Clause Application map under the CLEP is shown as Map 3.13 under Appendix 3.

### g) Terrestrial Biodiversity Map

It is proposed to include a new map that shows the vegetation subject to the proposed Terrestrial Biodiversity local clause. A copy of the proposed height of building map is shown as Map 3.14 under Appendix 3.

## Proposed additional local clause for the Glenfield Waste Site under the CLEP

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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A number of additional requirements became apparent as a result of the additional investigations/studies prepared for the site by the consultant, and consultation with the Office of Environment and Heritage and the Department of Planning and Environment residents and the public agencies. These additional requirements include:

### a) Development Control Plan/Master Plan

Prior to any future development application for industrial purposes for this site, a development control plan/master plan shall be prepared for the site that ~~shows the internal road layout, entry points to the site, stormwater detention basins (where required) and the extent of the vegetation proposed to be cleared.~~ would provide for the following matters:

- The subdivision pattern including internal roads layout, entries to the site, intersection treatments and any restrictions to and from the site on vehicle access and movements;
- Pedestrian connectivity between the areas of the site that are bisected by Cambridge Avenue;
- Detailed urban design controls for the future development sites;
- The impact of development on flora and fauna and achieving satisfactory ecologically sustainable development outcomes.
- Stormwater detention and water quality management,
- The relationship between the development and neighbouring sites, including urban and natural environments.
- The impact of noise and other emissions from industrial land uses and associated activities.
- The protection and enhancement of the amenity of residents in the vicinity of the development and any proposed car park on the area south of Cambridge Avenue.

### b) Flood and stormwater management plan

A detailed flood assessment and stormwater management plan shall be prepared as part of any future development of the site.

### c) Access arrangement to the site

The site shall be provided with an additional vehicle access that is flood free and satisfy the consent authority that the local road network is not adversely affected.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### d) **Vegetation management**

Where vegetation on site is proposed to be cleared, the applicant shall implement an offsetting strategy to Council's satisfaction.

OEH raised a concern in relation to Council's approach to defer dealing with the native vegetation issue at this stage, given that the site contains 13.77ha of Critically Endangered Cumberland Woodland (CPW), in addition to the presence of a number of threatened microchiropteran bats and trees with 109 hollows.

OEH submission pointed out that any future development involving impacts on endangered ecological communities and threatened species would be subject to the provision of Section 5A of the Act. The applicant may be required to prepare a Species Impact Statement (SIS) at the development stage. Depending on the findings of the SIS, OEH concurrence may also be required.

Council held a telephone conference with OEH on 1 September 2016 and the matters raised by OEH submission were discussed. At the meeting, Council indicated its intention to include a local clause under the CLEP to ensure that proper management of vegetation on site occurs at the development stage. OEH supported Council approach to include a local clause under the CLEP.

Council has been working on a draft 'Terrestrial Biodiversity' local clause for inclusion under the CLEP. This draft Clause is proposed to be applied to a number of urban release areas within Campbelltown LGA including Menangle Park and Mt Gilead Urban Release Area. A copy of the draft 'Terrestrial Biodiversity' is included under Attachment 10 of Council's report. This clause is similar to biodiversity local clauses that have been endorsed for inclusion under a standard instrument LEPs for a number of Councils including Ku-ring-gai Council and the Blue Mountains Council.

The Terrestrial Biodiversity Clause would ensure that where the CPW on site were to be adversely impacted, measures to offset the loss of biodiversity would be implemented.

As mentioned earlier in this report, the GWS is currently subject to a SSD and the SSD application is seeking to clear the majority of the vegetation on site. Notably, if the SSD were to grant approval for the clearing of the majority of vegetation on this site, the above clause would become redundant. However, given the uncertainty in timing of the SSD approval, it is proposed that the above 'Terrestrial Biodiversity' local clause be applied to the GWS.

### e) **Restriction on the type of vehicles to use the area south of Cambridge Avenue that is proposed for car parking purposes**

It is proposed to add an additional requirement under the CLEP to restrict any vehicle with a GVM mass of more than 4.5 tonnes or more from parking within the area **that is**

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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now proposed to be rezoned for private recreation (previously car parking purposes).

This is to ensure that this area would not be used for the parking of heavy vehicles and result in negative impacts on the adjoining residential properties.

**f) Restriction on dwelling entitlement for the area proposed to be zoned RU2 Rural Landscape:**

This restriction is proposed to apply to the part of the site located north of the East Hills Railway Station. This part of the site is approximately 4 hectares and forms part of Lot 91 in DP 1155962. Subject to Council's endorsement and the Minister's approval of this amendment to the CLEP, Lot 91 would be subdivided for industrial purposes with a residual rural lot (being Area B). As such, the proposed amendment to the CLEP would need to be designed to facilitate the future industrial subdivision application and the creation of a separate rural allotment. Notably under Section 4.2A (3) (b) of the CLEP, once a separate allotment is created, it would have a dwelling entitlement. The area north of the East Hills Railway Line is not considered suitable for residential development for a number of reasons including contamination, noise and access to utilities.

To address the above matter, it is proposed to include an additional local clause that would specify that a separate rural allotment on this site would not have a dwelling entitlement.

**7 Requirement to provide pedestrian and public access to the area of the site located north of the East Hills Railway Line**

A large parcel of land (approximately 40 hectares) located within Liverpool City Council can only be accessed through the two culverts under the East Hills Railway Line. As part of the amendment to the CLEP, it is proposed to include a local clause that requires public access for pedestrian and vehicles to the existing culverts under the railway line. However, public access through the culverts should only be allowed, subject to OSL acquiring the land for public recreation purposes.

In other words, if the land within Liverpool LGA were to be acquired by OSL for public recreation in the future, the local clause would ensure that this land would be accessible. Notably, at that point, the culverts would need to be upgraded to ensure safe passage for vehicles and pedestrian. More importantly, until such time that the area within Liverpool LGA is acquired by OSL and the culverts are upgraded, public access through the culverts should not be allowed.

**8. Introducing a maximum limit of 100 square metres on the combined maximum gross floor area that may be used for the purposes of retail premises, unless it can be demonstrated to Council's satisfaction, that the Cambridge Avenue is capable of accommodating the additional traffic generated by the proposed retail premises**

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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On 11 March 2016, an amendment to the SI LEP came into effect and made 'Garden Centres' and 'Hardware and Building Supply' a permissible use within the IN1 General Industry Zone under all local environmental plans that were made under Section 33A of the Act, including the CLEP. At the time when the traffic study was prepared, those land uses were not permissible under the IN1 General Industry Zone and as such were not considered by the traffic study.

The applicant has indicated to Council's staff that the owners have no intentions to develop the site for this type of development as the surrounding road network, in its current condition, would not be capable of handling the increased traffic. The applicant also indicated to Council that the proposal would be economically unviable, if it were to include an upgrade of Cambridge Avenue and the causeway.

Notably, under the IN1 General Industry Zone a range of land uses that are similar to hardware and building supplies are also permissible including, garden centres and landscaping material supplies. Under the CLEP, those land uses are a type of retail premises.

RMS raised a concern in relation to the existing capacity of Cambridge Avenue. To address RMS concern it is proposed to include a local clause under the CLEP that restricts the size of future retail premises on this site to 100sqm, unless it can be demonstrated to Council, that Cambridge Avenue would be capable of accommodating the increase in traffic volumes.

## Part 3: Justification for the Planning Proposal

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## **Section A – Need for the Planning Proposal**

### ***Q1. Is the Planning Proposal a result of any strategic study or report?***

The proposal to rezone the Glenfield Waste site was initiated by Environmental Property Services on behalf of the owner, JC & FW Kennett Pty Ltd, by lodging a rezoning request to Council. The following reports/studies have been prepared by the applicant in support of the planning proposal as required by Gateway Determination dated 9 December 2013:

1. Infrastructure Report (SMEC Urban, May 2012) (Attachment 2.1)
2. Traffic Impact Assessment (Anton Reisch Consulting Pty Ltd, October 2014 ) (Attachment 2.2)
3. Traffic and Transport Report, (AECOM, May 2013) (Attachment 2.3)
4. Glenfield Ecological Assessment ( Environmental Property Services , updated May 2015) (Attachment 2.4)
5. Aboriginal Heritage Preliminary Assessment (Alan Williams, updated August 2014) (Attachment 2.5)
6. Contamination Land Report (Consulting Earth Scientists, May 2012) (Attachment 2.6)
7. Noise Impact Assessment (SLR Global Environmental Solutions, April 2015) (Attachment 2.7)

In addition to the above studies, a copy of the Flood Study, prepared by the then Department of Land and Water in conjunction with Liverpool Council, December 2000 is also provided as Attachment 2.8.

### ***Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***

Yes. The Planning Proposal represents the best means of achieving the objectives or intended outcomes, as the current zoning of the site under LEP 2002 of 1(a) - Rural A Zone prohibits the redevelopment of land for industrial purposes.

## **Section B – Relation to Strategic Planning Framework**

### ***Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft Strategies)?***

The Planning Proposal is consistent with the objectives and aims of the following Strategic Plans:

- NSW 2021 State Plan
  - A Plan for Growing Sydney (December 2014)
-



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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- the draft South West Sub-regional Strategy 2007.

- **NSW 2021 State Plan**

The Planning Proposal is consistent with the first Strategy “Rebuild the Economy” as it would provide local jobs through an industrial zoning.

- **A Plan for Growing Sydney**

In December 2014, the NSW Government published A Plan for Growing Sydney. The Plan outlines a vision for Sydney over the next 20 years. It identifies key challenges facing Sydney including a population increase of 1.6 million by 2034 needing 689,000 new jobs and 664,000 new homes by 2031.

In responding to these and other challenges, A Plan for Growing Sydney sets out four goals:

1. A competitive economy with world-class services and transport;
2. A city of housing choice with homes that meet our needs and lifestyles;
3. A great place to live with communities that are strong, healthy and well connected; and
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The Planning Proposal is not inconsistent with the above goals for the following reason:

1. The site is strategically located within close proximity to public transport.
2. The site is ideally located for industrial development because it is physically isolated from nearby residential areas.
3. The redevelopment of the site for industrial uses will provide local jobs within proximity to houses and public transport.
4. Under the draft Strategy 2031, it is anticipated that Campbelltown-Macarthur Major Centre would provide capacity for an additional 10,000 jobs by the year 2031. The proposed rezoning of the Glenfield Waste Site to enable industrial development is consistent with the draft Strategy 2031 as it will help reach this target by providing local employment opportunities.

To achieve these goals, the plan proposes 22 directions and associated actions. The Planning Proposal is consistent with the following, directions of the plan:

- Direction 1.4: Transform the productivity of Western Sydney through growth and investment
- Direction 1.7: Grow strategic centres - providing more jobs closer to home

The planning proposal will facilitate jobs within close proximity to public transport.

- **Draft South West Sub-regional Strategy 2007**

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

The Draft South West Sub-Regional Strategy specifically identifies this site for further investigations as potential Employment Lands. As such this Planning Proposal is consistent with the draft South West Sub-regional Strategy.

### **Q4. Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?**

Council prepared Campbelltown Local Planning Strategy (Framework for a Sustainable Future and New Local Planning Controls, draft Local Planning Strategy). The Local Planning Strategy was considered by Council along with the then draft CELP 2013 on 26 March 2013.

The subject site has been identified by Council's Local Planning Strategy for further investigation for future industrial/employment land. As such the Planning Proposal is consistent with Council's Local Planning Strategy.

### **Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

The planning proposal is consistent with applicable State Environmental Planning Policies. See Table 3 and Table 4 below.

**Table 3: Assessment of the Planning Proposal against Relevant State Environmental Planning Policies**

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
19	Bushland in Urban Areas	Yes	<p>Clause 10 of SEPP 19 states that:  <i>When preparing draft local environmental plans for any land to which this Policy applies, other than rural land, the council shall:</i></p> <ul style="list-style-type: none"> <li><i>(a) have regard to the general and specific aims of the Policy, and</i></li> <li><i>(b) give priority to retaining bushland, unless it is satisfied that significant environmental, economic or social benefits will arise which outweigh the value of the bushland.</i></li> </ul> <p>In this regard, the applicant undertook further studies to determine the quality of vegetation on site. Where the vegetation on site is proposed to be cleared, the applicant will be required to prepare and implement an offsetting strategy to Council's satisfaction. It is proposed that this requirement be included as part of this proposed amendment to the CLEP.</p>

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
44	Koala Habitat Protection	Yes	<p>The applicant as part of the proposal to Council, submitted an Ecology Report.</p> <p>The applicant ecological report indicates that less than 5% of the trees that occur within the site are koala feed trees listed in schedule 2 of SEPP No 44. In particular, the site is dominated by <i>Eucalyptus moluccana</i> (Grey Box) with a few individuals of <i>Eucalyptus tereticornis</i> (Forest Red Gum), and only very few Koala feed tree present. This indicates that the site does not support potential koala habitat. A copy of this report is shown under Attachment 2.4. As such it is considered that the Planning Proposal is not inconsistent with SEPP 44.</p>
55	Remediation of Land	Yes	<p>The applicant submitted to Council a geotechnical and contamination rezoning report prepared by Consulting Earth Scientists (CES). The Report concludes that the site is suitable for rezoning for industrial purposes. Based on the CES report, the site is suitable to be rezoned to permit industrial land uses under the SEPP. The geotechnical and contamination report are included under Attachment 2.6 of the planning proposal.</p>
-	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	<p>The NSW Government has recently bought back 15 Petroleum Exploration Licenses (PELs) from AGL, including PEL 2 which used to apply to the subject site. As such this SEPP no longer applies.</p>



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Table 4: Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans)

No.	Deemed State Environmental Planning Policies	Consistency	Comments
9	Extractive Industry (No 2)	Yes	<p>The deemed SEPP aims to facilitate the development of extractive resources that are in close proximity to the Sydney Metropolitan Area by identifying land which contains extractive materials of regional significance and ensuring that land is not developed for purposes that are incompatible with the extraction of that material.</p> <p>The site is not identified in the SEPP as having regional significance for extractive materials.</p>
20	Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment	Yes	<p>The aims of the Georges River deemed SEPP are to manage the natural resources of the Georges River Catchment and specifically to protect the water quality of the Georges River and its tributaries and the environmental quality of the whole catchment.</p> <p>The proposed rezoning will maintain an open space corridor which ranges in width between 200 to 40 metres wide between the Georges River and the site. The open space will act as a buffer between the river and the proposed development.</p> <p>Notably, the part of the land that is proposed to be rezoned for industrial purposes and is located beyond 40 metres from the bank of the Georges River would not have the capacity to be developed for open space because it has been subject to landfill practices as a result of the operational practices of the Glenfield Waste Recycling Facility.</p> <p>Council will be consulting with OEH at the development stage in terms of any necessary additional water quality control measures that may be needed (as part of the amendment to the draft CLEP) to ensure the protection of the Georges River.</p> <p>Clause 7.3 Riparian Land and Watercourses [local] under the provisions of the CLEP will ensure that future development will not have adverse impacts on the Georges River.</p>



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

**Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s 117 directions)??**

The planning proposal is either considered consistent, justifiably inconsistent or the inconsistency is of minor significance with the applicable Ministerial Directions (s 117 directions). See Table 5 for an assessment of the planning proposal against the relevant Section 117(2) Ministerial Directions.

**Table 5: Assessment of the Planning Proposal against the relevant Section 117(2) Ministerial Directions**

Ministerial Direction	Consistent ?	Assessment
1.1 Business and industrial Zones	Yes	The Planning Proposal aims to provide for employment land within close proximity to Glenfield Station. As such it is considered consistent with the objectives of this Direction
1.2 Rural Zones	No	<p>The proposed rezoning is inconsistent with the Direction because it proposes to rezone land from a rural zone for industrial and private open space.</p> <p>The inconsistency with the Direction is justified by the following:</p> <ul style="list-style-type: none"> <li>– The 2007 draft South West Sub-regional Strategy 2031 identifies the Glenfield Waste Site as possibly providing employment land for light manufacturing, local industry and urban services.</li> <li>– The main objective of this Direction is to protect the agricultural production value of rural land. The subject site has no agricultural values, and was never used for this purpose. Accordingly, while the Planning Proposal is not consistent with this Direction, it is not inconsistent with the main objective of this Direction.</li> </ul> <p>Given the above, Council requests the Director General's delegate to approve the inconsistency.</p>
1.3 Mining, Petroleum Production and Extractive Industries	Yes	<p>The rezoning of part of the site to zone IN1 General Industrial will preserve the current permissibility of mining, petroleum production and extractive industries under SEPP (Mining, Petroleum Production and Extractive Industries) 2007.</p> <p>The land is not located in an identified mineral resource area.</p> <p>Given the above, the proposed rezoning is consistent with this Direction.</p>
2.3 Heritage Conservation	Yes	<p>The Direction applies whenever a relevant planning authority prepares a Planning Proposal.</p> <p>This Direction states that:          "A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:</p>



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Ministerial Direction	Consistent ?	Assessment
		<p>(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or</p> <p>(b) the provisions of the planning proposal that are inconsistent are of minor significance.</p> <p>The Planning Proposal is consistent with the Direction for the following reasons:</p> <ul style="list-style-type: none"> <li>– Clause 5.10 Heritage Conservation of the CLEP specifically requires Council's consent for <i>'disturbing or excavating a place of Aboriginal place of heritage significance'</i> As such the current provisions under the CLEP are considered sufficient to ensure the protection of the aboriginal heritage of the site prior to land being disturbed.</li> <li>– No European Heritage items are listed and described in Schedule 5 Environmental Heritage of the CLEP.</li> <li>– A preliminary Aboriginal Heritage Assessment was conducted by AHMS. The final AHMS report provided with the Planning Proposal concludes there are no Aboriginal heritage issues that indicate the rezoning of the site from rural to industrial should not proceed;</li> <li>– The potential Aboriginal objects/sites identified in the AHMS report will not be disturbed or moved as part of the rezoning process and therefore an Aboriginal Heritage Impact Permit (AHIP) is not required at this stage.</li> <li>– At the development application stage, the applicant will be required to undertake further investigation, if any part of the site that was identified with potential aboriginal heritage significance is proposed to be disturbed or excavated by future work.</li> </ul>
3.4 Integrated Land Use and Transport	Yes	<p>This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> <li>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</li> <li>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</li> </ul> <p>The proposed rezoning is consistent with principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001) and therefore with the Direction for the following reasons:</p>



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Ministerial Direction	Consistent ?	Assessment
		<ul style="list-style-type: none"> <li>– The site is within a walking distance (approximately 1.0km) from the Glenfield Railway Station.</li> <li>– The site is located on two local bus service routes accessing the Glenfield railway station;</li> <li>– The site adjoins the Liverpool – Campbelltown bus corridor (Corridor 31) identified in the South West Subregion Strategy as a strategic bus corridor;</li> <li>– Less than 45% of all workers in the South West Subregion live and work within the subregion. The rezoning of part of the site for employment lands will contribute to providing employment opportunity in the South West Subregion reducing travel demand including the distances travelled by employees;</li> <li>– The rezoning of part of the site for employment lands will contribute to meeting the future employment land requirements for the South West region and for the Campbelltown LGA.</li> <li>– AECOM on behalf of the proponent prepared a traffic and transport desktop review. The following findings are relevant to Pedestrian and cycle facilities: <ul style="list-style-type: none"> <li>– The site is well located in terms of opportunities for cycling, being located close to the Liverpool-Parramatta Rail Trail and the M7 Motorway Cycleway. Together these cycleways provide approximately 60km of cycleways through Western Sydney.</li> <li>– There is a low provision of pedestrian facilities in the vicinity of the site. The Georges River and the Holsworthy Barracks act as a natural barrier to walking at the eastern end of the site. However, Glenfield Station and the local shops are located within an approximately 15 to 20 minute walk from the site.</li> <li>– The site has good connectivity and direct access to Sydney's Motorway Network and the surrounding sub-arterial road network;</li> <li>– Capacity on the local road network with the flexibility of upgrading the local road network to cater for some future traffic growth;</li> <li>– Access to regional cycleway infrastructure that provides a sustainable alternative mode of travel.</li> </ul> </li> </ul>
4.2 Mine Subsidence and Unstable Land	Yes	<p>The subject site is not within a proclaimed mine subsidence area.</p> <p>The proposed rezoning of the site will preserve the current permissibility of mining, petroleum production and extractive industries under SEPP (Mining, Petroleum Production and Extractive Industries) 2007. Given the above, the proposed rezoning is consistent with this Direction.</p>
4.3 Flood Prone Land	No	<p>This Direction applies because a small area of the site that is adjacent to the Georges River and near the entrance of the site (adjacent to Cambridge Avenue bridge) is flood prone land and the Planning Proposal is proposing to rezone part of the site from a rural zone to an industrial</p>



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Ministerial Direction	Consistent ?	Assessment
		<p>zone.</p> <p>The most detailed and recent flood study that includes the site is the Upper Georges River Flood study prepared by the Department of Land &amp; Water Conservation in conjunction with the Liverpool City Council in December 2000. A copy of this study is included under Attachment 2.8 of the planning proposal. Hard and Forester Surveyors reproduced the study's flood levels for the site onto a topographic map that shows the area impacted in a 1 in 100 year flood. A copy of this map is shown under Attachment 2.9 of this planning proposal.</p> <p>This survey map shows that, with the exception of the riparian corridor and a small area adjacent to Cambridge Avenue at the south eastern corner of the site, the site is not subject to a 1 in 100 year flood. Any development of the site will take into consideration the 1 in 100 year flood.</p> <p>The site currently has two access points. It is proposed that an additional access point be created from Cambridge Avenue to service the future industrial developments at the site. This third access point is proposed from Cambridge Avenue at approximately half way through the site and as such will be flood free.</p> <p>Therefore, the proposed rezoning's inconsistency with the Direction can be justified as of minor significance for the following reasons:</p> <ul style="list-style-type: none"> <li>• Only a very small portion of the site is susceptible to a 1 in 100 year flood event;</li> <li>• The 1 in 100 year flood event will not prevent development of the site;</li> <li>• An additional third access to the northern part of the site that is not flood affected is proposed from Cambridge Avenue.</li> <li>• The Glenfield Waste site's 1 in 100 year flood level is based on the comprehensive Upper Georges River Flood Study 2000 (the study) prepared by the previous Department of Land and Water Conservation in conjunction with Liverpool City Council;</li> <li>• The area for the study was 6.5 km of the river between the Liverpool weir and the confluence with the Bunburry Curran tributary, which drains the urban area of Campbelltown;</li> <li>• The Georges River is deeply incised with little or no floodplain;</li> <li>• The study provides for design flood events with a probability of occurrence of 1 in 20 years, 1 in 50 years, 1 in 100 years and an estimate for an extreme flood event;</li> <li>• The Hard and Forester survey maps show, except for the current access to the site, the site is not susceptible to a 1 in 100 year flood event;</li> <li>• Any future industrial development of the site will be outside</li> </ul>

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Ministerial Direction	Consistent ?	Assessment
		<p>the 1 in 100 year flood event; and</p> <ul style="list-style-type: none"> <li>• Further detailed flooding <a href="#">assessment</a> and a stormwater management plan will need to be prepared for the site at the subdivision stage to ensure that the redevelopment of the site would not impact flooding on or off the site.</li> <li>• Council's Technical Services section advised that the potential flood issues onsite will be able to be resolved at development application stage, but may require more mitigation works than normally expected. The option to drain the water directly to Georges River where possible should be encouraged.</li> </ul> <p>Given the above, Council requests the Director General's delegate to approve the inconsistency as a minor significance.</p>
4.4 Planning for Bushfire Protection	Yes	<p>The Bushfire Prone Map for the Campbelltown area identifies that part of the site has Vegetation Category 2 and Vegetation Buffer, as illustrated on the Bushfire Prone Map under Attachment 2.10 of the planning proposal.</p> <p>Council will ensure that any future local development of the site will comply with the current bushfire protection measures specified by the Planning for Bushfire Protection Guidelines 2006.</p> <p>Council considers the proposed rezoning to be consistent with this direction.</p>
6.2 Reserving Land for Public Purposes	Yes	<p>The objectives of this direction are:</p> <p>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p> <p>Consultation with OSL resulted in reducing the width of the open space corridor given that this part of the land has been subject to landfill. OSL indicated that they have no objection to the proposed zoning in relation to land acquisition matters.</p>
7.1 Implementation of A Plan for Growing Sydney	Yes	<p>The proposed rezoning of part of the site currently Zone 1(a) – Rural A Zone under LEP 2002 to the Zone IN1 General Industrial under the CLEP is consistent with the NSW Government's A Plan for Growing Sydney as it would provide employment land and create much needed local jobs within the Campbelltown LGA.</p>



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**Section C – Environmental social or economic impact*****Q7. 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?***

Environmental Property Services (EPS) was engaged by landowners JC & FW Kennett P/L & Figela P/L to prepare an Ecological Assessment Report (EA) for Glenfield Waste Services (GWS). This EA was prepared to provide a detailed assessment of the ecological characteristics of the GWS's southern parcel of land located in the Campbelltown LGA including the presence and/or likelihood of occurrence of threatened flora and fauna and their habitat.

As a result of consultation with the Office of Environment and Heritage, the applicant has undertaken additional flora and fauna assessment and updated the study accordingly.

The additional information in relation to flora and fauna has been prepared by the applicant in consultation with Council's officers and the Office of Environment and Heritage (OEH).

In November 2014 an additional Bio Banking Credit Assessment (Field Work Report), including an EPBC Act Cumberland Plain Shale Woodlands Assessment were prepared by SLR Consulting Australia Pty Ltd for the Glenfield Site. The biodiversity offset is proposed to provide compensation for the impacts to the Cumberland Plain Woodland.

The main findings of the above studies are as follows:

- The subject site supports vegetation that meets the criteria for Cumberland Plain Shale Woodlands, which is listed as critically endangered under the Environment Protection and Biodiversity Conservation Act 1999 (the EPBC Act).
- Threatened microchiropteran and megachiropteran bats species were recorded during the targeted surveys being *Pteropus poliocephalus* (Grey-headed Flying-fox), *Saccolaimus flaviventris* (Yellow-bellied Sheath-tail-bat), *Mormopterus norfolkensis* (East-coast Freetail-bat), *Miniopterus australis* (Little Bentwing bat) and *Miniopterus schreibersii oceanensis* (Eastern Bentwing bat)
- No threatened frog, waterbird, arboreal mammal, or fish species were identified during surveys and are considered unlikely to occur on the investigation area;
- The investigation area supported a farm dam which provided an area of open, deep water for common waterbird species;
- The investigation area supported a relatively high number of hollow bearing trees.

Further consultation with Commonwealth Department of the Environment the Department of Planning & Environment and the Office of Environment and Heritage at the subdivision stage

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would be required to determine the best pathway for providing the best possible ecological outcomes for the site.

The additional information provided by the applicant in relation to flora and fauna is considered sufficient for the rezoning stage and will be placed on public exhibition as part of the planning proposal. However, it is considered important that the amendment to the CLEP include a specific requirement for a detailed biodiversity offset strategy to be prepared as part of any development application for the site that proposes to remove any of the vegetation on site.

Given that the site contains critically endangered vegetation, it is recommended that while the planning proposal is on public exhibition, Council formally consult with the Chief Executive of the Office of Environment and Heritage as required by Section 34A (Special Consultation Procedures Concerning Threatened Species) of the Environmental Planning and Assessment Act 1979.

Notably, Council consulted with OEH as per the above recommendation and a further submission was received. Detailed information on this matter is included under Section D State and Commonwealth Interest.

### ***Q8. Are there any other likely environmental effects as a result of the rezoning submission and how are they proposed to be managed?***

The environmental matters that require consideration and how they are proposed to be managed are outlined below:

#### **Acoustic Amenity**

The part of the site that is proposed to be zoned for industrial purposes is ideally located away from residential areas. The area south of Cambridge Ave will provide a buffer between residential areas to the south and future industrial uses to the north.

SLR has undertaken a noise assessment relating to the proposed rezoning of the southern parcel of the GWS site located at Cambridge Avenue, Glenfield NSW (Attachment 2.7).

The aim of this assessment is to assess the potential noise impacts from land use changes associated with the rezoning on surrounding sensitive receptors.

Predicted noise emission levels for a hypothetical industrial estate are predicted to comply with the relevant noise goals during day, evening and night-time periods at all existing residential locations considered under calm and prevailing weather conditions. Furthermore, no specific noise mitigation measures, besides the existing mound and fence, have been included in the noise model. It is possible that actual noise emissions from the proposed industrial estate would be less than those predicted.

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Predicted noise levels could be greatly reduced with judicious planning along with the use of equipment incorporating 'quiet' engineering design, the addition of acoustically designed enclosures, noise barriers or using management techniques. It is also possible that considerable screening of acoustically significant activities would be provided by buildings once the site is developed.

### **Stormwater management and flooding Assessment**

The site's large pervious surface area allows the majority of the rain to infiltrate into the ground.

Any future development will increase the impervious surfaces areas e.g. roads, buildings, compacted soil that will increase the site's runoff.

The site's developable area has a north south crest running through the area. Approximately 25% of the site's developable area falls towards the northwest i.e. the East Hills Rail Line while the remainder generally falls towards the northeast i.e. the Georges River.

The future stormwater system for the site's developable area falling towards the northeast will be designed to discharge to the Georges River.

Discharging the stormwater from the site's developable area, of approximately 25%, that falls towards the northwest i.e. the East Hills Rail Line raises the following issues as identified in Global Arc's Glenfield Transport Interchange Flooding Assessment Concept Report December 2008 (Arc's report):

- There is an existing culvert (culvert 1) located at rail chainage 31,660km (East Hills) that connects upstream to the overflow of a wet detention basin located within that part of the Glenfield waste disposal site located in the Campbelltown City Council LGA that flows under the existing East Hills railway line before heading north-east along the Main South railway line until it crosses over via a culvert downstream to Glenfield Creek;
  - Culvert 1 size is 2 x 1300mm reinforced concrete pipe (RCP);
  - The South Sydney Freight Line (SSFL) works will require culvert 1 to be extended and the realignment of an existing unlined open drain;
  - As part of the stormwater drainage system upgrade for the Glenfield Interchange a culvert (culvert 2) located at rail chainage 32,000km (East Hills) and an existing outlet will require connection into an open drain alongside the new East Hills line embankment that will then flow into culvert 1. Culvert 2 captures local contributing flows from Cambridge Avenue and Canterbury Road entering a letter box style pit located at the end of the Canterbury Road reserve. The existing flows head north-east and connect up to the outflow from culvert 1.
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The capacity of culvert 1 to manage any development stormwater will be determined with reference to the final development plans for the developable area and final culvert specifications/installation for the Glenfield interchange and SSFL upgrades.

In the event some or all of the site's developable area that falls towards the northwest cannot be discharged in a northwest direction the stormwater will be pushed towards and connected into the stormwater system for the site's developable area falling towards the northeast i.e. the Georges River.

A stormwater management system for any development on the site will be prepared having regard to the flood affectation on the site's boundary with the Georges River.

Flood and Stormwater management will include assessment of hydrological impacts of the development, flood management and mitigation measures, water quality management, accident spill management measures and water cycle management.

Stormwater management is not considered an impediment to the rezoning of the site, as a Stormwater system can be designed and engineered to discharge to the Georges River.

More detailed engineering design for [Flood Assessment and Stormwater management](#) will be required as part of any future development application for the site. [A local clause is proposed to this effect \(refer to Attachment 10 of Council's Report\).](#)

### **Land contamination and soils**

The applicant has submitted to Council a Desktop Geotechnical & Contamination Rezoning Report, prepared by a consultant (Consulting Earth Scientists, April 2012) on behalf of the applicant, as shown under Attachment 2.6 of the planning proposal.

None of the findings of the report indicate that the subject land is not suitable for rezoning for industrial purposes, or for subsequent subdivision and development of individual lots for appropriate industrial activities.

### **Traffic, transport and access**

AECOM on behalf of the applicant prepared a preliminary Traffic and Transport Review of the subject site (refer to Attachment 2.3 of this Planning Proposal).

The findings of the review indicates that the site would appear to be appropriate for 'Zone IN1 General Industrial' from a transport perspective, subject to further detailed traffic impact assessment to determine the capacity of the existing network and identify the extent of required infrastructure improvements

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The site currently has two access points. It is proposed that an additional access point be created from Cambridge Avenue to service the future industrial developments at the site.

In addition to the preliminary Traffic and Transport Review prepared by AECOM, Anton Reisch Consulting Pty Ltd prepared a detailed Traffic Impact Assessment on behalf of the applicant to appropriately assess the potential traffic and transport impacts arising from the Proposal. Following is a dot point summary of the findings of this study:

- In the AM [commuter peak hour 7:00am – 8:00am] the Site trip generation is estimated at 265 vehicle trips per hour (vph), and in the PM [commuter peak hour 4:00pm – 5:00pm] the Site trip generation is estimated at 275vph;
- The Site provides 2 existing access points to the local road network, via GWS Road 1 to Cambridge Avenue; and via GWS Road 2 to Railway Parade . The intersection of GWS Road 1 & Cambridge Avenue currently provides primary access to the Site, but the volume of additional trips generated by the Proposal – along with upgrade constraints at the intersection of GWS Road 1 & Cambridge Avenue – dictates that a new intersection be provided to Cambridge Avenue to service the rezoned land.
- The Proposal would have only a very moderate impact on the road network through to the year 2024.

### **Heritage**

Archaeological and Heritage Management Solutions Pty Ltd (AHMS) prepared an Aboriginal Heritage Preliminary Assessment Report ( AHPA Report) for the rezoning of the site a copy of which is shown under Attachment 2.5. The Assessment report was undertaken in accordance with the Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation, (DEC, 2005), and the Code of Practice for Archaeological Investigations of Aboriginal Objects in New South Wales (DECCW, 2010), and Aboriginal Cultural Heritage Community Consultation Requirements for Proponents (DECCW, 2010) as specific best practice standards and processes for Aboriginal heritage assessment in NSW.

Aboriginal consultation was undertaken in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (April 2010). The Registered Aboriginal Parties for the project are the Tharawal Local Aboriginal Land Council, Cubbitch Barta Native Title Claimants Aboriginal Corporation, Darug Aboriginal Cultural Heritage Assessments, Darug Aboriginal Landcare, Darug Custodian Aboriginal Corporation, Darug Land Observations, Peter Falk Consultancy, and Tocomwall.

### **Findings of the AHPA Report**

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- Most of the subject area is heavily disturbed and/or previously developed, and the potential for preservation of archaeological materials is low. However, two areas appear to be less disturbed: an area of bushland in the western half of the subject area; and an alluvial terrace adjacent to a minor tributary of the Georges River, in the south-eastern corner of the subject area.
- Four archaeological sites were identified within the subject area:
  1. Glenfield 1 (#45-5-3531): a registered site located on a track currently in use in association with the ongoing railway expansion. It is considered likely that this site is destroyed.
  2. GWD 3: an isolated artifact: found to be of low value
  3. GWD 4: an isolated artifact: found to be of low value
  4. GWD 2: a potential archaeological deposit located on a large alluvial terrace on the bank of the Georges River, encompassing a minor tributary.
- Two further sites were initially identified, but following further investigation have been subsequently rejected as of Aboriginal origin. These were:
  1. Glenfield ST (#45-5-2428): a registered site consisting of a scarred tree. It is considered that the scar is of natural rather than cultural origin.
  2. GWD 1: a scarred tree. It is considered that this scar is of natural rather than cultural origin.
- Responses from the Aboriginal community supported the findings and recommendations of earlier versions of this report, and provided no specific cultural values to the Aboriginal objects/sites identified through the assessment. The area was considered to have been significant to Aboriginal people in the past given the proximity of Georges River –an important resource – and recommendations on signage outlining the Aboriginal history of the area were proposed

The majority of GWD 2, is zoned RE1 Public Recreation under the CLEP and SP2 Road, and this planning proposal does not seek to vary those zones. Part of this site is currently zoned 1(a) Rural under LEP 2002 and is proposed to be rezoned ~~SP2 Car Park~~ to RE2 Private Recreation. ~~for car parking purposes.~~ Any future car park within this site must be located to minimise any disturbance to aboriginal heritage.

Additional characterisations of the GWD 2 deposit should occur at the development stage. Notably, an AHIMS site card for the GWD 2 area has been completed and lodged with the AHIMS registrar ensuring the GWD 2 area will be identified at the development stage.

In this regard, Council will further be consulting with the aboriginal communities, and seek their views on this matter while the planning proposal is placed on public exhibition.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### ***Q 9 How has the rezoning submission adequately addressed any social and economic effects?***

The Planning Proposal would enable the majority of the site to be developed for industrial development, thus creating much needed local jobs within Campbelltown LGA and assists Council to meet its employment targets.

It is not expected that the proposal would have any adverse effects on social or economic values of the Campbelltown community.

### **Section D – State and Commonwealth interests**

### ***Q 10 Is there adequate public infrastructure for the planning proposal?***

The applicant submitted to Council an Infrastructure Report. The report confirmed that all major utility services are currently within the vicinity of the subject site. Given the area of land proposed for rezoning, consultation with Sydney Water and Endeavour Energy will identify the likely future utility requirements for the site.

The volume of additional trips generated by the Proposal dictates that a new intersection will need to be provided to Cambridge Avenue to service the rezoned land.

### ***Q 11 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?***

Condition 5 of the revised Gateway Determination dated 9 December 2014 required Council to consult with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- Transport for NSW
  - Railcorp
  - Sydney Water
  - Telstra
  - Transgrid
  - Sydney Catchment Authority
  - Sydney Metropolitan Catchment Management Authority
  - Office of Environment and Heritage
  - NSW Department of Primary Industries -Agriculture
  - NSW Trade and Investment - Minerals and Petroleum (S117 Direction 1.3 Mining,Petroleum Production and Extractive Industries)
  - NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
  - Office of Strategic Lands regarding the dedication of land, which adjoins the eastern boundary of the subject land and which is zoned 6(b) Regional Open Space under
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Campbelltown (Urban Area) LEP 2002, and its removal from the Land Reservation Acquisition Map.

- Adjoining LGAs

### Consultation with public authorities prior to the public exhibition of the Planning Proposal

~~To date~~ Prior to the public exhibition, Council ~~has~~ consulted with the following public authorities:

#### 1. Transport for NSW

Council consulted with Transport for NSW (TfNSW) in relation to the proposed rezoning of Lot 92 DP 1155962 (owned by Transport for NSW).

No official/written response was received from Transport for NSW ~~to date~~ prior to the public exhibition, however verbal advice indicated that there is no objection to the proposed rezoning. Council will consult again with Transport for NSW while the proposal is on public exhibition.

#### 2. Office of Environment and Heritage

Council consulted with the Office of Environment and Heritage in relation to the required flora and fauna study and the Preliminary Aboriginal Heritage Study.

The applicant undertook additional surveys and studies as required by Council and the Office of Environment and Heritage. Council is satisfied that the additional information provided by the applicant is sufficient for the rezoning stage. Additional work and consultation with OEH should occur at the development application stage in relation to aboriginal heritage and the management of vegetation on site. Council will consult with OEH again, while the planning proposal is on public exhibition.

#### 3. Office of Strategic Lands

As part of the preparation of the draft Campbelltown Local Environmental Plan 2014, Council consulted with the Office of Strategic Lands to resolve matters related to the future acquisition of land zoned RE1 Public Open Space adjacent to the Georges River and the site subject to this planning proposal.

Council received the OSL submission which in relation to the subject strip of land stated:

Following discussion with GWS and a subsequent site visit it is our view that the width of regional open space be reduced. The primary factor for this request is that a large percentage of the current open space reservation is on landfill with ongoing waste material monitoring conditions on the land owner. The ongoing responsibilities for this should remain with GWS. The site and its value as a future regional open space corridor has been so compromised that the intent

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behind the reservation cannot be achieved. It is more realistic and pragmatic that the regional open space zoning be for a width of approximately 70 m from the Georges River as this reflects the width of unaffected land from landfill and will serve both a riparian zone and pedestrian/cycleway function in the future.

The applicant, in consultation with the OSL has prepared a survey to precisely inform the boundaries of the part of the site to be acquired by OSL. The land to be acquired by OSL is zoned RE1 Public Recreation under the CLEP. The remaining part of the open space corridor is proposed be rezoned to industrial zone (refer to Part 4 Maps) for maps showing the proposed rezoning of the site and the Land Reservation Acquisition map.

### 4. NSW Roads and Maritime Services

Council has consulted with NSW Roads and Maritime Services (RMS) in relation to the scope of the traffic impact assessment. Council received a written email in relation to the matters that need to be addressed by the traffic impact assessment. The applicant has prepared a traffic impact assessment taking into consideration feedback from RMS and Council's Engineers.

~~Notably, Council will consult with all relevant public agencies listed under the gateway conditions of the revised Gateway Determination during the public exhibition of the draft Planning Proposal.~~

### Consultation with public authorities during the public exhibition of the Planning Proposal

**Council consulted with the following public agencies as part of the public consultation for the GWS Planning Proposal:**

1. Sydney Trains
  2. Sydney Water Corporation
  3. Telstra Deliveries
  4. Water NSW
  5. DPI Water
  6. Sydney Metropolitan Catchment Management Authority
  7. NSW Department of Primary Industries –Agriculture
  8. NSW Department of Industry
  9. Camden Council
  10. Liverpool City Council
  11. Wollondilly Shire Council
  12. TransGrid
  13. NSW Rural Fire Services
  14. Roads and Maritime Services
  15. Office of Strategic Lands
  16. Transport for NSW
  17. Office of Environment and Heritage
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### Consultation with Aboriginal Groups/entities

1. Darug Aboriginal Cultural Heritage Assessments
2. Darug Aboriginal Landcare
3. Darug Land Observations
4. Darug Custodian Aboriginal Corporation
5. Tharawal Local Aboriginal Land Council
6. Peter Falk Consulting
7. Cubbitch Barta Native Claimants Aboriginal Corporation
8. Tocomwall PTY LTD

Notably, no further submissions were received from any of the above aboriginal groups/entities as a result of Council's consultation during the public exhibition.

Council consulted with all the above relevant authorities specifies under the Gateway Determination and received 10 written correspondences from the following public authorities:

9. Office of Strategic Lands (OSL);
1. 2NSW Department of Primary Industries (DPI);
2. TransGrid;
3. Office of Environment and Heritage (OEH);
4. NSW Road and Maritimes Services (RMS);
5. Liverpool City Council;
6. Transport for NSW (TfNSW)
7. Sydney Trains;
8. Water NSW; and
9. NSW Rural Fire Services (RFS).

Water NSW indicated that they have no comments on the planning proposal as it is not likely that any of their water supply infrastructure would be impacted by the proposal. RFS submission also raised no objection to the Planning Proposal. Copies of the submissions received from the above public authorities are shown under Attachment 4 of Council's report.

A summary of the issues raised by the remaining eight public authorities, including discussions and recommended approach to address the raised issues are discussed in details under Attachment 5 of Council's report.

Following is a detailed discussion, generally extracted from Council officer's report on the outcome of the public exhibition on the main issues raised by public authorities.

**Issue 1      The suitability of the proposed zoning of SP2 Car Park for the area located south of Cambridge Avenue (Part Lot 3 DP 736881) – issue raised by TfNSW**

TfNSW questioned the suitability of the proposed SP2 (Car Park) zoning for the land located south of Cambridge Avenue (the part of the site marked Area A on the Map under Attachment 6

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of this report) and suggested that this matter be further investigated. TfNSW also pointed out that an acquisition authority would need to be defined for Area A, which would also require the approval of the nominated authority. TfNSW further advised that it does not support it being the acquisition authority for the subject land.

### Comments and recommended approach - Issue 1

After further investigation and careful consideration of the submission received from TfNSW and consultation with TransGrid, it became apparent that the proposed zoning of SP2 (Car Park) for this portion of the site (Part Lot 3 DP 736881) would not be suitable for the following reasons:

1. A major TransGrid electricity easement runs through this part of the site. For this reason, under Section 45 of the Infrastructure SEPP, Council is obliged to consult with TransGrid and consider their submission, prior to granting consent for a car park to occur on this part of the site. As such, assigning an SP2 Car Park zone for this parcel of land would preempt the development application process under the legislation, and provide a false assumption that the whole land is to be used for car parking purposes regardless of TransGrid comments at the development application process.
  2. Staff from the Asset Strategy Section of TransGrid has verbally advised Council's officer that the *TransGrid Easement Guidelines for Third Party Development* (TransGrid Guidelines) are currently being revised with an intention to provide more rigorous controls on the type of development that may occur on land affected by electricity easements. TransGrid indicated that their infrastructure covers the whole area that is proposed to be rezoned for car parking purposes, and requested detailed plans and drawings to enable their engineers to provide comments on the use of the site for car parking purposes. Such drawings and detailed information are not yet available for the site, given that the proposal is at the rezoning stage. Notably, the current TransGrid Guidelines requires a 30 metre setback from towers/structures and a 10 metre set from Cables. Applying these development measures to the site (while taking into consideration the need to locate the car park away from residential properties) shows that potentially only a strip of land along Cambridge Avenue would be suitable for car parking purposes. The location of the car park would also be subject to Council's approval and consultation with TransGrid at the development application stage. A map illustrating the potential location of a future car park within this area is shown as attachment 7 of Council report.
  3. The land that is proposed to be rezoned to SP2 (Car Park) is approximately 12 hectares in area, and it is anticipated that only a small portion of this land would be used for a private car park, subject to TransGrid concurrence. The car park is intended to service the industrial area to the north. As such, the proposed zoning of SP2 Car Park for the whole site would provide a false perception in terms of the scale and the location of a future car park at this location.
  4. None of the private car parks within Campbelltown LGA has been assigned a similar zone (i.e SP2 Car Park), and there is no compelling reason to why this site should be treated any different.
  5. The 'SP2 Infrastructure' zone has been consistently applied to public infrastructure under the CLEP such as roads and railway corridors. Areas zoned 'SP2 Infrastructure' are
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usually owned or are marked to be acquired by public authorities on the Land Reservation Map of the CLEP. As such, assigning an SP2 Car Park for a private car park would falsely imply that the land is to be used for public purposes and ultimately would be acquired by a public agency.

### **Comments and Recommended approach – Issue 1**

Under the Infrastructure SEPP, an electricity easement is permissible on a site irrespective of its zoning and as such there is no need to provide a special zone for this part of the site to reflect the use of it by TransGrid.

The site is currently marked as “a Deferred Matter” under the CLEP and currently zoned 1(a) Rural Zone under LEP 2002. It is not considered appropriate to rezone the site to an equivalent zone of RU2 Rural Landscape under the CLEP, as car parks are not a permissible land use within this zone.

Maintaining the ‘status quo’ of deferring the land from under the CLEP is also not a preferred outcome, as Council aims to gradually revise all the areas marked ‘deferred Matters’ and assign them the appropriate zone under the CELP. Notably, this procedure would require Council to go through a formal amendment to the CELP via the current planning proposal process.

Under the Standard Instrument (Local Environmental Plans) Order 2006 (SI LEP), Council is not able to introduce new zones for a site and must assign zones from the list of zones specified under the SI LEP.

Given the above, it is recommended to revise the proposed zoning of SP2 (Car Park) for this site and rezone it to RE2 Private Recreation. This is considered a reasonable approach for the following reasons:

- The site would continue to be maintained by the owner;
- The proposed zoning of RE2 Private Recreation would provide clarity and certainty in relation to the land acquisition concern raised by TfNSW, as land zoned for private open space purposes need not to be acquired by a public authority.
- The RE2 Private Recreation zone would still allow for a car park to occur on the site, subject to the development application process and TransGrid's approval.
- This part of the site would continue to provide a buffer between the residential areas to the south and industrial uses to the north.
- The proposed zoning of RE2 Private Recreation would not falsely imply that the whole site (12 hectares) is suitable for car parking purposes.

### **Issue 2      The suitability of the proposed zoning of IN1 General Industrial for the area located north of the East Hills Railway Line (Part Lot 91 DP 1155962) – Issue raised by Sydney Trains and LCC.**

Sydney Trains does not support the area located north of the East Hills Railway Line (marked Area B under Attachment 6) to be rezoned for industrial purposes and provided the following reasons:

1. The land to the north of the East Hills Railway corridor can only be accessed via two culverts owned by Sydney Trains. The operators/owners of the site only have
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permission to use these access points for the current operations of the site as a Waste Tip. The proposed zoning will enable the use for this land for additional uses that may generate an increase in vehicle movements which the underpass may not be able to cater, nor would that Sydney Trains allow for.

2. Sydney Trains indicated that it may also not allow services such as water, electricity and the like to be provided to this part of the site, because of potential structural impacts on the underpass. Notably, the additional concern regarding servicing was raised by Sydney Trains on 7 November 2016, at a meeting facilitated by Council staff between, the applicant (EPS), Transport for NSW, Liverpool City Council, Sydney Trains and the Department. Sydney Trains at the subject meeting further inferred that should the site north of the rail corridor be rezoned for industrial purposes, the applicant would need to enter into a formal agreement with Sydney Trains and undertake additional work to ascertain the structural capabilities of the underpass.

Liverpool City Council also objected to this area being rezoned for industrial purposes for the following main reasons:

1. The proposed industrial uses on the northern side of the railway would present a poor appearance to the future regional recreation area.
2. The proposed industrial uses on the northern side of the railway would seem impractical, and has the potential to create a precedent for requests relating to the rezoning of land for industrial, north of the railway line, in what is intended to be a future regional recreation area beside the Georges River.

### **Comments Recommended approach – Issue 2**

To address the above issues, it is proposed to assign an RU2 Rural Landscape zone under the CLEP to the area north of the East Hills Railway Line (Area B) , which is equivalent to the current zoning of 1a(Rural) A Zone under LEP 2002.

Notably, at the meeting on 7 November 2016, Sydney Trains indicated that assigning a 'like for like' zone would be acceptable as it would not result in intensification of land uses compared to an industrial zone.

Maintaining the 'status quo' of deferring the land from under the CLEP is not a preferred outcome, as the aim is to revise all the deferred areas within Campbelltown LGA and assign them a proper zone under the CLEP to ultimately have one local environmental plan for the Campbelltown LGA.

Area B is approximately 4 hectares and forms part of Lot 91 in DP 1155962. Subject to Council's endorsement and the Minister's approval of this amendment to the CLEP, Lot 91 would eventually be subdivided for industrial purposes with a residual rural lot (being Area B). As such, the proposed amendment to the CLEP would need to be designed to facilitate the future industrial subdivision application and the creation of Area B as a separate rural allotment. To address this matter, it is proposed to assign a minimum subdivision standard of 3 hectares for Area B as part of this proposed amendment.

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Notably under Section 4.2A (3) (b) of the CLEP, once Area B is created as a separate allotment it would have a dwelling entitlement. Area B is not considered suitable for residential development for a number of reasons including contamination, noise and access to utilities.

To address the above matter, it is proposed to include an additional local clause that would specify that a separate rural allotment on this site would not have a dwelling entitlement.

A maximum building height of 8.5 meters is proposed for Area B, which is consistent with similar areas, zoned RU2 Rural Landscape under the CLEP.

**Issue 3      The Traffic Study findings were based only on the future use of the site for warehousing and logistics purposes and as such are not inclusive. The proposed zoning would also make Hardware and Building Supply a permissible use – Issue raised by RMS**

On 11 March 2016, an amendment to the SI LEP came into effect and made 'Garden Centres' and 'Hardware and Building Supply' a permissible use within the IN1 General Industry Zone under all local environmental plans that were made under Section 33A of the Act, including the CLEP. At the time when the traffic study was prepared, those land uses were not permissible under the IN1 General Industry Zone and as such were not considered by the traffic study.

The applicant has indicated to Council's staff that the owners have no intentions to develop the site for this type of development as the surrounding road network, in its current condition, would not be capable of handling the increased traffic. The applicant also indicated to Council that the proposal would be economically unviable, if it were to include an upgrade of Cambridge Avenue and the causeway.

Notably, under the IN1 General Industry Zone a range of land uses that are similar to hardware and building supplies are also permissible including, garden centres and landscaping material supplies. Under the CLEP, those land uses are a type of retail premises.

### **Recommended approach – Issue 3**

To address the concerns raised by RMS in relation to the existing capacity of Cambridge Avenue, it is proposed to include a local clause under the CLEP that restricts the size of future retail premises on this site to 100sqm, unless it can be demonstrated to Council, that Cambridge Avenue would be capable of accommodating the increase in traffic volumes.

**Issue 4      Potential removal of the vegetation of site at the development application stage – Issue raised by OEH**

The submission from OEH raised a concern in relation to Council's approach to defer dealing with the native vegetation issue at this stage, given that the site contains 13.77ha of Critically Endangered Cumberland Woodland (CPW), in addition to the presence of a number of threatened microchiropteran bats and trees with 109 hollows.

OEH submission pointed out that any future development involving impacts on endangered ecological communities and threatened species would be subject to the provision of Section 5A of the Act. The applicant may be required to prepare a Species Impact Statement (SIS) at the

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development stage. Depending on the findings of the SIS, OEH concurrence may also be required.

### **Recommended approach – Issue 4**

Council held a telephone conference with OEH on 1 September 2016 and the matters raised by OEH submission were discussed. At the meeting, Council indicated its intention to include a local clause under the CLEP to ensure that proper management of vegetation on site occurs at the development stage. OEH supported Council approach to include a local clause under the CLEP.

Council has been working on a draft 'Terrestrial Biodiversity' local clause for inclusion under the CLEP. This draft Clause is proposed to be applied to a number of urban release areas within Campbelltown LGA including Menangel Park and Mt Gilead Urban Release Area. A copy of the draft 'Terrestrial Biodiversity' is included under Attachment 10 to this report. This clause is similar to biodiversity local clauses that have been endorsed for inclusion under a standard instrument LEPs for a number of Councils including Ku-ring-gai Council and the Blue Mountains Council.

The Terrestrial Biodiversity Clause would ensure that where the CPW on site were to be adversely impacted, measures to offset the loss of biodiversity would be implemented.

As mentioned earlier in this report, the GWS is currently subject to a SSD and the SSD application is seeking to clear the majority of the vegetation on site. Notably, if the SSD were to grant approval for the clearing of the majority of vegetation on this site, the above clause would become redundant. However, given the uncertainty in timing of the SSD approval, it is proposed that the above 'Terrestrial Biodiversity' local clause be applied to the GWS.

### **Issue 5      The need to prepare a Development control plan – Issue Raised by RMS**

The need to prepare a site specific DCP has been previously identified in the report to Council (Council meeting of 22 March 2016) and was also raised by RMS submission. A site specific DCP would ensure the orderly development of the site.

### **Recommended approach – Issue 5**

A site specific DCP requirement is proposed to form part of the amendment to the CLEP and an additional local clause to this effect is also proposed. It is proposed that the site specific DCP would provide for the following matters:

- The subdivision pattern including internal roads layout, entries to the site, intersection treatments and any restrictions to and from the site on vehicle access and movements;
  - Pedestrian connectivity between the areas of the site that are bisected by Cambridge Avenue;
  - Detailed urban design controls for the future development sites;
  - The impact of development on flora and fauna and achieving satisfactory ecologically sustainable development outcomes.
  - Stormwater detention and water quality management,
  - The relationship between the development and neighbouring sites, including urban and natural environments.
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- The impact of noise and other emissions from industrial land uses and associated activities.
- The protection and enhancement of the amenity of residents in the vicinity of the development and any proposed car park on the area south of Cambridge Avenue.

### **Issue 6      Blocking access to the area of the site located within Liverpool LGA as a result of the proposed rezoning - Issue Raised by LCC**

The area to the north of the subject site and within the Liverpool LGA, is a future regional recreation area beside the Georges River. Any rezoning of the subject site should not block access to the future regional recreation area.

#### **Comments and Recommended approach – Issue 6**

A large parcel of land (approximately 40 hectares) located within Liverpool City Council can only be accessed through the two culverts under the East Hills Railway Line. As part of the amendment to the CLEP, it is proposed to include a local clause that requires public access for pedestrian and vehicles to the existing culverts under the railway line. However, public access through the culverts should only be allowed, subject to OSL acquiring the land for public recreation purposes.

In other words, if the land within Liverpool LGA were to be acquired by OSL for public recreation in the future, the local clause would ensure that this land would be accessible. Notably, at that point, the culverts would need to be upgraded to ensure safe passage for vehicles and pedestrian. More importantly, until such time that the area within Liverpool LGA is acquired by OSL and the culverts are upgraded, public access through the culverts should not be allowed.

### **Issue 7      Proposed rezoning of a small portion of land south of Cambridge Avenue from SP2 Car Park to RE1 Public - Issue Raised by OSL**

OSL submission is mainly related to a small portion of land that is located south of Cambridge Avenue between the area that is currently zoned RE1 Public Recreation and the proposed Georges River Parkway. This area is marked Area C on the map of Attachment 6 to this report. Area C was originally proposed to be rezoned to SP2 Car Park.

OSL requested that this portion of land be zoned to RE1 Public Recreation and also be included on the Land Reservation Acquisition Map to be later acquired by OSL.

#### **Comments and recommended approach – Issue 7**

The area subject to OSL submission forms part of the land proposed to be acquired by OSL in lieu of developer contribution for the proposed MRF.

As such, it is proposed that this area be rezoned to RE1 Regional Recreation and the Land Reservation Acquisition Map be also amended to reflect the proposed change to the zoning of this area as per OSL submission.

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## **Part 4: Mapping**

The Planning Proposal is accompanied by the following relevant maps shown as Appendix 3 to this Planning Proposal:

Map 3.1 Location Plan of the Subject Site

Map 3.2 Aerial Photo of the Subject Site

Map 3.3 Existing Zoning Map under LEP 2002

Map 3.4 Existing Zoning Map under the CLEP

Map 3.5 Proposed Zoning Map under the CLEP

Map 3.6 Existing Lot Size Map under the CLEP

Map 3.7 Proposed Lot Size Map under the CLEP

Map 3.8 Existing Height Map under the draft CLEP

Map 3.9 Proposed Height of Buildings Map under the CLEP

Map 3.10 Existing Land Reservation Acquisition Map under the CLEP

Map 3.11 Proposed Land Reservation Acquisition Map under the CLEP

Map 3.12 Survey Plan Map – Boundary Adjustment

Map 3.13 Proposed Clause Application Map under the CLEP

Map 3.14 Proposed Terrestrial Biodiversity Map under the CLEP

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## **Part 5 - Community Consultation**

~~Public consultation will take place in accordance with the revised Gateway Determination made by the Minister for Planning and Infrastructure in accordance with Sections 56 & 57 of the Environmental Planning & Assessment Act 1979.~~

The draft Planning Proposal and associated studies were publicly exhibited from 6 April until 6 May 2016, as per Council's resolution of 22 March 2016 and the conditions specified by the Gateway Determination (issued by the Department on 9 December 2014).

A copy of the Planning Proposal and supporting documentation were placed on public exhibition at the following locations:

- Council's Civic Centre;
- Campbelltown HJ Daily Library;  
Glenquarie Branch Library; and
- Council's website.

Individual letters advising of the public exhibition of the GWS planning proposal were sent to all adjoining residents and the relevant public agencies as required by the Gateway Determination. In addition, Council consulted with all the relevant aboriginal entities/groups who registered an interest in the planning proposal (eight groups/individuals), however no submissions were received from any of the consulted aboriginal groups/individuals.

Council received a total of 23 submissions of which 10 submissions were from public authorities/agencies and the remaining 13 submissions were from adjacent residents.

### **Comments received from adjoining residents**

Council received 13 submissions from adjoining residents primarily opposing the area proposed for car parking purposes south of Cambridge Avenue. Concerns were also raised in relation to potential loss of wildlife habitat and impacts on the residential amenity of the adjoining residents. All matters raised by residents, officer comments and recommended actions are detailed under Attachment 9 of Council's report. A summary of the main issues raised by the residents is provided in below:

1. Proposed Car parking south of Cambridge Avenue

All submission received from the residents raised concerns related to the potential impacts of the use of the site located south of Cambridge Avenue for car parking purposes in terms of impacts on their residential amenity, including noise and light spills.

Comments and recommended approach

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The proposed zoning of the SP2 Infrastructure (Car Park) for the area south of Cambridge Avenue was primarily to allow for a small private car park to service the industrial areas that are proposed north of Cambridge Avenue. It was never intended that the whole site of 12 hectares be redeveloped for car parking purposes.

After reviewing submissions from public authorities and TransGrid, it became apparent that the proposed zoning of SP2 Infrastructure (Car Park) is not an appropriate zone for this part of the site, for the reasons outlined in details in this report.

Given the above, it is recommended that the proposed zoning of this part of the site be amended to Zone RE2 Private Recreation for the reasons outlined in this report.

It is proposed to add an additional requirement under the CLEP to restrict any vehicle with a GVM mass of more than 4.5 tonnes or more from parking within this part of the site, and to ensure that a car park within this area be located to minimize impacts on residential amenity of adjoin residents.

### 2. Loss of wild life habitat

After reviewing the submissions and talking with a number of residents over the telephone, it became apparent that the residents misunderstood the planning proposal and were led to believe by a resident advocating against the rezoning that the vegetated areas south of Cambridge Avenue were proposed to be cleared as part of the proposal. Some residents also raised concerns regarding a proposal to fill the creek located near Goodenough Street and a proposal to close off Cambridge Avenue. As such, the majority of the concerns raised by the submissions were unfounded.

#### Comments and recommended approach

There is no proposal to remove the vegetated corridor along the Georges River, nor any existing vegetation located south of Cambridge Avenue. In fact, the State Government has publicly notified a recent draft Planning Agreement where the ownership for the land immediately adjacent to the Georges River is proposed to be transferred to the State Government. A copy of the draft Planning Agreement is available for view from the Departments website.

Given the above no changes in this regard is proposed.

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## Part 6 - Project Timeline

The draft project timeline has been included in Table 6 below. The anticipated timeframes and dates have been assigned to each milestone of the Gateway process.

**Table 6: Project Timeline**

Milestone	Date
– anticipated timeframe for the completion of required technical information	Completed June 2015
– anticipated commencement date (date of revised Gateway determination)	February 2015
– commencement and completion dates for public exhibition period	April 2016
– timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) – Consultation with government agencies is proposed to be undertaken while the proposal is on public exhibition.	May 2016
– timeframe for consideration of submissions ( report to Council)	May 2016- December 2016
– date of submission to the department to finalise the LEP	January 2017

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**Planning &  
Infrastructure**

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Our ref: PP\_2013\_CAMPB\_002\_00 (13/10832)

Mr Paul Tosi  
General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Dear Mr Tosi,

**Planning proposal to amend draft Campbelltown Local Environmental Plan 2013**

I am writing in response to your Council's letter dated 19 June 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to zone the Glenfield Waste Site at Cambridge Avenue, Glenfield to IN1 General Industrial, SP2 Infrastructure (Car Parks) and SP2 Infrastructure (Railway) and apply a maximum building height of 12m on land proposed to be zoned IN1.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones and 1.5 Rural Lands are justified by studies or the draft South West Subregional Strategy. No further approval is required in relation to these Directions.

Council may still need to obtain the Director General's agreement to satisfy the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

The Minister delegated his plan making powers to councils in October 2012. I understand that Council has not asked to be issued with delegation for this planning proposal because of the size of the site and the complexity of the proposal. I have considered the nature of Council's planning proposal and have decided not to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the department to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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Should you have any queries in regard to this matter, please contact Georgina Ballantine of the regional office of the department on 02 9860 1560.

Yours sincerely,  
SIGNATURE HAS BEEN REMOVED

 Daniel Keary 10.8.15.  
**Acting Executive Director**  
**Metropolitan Planning**  
**Planning Operations and Regional Delivery**



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



**Planning &  
Infrastructure**

### Gateway Determination

**Planning proposal (Department Ref: PP\_2013\_CAMPB\_002\_00):** to zone the Glenfield Waste Site for industrial and special purposes and amend the maximum building height.

I, the Acting Executive Director, Metropolitan Planning at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the draft Campbelltown Local Environmental Plan (LEP) 2013 to zone the Glenfield Waste Site at Cambridge Avenue, Glenfield to IN1 General Industrial, SP2 Infrastructure (Car Parks) and SP2 Infrastructure (Railway) and apply a maximum building height of 12m on land proposed to be zoned IN1 should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the 'objectives or intended outcomes' within the planning proposal to identify the uses proposed for the subject land. The planning proposal is to be updated to correctly reference the name of the zone for land proposed to be rezoned for special purposes - railway.
2. Prior to undertaking public exhibition, Council is to update the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with the below S117 Directions:
  - 2.3 Heritage Conservation
  - 3.4 Integrating Land Use and Transport
  - 4.3 Flood Prone Land
3. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:
  - flora and fauna
  - heritage
  - acoustic (noise impact)
  - stormwater management and flooding
  - traffic impact (road network capacity and infrastructure improvements)
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the relevant planning 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 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning & Infrastructure 2013).
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
  - Transport for NSW
  - Railcorp
  - Sydney Water
  - Telstra
  - Transgrid



8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



**Planning & Infrastructure**

- Sydney Catchment Authority
- Sydney Metropolitan Catchment Management Authority
- Office of Environment and Heritage
- NSW Department of Primary Industries – Agriculture
- NSW Trade and Investment – Minerals and Petroleum (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries)
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Office of Strategic Lands regarding the dedication of land, which adjoins the eastern boundary of the subject land and which is zoned 6(b) Regional Open Space under Campbelltown (Urban Area) LEP 2002, and its removal from the Land Reservation Acquisition Map.
- Adjoining LGAs

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 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 56(2)(e) of the EP&A 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 timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated *6th* day of *August* 2013.

SIGNATURE HAS BEEN REMOVED

Daniel Keary  
**Acting Executive Director**  
**Metropolitan Planning**  
**Planning Operations and Regional Delivery**  
**Department of Planning and Infrastructure**

**Delegate of the Minister for Planning and Infrastructure**

8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



**Planning &  
Infrastructure**

Contact: Georgina Ballantine  
Phone: 02 9860 1568  
Email: georgina.ballantine@planning.nsw.gov.au

Mr Paul Tosi  
General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Our ref: PP\_2013\_CAMPB\_002\_00

DEC16'13 02:14:29

Attention: Andrew Spooner/Rana Haddad

Dear Mr Tosi

Thank you for your letter of 3 October 2013, regarding additional information in relation to the Gateway Determination for the Glenfield Waste Site planning proposal.

I have considered the matters raised in your letter and advise as follows:

**A. Consistency with Section 117 Directions**

**2.3 Heritage Conservation**

The additional information submitted in Council's letter (Attachment 1) sufficiently addresses the requirements of Section 117 Directions: 2.3 Heritage Conservation. The proposal is considered to be consistent with this direction.

**3.4 Integrating Land Use and Transport**

To justify the proposal's consistency with Clause 5(b) of this direction, it is suggested that Council's response refers to the Traffic and Transport Review (prepared by AECOM on behalf of the proponent) and includes additional information relating to cycling and pedestrian options.

**4.3 Flood Prone Land**

To justify the proposal's inconsistency with this direction as being of minor significance, it is suggested that Council's response to 4.3 Flood Prone Land includes the additional information provided by Council relating to stormwater management and flooding (**Tag A**: pg 2) and references the requirement to provide an alternative site access on Cambridge Avenue, Glenfield (see comments below).

**B. Stormwater Management and Flooding**

- Council is **not** required to submit additional information for stormwater management and flooding.

In accordance with the above, please find an amended Gateway Determination attached.

I hope this information assists you and should have any further questions please contact Georgina Ballantine of the Sydney West regional team on 02 9860 1568.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

**Daniel Keary**  
**Acting Executive Director**  
**Metropolitan Planning**  
**Planning Operations and Regional Delivery**

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001  
Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website planning.nsw.gov.au

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### Gateway Determination

***Planning proposal (Department Ref: PP\_2013\_CAMPB\_002\_00): to zone the Glenfield Waste Site for industrial and special purposes and amend the maximum building heights.***

I, the Acting Executive Director, Metropolitan Planning, at the Department of Planning and Infrastructure, as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act, that an amendment to the draft Campbelltown Local Environmental Plan (LEP) 2013 to zone the Glenfield Waste Site at Cambridge Avenue, Glenfield to IN1 General Industrial, SP2 Infrastructure (Car Park) and SP2 Infrastructure (Railway) and apply a maximum building height of 12m on land proposed to be zoned IN1 should proceed, subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the 'objectives or intended outcomes' within the planning proposal to identify the uses proposed for the subject land. The planning proposal is to be updated to correctly reference the name of the zone for land proposed to be rezoned for special purposes - railway.
  2. Prior to undertaking public exhibition, Council is to update the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with the below S117 Directions:
    - 2.3 Heritage Conservation
    - 3.4 Integrating Land Use and Transport
    - 4.3 Flood Prone Land
  3. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:
    - flora and fauna
    - heritage
    - acoustic (noise impact)
    - traffic impact (road network capacity and infrastructure improvements)
  4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
    - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
    - (b) the relevant planning 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 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013)*.
  5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
    - Transport for NSW
    - Railcorp
    - Sydney Water
    - Telstra
    - Transgrid
-

8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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- Sydney Catchment Authority
- Sydney Metropolitan Catchment Management Authority
- Office of Environment and Heritage
- NSW Department of Primary Industries — Agriculture
- NSW Trade and Investment — Minerals and Petroleum (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries)
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Office of Strategic Lands regarding the dedication of land, which adjoins the eastern boundary of the subject land and which is zoned 6(b) Regional Open Space under Campbelltown (Urban Area) LEP 2002, and its removal from the Land Reservation Acquisition Map.
- Adjoining LGAs

6. Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
7. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
8. The timeframe for completing the LEP is to be **12 months** from the week following the

Dated

9th DECEMBER 2013.

SIGNATURE HAS BEEN REMOVED

**Daniel Keary**   
**Acting Executive Director**  
**Metropolitan Planning**  
**Planning Operations and Regional Delivery**

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8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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**Planning &  
Environment**

FEB15'16 07:56:02 RCVD

Contact: Michelle Dellagiacoma  
Phone: 02 9860 1527  
Email: Michelle.Dellagiacoma  
@planning.nsw.gov.au  
Our ref: 15/17815  
Your ref:

Ms Lindy Deitz  
The General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Dear Ms Deitz

**Request for a revised Gateway determination: PP\_2013\_CAMPB\_001\_00 for the Glenfield waste Site, Glenfield.**

I am writing in response to your request for a revised Gateway determination for the Glenfield Waste site. As delegate of the Greater Sydney Commission, I have decided under s56(7) of the Environmental Planning and Assessment Act, 1979, to alter the Gateway Determination issued on 9 December 2013, referred to above, to apply to the additional land as identified in the revised proposal of January 2016. I have also extended the proposal for a further 9 months until the 15<sup>th</sup> September 2016. The Alteration of the Gateway Determination is enclosed.

I note Council has requested the revision as a result of its consultation with the Office of Strategic Lands during the consultation of the Campbelltown Local Environmental Plan 2015. The planning proposal is considered to be consistent with the requirements of Section 117 Direction 6.2.

I also note the area is contiguous with the existing site area and most of the studies done to date incorporate the additional area. Any future studies should include the additional area.

If you have any queries in regard to this matter, please contact Michelle Dellagiacoma of the Metropolitan Region (Parramatta) office on 02 9860 1527

Yours sincerely  
SIGNATURE HAS BEEN REMOVED

**Rachel Cumming  
Director, Metropolitan Parramatta  
Planning Services**

Bridge St Office 23-33 Bridge St Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney Telephone: (02) 9228 6111 Facsimile: (02) 9228 6191 Website [planning.nsw.gov.au](http://planning.nsw.gov.au)

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## **Alteration of Gateway Determination**

***Planning proposal (Department Ref: PP\_2013\_CAMPB\_002\_00) [to amend the Campbelltown Local Environmental Plan 2015 for land at the Glenfield Waste Site, Glenfield.]***

I, the Director, Metropolitan Region, Parramatta at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined, under section 56(7) of the Environmental Planning and Assessment Act 1979 ("EP&A Act"), to alter the Gateway determination dated 9 December 2013, for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. To alter the site boundary to which the proposal applies to include additional land, as shown in the revised Planning Proposal dated January 2016 - Version 7, and to apply the IN1 General Industrial zone to the additional area, and, as a consequence of this change, to alter the Land Acquisitions Map and acquisition obligations as appropriate.
2. Delete:  
Condition "7" and replace with:

A new condition 7 "the LEP is to be finalised by 15 September 2016."

Dated 5<sup>th</sup> day February 2016.

SIGNATURE HAS BEEN REMOVED

**Rachel Cumming**  
**Director, Metropolitan Region (Parramatta)**  
**Planning Services**

**Delegate of the Greater Sydney Commission**

8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

**Appendix 3 Maps**

**Map 3.1 Location Plan of the Subject Site**





8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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**Map 3.2 Aerial Photo of the Subject Site**





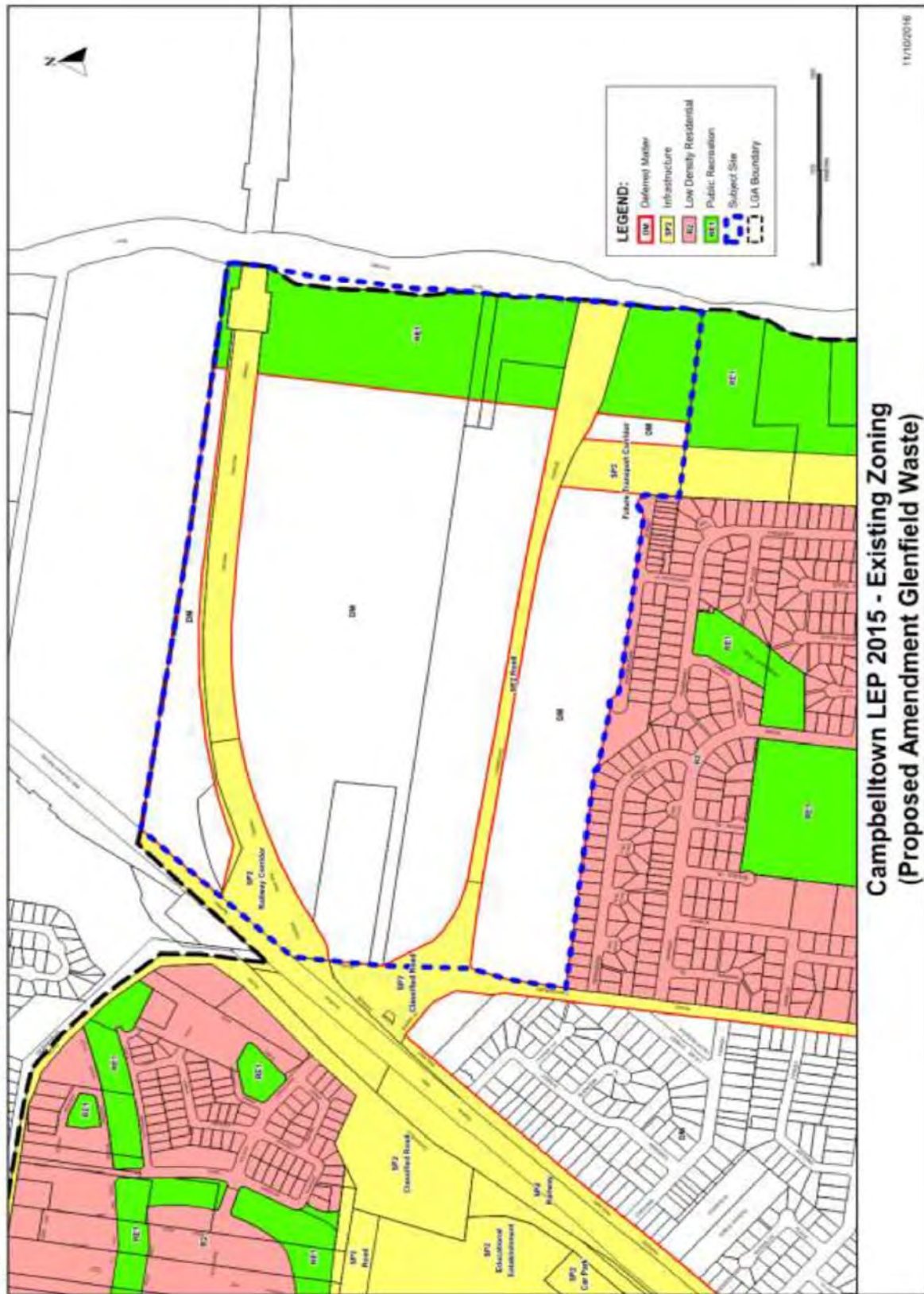
8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Map 3.3 Existing Zoning Map under LEP 2002



8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

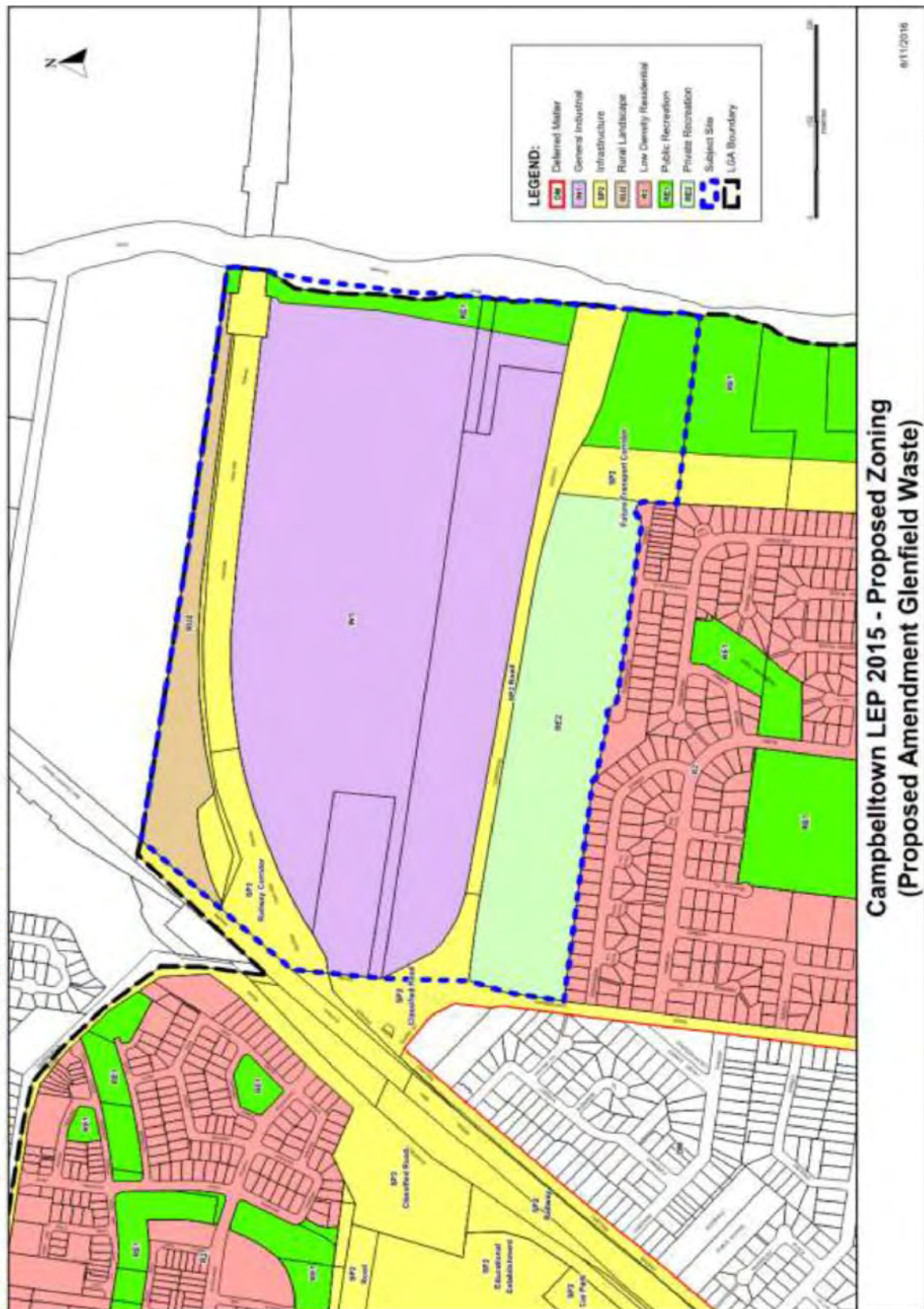
Map 3.4 Existing Zoning Map under the CLEP





8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Map 3.5 Proposed Zoning Map under the CLEP



8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Map 3.6 Existing Lot Size Map under the CLEP





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Map 3.7 Proposed Lot Size Map under the CLEP



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**Map 3.8 Existing Height Map under the draft CLEP**



**Map 3.9 Proposed Height of Buildings Map under the CLEP**



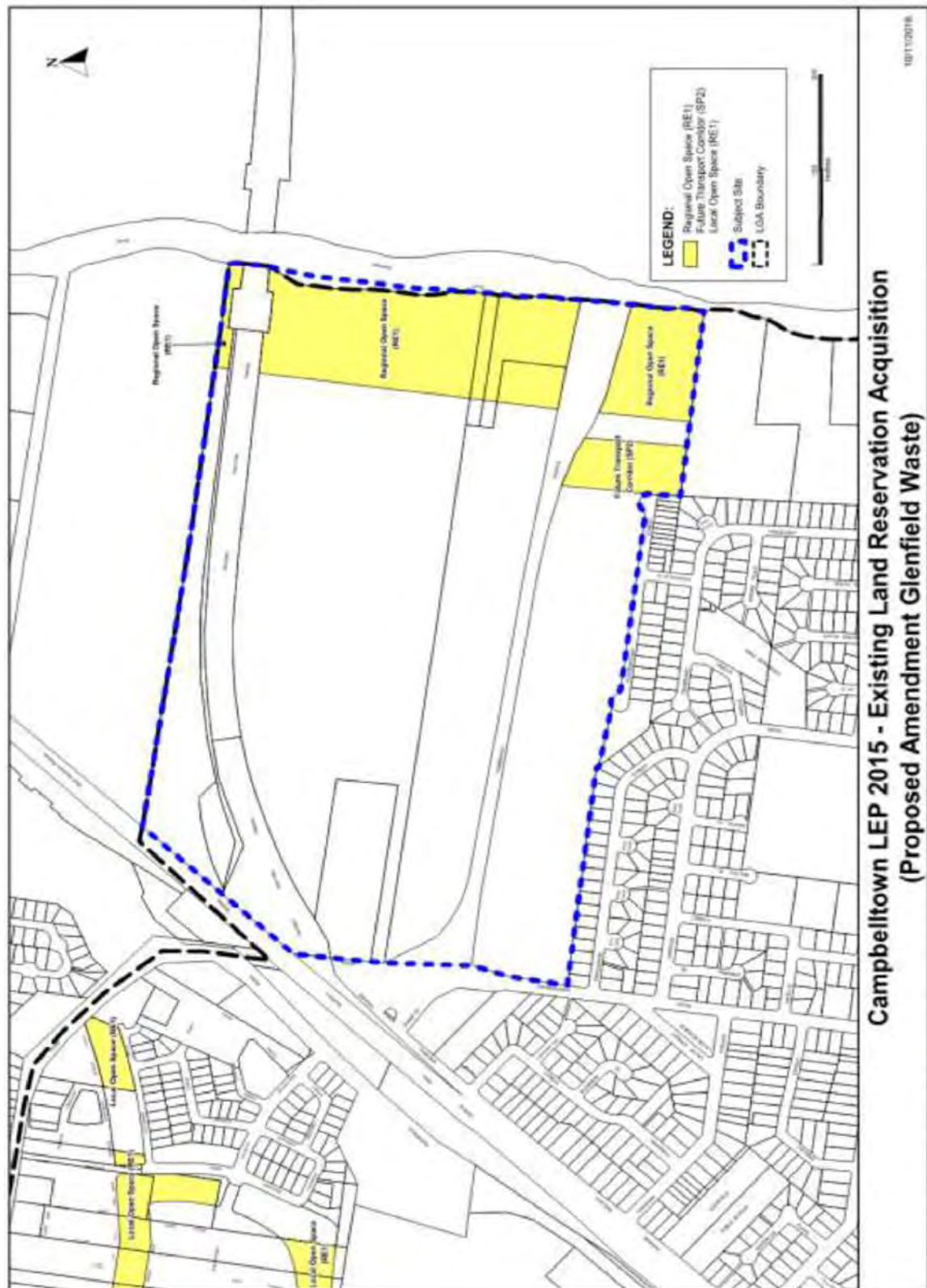
8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



**Map 3.10 Existing Land Reservation Acquisition Map under the CLEP**

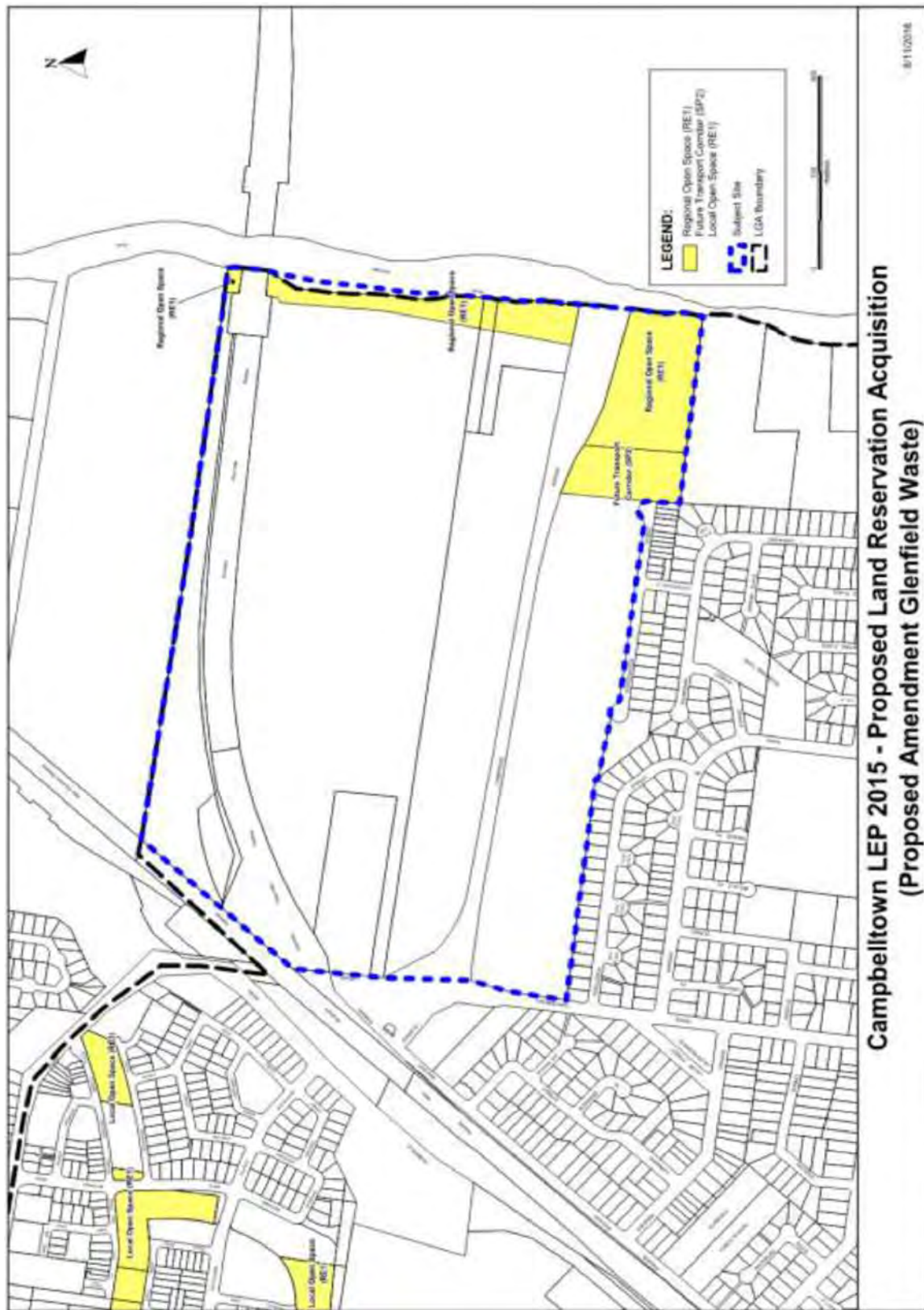


8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



Map 3.11 Proposed Land Reservation Acquisition Map under the CLEP

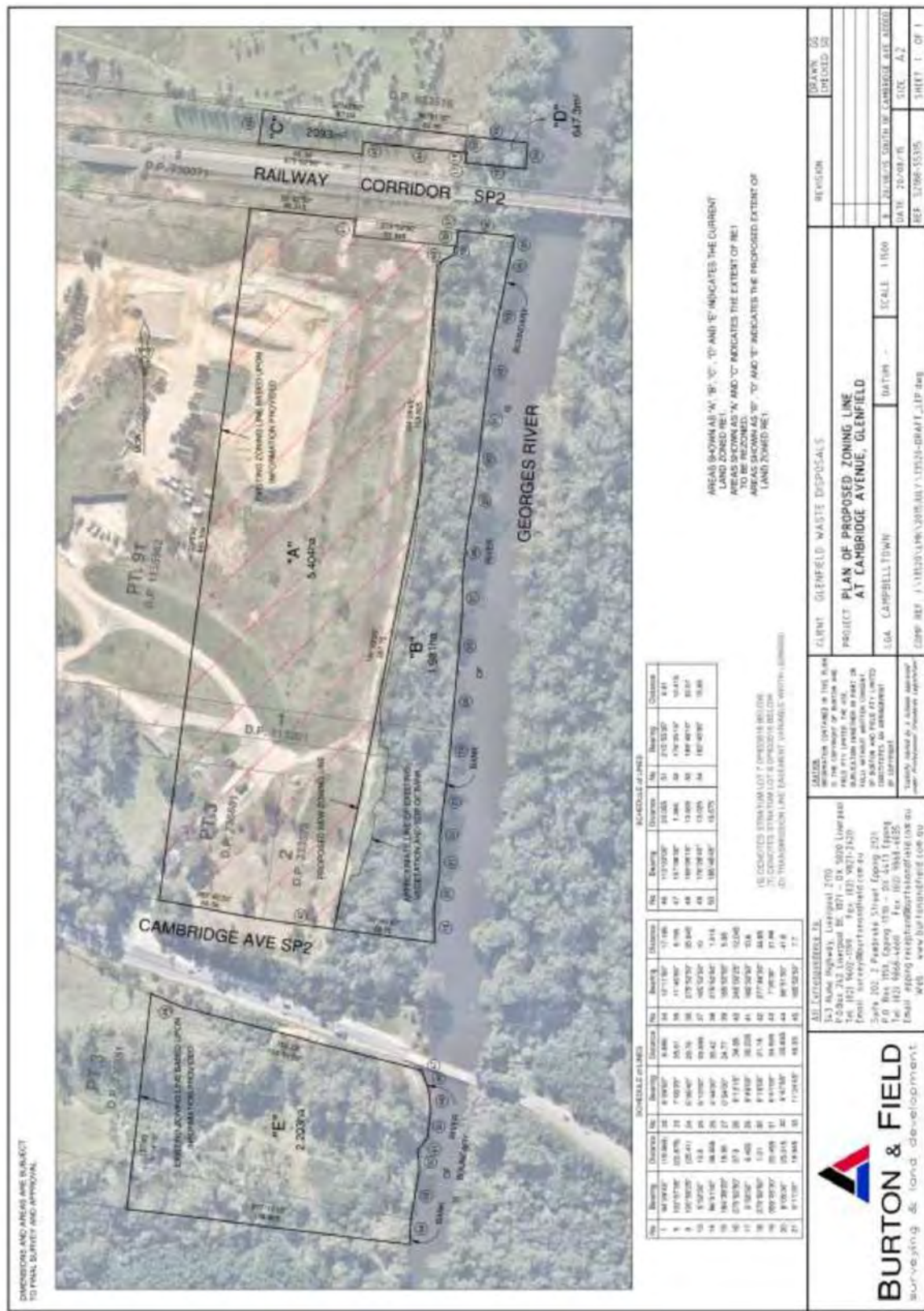
8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



Map 3.12 Survey Plan Map - Boundary Adjustment

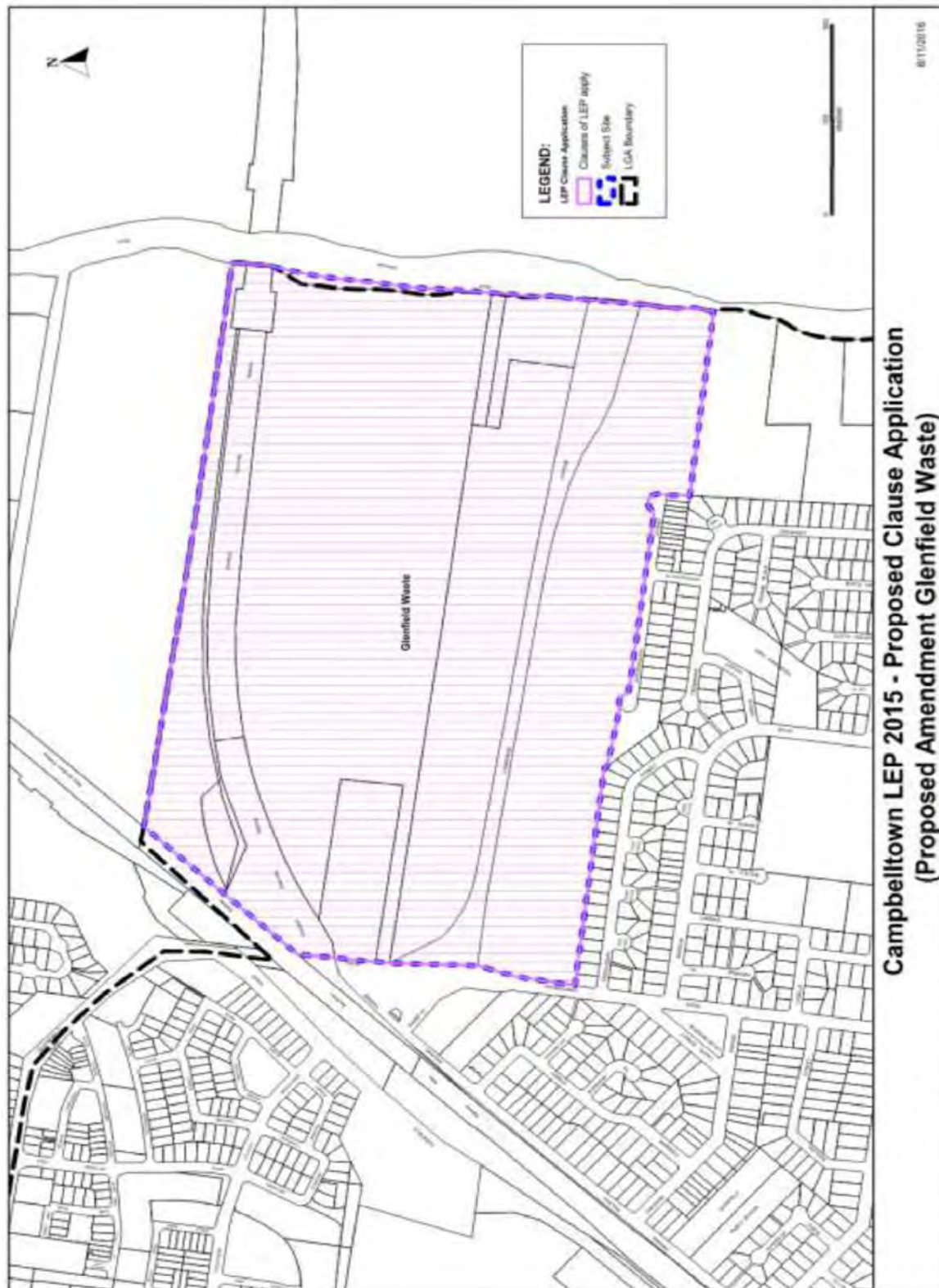


## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site





8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

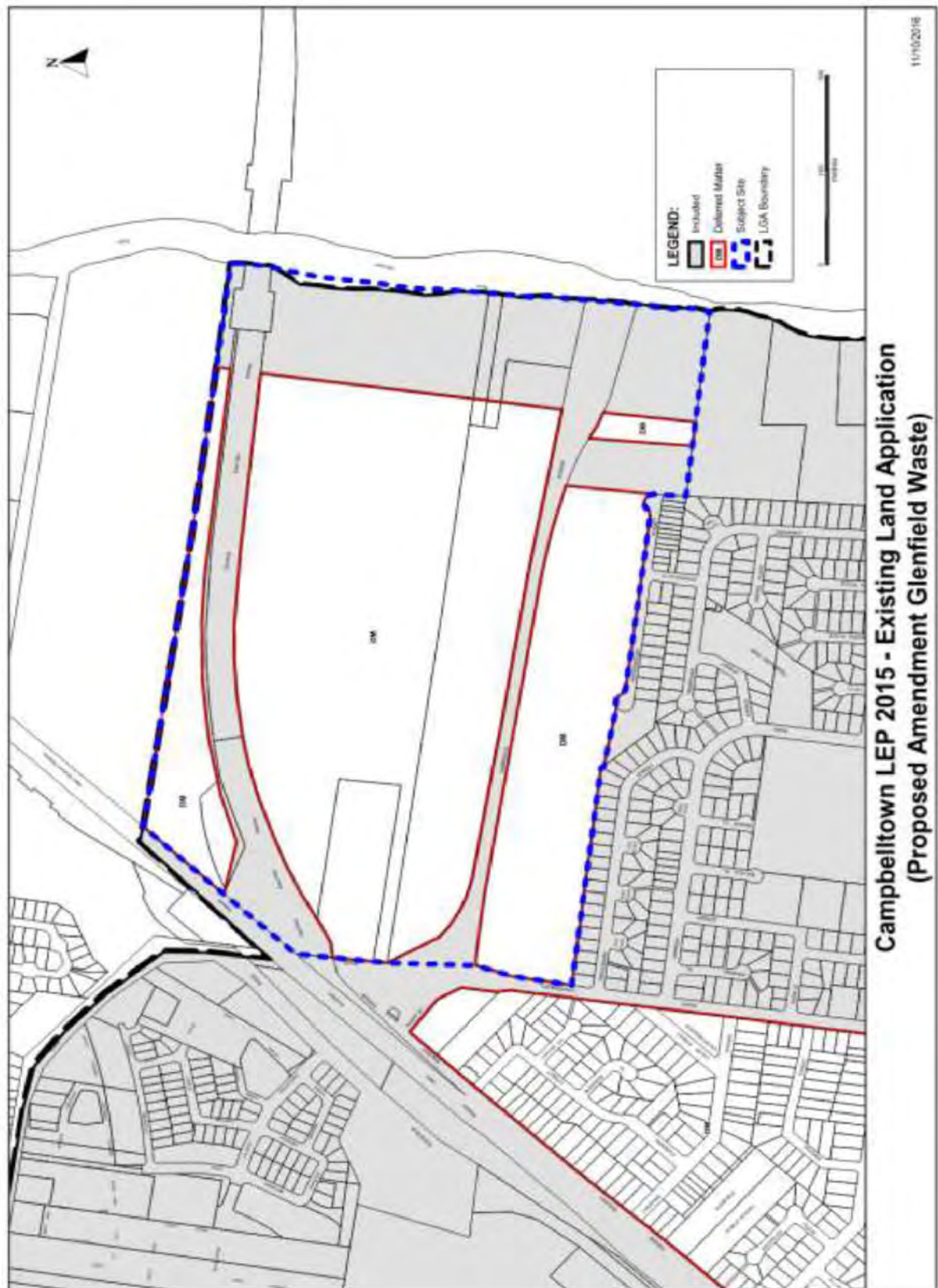


8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site





8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site





8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

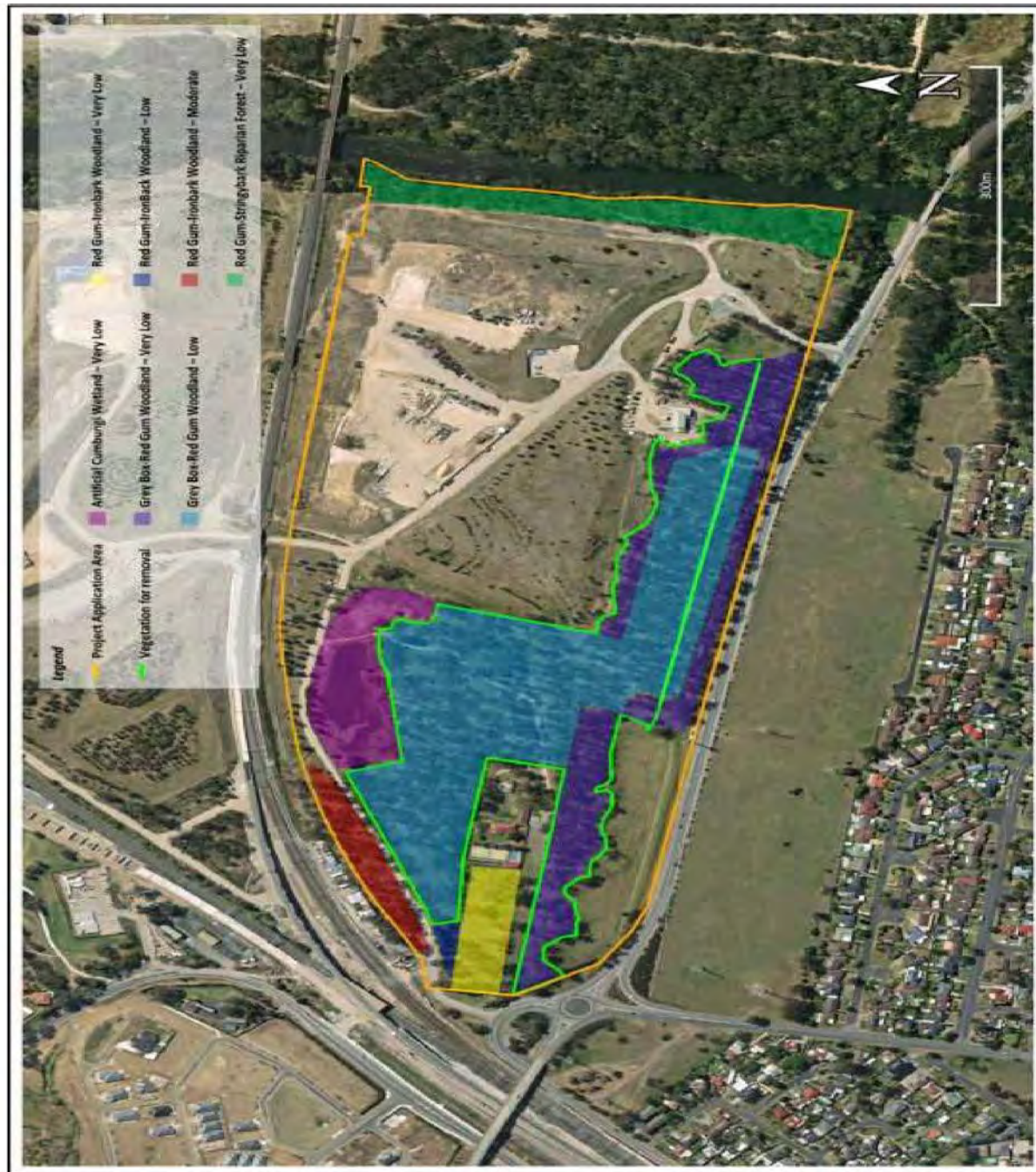






8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Attachment 3: Map 2: Proposed Vegetation for removal as part of the Recycling Material Development





## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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**ATTACHMENT 4**

**From:** [Alison Kniha](#)  
**To:** [Council](#)  
**Subject:** Planning Proposal - Glenfield Waste Site  
**Date:** Tuesday, 12 April 2016 12:00:53 PM  
**Attachments:** [image001.png](#)

---

**ATTN: THE GENERAL MANAGER**

**CC: A SPOONER**

Dear Sir,

Thank you for your letter inviting WaterNSW to comment on the Planning Proposal for the Glenfield Waste Site, Cambridge Avenue, Glenfield. WaterNSW notes that the subject site is not likely to impact on any of our water supply infrastructure or Special Areas, and therefore informs council that we have no comment on this proposal.

WaterNSW requests that Council continue to inform us of any planning proposals that may result in a potential impact on water quality.

If you have any queries regarding this response, please contact me.

Yours sincerely,

**Alison Kniha**

Environmental Policy and Planning Manager



Level 4, 2-6 Station St, Penrith NSW 2750

PO Box 323, Penrith NSW 2751

**T:** 02 4724 2451

**M:** 0407 088 372

[alison.kniha@waterNSW.com.au](mailto:alison.kniha@waterNSW.com.au)

[www.waterNSW.com.au](http://www.waterNSW.com.au)

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



4 May 2016

The General Manager  
Campbelltown City Council  
P.O Box 57  
CAMPBELLTOWN NSW 2560

Dear Madam

**Subject: Glenfield Waste Site Planning Proposal**

Thank you for the opportunity to provide a response to the above planning proposal on exhibition. The Office of Strategic Lands (OSL) makes the following submission on behalf of the *Minister administering the Environmental Planning and Assessment Act, 1979*.

OSL is a branch within the Department of Planning and Environment and is responsible for the management of "Corporation Sole EPA Act", the company set up on behalf of the *Minister administering the Environmental Planning and Assessment Act, 1979* by clause 8(1) of that Act. Part of our responsibilities on behalf of the Minister is to comment on land owned or to be acquired by the Minister under environmental planning instruments.

The Glenfield Waste Site proposal is on land that adjoins the Minister's holdings and also impacts the Corporation as the nominated acquisition authority for regional open space in both the existing local environmental plan (LEP) and the proposed updated LEP as part of the proposal.

OSL has been working with the applicant of the proposal as to what is an appropriate regional open space corridor given the active land fill on site and its associated environmental constraints. A number of site visits has assisted us in determining that the proposed zones outlined by the applicant in 'Map 3.5 Proposed Zoning (Proposed Amendment No.2) are appropriate and we support the proposed revised zoning map and associated 'Map 3.11 Proposed Land Reservation Acquisition (Proposed Amendment No.2).

Our only comment is that we wish to request a change to a portion of land proposed to be zoned SP2 Car Park. Enclosed is a copy of the proposed zoning plan with the subject portion circled in red. This small portion is between a large expanse of regional open space and future transport corridor that is either owned or to be acquired by the Minister. We suggest a superior planning outcome is to avoid an isolated site for a future car park and rather zone it RE1 Public Recreation so it is consistent with the width and use of the existing regional open space corridor. The Corporation can confirm that in turn the land reservation acquisition map should be adjusted so this parcel is also identified for acquisition by the Corporation as regional open space. Please see enclosed a copy of the requested change to the Land Reservation Acquisition Map.

OFFICE OF STRATEGIC LANDS  
Level 4, Macquarie Tower  
10 Valentine Avenue  
Parramatta NSW 2150

PO Box 404  
Parramatta NSW 2124  
9685 4900  
ABN 36 691 806 169 | [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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This suggested change has been discussed with the applicant of the planning proposal who indicated they have no objection to the request.

Again, OSL thanks Council for the opportunity to respond to the planning proposal and would be happy to discuss this response further with Council if required. Should you wish to discuss any of the above please contact me on 9860 1406.

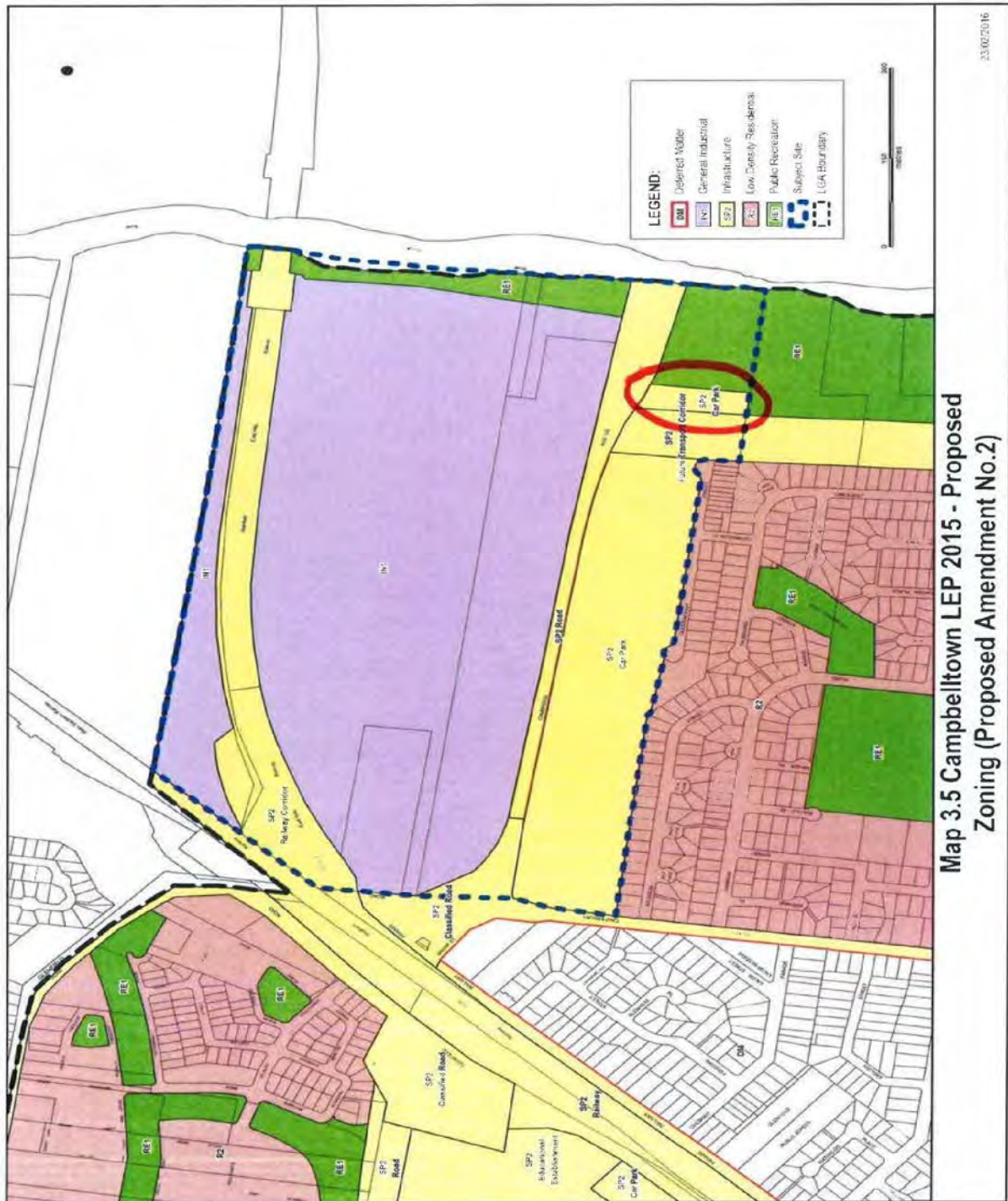
*Yours sincerely*  
**SIGNATURE HAS BEEN REMOVED**

**Stephen Dewick**  
Senior Manager Divestments  
Office of Strategic Lands

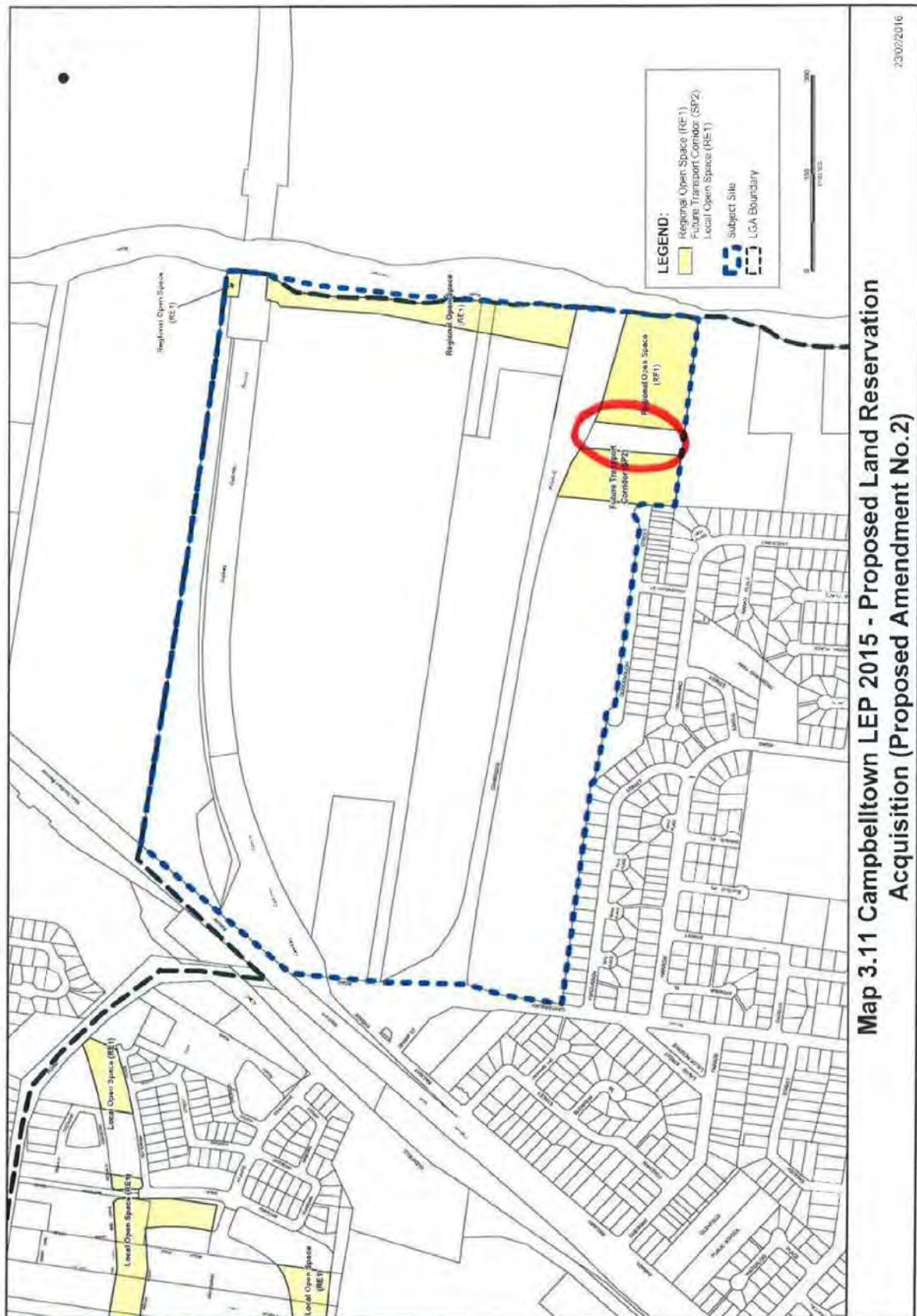
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site





## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



Department of  
Primary Industries

OUT16/17641

The General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

[council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

**Attention:** Andrew Spooner

Dear Mr Spooner

**Re: Consultation with public authorities under S56(2)(d) of the EP&A Act – Planning Proposal for the Glenfield Waste Site, Cambridge Avenue, Glenfield**

Thank you for your letter dated 4 April 2016 seeking comments from DPI Water and Fisheries on the planning proposal. DPI has reviewed the planning proposal and provides the following recommendations with further detailed comments by DPI Fisheries at **Attachment A**:

- It is recommended that the riparian corridor along the Georges River at the site be zoned E2 - Environmental Conservation rather than RE1 – Public Recreation to better reflect the intended use of this area.
- The proponent should clarify the proposed minimum width of the riparian corridor/ RE1 zone along the Georges River at the site. As a minimum the riparian corridor should at least be consistent with the *Guidelines for Controlled Activities on Waterfront Land* (2012) which requires a 40 metre wide riparian corridor (measured from top of bank). However, considering the proximity of future industrial land uses adjacent to the main river arm DPI recommends a 100 metre wide buffer zone be considered. A 100 m buffer zone width adjacent to this fish habitat would offer a greater level of filter protection to the waterway from potential future accidental chemical spillages.
- As the investigation area for this proposal has not extended to the Georges River, no threatened species under the *Fisheries Management Act* have been identified. Future industrial development of the site has the possibility to impact upon the aquatic ecology of the Georges River via stormwater runoff, accidental spillages, reduction in riparian zone width and functionality and erosion and sedimentation impacts. Therefore it is recommended that potential occurrence of threatened species listed under the Fisheries Management Act in or around the Georges River along this site should be considered.
- It is recommended that specific measures to mitigate potential impacts on the aquatic environment and potential aquatic threatened species are adopted. Such measures include the treatment of stormwater runoff, protection and enhancement of riparian buffer zones and best practice erosion and sediment control measures.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Mitchell Isaacs  
**Director, Planning Policy & Assessment Advice**  
6/5/2016

NSW Department of Primary Industries  
Level 11, 323 Castlereagh Street Sydney NSW 2000  
Tel: 02 9934 0804 [landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au) ABN: 72 189 919 072



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### ATTACHMENT A

#### **Planning Proposal for the Glenfield Waste Site, Cambridge Avenue, Glenfield**

##### **DPI Fisheries detailed comments**

DPI Fisheries is responsible for ensuring fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)* (hereafter referred to as the P&Gs).

DPI Fisheries has reviewed the proposed planning proposal for the Glenfield Waste Site at Cambridge Avenue, Glenfield and wishes to provide the following comment based on the policy and provisions stated above.

##### *Riparian buffer zones*

DPI Fisheries considers the Georges River to be important Class 1 major key fish habitat (see P&Gs Table 2, page 19). DPI Fisheries policy requires a riparian buffer zone to be established and maintained for developments in or adjacent to key fish habitat (see P&Gs s.6.1.1.2). DPI Fisheries supports a minimum 40 m wide riparian zone along this site, measured from the top of the bank. However, considering the proximity of future industrial land uses adjacent to the main river arm it is recommended that planned development at the site aims to keep the riparian zone as wide as possible. A 100 m buffer zone width adjacent to Class 1 key fish habitat would offer a greater level of filter protection to the waterway from potential future accidental chemical spillages.

It is unclear from the information provided what the minimum width of the proposed RE1 zone along the Georges River will be and whether this zoned land fully includes the recommended 40 m wide riparian buffer zone. To protect against future development on riparian buffer zones DPI Fisheries does not support any rezoning of this land for industrial purposes. DPI Fisheries is concerned that this may have been proposed on part of the riparian land north of Cambridge Avenue. Although part of this land may have been filled and is subject to ongoing monitoring conditions, an objective of any planning for future development of this site should be to maintain and improve the aquatic and riparian systems of the Georges River.

The proposed Moorebank Intermodal Facility includes a rail corridor that runs through the Glenfield Waste planning proposal site along the Georges River, north of Cambridge Avenue. Any riparian buffer zone widths authorised as part of this planning proposal need to consider any riparian buffer zone widths that may be included in any Conditions of Approval issued for the Moorebank Intermodal Facility.

##### *Aquatic threatened species*

DPI Fisheries has noted that the investigation area for this planning proposal does not include the Georges River. Therefore, as key fish habitat has not been included in their ecological assessment EPS (Environmental Property Services) has correctly determined that no threatened fish species are considered likely to occur in the investigation area (EPS, Ref No: 11009/11012, May 2015).

However, considering the future industrial development of the site can impact upon the aquatic ecology of the Georges River via stormwater runoff, accidental spillages, reduction in riparian zone width and functionality and erosion and sedimentation impacts, the potential occurrence of

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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threatened species listed under the FM Act in the Georges River along this site should have been considered in this assessment.

Considering the threatened species listed under the FM Act and their ecology, the Endangered Sydney Hawk Dragonfly has the potential to occur in the Georges River adjacent to this site. This is supported by a predicted distribution map included in DPIs Factsheet for this species, which might include the Georges River adjacent to this site (see:

[http://www.dpi.nsw.gov.au/\\_data/assets/pdf\\_file/0019/144127/sydney-hawk-dragonfly.pdf](http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0019/144127/sydney-hawk-dragonfly.pdf)).

The Adams Emerald Dragonfly listed as Endangered under the FM Act, may also occur along this site. However, the river at this site does not seem to match the known habitat preference of this species (see: [http://www.dpi.nsw.gov.au/\\_data/assets/pdf\\_file/0005/426614/Adams-Emerald-Dragonfly-Archaeophya-adamsi.pdf](http://www.dpi.nsw.gov.au/_data/assets/pdf_file/0005/426614/Adams-Emerald-Dragonfly-Archaeophya-adamsi.pdf) ).

Note that prior to any future development of industrial land on the Glenfield Waste site, investigation for the occurrence of these species along the Georges River adjoining this site will need to be made and an appropriate test of significance be undertaken using DPI Fisheries Threatened Species Assessment Guidelines (available from:

<http://www.dpi.nsw.gov.au/content/fisheries/species-protection/info-sheet>).

Specific measures to mitigate potential impacts on the aquatic environment and potential aquatic threatened species are recommended by DPI Fisheries. Such measures include the treatment of stormwater runoff, protection and enhancement of riparian buffer zones and best practice erosion and sediment control measures.

For any queries concerning DPI Fisheries matters, please contact Carla Ganassin on (02) 4222 8342 or [carla.ganassin@dpi.nsw.gov.au](mailto:carla.ganassin@dpi.nsw.gov.au).

**End Attachment B**

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

ABN 70 250 995 390



**Sydney West**  
200 Old Wallgrove Road  
PO Box 87 Horsley Park  
NSW 2175 Australia  
T (02) 9620 0777  
F (02) 9620 0384

**Asset Management | Property & Environment Assets**  
**Telephone:** (02) 9620 0104  
**Our Reference:** 2016/1125

9 September, 2016

**The General Manager**  
Campbelltown City Council  
PO Box 57  
Campbelltown, NSW 2560

**Attn: Rana Haddad**

**Dear Ms Haddad**

**Re:** Glenfield Waste Site – Cambridge Avenue, Glenfield

**Proposal:** Planning proposal to enable the site to be used for industrial purposes and a private car park to service the industrial uses.

Thank you for referring the abovementioned Planning Proposal in accordance with regulation 45 of SEPP (Infrastructure) 2007. TransGrid controls and operates the NSW high voltage transmission line network NSW, being State significant infrastructure. TransGrid's *Sydney South to Sydney West No.1 330kV Transmission line (feeder 11, structure span 397- 371 and feeder 12, structure span 366- 371)* traverses the subject land within a 91.44 metre wide easement.

In the interest of public safety, the design and placement of any proposed development should 'prudently avoid' TransGrid easements and infrastructure. Any development to be located near high voltage transmission lines must be thoroughly assessed by TransGrid and this process takes considerable time. This review of the proposed development must be completed prior to providing a formal response to the notice issued.

As a preliminary advice, please find attached a copy of the *TransGrid Easement Guidelines for Third Party development*. These Guidelines are not an exhaustive list and should there be any uncertainty, consultation with TransGrid is required. Please also find accompanying plan from the *TransGrid Asset Management Information System (TAMIS)* identifying TransGrid's infrastructure over the subject land.

Can you please provide TransGrid with detailed drawings/ plans in PDF and 3d DXF format of the proposed development for TransGrid engineers to commence the review and assessment process.

Thank you for consulting with TransGrid in respect of this matter and should you have any queries, please feel free to contact the undersigned on (02) 9620 0104.

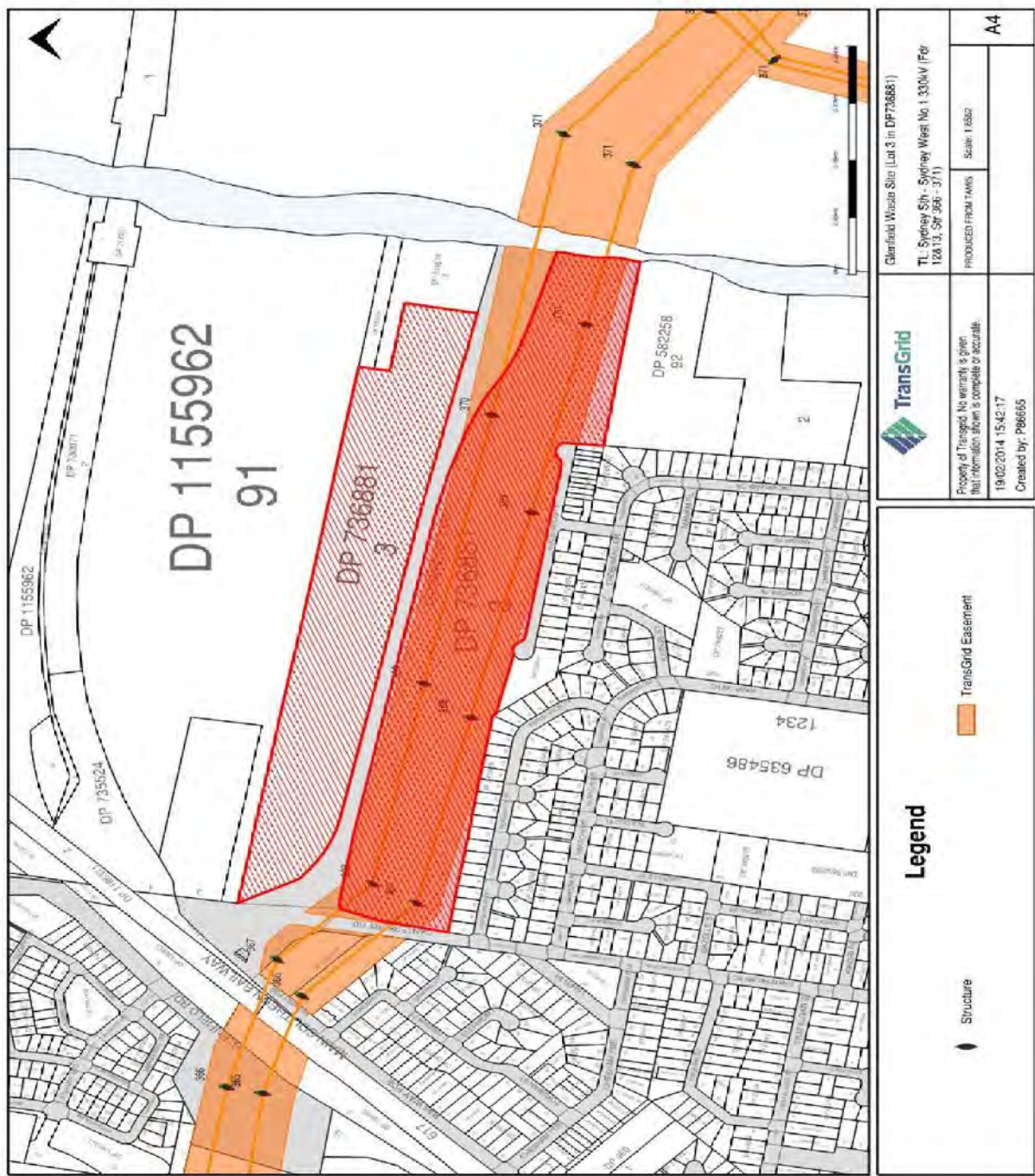
Yours sincerely

**SIGNATURE HAS BEEN REMOVED**

Lauren Vine  
Property Enquiries Coordinator | Asset Management

Encl.





8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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Office of  
Environment  
& Heritage

DOC16/173626  
Planning Proposal - Glenfield Waste Site

The General Manager  
Campbelltown City Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Attention: Rana Haddad

Dear Ms Dietz

**Exhibition of Planning Proposal for the Glenfield Waste Site, Cambridge Avenue, Glenfield**

I refer to your letter received 8 April 2016 by the Office of Environment and Heritage (OEH) seeking comments pursuant to Sections 34A and 56(2)(d) of the Environmental Planning and Assessment Act 1979 in relation to the Planning Proposal (PP) for the Glenfield Waste Site at Cambridge Avenue, Glenfield.

OEH has reviewed the PP documentation on Council's website and provides comments at Attachment 1.

If you have any queries regarding this advice please contact Marnie Stewart, Senior Operations Officer on 9995 6868.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

**SUSAN HARRISON**  
**Senior Team Leader Planning**  
**Greater Sydney Region**

Contact officer: MARNIE STEWART  
9995 6868

PO Box 644 Parramatta NSW 2124  
Level 6, 10 Valentine Ave Parramatta NSW 2150  
Tel: (02) 9995 5000 Fax: (02) 9995 6900  
ABN 30 841 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### ATTACHMENT 1

#### OEH comments on Planning Proposal for the Glenfield Waste Site at Cambridge Avenue, Glenfield

##### 1. Background

OEH understands that the Planning Proposal (PP) is intended to amend Campbelltown Local Environmental Plan (CLEP) 2015 to enable the development of the site for industrial purposes. The PP is running concurrently with the Department of Planning and Environment (DP&E) assessment of a State Significant Development (SSD 6249) proposal for a Resources Recovery Facility on part of the site.

OEH understands that the PP will rezone the majority of the land to IN1 General Industrial, and a strip of land comprising the electricity easement to the south of Cambridge Avenue to SP2 Car Park. The PP will also rezone a part of the RE1 land adjacent to the Georges River to IN1 and land adjacent to the railway corridor in the north to SP2 Railway Corridor.

OEH further understands that the PP intends to amend the Land Application, Height of Buildings and Land Reservation Acquisition Maps. The PP also proposes insertion of a local clause into the CLEP to address a range of issues including biodiversity and stormwater management.

OEH was previously consulted and provided comments on 6 November 2013 relating to flora and fauna assessment requirements and Aboriginal cultural heritage. Please note that OEH has made a decision not to provide comments or advice on Aboriginal cultural heritage at this time. This should not be taken as OEH support for the proposal, and Aboriginal cultural heritage may still need to be considered by Council.

##### 2. Biodiversity

OEH notes that an Ecological Assessment (EA) was prepared in May 2015 on behalf of the proponent by Environmental Planning Services. A review of the EA indicates that the site has significant biodiversity values as follows:

- It contains 13.77 ha of Critically Endangered Cumberland Plain Woodland (CPW) across three patches shown in Figure 8 of Appendix 16;
- The vegetation on site is roosting and foraging habitat for a number of threatened microchiropteran bats which were found to be present during surveys including the Yellow-bellied Sheath-tail-bat, East-coast Freetail-bat, Little Bentwing-bat and Eastern Bentwing-bat;
- The site is considered to be foraging habitat for the Greater Broad-nosed Bat, Eastern False Pipistrelle, Large-footed Myotis and Grey-headed Flying-fox; and
- The site has a high density of hollow bearing trees (HBTs) in that 38 trees with 109 hollows were identified.

OEH's preference is that land with biodiversity values is zoned E2 Environmental Conservation; OEH does not consider the use of development controls at development stage sufficient to protect biodiversity values. Given that the PP does not propose the use of an environmental zone or a biodiversity overlay, it is likely that future development would result in the loss of most, if not all, CPW on the site.

Council should be aware that, if the PP proceeds in its current form, any future development involving impacts to endangered ecological communities and threatened species would be subject to the provisions of Section 5A of the Environmental Planning and Assessment Act 1979. Given the conservation status of CPW and other species within the site, it is possible that a Species Impact Statement (SIS) would be required. Depending on the findings of the SIS, the concurrence of OEH may be required and this should be factored into Council's decision-making on the PP.

If offsets are required for the future development of the site, OEH recommends that offsetting for unavoidable direct and indirect impacts be assessed in accordance with the *OEH principles for the use of biodiversity offsets in NSW*:

<http://www.environment.nsw.gov.au/biodivoffsets/oehoffsetprincip.htm>.

(END OF SUBMISSION)

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8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



Office of  
Environment  
& Heritage

17/12/16 10:00:00 AM

Our reference: DOC14/285027  
Contact: Marnie Stewart, 9995 6868

Mr Andrew Spooner  
Manager Sustainable City and Environment  
Campbelltown Council  
PO Box 57  
CAMPBELLTOWN NSW 2560

Dear Mr Spooner

I refer to your letter of 17 November 2014 seeking comment from the Office of Environment and Heritage (OEH) in relation to the Planning Proposal for the Glenfield Waste Site, Cambridge Avenue, Glenfield.

It is understood that it is proposed to rezone the subject site for industrial and car parking purposes. OEH also understands that there a State Significant Development (SSD) proposal to permit a recycling facility being progressed concurrently with the planning proposal.

As requested, OEH has reviewed the Glenfield Ecological Assessment dated October 2014 and Aboriginal Heritage Preliminary Assessment dated 4 August 2014 and provides advice in Attachment 1.

If you have any queries regarding this advice please contact Marnie Stewart, Senior Regional Operations Officer, on 9995 6868.

Yours sincerely

**SIGNATURE HAS BEEN REMOVED**

**SUSAN HARRISON**  
Senior Team Leader Planning  
Greater Sydney Region  
Regional Operations

PO Box 644 Parramatta NSW 2124  
Level 6, 10 Valentine Av Parramatta NSW 2150  
Tel: (02) 9995 5000  
ABN 30 841 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### **Attachment 1 – OEH comments on the Planning Proposal for the Glenfield Waste Site**

#### **Aboriginal Cultural Heritage**

OEH has reviewed the revised Aboriginal Heritage Preliminary Assessment report and considers that although consultation with the Aboriginal community has been undertaken in accordance with OEH's 2010 Aboriginal community consultation requirements, further archaeological assessment does not appear to have been undertaken. OEH notes that the Figure 3 from the May 2012 assessment (the proposed recycling development footprint) has been removed from the August 2014 assessment. It is unclear from the report why this is the case. OEH still considers that the report does not fully characterise the nature and extent of the archaeological deposits here and address the impacts of the proposed rezoning and consequent activities on these deposits.

#### **Biodiversity**

OEH notes that the Ecological Assessment states that "the proposed development of the GWS site for the context of this report consists of two concurrently running projects consisting of firstly, the development of a portion of the site for the operation of a materials recycling facility which is of a scale to be considered a State Significant Development (SSD) and secondly a Planning Proposal to Campbelltown Council to rezone the southern portion of the GWS site to facilitate industrial style employment generating development".

OEH also notes that page 319 of the Ecological Assessment (the attached Biobanking Credit Assessment Figure 2 'Proposed Development Footprint and Potential Onsite Rehab Area') shows the proposed offsetting area. As previously discussed at a meeting held on 26 June 2014 regarding the SSD proposal for the subject site attended by OEH, Department of Planning and Environment and the proponent, this area is unacceptable as an offset as a large portion is completely cleared or has had landscape plantings on top of an artificial soil profile (fill after sand extraction). This, and the fragmented nature, also makes the management costs in any Total Fund Deposit (TFD) likely to be prohibitive. OEH continues to advise that it will not assent to a biobanking agreement being made for this site. The applicant therefore needs to look elsewhere for the offsets.

It is also advised that the assessment of credits required for the development site has been made based on a number of assumptions about the condition of the site as a survey was not carried out according to the biobanking method. This needs to be rectified in accordance with the BBAM guidelines.

Given the above, OEH strongly recommends that much greater consideration be given to offsetting measures and Council ensure that the offset requirements are assessed correctly and that the proposed offsets are not used.

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



Transport  
Roads & Maritime  
Services

20 June 2016

Roads and Maritime Reference: SYD13/01154/02  
Council Ref: N/A

The General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

**Attention:** Andrew Spooner

Dear Mr Spooner,

**PLANNING PROPOSAL – GLENFIELD WASTE SITE, CAMBRIDGE AVENUE, GLENFIELD**

I refer to Council's correspondence dated 4 April 2016 regarding the public exhibition of the subject Planning Proposal which in accordance with the Gateway determination was forwarded to Roads and Maritime Services for comment. Roads and Maritime appreciates the opportunity to provide comment on the planning proposal and I apologise for the delay in providing a submission.

Roads and Maritime have reviewed the submitted material and notes that the supporting documents submitted with the planning proposal including the Traffic Impact Assessment indicate that under the proposed IN1 Zoning the applicant proposes only warehouse and industrial uses. However, as Council would be aware, under the proposed IN1 zoning bulky goods retail is a permitted use and generates significantly more traffic compared to warehouse and industrial uses and this traffic generating impact has not been assessed to date.

As a result of the above, the applicant should be provided with the following two options:

- a) Implementation of an enabling provisions clause within Schedule 2 of Campbelltown (Urban Area) Local Environmental Plan 2002 which permits warehousing and logistics development within the Subject Site's land zoned 1(a) Rural which is (north of Cambridge Avenue) but excluding Lot 92 DP 1155962.
- b) If the applicant wishes to pursue a IN1 zoning for the site which permits bulky goods retail (worst case traffic generation) then the traffic report should be updated accordingly to identify the traffic impacts of this land use and mitigation measures.

**Roads and Maritime Services**

27-31 Argyle Street, Parramatta NSW 2150 |  
PO Box 973 Parramatta NSW 2150 |

[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au) | 13 22 13



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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In addition to the above, the following additional issues listed below should be satisfactorily addressed prior to the draft planning instrument being made for the Planning Proposal:

1. Prior to the draft planning instrument being made, the Planning Proposal should be supported by a suitable infrastructure funding and delivery mechanism which provides details of road and transport infrastructure works required to support maximum development yields of the Planning Proposal. This mechanism must also identify the timing of the infrastructure works along with ensuring that the infrastructure works would be delivered as works-in-kind by the proponent.
2. The exhibited Planning instrument is to be amended or supported by a site specific Development Control Plan (DCP) which details the following:
  - Parking Controls;
  - Internal road layout and vehicle accesses to the site;
  - Vehicle access to the proposed SP2 – Car Park land (located east of the Future Transport Corridor) both currently and also should direct vehicular access to Cambridge Avenue become restricted in the future;
  - Intersection treatments at the site's vehicular accesses;
  - Pedestrian connectivity between the IN1 – General Industrial and SP2 – Car Park lands;
  - Stormwater Detention.

Note: Council is also advised of the following:

- The concept of extending Cambridge Avenue has been identified as a potential regional road upgrade in the Department of Planning and Environment's Glenfield to Macarthur Strategy.
- Roads and Maritime is investigating strategic options for a Cambridge Avenue Extension and this includes upgrading Cambridge Avenue through the proposal and a high level crossing of the Georges River.
- Roads and Maritime supports the main access to the Glenfield Waste site being flood free and well away from the Georges River as this would enable a more efficient connection if Cambridge Avenue was upgraded in the future.
- The Cambridge Avenue corridor is constrained by the TransGrid utilities and any rezoning should consider a mechanism to manage the vertical and horizontal constraints of the transmission lines along their current.
- Provision for the mooted Georges River Parkway connection to Cambridge Avenue is a Council responsibility.
- Any access for the proposed parking sites on the southern side of Cambridge Avenue must comply with the usual safety requirements for vehicles and pedestrians accessing the Glenfield Waste Site.
- Glenfield Road currently experiences peak hour queues and delays. The impact of additional traffic generation from this proposal needs to be carefully considered with any identified mitigating measures forming part of the infrastructure funding and delivery mechanism.

Any further enquiries in relation to this matter can be directed to the Senior Transport Planner – James Hall on telephone 8849 2047 or via email to: [James.Hall@rms.nsw.gov.au](mailto:James.Hall@rms.nsw.gov.au)

Yours sincerely,

**SIGNATURE HAS BEEN REMOVED**

 (Greg Flynn)

**Manager, Strategic Land Use  
Network & Safety, Sydney**

---

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



Ref No.: 092003.2016  
Contact: Barry Millwood  
Ph: 9821 9597  
Date: 5 May 2016

5 May 2016

The General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

Dear Sir/Madam

**Comments on Planning Proposal: Glenfield Waste Site – Cambridge Avenue, Glenfield**

Thank you for your letter dated 4 April 2016, inviting comment on the Planning Proposal at the above address to enable the site to be used for industrial purposes and a private car park to service the industrial uses.

Having reviewed the Proposal, Liverpool City Council has a number of concerns, all of which are outlined below.

**Future Regional Recreation Area**

The area to the north of the subject site and within the Liverpool LGA, is a future regional recreation area beside the Georges River. Any rezoning of the subject site should not block access to the future regional recreation area.

Additionally, the proposed industrial on the northern side of the railway would present a poor appearance to the future regional recreation area.

**Precedence**

The proposed industrial use on the northern side of the railway would seem impractical, and has the potential to create a precedent for requests relating to the rezoning of land for industrial, north of the railway line, in what is intended to be a future regional recreation area beside the Georges River.

**Railway Implications**

The proposed industrial development on the northern side of the railway would block any option for the provision of a Y link from the East Hills Line to the Main Southern Line.

Additionally, the land to the north of the railway line should be considered for RE1 zoning, and provided to the NSW Government. This would provide contiguous ownership in the future when the land within the Liverpool LGA is dedicated to the NSW Government, following completion of extraction from the site.



Customer Service Centre Ground floor, 33 Moore Street, Liverpool NSW 2170 DX 5030 Liverpool  
All correspondence to Locked Bag 7064 Liverpool BC NSW 1871 Call Centre 1300 36 2170  
Fax 9821 9333 Email [lcc@liverpool.nsw.gov.au](mailto:lcc@liverpool.nsw.gov.au)  
Web [www.liverpool.nsw.gov.au](http://www.liverpool.nsw.gov.au) NRS 13 36 77 ABN 84 181 182 471

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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### Visual Break between Liverpool and Macarthur Areas

Planning of the Macarthur area over the past 40 years has included a visual break between the Liverpool and Macarthur areas; a major development of the site would reduce this.

### Open space corridor along the Georges River

A major open space corridor along the Georges River with a substantial width has been envisaged for many years. This has been maintained along the Liverpool portion of the Georges River foreshore. It is noted that it is proposed to significantly reduce the size of the corridor for this particular location. This is not supported as it is considered that it would compromise the natural appearance of the river in this location by having industrial development very close to the river foreshore. A wider corridor would provide a more adequate screen of any industrial development near the river. It would also provide for a more adequate pedestrian and bikeway link along the foreshore.

### Planning Agreement to Maximise Benefits for Wider Community

Liverpool City Council suggests that any rezoning of the site should involve a Planning Agreement to maximise any planning benefits for the wider community. Such benefits should include;

- retaining the wider corridor along the Georges River, consistent with the existing zoning.  
This would be consistent with the substantial areas of open space in the Liverpool LGA along the Georges River, and provide the opportunity for a pedestrian and bikeway path along the riverside; and
- amplification of Cambridge Avenue.

Thank you for providing us with the opportunity to comment.

If further clarification of the abovementioned is required, please contact Barry Millwood on 9821 9597.

Yours sincerely

**SIGNATURE HAS BEEN REMOVED**

Bruce Macn e  
Manager Strategic Planning

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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**From:** [Tsirimiagos, Jim](#)  
**To:** [Rana Haddad](#)  
**Cc:** [Platon, Edmond](#)  
**Subject:** RE: Glenfield Waste Planning Proposal  
**Date:** Wednesday, 19 October 2016 11:33:40 AM  
**Attachments:** [DOC191016-19102016111608.pdf](#)

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Rana, apologies for the delay in responding but was waiting for internal advice from our property people.

At present we cannot support the proposal in its entirety. The land to the north of the east hills rail corridor can only be accessed via an underpass under our corridor that we own. The Glenfield tip only has permission to use the access point for its current operations. The proposed zoning will enable the use for this land for additional uses that may generate an increase in vehicle movements which I have been advised the underpass may not be able to cater, nor that we may allow.

Hence, we can only support the proposal if it's limited to the boundary as shown in green outline on the attached plan (ie the land south of the rail corridor).

Happy to discuss further if required.

**Regards**

**Jim Tsirimiagos**  
Town Planning Manager  
Property Division  
Finance and Corporate Services  
**Sydney Trains**

T 02 8575 0780 | F 02 8575 0315  
Level 2, 36-46 George Street, Burwood NSW 2134  
PO Box 459, Burwood NSW 1805  
**Sydney Trains is a NSW Government agency**







8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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**Transport  
for NSW**

Andrew Spooner  
Manager Environmental Planning  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

**Attention:** Ranna Haddad

Dear Mr Spooner

**Consultation with public authorities under section 56(2) d of the EP&A Act  
Planning Proposal for Glenfield Waste Site, Cambridge Avenue Glenfield**

Thank you for your letter dated 4 April 2016 inviting Transport for NSW (TfNSW) to comment on the subject proposal at Glenfield.

RailCorp/Sydney Trains should be consulted in accordance with the Gateway determination.

Roads and Maritime Services has provided a separate response dated 20 June 2016 (attached). TfNSW supports Roads and Maritimes submission including the requirement for the Planning Proposal to be supported by a suitable infrastructure funding and delivery mechanism which provides details of road and transport infrastructure works required to support maximum development yields of the Planning Proposal. TfNSW would like to suggest that any rail infrastructure requirements (such as upgrade of rail culverts which provides access to the north of the railway line) identified in consultation with Sydney Trains should also be included in the infrastructure funding and delivery plan.

TfNSW would also like to comment that the suitability of the proposed SP2(Car Park) zoning for the land south of Cambridge Avenue should be further investigated. It is understood that the acquisition authority would need to be defined which would require approval of the nominated authority. TfNSW would not support being the acquisition authority for the subject land zoning.

Thank you again for the opportunity of providing advice on the subject proposal. Should you have any questions regarding this matter, please contact Edmond Platon, Transport Planner on 8202 2557 or [edmond.platon@transport.nsw.gov.au](mailto:edmond.platon@transport.nsw.gov.au).

Yours sincerely,

**SIGNATURE HAS BEEN REMOVED**

Mark Ozinga  
**Principal Manager, Land Use and Transport Planning  
Freight, Strategy and Planning**

CD16/04907

18 Lee Street Chippendale NSW 2008  
PO Box K659 Haymarket NSW 1240  
T 8202 2200 F 8202 2209  
[www.transport.nsw.gov.au](http://www.transport.nsw.gov.au)  
ABN 18 804 239 602



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site



Transport  
Roads & Maritime  
Services

COPY

20 June 2016

Roads and Maritime Reference: SYD13/01154/02  
Council Ref: N/A

The General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

**Attention:** Andrew Spooner

Dear Mr Spooner,

**PLANNING PROPOSAL – GLENFIELD WASTE SITE, CAMBRIDGE AVENUE, GLENFIELD**

I refer to Council's correspondence dated 4 April 2016 regarding the public exhibition of the subject Planning Proposal which in accordance with the Gateway determination was forwarded to Roads and Maritime Services for comment. Roads and Maritime appreciates the opportunity to provide comment on the planning proposal and I apologise for the delay in providing a submission.

Roads and Maritime have reviewed the submitted material and notes that the supporting documents submitted with the planning proposal including the Traffic Impact Assessment indicate that under the proposed IN1 Zoning the applicant proposes only warehouse and industrial uses. However, as Council would be aware, under the proposed IN1 zoning bulky goods retail is a permitted use and generates significantly more traffic compared to warehouse and industrial uses and this traffic generating impact has not been assessed to date.

As a result of the above, the applicant should be provided with the following two options:

- a) Implementation of an enabling provisions clause within Schedule 2 of Campbelltown (Urban Area) Local Environmental Plan 2002 which permits warehousing and logistics development within the Subject Site's land zoned 1(a) Rural which is (north of Cambridge Avenue) but excluding Lot 92 DP 1155962.
- b) If the applicant wishes to pursue a IN1 zoning for the site which permits bulky goods retail (worst case traffic generation) then the traffic report should be updated accordingly to identify the traffic impacts of this land use and mitigation measures.

Roads and Maritime Services

27-31 Argyle Street, Parramatta NSW 2150 |  
PO Box 973 Parramatta NSW 2150 |

[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au) | 13 22 13

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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In addition to the above, the following additional issues listed below should be satisfactorily addressed prior to the draft planning instrument being made for the Planning Proposal:

1. Prior to the draft planning instrument being made, the Planning Proposal should be supported by a suitable infrastructure funding and delivery mechanism which provides details of road and transport infrastructure works required to support maximum development yields of the Planning Proposal. This mechanism must also identify the timing of the infrastructure works along with ensuring that the infrastructure works would be delivered as works-in-kind by the proponent.
2. The exhibited Planning instrument is to be amended or supported by a site specific Development Control Plan (DCP) which details the following:
  - Parking Controls;
  - Internal road layout and vehicle accesses to the site;
  - Vehicle access to the proposed SP2 – Car Park land (located east of the Future Transport Corridor) both currently and also should direct vehicular access to Cambridge Avenue become restricted in the future;
  - Intersection treatments at the site's vehicular accesses;
  - Pedestrian connectivity between the IN1 – General Industrial and SP2 – Car Park lands;
  - Stormwater Detention.

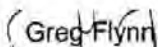
Note: Council is also advised of the following:

- The concept of extending Cambridge Avenue has been identified as a potential regional road upgrade in the Department of Planning and Environment's Glenfield to Macarthur Strategy.
- Roads and Maritime is investigating strategic options for a Cambridge Avenue Extension and this includes upgrading Cambridge Avenue through the proposal and a high level crossing of the Georges River.
- Roads and Maritime supports the main access to the Glenfield Waste site being flood free and well away from the Georges River as this would enable a more efficient connection if Cambridge Avenue was upgraded in the future.
- The Cambridge Avenue corridor is constrained by the TransGrid utilities and any rezoning should consider a mechanism to manage the vertical and horizontal constraints of the transmission lines along their current.
- Provision for the mooted Georges River Parkway connection to Cambridge Avenue is a Council responsibility.
- Any access for the proposed parking sites on the southern side of Cambridge Avenue must comply with the usual safety requirements for vehicles and pedestrians accessing the Glenfield Waste Site.
- Glenfield Road currently experiences peak hour queues and delays. The impact of additional traffic generation from this proposal needs to be carefully considered with any identified mitigating measures forming part of the infrastructure funding and delivery mechanism.

Any further enquiries in relation to this matter can be directed to the Senior Transport Planner – James Hall on telephone 8849 2047 or via email to: [James.Hall@rms.nsw.gov.au](mailto:James.Hall@rms.nsw.gov.au)

Yours sincerely,

**SIGNATURE HAS BEEN REMOVED**

 (Greg Flynn)

**Manager, Strategic Land Use  
Network & Safety, Sydney**

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

# ATTACHMENT 5

## 1. Office of Strategic Lands Submission

Matters Raised by OSL	Discussion and Recommended Approach
<p>OSL submission is mainly related to a small portion of land that is located south of Cambridge Avenue and proposed to be rezoned to SP2 Car Park as shown on map attached to OSL submission under Attachment 4 of this report. This land is located between a large expanse of regional open space and the land proposed for future transport corridor (Georges River Parkway) that is either owned or would be acquired by OSL.</p> <p>OSL requested that this portion of land be zoned to RE1 Public Recreation and also be included on the Land Reservation Acquisition Map to be later acquired by OSL.</p>	<p>Refer to issue 7 of Council's report for detailed discussions on this matter</p>

## 2. Office of Environment and Heritage (OEH)

### Aboriginal Heritage – OEH Submission

Matters Raised by OEH	Discussion and Recommended Approach
<p>OEH submission indicated that a decision has been made to not provide any further comments or advice on aboriginal cultural heritage at this time.</p>	<p>As part of the public consultation process, Council consulted with aboriginal groups who indicated an interest in the planning proposal at the time when the applicant prepared the aboriginal assessment study for the site as follows:</p> <ul style="list-style-type: none"> <li>– Cubbitch Barta Native Claimants Aboriginal Corporation (MS Chalker)</li> <li>– Tharawal Local Aboriginal Land Council</li> <li>– Darug Aboriginal Cultural Heritage Assessments</li> <li>– Darug Aboriginal Landcare</li> <li>– Darug Land Observations</li> <li>– Darug Custodian Aboriginal Corporation</li> <li>– Tocomwall (Mr Franks)</li> </ul> <p>Notably, No response was received from any of the above consulted aboriginal groups. As such, Council considers that no additional work is needed to address aboriginal heritage at this stage. More detailed work would be required at the subdivision stage.</p>



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

### Ecological Assessment – OEH Submission

Matters Raised by OEH	Discussion and Recommended Approach
<p>The submission from OEH raised a concern in relation to Council's approach to defer dealing with the native vegetation issue at this stage, given that the site contains 13.77ha of Critically Endangered Cumberland Woodland (CPW), in addition to the presence of a number of threatened microchiropteran bats and 109 hollows.</p> <p>OEH submission pointed out that any future development involving impacts on endangered ecological communities and threatened species would be subject to the provision of Section 5A of the Act. The applicant may be required to prepare a Species Impact Statement (SIS) at the development stage. Depending on the findings of the SIS, OEH concurrence may also be required.</p>	<p>Refer to issue 4 of Council's report for detailed discussions on this matter</p>

### 3. NSW Road and Maritimes Services (RMS)

Matters Raised by RMS	Discussion and Recommended Approach
<p>1. The traffic study was not based on 'worst case' traffic generation.</p> <p>The Traffic Study findings (prepared by the applicant) were based on the future use of the site for warehousing and logistics purposes. The proposed zoning would also make Hardware and Building Supply a permissible use. As such, the traffic study needs to be updated accordingly to identify the traffic impacts of this land use and mitigation measures.</p> <p>Roads and Maritime Services (RMS) suggested the following options:</p> <p><b>RMS option 1:</b> Allow warehousing and logistics as a permissible land use while maintaining the current non-urban zone of the site.</p>	<p>On 11 March 2016, an amendment to the Standard Instrument—Principal Local Environmental Plan (SI LEP) came into effect and made 'Garden Centres' and 'Hardware and Building Supply' a permissible use within the IN1 General Industry Zone under all local environmental plans that were made under section 33A of the Act, including Campbelltown Local Environmental Plan 2015 (the CLEP). At the time when the traffic study was prepared, those land uses were not permissible under the IN1 General Industry Zone and as such were not considered by the traffic study.</p> <p><b>Response to RMS Option 1</b> - Allow warehousing and logistics as a permissible land use while maintaining the current non-urban zone of the site.</p> <p>Maintaining the current non-urban zone of the site based on the existing capacity of Cambridge Avenue to accommodate certain land uses that are permissible under IN1 General Industry Zone is not considered a preferred outcome for this site for the following reasons:</p> <ul style="list-style-type: none"> <li>The existing zoning of the site under Campbelltown (Urban Areas) Local Environmental Plan 2002 (LEP 2002) of 1(a) Rural A Zone does not reflect the current</li> </ul>

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Matters Raised by RMS	Discussion and Recommended Approach
<p><b>RMS option 2:</b> Pursue an IN1 zoning for the site which permits bulky goods retail (worst case traffic generation) and update the traffic report to identify the traffic impacts of this land use and mitigation measures.</p>	<p>primary use of a large portion of the site (approx. 15 hectares) for a waste recycling and associated landfill activities. As such, the proposed rezoning of the site of IN1 General Industry under the CLEP has been supported by Council and considered a more appropriate outcome, compared to the additional land uses approach, suggested by RMS.</p> <ul style="list-style-type: none"> <li>• The rezoning of the site to industrial zone, would facilitate local employment by allowing a range of industrial uses that are not limited to warehousing and logistic.</li> <li>• Cambridge Avenue is in need of an upgrade, and Council has on numerous occasions raised this matter with both the Federal and State Governments. The current proposal by the State Government to urbanise the majority of the land at the Hurlstone Agricultural School site may potentially include an upgrade of Cambridge Avenue. As such, the outcome of the planning proposal should allow intensification of the site for industrial purposes, should Cambridge Avenue be upgraded in the future.</li> </ul> <p><b>Response to RMS Option 2:</b> Pursue an IN1 zoning for the site which permits hardware and building supply' retail type development (worst case traffic generation) and update the traffic report to identify the traffic impacts of this land use and mitigation measures</p> <p>The applicant has indicated to Council's staff that the owners have no intentions to develop the site for this type of development as the surrounding road network, in its current condition, would not be capable of handling the increased traffic. The applicant also indicated to Council that the proposal would be economically unviable, if it were to include an upgrade of Cambridge Avenue and the causeway.</p> <p>Notably, under the IN1 General Industry Zone a range of land uses that are similar to hardware and building supplies are also permissible including, garden centres and landscaping material supplies. Under the CLEP, those land uses are a type of retail premises.</p> <p>To address RMS submission and prevent the land from being used for large retail premises that would generate traffic beyond the capacity of the current</p>



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Matters Raised by RMS	Discussion and Recommended Approach
	<p>road network, a local clause to restrict retail premises to 100sqm in gross floor area is proposed.</p> <p>The proposed local clause would prevent a retail store the size of 'Bunnings' to occur on the site, thus addressing the concerns raised by RMS. In addition, it would also remove the need to enter into an infrastructure funding agreement with the applicant at this stage, as the site would not be capable of being used for retail premises that would largely impact upon the current road network.</p>
<p>2. The exhibited planning instrument is to be amended or supported by a site specific Development Control Plan (DCP) which details</p> <ul style="list-style-type: none"> <li>– Parking Controls;</li> <li>– Internal road layout and vehicle accesses to the site;</li> <li>– Vehicle access to the proposed SP2 — Car Park land (located east of the Future</li> <li>– Transport Corridor) both currently and also should direct vehicular access to Cambridge Avenue become restricted in the future;</li> <li>– Intersection treatments at the site's vehicular accesses;</li> <li>– Pedestrian connectivity between the IN1 — General Industrial and SP2 — Car Park lands;</li> <li>– Stormwater Detention.</li> </ul> <p>3. <b>The lack of a proposed infrastructure funding mechanism</b></p> <p>Prior to the draft planning instrument being made, the Planning Proposal should be supported by a suitable infrastructure funding and delivery mechanism which provides details of road and transport infrastructure works required supporting maximum development yields of the Planning Proposal. This mechanism must also identify the timing of the infrastructure works along with ensuring that the infrastructure works would be delivered</p>	<p><b>Response to the suggestion to prepare a site specific DCP for the Glenfield Waste Site</b></p> <p>The need to prepare a site specific DCP has been previously identified in the report to Council (Council meeting of 22 March 2016) and was also included in the draft Planning Proposal that was publicly exhibited.</p> <p>A site specific DCP requirement is proposed to form part of the amendment to the CLEP and an additional local clause to this effect is proposed.as follows:</p> <p>Notably ,the Environmental Planning and Assessment Act 1979 (the Act), (under Section 74D Development control plans required or authorised by environmental planning instruments (S74D)) provides statutory provisions to enable an LEP to require the preparation of a DCP before any particular development or kind of development is carried out on land. S74D also provides that such requirement may include provisions with respect to the content of any such DCP.</p> <p>In Council's view, it is important that the requirement to prepare a DCP be included under the CLEP to ensure that the site would be developed in an orderly manner and address the identified site's constraints and additional work that need to be prepared at the development stage.</p> <p><b>Response to infrastructure funding mechanism</b></p> <p>The proposal to restrict the size of retail premises to 100sqm would remove the need to enter into an infrastructure funding agreement with the applicant at this stage, as the site would not be capable of being used for retail premises that would largely</p>



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Matters Raised by RMS	Discussion and Recommended Approach
as works-in-kind by the proponent.	impact upon the current road network.

### NSW Department of Primary Industries (DPI)

I submission raised the following main matters:

Matters Raised by DPI	Discussion and Recommended Approach
1. It is recommended that the riparian corridor along the Georges River at the site be zoned E2 - Environmental Conservation rather than RE1 – Public Recreation to better reflect the intended use of this area.	<p>The proposed Zone of RE1 Public Recreation is a continuation of the existing zoning of the open space corridor that is adjacent to the Georges River. As such it would not be appropriate to allocate a different zone to a small part of this open space corridor.</p> <p>Given the above no changes to the proposed zoning of the open space corridor are recommended.</p>
2. The Guidelines for Controlled Activities on Waterfront Land (2012) requires a 40 metre wide riparian corridor (measured from top of bank). However, considering the proximity of future industrial land uses adjacent to the main river arm DPI recommends a 100 metre wide buffer zone be considered. A 100 m buffer zone width adjacent to this fish habitat would offer a greater level of filter protection to the waterway from potential future accidental chemical spillages.	<p>The width of the open space corridor has been determined based on the location of a number of methane monitoring wells and historical landfill activities within the site</p> <p>Notably, OSL has indicated to Council that it would not be interested in acquiring any part of the land that is subject to landfill and methane wells.</p> <p>In addition, the land that has been subject to landfill would not be structurally suitable to accommodate industrial building.</p> <p>Given the above, no change to the width of the open space corridor that is adjacent to the Georges River is recommended.</p>
3. Potential occurrence of threatened species listed under the Fisheries Management Act in or around the Georges River along this site should be considered.	This matter should be addressed as part of any future development application for the site. As such, no changes are recommended at this stage.
Specific measures to mitigate potential impacts on the aquatic environment and potential aquatic threatened species are adopted. Such measures include the treatment of stormwater runoff, protection and enhancement of riparian buffer zones and best practice erosion and sediment control measures.	This matter should be addressed as part of any future development application for the site. As such, no changes are recommended at this stage.

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

### 5. TransGrid

Matters Raised by TransGrid	Discussion and Recommended Approach
<p>TransGrid submission indicated that in the interest of public safety, the design and placement of any proposed development should 'prudently avoid' TransGrid easements and infrastructure.</p> <p>In addition, Council was advised as part of a phone conversation with an officer from TransGrid that the 'TransGrid Easement Guidelines for Third Party Development' is currently being revised with a view to prohibit car parking development on land subject to electricity easements.</p>	<p>While Council is proposing to allow the Southern parcel of land to be used for car parking, the future use of the site for a car park would be subject to the approval of TransGrid.</p> <p>The proposed zoning of SP2 Car Park is no longer considered an appropriate zone. A detailed discussion on this matter is provided later in this report.</p>

### 6. Liverpool City Council

Matters Raised by Liverpool City Council	Discussion and Recommended Approach
<p>1. The area to the north of the subject site and within the Liverpool LGA, is a future regional recreation area beside the Georges River. Any rezoning of the subject site should not block access to the future regional recreation area.</p>	<p>The northern portion of the site that is located within Liverpool City Council can only be accessed through two culverts under the East Hills Railway Line. As part of the amendment to the CLEP, it is proposed to include a local clause that would require public access to the existing culverts under the railway line in the future.</p>
<p>2. The proposed industrial development on the northern side of the railway would present a poor appearance to the future regional recreation area. The proposed industrial use on the northern side of the railway would seem impractical, and has the potential to create a precedent for requests relating to the rezoning of land for industrial, north of the railway line, in what is intended to be a future regional recreation area beside the Georges River.</p>	<p>The area of the site that is located north of the East Hills Railway Line is about 4 hectares and currently zoned 1(a) Rural zone under LEP 2002. To address LCC concern, it is recommended that this area be rezoned to RU2 Rural Landscape, which is the equivalent to zone 1(a) Rural zone under LEP 2002, i.e maintaining the status quo.</p>
<p>3. The proposed industrial development on the northern side of the railway would block any option for the provision of a Y link from the East Hills Line to the Main Southern Line.</p>	<p>Council consulted with Sydney Trains and no concerns were raised regarding blocking any future railway line.</p>



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Matters Raised by Liverpool City Council	Discussion and Recommended Approach
4. Planning of the Macarthur area over the past 40 years has included a visual break between the Liverpool and Macarthur areas; a major development of the site would reduce this.	Noted. The area north of the railway line is now proposed to be rezoned to RU2 Rural Landscape. This proposed zone is equivalent to the existing zone of the land under LEP 2002.
5. The reduction in the width of the open space corridor along Georges River is not supported as it would compromise the natural appearance of the river in this location by having industrial development very close to the river foreshore.	The width of the open space corridor has been determined based on the location of a number of methane monitoring wells and historical landfill activities within the site  Notably, OSL has indicated to Council that it would not be interested in acquiring any part of the land that is subject to landfill and methane wells.
Liverpool City Council suggests that any rezoning of the site should involve a Planning Agreement to maximise any planning benefits for the wider community and provides for the amplification of Cambridge Avenue.	The proposal to restrict the size of retail premises on the site to 100sqm would remove the need to enter into an infrastructure funding agreement with the applicant at this stage, as the site would not be capable of being used for retail premises that would largely impact upon the current road network. Additional comments on this matter are discussed under RMS submission in previous sections of this report.

## 7. Transport for NSW

Matters Raised by Transport for NSW	Discussion and Recommended Approach
TfNSW supports Roads and Maritimes submission including the requirement for the Planning Proposal to be supported by a suitable infrastructure funding and delivery mechanism which provides details of road and transport infrastructure works required to support maximum development yields of the Planning Proposal.	Noted. Refer to discussion on RMS's submission under this table.
TfNSW would like to suggest that any rail infrastructure requirements (such as upgrade of rail culverts which provides access to the north of the railway line) identified in consultation with Sydney Trains should also be included in the infrastructure funding and delivery plan.	The proposed industrial zoning of the land north of the railway line has been revised. It is recommended that the area north of the railway line be assigned the equivalent rural zone under the CLEP (RU2 Rural Landscape). As such there would be no need to upgrade the railway culverts of the East Hills Railway as apt of this planning proposal.
TfNSW would also like to comment that the suitability of the proposed SP2(Car Park) zoning for the land south of Cambridge Avenue should be further investigated. It is understood that the acquisition authority would need to be defined which would require approval of the nominated authority. TfNSW would not support being the	Noted. In this regard it is recommended that the SP2 Infrastructure (Car Park) zone be changed to RE2 Private Recreation. Detailed discussion on this matter is provided in under Council's report.



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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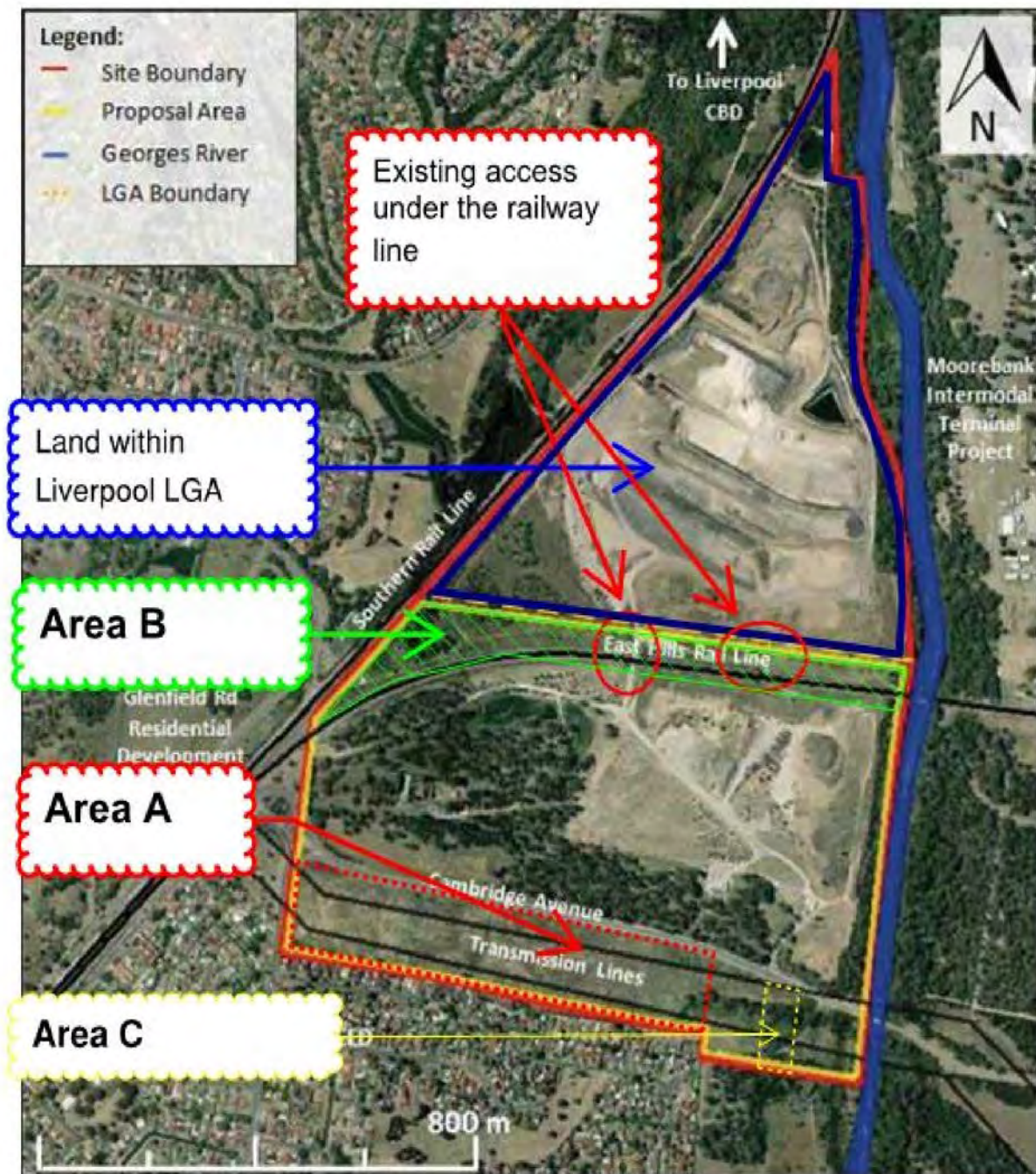
Matters Raised by Transport for NSW	Discussion and Recommended Approach
acquisition authority for the subject land zoning.	

### 8. Sydney Trains

Matters Raised by Sydney Trains	Discussion and Recommended Approach
<p>Sydney Trains indicated that, at present it cannot support the proposal in its entirety. The land to the north of the east hills rail corridor can only be accessed via an underpass under our corridor that is owned by Sydney Trains. The Glenfield tip only has permission to use the access point for its current operations. The proposed zoning will enable the use for this land for additional uses that may generate an increase in vehicle movements which the underpass may not be able to cater, nor would that Sydney Trains allow for.</p> <p>Hence, Sydney Trains only support the proposal if it's limited to the land south of the East Hills Railway Corridor.</p>	<p>Noted and supported. The proposed industrial zoning of the land north of the railway line has been revised. It is recommended that the area north of the railway line be assigned the equivalent rural zone under the CLEP (RU2 Rural Landscape). As such there would be no need to upgrade the railway culverts of the East Hills Railway.</p>

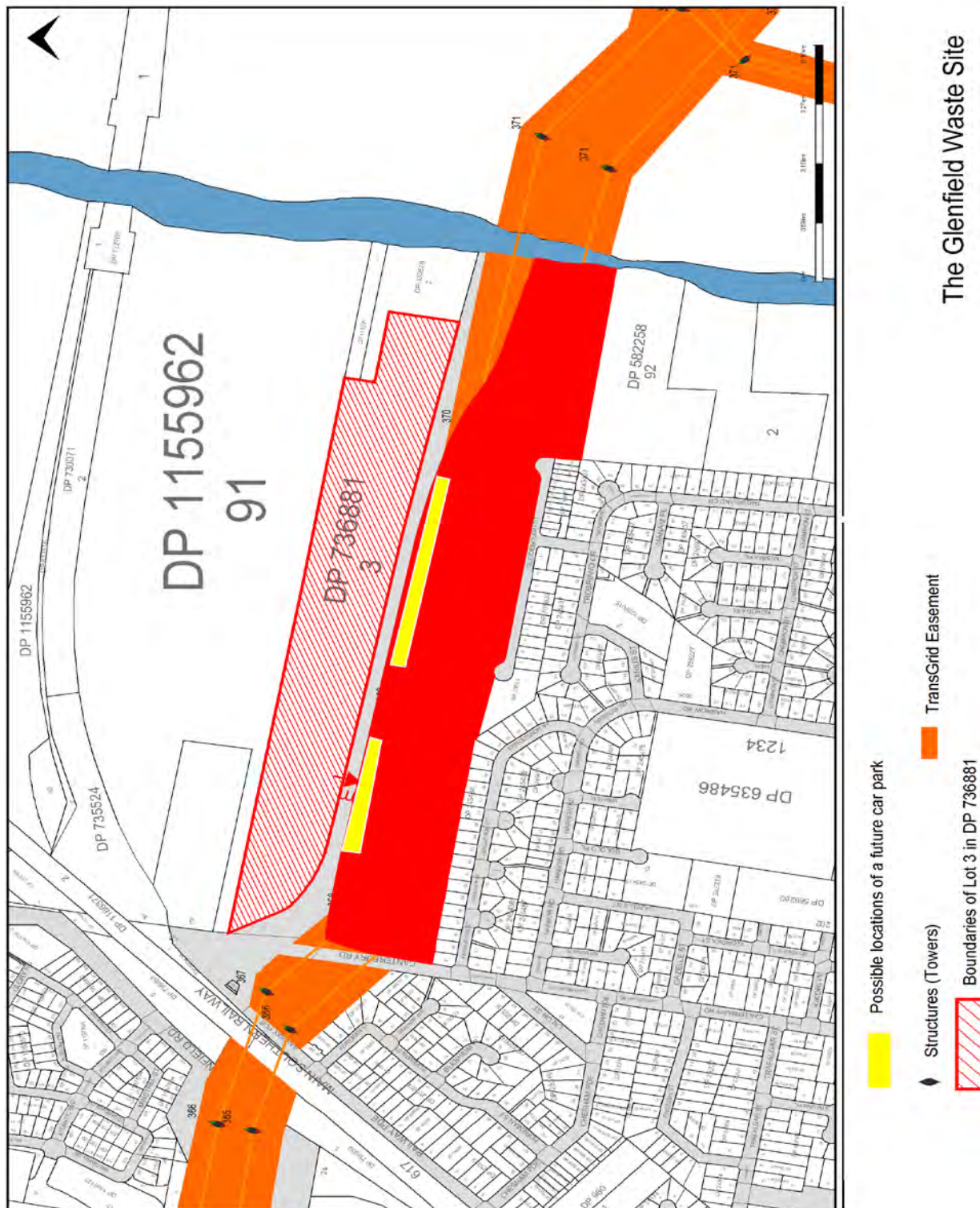
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## ATTACHMENT 6





## ATTACHMENT 7





## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

### ATTACHMENT 8

#### Submission No 1

Main Matters Raised – Submission No 1	Officer's Comments
<p>1. We do not want to have a car park behind or alongside our homes.</p>	<p>Noted.</p> <p>It is recommended to amend the proposed zoning of part of the site that is located south of Cambridge Avenue from SP2 Infrastructure (Car Park) to RE2 Private Recreation. More details on this matter are provided within Council's report.</p> <p>Notably, car parks are a permissible land use under the RE2 Private Recreation Zone. However, for a car park to occur on this site, a development application would need to be submitted to Council and in assessing the development application, Council would need to take into consideration any comments received from TransGrid.</p> <p>In addition, it is recommended that the proposed amendment to the CLEP include a local clause that requires the car park to be located in way to minimise noise impacts on adjoining residents.</p> <p>It is also recommended that any car park on this part of the site be only used by vehicles with a gross vehicle mass (GVM) not exceeding 4.5 tonnes, i.e. cars. A local clause to this effect is proposed to form part of the proposed local clauses for the Glenfield Waste Site.</p> <p>TransGrid has verbally advised that the TransGrid Easement Guidelines for Third Party Development (TransGrid Guidelines) are currently being revised with an intention to provide more rigorous controls on the type of development that may occur within electricity easements. Under the existing TransGrid Guidelines, structures must not exceed 4.2metres in height, and must be located a minimum of 30 metres from Towers structure and 10 metres from cables. Refer to the report for more detailed discussion on this matter and attachment 7 of the report to Council for a map showing possible locations of a future car park on this part of the site.</p>
<p>2. We do not want to have trucks or any other industrial areas on our doorsteps.</p>	<p>No industrial development or truck parking is currently proposed to be located on the land located south of Cambridge Avenue. Refer to discussions under Submission No 1 Point 1 above and the report to Council for more information on this matter.</p>
<p>3. The wildlife that would be lost because of this would be great there are many wild birds, wombats, koalas, lizards, frogs to name a few</p>	<p>The open space corridor adjacent to the Georges River is now proposed to be rezoned to RE1 Public Recreation, instead of SP2 Car Park. In addition the vegetated areas south of Cambridge Avenue and the open space corridor that is located adjacent to the Georges River is currently subject to a Draft Planning Agreement between the Minister for Planning and the owners of the Glenfield Waste Site, where about 10.6 hectares of open space is proposed to be acquired by the State Government in lieu of development contribution for the proposed state significant Recycling Material Facility on the site. A copy of the draft Planning Agreement is</p>

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Main Matters Raised – Submission No 1	Officer's Comments
	<p>available for view at the Department of Planning and Environment website.</p> <p>Given the above, the vegetated areas south of Cambridge Avenue would not be impacted by the proposed rezoning of the Glenfield Waste Site.</p>
<p>4. What is the plan for Cambridge Ave Bridge with all the extra traffic that this proposed for an industrial site on DP113201 DP333576</p>	<p>Cambridge Avenue is in need of an upgrade, and Council has on numerous occasions raised this matter with both the Federal and State Governments. The current proposal by the State Government to urbanise the majority of the land at the Hurlstone Agricultural School site along with the proposed intermodal Terminal development to the north of the site may potentially facilitate an upgrade of Cambridge Avenue.</p> <p>The applicant has indicated to Council's staff that the owners have no intention to develop the site for any use other than warehousing and logistic as the surrounding road network, in its current condition, would not be capable of handling development that would significantly increase traffic volumes on Cambridge Avenue. The applicant also indicated to Council that the proposal would be economically unviable, if it were to include an upgrade of Cambridge Avenue and the causeway/bridge.</p>

### Submission No 2

Main Matters Raised Submission No 2	Officer's Comments
<p>1. Objection to the proposed rezoning of SP2 – Car park because the proposal would :</p> <ul style="list-style-type: none"> <li>a. take away our peaceful quiet lifestyle</li> <li>b. take away views across a rural outlook, mean our horses cannot use the land, mean the loss of wildlife.</li> </ul>	<p>Refer to Officer's Comments under Submission No 1 Point 1.</p>
<p>2. Development of SP2 – Car park area will add to the traffic along Cambridge Avenue which is already very busy.</p>	<p>Refer to Officer's Comments under Submission No 1, Points 1 and 4.</p>
<p>3. Concerned about the location of any car park area.</p>	<p>Refer to Officer's Comments under Submission No 1, Point 1.</p>
<p>4. Concerned the creek which runs from Goodenough Street across land to be rezoned will be filled in.</p>	<p>The land where the creek is located is proposed to be transferred to the state government. In addition any major earth work would need to be approved by Council. Refer to Officer's Comments under Submission No 1, Point 3.</p>



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

### Submission No 3

Main Matters Raised Submission No 3	Officer's Comments
1. The development proposal is vague regarding the further use of the land on the Southern side of Cambridge Ave. I've been to Glenfield Library and had a good look at the proposal there.	<p>The planning proposal has been prepared in accordance with 'A Guide to Preparing a Planning Proposal, October 2012', prepared by the then NSW Department of Planning and Infrastructure.</p> <p>Council's officer phone number was also provided as part of the public exhibition material and on Council's website for any enquires by the public in relation to the planning proposal.</p>
2. Where exactly is the proposed car park going to be situated on this land South of Cambridge Ave? Where exactly is the proposed car park, entry points and exist points going to be situated on this land South of Cambridge Ave. The residents of Goodenough Street certainly do not want any of that traffic.	It is not anticipated that the car park would be accessed from Goodenough Street. Any car park would be located away from the residential properties. Refer to Officer's Comments under Submission No 1, Point 1 and Attachment 7 to the report to Council.
3. Why was the Campbelltown Civic Works Department on Thursday 21st April inspecting to then approve the laying of drainage pipes and the covering the Creek at the end of Goodenough Street?	This is a privately owned property, and as such staff from Council would have not been on site undertaking drainage work. Council staff are not aware of drainage work on the site.
<p>4. A development on the banks of the Georges River could include motor vehicle workshops; spray painting and panel beating, and possibly even a service station and car wash. Why would Council agree to these types of development to occur adjacent to the Georges River.</p> <p>This development will have pollution runoff from expanses of concrete when it rains and the loss of clean water run - off into the Georges River which will cause a loss of due to habitat loss. If the creek at the end of Goodenough Street is covered over there will be no natural filter for the waste that this creek catches.</p> <p>This area may not have any Aboriginal Artifacts found, but it is significant as it is next to a part of Australia's History, namely the Georges River which must be preserved and not built next to with any more pollution or polluted runoff.</p>	<p>The land south of Cambridge Avenue is not proposed to be rezoned for industrial purposes. The land that is immediately adjacent to Georges River is not proposed to be rezoned for industrial purposes either.</p> <p>Any proposed industrial development north of Cambridge Avenue would need to be approved by Council. The applicant at the development application stage would need to provide sufficient information on the measures that would be implemented to ensure that the proposed development would not have adverse impacts on the water quality of Georges River.</p> <p>The area south of Cambridge Avenue would not be fully developed. Only a small portion of the land may be developed for car parking purposes subject to Council's approval.</p>
5. Why would you want to re-zone a piece of rural land into industrial and put up an industrial complex and destroy the image of the local Campbelltown Area forever?	The rezoning of the northern part of the site for industrial purposes would provide local employment for the local residents. It is not considered that the proposed rezoning would have negative impacts on Campbelltown image.



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Main Matters Raised Submission No 3	Officer's Comments
	In addition, the area south of Cambridge Avenue would be largely maintained as open space.

### Submission No 4

Main Matters Raised Submission No 4	Officer's Comments
1. How will the proposed private car park with vehicles not exceeding 4.5 tonnes be monitored?	The car park would be designed to ensure that large trucks would not be able to enter it or park on it.
2. The proposed car park is where TransGrid voltage wires exist. Is this not an Occupational Health and Safety issue?	TransGrid would be consulted at the development application stage and Council will consider any concerns raised by TransGrid. Any proposed car park on land located south of Cambridge Avenue would need to comply with TransGrid Guidelines. Refer to Council's report for a detailed discussion on this matter.
3. Not a lot of information regarding resident impact is prominent in this proposal.	The applicant has prepared a number of studies in relation to noise impacts to ensure that any proposed development in the future would not negatively impact on the residential amenity of the nearby residential properties.
4. Increase traffic will have enormous impact, there will be increase in noise and flora and fauna will be affected. Commuters coming from surrounding areas to catch the train from Glenfield will be impacted.	The traffic study has shown that the surrounding road network would be able to accommodate the increased traffic, providing the site is used for warehousing and logistic type development. Refer to Council's report for more detailed discussions on this matter. Refer to Officer's Comments under Submission No 1, Point 3.
5. How current are the surveys?	To Council's staff knowledge, all the traffic surveys have been conducted at the time when the traffic study for the planning proposal was prepared.
6. A dam on an area to be rezoned off Goodenough Street Glenfield has been earmarked to be filled in.	Council is not aware of drainage work at this location.

### Submission No 5

Main Matters Raised Submission No 5	Officer's Comments
1. Oppose the rezoning of the green nature strip Lot 3 DP 736881 south of Cambridge Avenue from rural to zone SP2.	Refer to Officer's Comments under Submission No 1, Point 1.
2. I am a resident and I don't want this type of development near my residence. I purchased my house based on the land being a rural zoning. I am concerned about overall quality of life and property prices.	It is not anticipated that the rezoning would have any impact on the values of the residential properties for the following reasons: <ul style="list-style-type: none"> <li>The land South of Cambridge Avenue adjoining the residential area is severely impacted by the TransGrid electricity</li> </ul>

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Main Matters Raised Submission No 5	Officer's Comments
	<p>infrastructure and will continue to provide a suitable buffer between the residential areas and the proposed industrial development to the north of Cambridge Avenue.</p> <ul style="list-style-type: none"> <li>- The applicant has prepared a number of detailed studies that were publicly exhibited as part of the public exhibition of the planning proposal including noise and traffic assessment. All the studies were made available for view and download from Council's website and provided detailed information in relation to the potential impact of the proposed rezoning on the residential areas and measures that would be needed to mitigate the noise impacts.</li> <li>- The proposed industrial zoning would reflect the current and historical use of the majority of the site (that is located north of Cambridge Avenue) for waste sorting and associated landfill activities.</li> <li>- The land south of Cambridge Avenue is now proposed to be rezoned to RE2 Private Recreation.</li> </ul> <p>Refer to Officer's Comments under Submission No 1, Point 1 and Council's report for more information on this matter.</p>

### Submission No 6

Main Matters Raised Submission No 6	Officer's Comments
<p>1. we are concerned with the intensity of development permitted and the likely amenity impacts, which are difficult to assess based on the limited detail provided. The IN1 General Industrial Zone permits a number of land uses. Once rezoned, there is nothing stopping the developing the land for any of the permitted uses such as freight transport facility, general industry or truck or transport depots.</p> <p>Greater details of the proposed car park are required to be provided to owners and residents of Goodenough Street prior to the approval of the rezoning.</p>	<p>Once the site is rezoned to a certain zone, a number of land uses become permissible, depending on the new zoning of the site. For example, under Campbelltown Local Environmental Plan 2015 (the CLEP), places of public worship are also permissible on all sites that are zoned R2 Low Density Residential Zone, so as childcare centres, recreation facilities, schools and environmental facilities. However, that does not necessarily mean that all residential lots would be suitable for those types of permissible land uses. The same principle applies to industrial zones. Once the site is rezoned to an industrial zone, a number of land uses will become permissible. However, for the land to be developed for a permissible land use, the applicant would need to prepare a development application and provide Council with the necessary studies to show that the land is suitable for the proposed development. Council would then need to assess the development application and either approve or refuse it.</p>



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Main Matters Raised Submission No 6	Officer's Comments
	Refer to Officer's Comments under Submission No 1, Point 1.
2. Did not receive any notification of the proposed rezoning of the Glenfield Waste Site or any applications which have occurred since 2013.	Council normally notifies the public of planning proposals once they have been endorsed by Council for public exhibition. As such, all adjacent residents have been notified by way of individual letters of the public exhibition of the Glenfield Waste Site Planning Proposal. Currently the site is subject to a State Significant Development to use part of the area north of Cambridge Avenue for a Recycling Material Facility. The assessment authority for the SSD is the Department of Planning and Environment (the Department) and not Council. As such, the Department is responsible for the public consultation process for the SSD.
3. The proposed rezoning of Rural land to Industrial land raises a number of concerns relating to impacts on the amenity of our property and other adjoining residential properties in Goodenough Street. The impacts are difficult to assess based on the limited detail provided.	<p>The applicant has prepared a number of detailed studies that were publicly exhibited as part of the public exhibition of the planning proposal including noise assessment and traffic assessment. All the studies were made available for view and download from Council's website and provided detailed information in relation to the potential impact of the proposed rezoning on the residential areas measures that would be needed to mitigate the noise impacts.</p> <p>If the land north of Cambridge Avenue were to be rezoned for industrial purposes as per the planning proposal, the applicant would then be able to submit a development application to Council for industrial development, which would then include sufficient details of the proposed development. This is a 'rezoning stage' and therefore does not include information on the details of the industrial development that would occur on this land.</p> <p>Any future proposed industrial development would need to be approved by Council. The applicant at the development application stage would need to provide sufficient information on the measures that would be implemented to ensure the residential amenity of the nearby residents is not adversely affected.</p>
4. Both the Acoustic Report and Traffic reports have been based on the proposed development being warehousing or logistics uses, and as such, any variation of the uses would change the likely traffic and acoustic impacts.	Noted and supported. Please refer to Council's report and the submission received from NSW Road and Traffic Authority for a detailed discussion and recommended actions on this matter.
5. Concerned with the SP2 – Car Park zone interface with the existing residential zone.	Refer to Officer's Comments under Submission No 1, Point 1.
6. A site specific development control plan is recommended to provide the further details needed to guide the suitable development of the land, in particular, address the interface between an established residential	The need to prepare a site specific DCP has been previously identified in the report to Council (Council meeting of 22 March 2016) and was also included in the draft Planning Proposal that was publicly exhibited.



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Main Matters Raised Submission No 6	Officer's Comments
area and the proposed car park and industrial use.	A local clause to this effect is proposed to be included as part of the proposed amendment to the CLEP. Refer to Council's report for more discussions on this matter.

## Submission No 7

Main Matters Raised Submission No 7	Officer's Comments
1. Oppose the planning proposal on the basis of probable devalue the nearby properties, fear for Koalas in nearby bushland, additional noise, additional traffic, loss of more green space.	<p>It is not anticipated that the rezoning would have any impact on the values of the residential properties.</p> <p>The land South of Cambridge Avenue adjoining the residential area is severely impacted by the TransGrid electricity infrastructure and will continue to provide a suitable buffer between the residential areas and the proposed industrial development to the north of Cambridge Avenue.</p> <p>Part of the Glenfield ecological assessment included assessment of Koala habitat. Field surveys and reports indicate no presence of Koalas on the site.</p> <p>The Planning Proposal is supported by a number of technical studies that considered potential impacts on residence. The Planning Proposal includes noise assessment, visual assessment and traffic assessment. The assessment of impact is suitable for the proposed rezoning.</p> <p>Refer to Officer's Comments under Submission No 1, Point 1.</p>

## Submission No 8

Main Matters Raised Submission No 8	Officer's Comments
<p>1. Turning a beautiful rural area into an industrial zone including a car park under the power lines. Noise and pollution, traffic build up would definitely change our quality of life. Bought in the area because it is rural.</p> <p>A car park would severely impact the wildlife including green frogs, white owls, ducks, koalas, possums, rabbits, foxes, kookaburras and magpies to name a few species of birds. Could lose this lovely bit of rural land, we call "The Paddock". Leave it green.</p>	Noted. Refer to Officer's Comments under Submission No 1, Point 1 and Council's Report for more detailed information/discussion on this matter.

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Main Matters Raised Submission No 8	Officer's Comments
2. There many industrial areas around now e.g. Moorebank, Prestons, Casula, Minto, Ingleburn.	Noted.
3. Noise from the tip and Cambridge Ave is already quite noticeable and with the new housing estates that have gone up around Glenfield, so with a proposed 1200 car and truck car park it would be unbearable.	The proposal would not result in 1200 car parking spaces. Refer to the Council's report for more detailed discussion on this matter.
4. What would the buffer zone be? We don't want trees to be cut down to be replaced with concrete.	The area south of Cambridge avenue is considered a buffer zone as it is an open space area. Refer to the report for more detailed discussion on this matter.
5. We don't want our homes to lose value because of an ugly industrial site, we don't want to look out our windows and see concrete buildings.	Refer to Officer's Comments under Submission No 5, Point 2.

### Submission No 9

Main Matters Raised Submission No 9	Officer's Comments
1. Are the parking facilities to be constructed in stages over a period of time? What are these stages in terms of dates and capacity? In what section of the lot/paddock would the parking area be located Would overhead lighting be installed? How would any light spillage from the lighting be contained, i.e. kept off nearby housing?	Refer to Officer's Comments under Submission No 1, Point 1.
2. Besides simple parking, would it be allowed to be used for any other purposes, e.g. loading or unloading of vehicles? What is the anticipated mix of vehicles using the car park, i.e. cars V's trucks? Would the car park be available for use 24/7, or only within specified hours?	No trucks would be allowed to park nor load or unload on the site located south of Cambridge Avenue. It is anticipated that the car park would be limited in its size, given the electricity easement that runs across the site. Refer to the report for more information on this matter.
3. How would type and size of vehicles using the car park be monitored and/or enforced?	The car park would be designed so that trucks would not be able to utilise it.
4. What would be a normal length of stay in the car park?	This matter would be considered at the development application stage.
5. What noise mitigation solutions are proposed for controlling noise generated in the proposed parking area?	Any measures to mitigate noise would be dealt with at the development stage. Refer to Officer's Comments under Submission No 1, Points 1 and 3.
6. The Traffic and Transport Review attached to the rezoning proposal dates from May 2012. Is it considered to be still relevant, particularly in respect of the likely added pressures placed on the road network by the Intermodal facility.	At the development stage, the applicant would need to demonstrate to Council that the road network would be able to accommodate the anticipated increase in traffic generation. At the development application stage, Council may request the applicant to update the traffic study.



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

### Submission No 10

Main Matters Raised Submission No 10	Officer's Comments
1. Lack of detail and somewhat vague proposal.	The planning proposal has been prepared in accordance with 'A Guide to Preparing a Planning Proposal, October 2012', prepared by the then NSW Department of Planning and Infrastructure.  Council's officer phone number was also provided as part of the public exhibition material and on Council's website for any enquires by the public in relation to the planning proposal.
2. As a resident of Goodenough Street the area zoned SP 2 Car park is only 35 steps from my Goodenough residence front door. I do not want to overlook a car park or barrier. Where will the car park be situated? What is the maximum capacity of vehicles? What will the anticipated vehicle movements per 24 hours? Will access roads be constructed?	Refer to Officer's Comments under Submission No 1, Point 1. The location and specific details of a car park on the southern parcel of land would be considered as part of a future development application for the site. The site is largely constraints by the electricity easement that runs through it. Any future car park development of the site would be subject to Council's approval and consultation with TransGrid.
3. Do not want trees to be removed to allow construction of the car park. Land is home wildlife including ducks, plovers, Kookaburra's Platypus, Wombats and Koalas have been sighted near to the area marked for construction.	Refer to Officer's Comments under Submission No 1, Point 3.
4. Security for nearby residents?	It is not anticipated that any future car park on this side of the site would impact on the security of the nearby residents.
5. Increase in local traffic will result in further noise and air pollution?	Refer to Officer's Comments under Submission No 6, Point 3.

### Submission No 11

Main Matters Raised Submission No 11	Officer's Comments
1. Need the existing green buffer zone to protect & isolate our community from any future industrial development from north of Cambridge Ave.	Refer to Officer's Comments under Submission No 1, Points 1 and 3.
2. Car park or other development on the land south of Cambridge Avenue would put these towers, wires and local residents in danger if a vehicular accident should happen there.	Noted and supported. Any future car park development of the site would be subject to Council's approval and consultation with TransGrid.



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

Main Matters Raised Submission No 11	Officer's Comments
3. We don't want cars, trucks and industry alongside our houses because it will create extra pollution and noise.	Refer to Officer's Comments under Submission No 1, Points 1 and 3.
4. Any development will increase traffic congestion in the area which would have a negative impact on the people who live in the community.	
5. There are also a lot of animals that live in the area south of Cambridge Ave and the proposed rezoning would destroy their habitat and Glenfield would lose the long neck herons, ducks, turtles, koalas, foxes, rabbits, hawks and plovers etc.	There is no proposal to clear any of the vegetation south of Cambridge Avenue. Refer to Council's report for more information on this matter.
6. The proposed industrial development needs to accommodate future car parking north of Cambridge Ave and not use Lot 3 DP 736881 south of Cambridge Ave for this purpose.	Noted. It is now proposed that the zoning be changes from SP2 Car Park to RE2 Private Recreation. Please refer to Council's report for detailed discussion on this matter. The location and specific details of a car park on the southern parcel of land would be considered as part of a future development application for the site. The site is largely constraints by the electricity easement that runs through it. Any future car park development of the site would be subject to Council's approval and consultation with TransGrid
7. Concerned with the possibility of Cambridge Ave being permanently closed because of future industrial development resulting from the proposed rezoning.	Council is not aware of any proposal to close Cambridge Avenue. The concern that Cambridge Avenue will be closed as a result of the planning proposal is not substantiated.

### Submission No 12

Main Matters Raised Submission No 12	Officer's Comments
1. Do not want alongside our houses a car park, truck, cars factories etc. Do not want to lose the green, the trees, the long neck herons, the ducks, turtles, koalas, foxes, rabbits, the hawks; we have even had a wedge tail, the plovers.	Refer to Officer's Comments under Submission No 1, Points 1 and 3.
2. Do not want an increase in traffic	Refer to Officer's Comments under Submission No 1, Point 4.
3. Do not want an increase in noise and light pollutions.	Refer to Officer's Comments under Submission No 1, Points 1 and 3. The matter of light spills on adjacent residents as a result of a future car park would be considered at the development stage. The applicant would need to include measures to ensure that the residential amenity of adjoining residents is maintained.
4. Do not want the intermodal at our front door.	Noted. However the intermodal is not within Campbelltown Local Government Area and falls outside the jurisdiction of Council.

## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

5. We would like to attend meeting with the parties that can enlightened us on certain issues.	The residents was contacted by Phone on 2 November 2016 and the issues relating to the car park and removal of vegetation of the area south of Cambridge Avenue was discussed.
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### Submission No 13

Main Matters Raised Submission No 13	Officer's Comments
1. Land behind Cambridge Ave harbours a variety of wildlife, including frogs, bees and ducks. There is also a paddock where horses currently graze. In addition, many of the trees would need to be cut down.	Refer to Officer's Comments under Submission No 1, Points 1 and 3.
2. IN 1 zone permits a number of land uses that would seriously compromise the quality of life of any residents in adjoining properties.	Refer to Officer's Comments under Submission No 6, Points 1 and 3.
3. The cost of dismantling the towers and placing the cables underground appears prohibitive. Have the companies maintaining the towers been sufficiently consulted in this matter	Council consulted with TransGrid. Refer to the report for more information on the outcome of consultation with TransGrid.  Notably, there is no proposal to place the electrical cables underground.
4. The whole zone is susceptible to flooding. Would the cost of flood management be justified verses the proposed reallocation?	Stormwater management would be further addressed at the development stage.
5. The proposal will severely compromise the quality of life for adjoining residents, both visually and in terms of noise pollution.	Refer to Officer's Comments under Submission No 4, Point 3.
6. There is the potential for property values to be severely compromised, affecting the long-term financial prospects of said residents.	Refer to Officer's Comments under Submission No 7, Points 1.



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## ATTACHMENT 10

### **Proposed site specific local clauses that form part of the Amendment to the Campbelltown Local Environmental Plan 2015.**

#### **7.21 Terrestrial Biodiversity**

- (1) The objective of this clause is to maximise the retention and enhancement of native biodiversity, including the following:
  - (a) protecting native flora and fauna
  - (b) protecting the ecological processes necessary for their continued existence
  - (c) encouraging the recovery of native flora and fauna, and their habitats
  - (d) maximising connectivity and minimising habitat fragmentation.
- (2) This clause applies to land identified as "Areas of Biodiversity Significance" and "Biodiversity-Habitat Corridor" on the Terrestrial Biodiversity Map
- (3) Before granting development consent on any land to which this clause applies, the consent authority must consider the following matters:
  - (a) the impact of the development on native flora and fauna and their habitats
  - (b) the condition and significance of the vegetation and other biodiversity on the land
  - (c) the importance of the vegetation to the sustainability of native flora and fauna in the locality
  - (d) the potential to fragment, disturb or diminish the biodiversity values of the land including biodiversity structure, function and composition
  - (e) the condition and role of the vegetation as a habitat corridor, and any adverse impact on the habitat elements providing connectivity on the land
  - (f) whether the location, design and density of the proposed development supports the protection and enhancement of biodiversity values
  - (g) any proposed measures to avoid, minimize or mitigate the impacts of the development.
- (4) Before granting consent to development to which this clause applies, the consent authority must be satisfied that the development:
  - (a) has taken into account the objectives of this clause
  - (b) is sited, designed, constructed and managed to avoid adverse impacts on native biodiversity or, if and adverse impact cannot be avoided:
    - (i) the development minimises disturbance and adverse impacts on remnant vegetation communities, threatened species and populations and their habitats
    - (ii) measures have been considered to maintain native vegetation and habitat parcels of a size, condition and configuration that will facilitate biodiversity protection and native flora and fauna movement through biodiversity corridors
    - (iii) the development includes measures to offset the loss of biodiversity values.

#### **7.22 Glenfield Waste Site**

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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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- (1) The objectives of this clause are as follows:
    - (a) to establish specific planning controls for the orderly development of land at the Glenfield Waste Site
    - (b) to limit the size of retail premises on the land until such time as adequate road infrastructure is provided to service additional gross floor area
    - (c) to ensure satisfactory amenity outcomes at the interface of the land and neighbouring sites
    - (d) to ensure that the development of the land is appropriately accessed and serviced
    - (e) to ensure any hazards are satisfactorily addressed.
  - (2) This clause applies to land identified as "Glenfield Waste Site" on the Clause Application Map.
  - (3) Before granting development consent for any purpose on land to which this clause applies, the consent authority must be satisfied of the following:
    - (a) that flood free vehicle access can be provided to the site
    - (b) that the proposed development will not adversely affect the local road network
    - (c) that a detailed flood assessment and storm water management plan for the site has been prepared
    - (d) that the combined maximum gross floor area that may be used for the purposes of retail premises is 100 square metres, unless it can be demonstrated to the Council's satisfaction, that Cambridge Avenue is capable of accommodating the additional traffic generated by the proposed retail premises
    - (e) that any car park on the portion of the site zoned RE2 Private Recreation is:
      - i) not designed or constructed to be used by heavy vehicles (within the meaning of rule 200 of the Road Rules 2014)
      - ii) is located to minimise noise impacts and light spills on adjacent residential development.
    - (f) Public pedestrian and vehicle access to the existing culverts under the East Hills Railway line is provided at no cost to Council
    - (g) Despite Clause 7.22(3)(f), public access through the culverts should not be allowed until such time that the area within Liverpool LGA that is located north of the East Hills Railway Line and currently zoned RE1 Regional Recreation under Liverpool Local Environmental Plan 2008 is acquired by OSL and the culverts are upgraded to Council's satisfaction.
  - (4) Development consent must not be granted for development on land to which this Part applies unless a development control plan that provides for the following matters has been prepared for the land:
    - (a) the subdivision pattern including internal roads layout, entries to the site, intersection treatments and any restrictions on vehicle access and movements
    - (b) pedestrian connectivity between the areas of the site that are bisected by Cambridge Avenue
    - (c) detailed urban design controls for the future development sites
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## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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- (d) the impact of development on flora and fauna and achieving satisfactory ecologically sustainable development outcomes
    - (e) storm water detention and water quality management
    - (f) the relationship between the development and neighboring sites, including urban and natural environments
    - (g) the impact of noise and other emissions from industrial land uses and associated activities
    - (h) the protection and enhancement of the amenity of residents in the vicinity of the development.
  - (5) Sub clause (3) does not apply to any of the following developments:
    - (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots
    - (b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environment protection purpose
    - (c) a subdivision of land in a zone in which the erection of structures is prohibited
    - (d) development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the development would be consistent with the objectives of the zone in which the land is situated.
  - (6) Despite Clause 4.2 A (b) of the Plan, a rural allotment created under this plan within the Glenfield Waste Site shall not have a dwelling entitlement.
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8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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**8.3 Modification of Development Consent for the Demolition of existing dwellings and the construction of 22 multi dwellings with basement car parking - Nos. 7-9 Ruzac Street and Nos. 88 and 92 Broughton Street, Campbelltown**

**Division**

City Development

**Reporting Officer**

Acting Manager Development Services

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**Attachments**

1. Recommended conditions of consent (contained within this report)
2. Locality plan (contained within this report)
3. Elevations (contained within this report)
4. Shadow diagrams (contained within this report)
5. Floor plans (distributed under separate cover - confidential - for privacy reasons these plans are not available to the public)
6. Notification Plan (distributed under separate cover - confidential - for privacy reasons these plans are not available to the public)

**Purpose**

To assist Council in its determination of the subject Development Application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This development application is required to be reported to Council due to the nature of the proposed development being a modification to a consent granted by the Land and Environment Court and the receipt of submissions from the occupants of nine properties in response to the public exhibition and notification of the proposed development.

<b>Property Description</b>	Lot E DP410456, Lot 4 DP 201892, Lot 2 DP 221454, Lot 3 Sec A DP 3667 - Nos.7-9 Ruzac Street, No.88 and No.92 Broughton Street, Campbelltown
<b>Application No</b>	872/2004/DA-M/C
<b>Applicant</b>	AR Design
<b>Owner</b>	Greenhill Cove Pty Ltd
<b>Provisions</b>	Campbelltown 2025 - Looking Forward Campbelltown (Urban Area) Local Environmental Plan 2002 Campbelltown (Sustainable City) Development Control Plan 2014
<b>Date Received</b>	14 May 2015

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### 8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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## Report

Council has received an application to modify a development consent issued by the Land and Environment Court, being a development for 22 multi dwellings and demolition of existing structures over the properties known as Nos.7-9 Ruzac Street, No.88 and No.92 Broughton Street, Campbelltown. The development application has been made in accordance with Section 96AA of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This section of the Act deals with the modification of development consents issued by the Land and Environment Court (Court).

## History

In January 2004, Council received a development application for the construction of 21 multi-dwelling units on 3 of the 4 lots that comprise the subject site. Following a preliminary assessment, Council officers advised the applicant that Council did not support the development application due to its non-compliance with the draft Campbelltown (Sustainable City) Development Control Plan density requirements and other matters. The application was subsequently withdrawn.

The applicant acquired a fourth parcel of land and subsequently re-lodged a new development application on 2 September 2004 that attempted to address Council's concerns with the first development application, including density, access, impact on an adjoining heritage item and other planning considerations. That development application was refused by Council on 28 June 2005.

The applicant subsequently lodged a Class 1 appeal in the Court in July 2005. The appeal was upheld by the Court and development consent granted on 12 April 2006 for the construction of 20 multi dwellings (19 townhouses and 1 villa) with associated basement car parking including visitor parking.

In June 2006, a development application was lodged pursuant to Section 96AA of the *Environmental Planning and Assessment Act 1979* to convert two of the multi dwellings into four multi dwellings resulting in a proposal for 22 multi dwellings. That application was refused by Council on 26 September 2006.

The applicant lodged a Class 1 appeal with the Court in October 2006. The appeal was upheld by the Court and development consent granted on 7 March 2007 for the construction of 22 multi dwellings with associated basement car parking including visitor parking.

The current application is again seeking to modify the Court approved development by way of reorientating five dwellings and a number of car parking spaces with the development. The number of multi dwellings will remain at 22.

The development consent has been activated by way of the demolition of dwellings presenting to Ruzac Street.

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### 8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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#### **The site and surrounds**

The site consists of 4 allotments and has a total area of 6662.9 square metres. The site is irregular in shape and has frontage to Broughton Street and Ruzac Street. The land slopes moderately from south-east to north-west and contains a scattering of mainly exotic trees and lower order vegetation.

There are two existing dwellings on the subject site that are to be demolished. These dwellings are currently unoccupied.

Land adjoining the subject site consists of predominantly low density residential development comprising a mix of one and two storey dwellings. Located immediately to the south of the site is St Elmo, a heritage listed site currently used as a dwelling.

#### **The proposal**

The proposed modification application seeks to undertake the following amendments to the approved development:

- re-orientation of dwellings 1 to 5
- deletion of basement car parking below dwellings 1 to 5 and provide at grade garages and visitor car parking
- swap entry only and exit only points to the site
- deletion of community room/gym
- deletion of swimming pool.

#### **1. Non-statutory provisions**

##### **1.1 Campbelltown 2025 - Looking Forward**

Campbelltown 2025 Looking Forward is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- responds to what Council understands people want the City of Campbelltown to look, feel and function like
- recognises likely future government policies and social and economic trends
- sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes.

The strategic directions relevant to this application are:

- growing the Regional City
- creating education, employment and entrepreneurial opportunities.

The application is consistent with the above strategic directions as the proposal would provide well-located higher density housing that would enable the Regional City to grow as well as providing employment opportunities within the construction industry.

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### 8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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Some of the relevant desired outcomes of the strategic directions included in Campbelltown 2025 include:

- urban environments that are safe, healthy, exhibit a high standard of design, and are environmentally sustainable
- development and land use that matches environmental capacity and capability.

The development is consistent with desired outcomes within Campbelltown 2025 specifically in relation to providing a development that is functional and of a high quality design, and one that matches the environmental capacity and capability of the site in accordance with the relevant controls.

## **2. Planning provisions**

The development has been assessed in accordance with the heads of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters, the following issues have been identified for consideration.

### **2.1 96AA Modification by consent authorities of consents granted by the Court**

Section 96AA states as follows:

1. A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the Court and subject to and in accordance with the regulations, modify the development consent if:
    - (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and
    - (b) it has notified the application in accordance with:
      - (i) the regulations, if the regulations so require, and
      - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
    - (c) it has notified, or made reasonable attempts to notify, each person who made a submission in respect of the relevant development application of the proposed modification by sending written notice to the last address known to the consent authority of the objector or other person, and
    - (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.
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### 8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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- 1A. In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application.
- 1B. Development consent of the kind referred to in section 79B (3) is not to be modified unless the requirements of section 79B (3)–(7) have been complied with in relation to the proposed modification as if the application for the proposed modification were an application for development consent.
- 1C. The modification of a development consent in accordance with this section is taken not to be the granting of development consent under this Part, but a reference in this or any other Act to a development consent includes a reference to a development consent as so modified.

The proposed development can be considered under Section 96AA of the Act. The proposed modifications do not alter the external appearance of the development and maintain the same definitions and zone permissibility under LEP 2002.

The application was lodged prior to 11 March 2016 and as such Campbelltown LEP 2002 is the relevant planning instrument used to assess the application to modify the consent.

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

The majority of the subject site is zoned 2(b) Residential B. A sliver of land along the Broughton Street frontage is zoned 5(c) Special Uses Sub-Arterial Roads Zone under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002 (CLEP 2002) when the application was made. The proposed development is defined as multi dwelling housing and is permissible with Council's development consent (within the 2(b) zone).

The proposed modifications do not alter the permissibility of the development under CLEP 2002.

As the proposed amendments to five dwellings would not be within close proximity to St Elmo, an additional heritage assessment under CLEP 2002 is not required.

## 2.3 Campbelltown (Sustainable City) Development Control Plan 2014 (SCDCP)

The proposal seeks to:

- re-orientate dwellings 1 to 5
  - delete basement car parking component below dwellings 1 to 5 and provide at grade garages and visitor car parking
  - swap entry only and exit only points to the site
  - delete community room/gym
  - delete swimming pool.
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### 8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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The development would remain within the same building footprint as that approved by the Court in Judgement number 10688 of 2005. The proposed modifications would not significantly alter the physical appearance of the development and hence the development's level of impact on the locality would not change.

The application does not seek to increase the number of approved dwellings. The development in this configuration would remain within the permissible number of dwellings under the provisions of the SCDCP.

The amended development would contain adequate resident car parking which satisfies the provisions of the SCDCP.

The floor space ratio of the development would not increase and would remain within the 0.45:1 standard that is prescribed by the SCDCP. As the building footprint is not to be altered, the proposed development would not change the impact on the locality.

It is considered that the relevant SCDCP development standards remain satisfied as the proposed modifications would not change the impact on the amenity of the area or the functioning of the site.

The following comments detail the assessment of the proposal in accordance with the relevant requirements of the Campbelltown (Sustainable City) Development Control Plan 2014 (which was the relevant development control plan when the application was made).

#### **Part 2 - Requirements applying to all types of development**

The general provisions of Part 2 of the SCDCP apply to all types of development. Compliance with the relevant provisions of Part 2 of the SCDCP is discussed as follows:

**Views and vistas** - The proposed development would not obstruct views of any of Campbelltown's important views and vistas.

**Sustainable building design** – A BASIX certificate has been submitted with the application to modify the development consent.

**Landscaping** - A landscape plan has been prepared. The development provides an adequate amount of landscaping.

**Cut, fill and floor levels** – Cut and fill forming part of this application for modification is considered acceptable in this instance.

**Stormwater** - The application was not referred to Council's Development Engineer for comment. The proposed method of stormwater management and disposal was considered to be satisfactory subject to conditions of consent in place with the original determination.

**Security** - The proposed development is satisfactory with regard to security. Appropriate delineation between public and private space would be provided, and casual surveillance opportunities have been incorporated into the design.

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### 8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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**Waste management** - A Waste Management Plan for the development forms part of the existing consent for the land.

## 2.4 Campbelltown City Council Section 94A Development Contributions Plan

Development contributions are not applicable for this development as the plan was not in force when the original consent was issued by the Court.

## 3. Planning assessment

### 3.1 Assessment of changes sought

The proposed modification application seeks to undertake the following amendments to the approved development:

- re-orientation of dwellings 1 to 5
- deletion of basement car parking component below dwellings 1 to 5 and provide at grade garages and visitor car parking
- swap entry only and exit only points to the site
- deletion of community room/gym
- deletion of swimming pool.

The following comments are provided having regard to the potential impacts of the changes sought to the site and adjoining land uses:

**Re-orientation of dwellings 1 to 5** – the re-orientation of the five dwellings will allow for these dwellings to have garages attached and a car parking spaces adjacent to each garage. The first floor has adequate setback from adjoining land and is considered to not have a negative impact on privacy due to overlooking.

**Deletion of basement car parking component below dwellings 1 to 5** – Dwellings 1 to 5 will be constructed at the existing grade hence reducing the size of the basement. Parking for dwellings 1 to 5 are no longer required to be beneath the dwellings and as mentioned above are now attached to the dwellings.

**Swap entry only and exit only points** – the access points to the basement and on-site car parking have been swapped. The change provides an alternate access for residents and visitors of units 1 to 5 as they do not have access through the basement. Amenity to residents of units 1 to 5 will not be diminished by avoiding the exit ramp adjacent to the dwellings by way of noise.

**Deletion of resident's amenities** – the previous inclusion of a community room, gym and swimming pool were features not required by Council's development control plans. As such, their deletion does not create a non-compliance with any controls.

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## 3.2 Impacts on natural and built environment

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the development's potential impacts on the natural and built environment. The scale, density and built form is considered satisfactory with respect to the context of the site and the future desired character of the area. The bulk and scale of the modified development is not considered to result in any significant amenity impacts to the adjoining residential developments when compared to the development approval by the Court.

The following issues are considered to be relevant when considering the development's potential impacts on the natural and built environment:

**Vehicular manoeuvring** - A swept path analysis has been considered in the assessment of the application demonstrating that all vehicles can enter and exit the site in a forward direction. The proposed parking arrangements meet the relevant controls and are therefore considered satisfactory.

**Waste** - The application does not seek to amend the approved waste collection service and as such was not considered as part of this development application to modify the consent.

**Overshadowing impacts** – The development's potential for overshadowing is considered to be consistent with the approved development and not further impact the adjoining land uses.

## 3.3 Social and economic impacts

It is anticipated that the development would contribute to the wider choice of housing available in Campbelltown which is considered to be a social benefit to the Campbelltown community. The scale and density of the development respects the identified desired planning outcome and takes advantage of nearby transport, commercial and educational facilities.

## 3.4 Site suitability

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the suitability of the site for the proposed development.

The principal matters for attention have considered the existing development consent on land as well as the provision of wider housing choice in the locality.

## 4. Public participation

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider submissions made to the proposal.

The application was notified to surrounding property owners between 25 May 2015 and 8 June 2015 and placed on public exhibition between 28 May 2015 and 2 June 2015. During this period Council received nine submissions objecting to the development. The issues of objection raised during the notification period and Council's response to these issues, are discussed below.

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Theme	Objection Detail	Response
<b>Ruzac Street access</b>	Concerns are raised that access to the basement/car parking area will be via Ruzac Street.	Access to the basement for resident and visitor car parking is via Broughton Street only.  Waste collection remains via Ruzac Street as approved by the Land and Environment Court.
<b>Additional parking in Ruzac Street</b>	The modification will lead to additional demand for on-street parking in Ruzac Street	The proposed modification retains basement car parking and access to the basement remains via Broughton Street and does not increase the dwelling numbers or additional need for parking.
<b>Increase traffic in Lindsey and Broughton Street</b>	The application will increase the likelihood of motor vehicle accidents due to increase in local traffic	The proposed modification does not increase the number of approved dwellings at the site.
<b>Increase in number of dwellings</b>	Objection to development increasing number of dwellings to 25	The number of approved dwellings will remain at 22. This modification does not seek to increase the number of multi dwellings.
<b>Rejection of development application</b>	Council should reject the development application.	Consent for already been issued by the Court. This modification application does not significantly change that which was approved by the Court. The proposal complies with Council's relevant standards.
<b>Waste collection</b>	Concern has been raised about the waste collection from Ruzac Street.	Council can only consider the aspects of the development that are sought to be modified by the application.  The assessment of this application cannot revisit waste management as approved by the Court.
<b>Pedestrian access</b>	Objector is seeking a wall between units 13 to 17 to the rest of the development to prevent unwanted pedestrian access through the site.	Council can only consider the aspects of the development that are sought to be modified by the application.  Council cannot impose additional requirements to the development consent as approved by the Court.
<b>Increase in traffic in Lilian Street</b>	Concern is raised that the additional 22 dwellings in the locality will increase the number of accidents due to speeding.	Council can monitor the number of reported traffic incidents and consider the implementation of traffic calming devices if required.  The subject application is consistent with the Court approval in terms of dwelling numbers. This is not a matter that can be readdressed as part of this application.

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## 5. Conclusion

Having regard to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the issues raised above, it is considered that the application is generally consistent with the relevant planning legislation.

The modification to the development is proposed on part of the site described as No.88 Broughton Street. The alteration would not involve an increase in dwelling numbers, floor area or size to the approved townhouses within the complex and can be therefore considered as substantially the same development. The impact that the modification would have within the remainder of the site, to the Ruzac Street streetscape and the amenity of the locality would not change.

The subject site is zoned 2(b) Residential B Zone, with a small strip adjacent to Broughton Street zoned 5(c) Special Uses Sub-Arterial Roads Zone under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002 (applicable when the application was made). Multi-dwelling development is permissible in the 2(b) zone with Council's consent.

The application has been assessed in accordance with the aims and objectives of the Campbelltown (Urban Area) Local Environmental Plan 2002, Sustainable City Development Control Plan and Campbelltown 2025 Looking Forward and is considered to be consistent with respect to the matters for consideration pursuant to Section 79C of the *Environmental Planning and Assessment Act 1979*.

It is further considered that the development application to modify the consent issued by the Court has satisfied Section 96AA of the *Environmental Planning and Assessment Act 1979* and therefore, can be determined by Council.

## Officer's Recommendation

That development application 872/2004/DA-M/C for the modification of the existing development for the construction of 22 multi dwellings with basement car parking be approved subject to conditions contained in attachment 1 of this report.

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## ATTACHMENT 1

### Recommended Conditions of Consent GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on the development consent.

#### 1. Approved Development

The development shall be carried out in accordance with the following plans drawn by AR Design submitted as part of the development application subject to any variation as required by the conditions hereunder:

- (i) Sheet 351-02 Amendment 13 dated 10.01.2007.
- (ii) Sheet 351-03 Amendment 13 dated 10.01.2007.
- (iii) Sheet 351-04 Amendment 13 dated 10.01.2007.
- (iv) Sheet 351-05 Amendment 13 dated 10.01.2007.
- (v) Sheet 351-06 Amendment 14 dated 26.02.2007.
- (vi) Sheet 351-07 Amendment 14 dated 26.02.2007.
- (vii) Sheet 351-08 Amendment 15 dated 26.02.2007.
- (viii) Sheet 351-09 Amendment 13 dated 10.01.2007.
- (ix) Sheet 351-10 Amendment 13 dated 10.01.2007.
- (x) Sheet 351-11 Amendment 13 dated 10.01.2007.
- (xi) Sheet 351-12a Amendment 13 dated 10.01.2007.
- (xii) Sheet 351-12b Amendment 13 dated 10.01.2007.
- (xiii) Sheet 351-12c Amendment 13 dated 10.01.2007.
- (xiv) Sheet 351-12d Amendment 13 dated 10.01.2007.
- (xv) Sheet 351-12e Amendment 13 dated 10.01.2007.
- (xvi) Sheet 351-12f Amendment 13 dated 10.01.2007.
- (xvii) Sheet 351-12g Amendment 13 dated 10.01.2007.
- (xviii) Sheet 351-13 Amendment 13 dated 10.01.2007.
- (xix) Sheet 351-14 Amendment 13 dated 10.01.2007.

In addition to the above the following plans, and any other associated documentation supporting this consent, submitted by AR Design form part of the development consent, except as modified in red by Council and/or any conditions within.

Sheet S96\_002, Issue 12, dated 30.05.2016  
Sheet S96\_003, Issue 12, dated 30.05.2016  
Sheet S96\_004, Issue 12, dated 30.05.2016  
Sheet S96\_005, Issue 12, dated 30.05.2016  
Sheet S96\_006, Issue 12, dated 30.05.2016  
Sheet S96\_007, Issue 12, dated 30.05.2016

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**1A. Amendments**

- (i) The south facing upper floor level windows of unit 6 is to have a minimum sill height of 1700mm.
- (ii) The north facing upper level window of unit 14 is to have a minimum sill height of 1700mm.
- (iii) The width of the upper level rear balconies of units 18, 19, 20 and 21 is to be 600mm.
- (iv) The unit 16 and 17 front elevation (eastern) on the plan prepared by AR Design Sheet 351-09 dated 10.01.2007 shall be amended so that it reflects the floor plan for those units shown on the plans prepared by AR Design Sheet 351-05 Amendment 13 dated 10.01.2017 and Sheet 351-06 Amendment 14 dated 26.02.2007.

**1B. Other requirements**

- (i) The use of the children's playground and communal area with barbecue and outdoor dining facilities adjacent to units 18 and 19 is prohibited on each day from 7.00pm until 8.00am the following day (during eastern standard time) and from 8.00pm until 8.00am the following day (during daylight saving time), unless otherwise agreed to by the Owners Corporation on request.
- (ii) The development shall be designed so that noise generated from traffic using the exit driveway and operation of the security gate does not exceed the following noise levels as applicable at the residence located at no. 86 Broughton Street:
  - Daytime (7am to 10pm)  $L_{Aeq(1hr)}$  60dBA;
  - Night-time (10pm to 7am)  $L_{Aeq(1hr)}$  55dBA;
  - Where the above criteria is already exceeded by existing conditions, the traffic using the exit driveway and operation of the security gate not causing an increase in existing noise levels of more than 2dB.

Satisfaction of this condition shall be demonstrated by a report from a suitably qualified acoustical engineer prior to the issue of a construction certificate.

- (iii) The south facing first floor windows of unit 6 shall be designed and constructed in a manner which prevents noise generated by the children's play area and swimming pool of the adjoining premises at no. 90 Broughton Street ( $L_{Aeq, 15 min}$ ) noise level to exceed the background noise level ( $L_{A90, 15 min}$ ) plus 5dBA, as corrected to account for impulsive or tonal component characteristics. Satisfaction of this condition shall be demonstrated by a report from a suitably qualified acoustical engineer prior to the issue of a construction certificate.
  - (iv) If the development is strata subdivided the by laws are to contain provisions requiring the following:
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- (a) No parking at the residents or visitors shall take place except in accordance with marked spaces in the basement area. Residents are to advise visitors to use the visitor spaces and to explain the manner of entry to the basement and to avoid on-street parking in either Broughton or Ruzac Streets.
- (b) Any delivery by vehicles unable to access the basement because of their height exceeding 2.5 metres or length exceeding 6.4 metres shall be parked in the loading area off Ruzac Street only.

**1C. Waste**

- (i) The bin storage areas in the basement car parking area shall be fully enclosed to prevent the entry of vermin and;
    - a. be graded and drained to a Sydney Water approved drainage fitting;
    - b. be provided with an adequate supply of hot and cold water mixed through a centralised mixing valve with hose cock; and
    - c. have a self closing door that is openable from within the room; and
    - d. be ventilated by a mechanical exhausted ventilation system exhausting at a rate of 5 litres per second per square metre of floor area, with a minimum rate of 100 litres per second.
  - (ii) All waste bins are to be kept within the storage rooms provided within the basement car park.
  - (iii) Prior to Council or an accredited certifier issuing any occupation certificate for the development and at all times thereafter a private contractor must be engaged to collect the waste in the recyclables and garden organic bins from the Ruzac Street loading bay. The recyclables are to be collected once per week and delivered to an approved recyclables processing facility. The garden organics are to be collected once per fortnight on a different day to the day on which the recyclables are collected and then delivered to an approved garden organics processing facility. The collection of waste material by the private contractor must take place between the hours of 6:00am and 6:00pm and shall not be carried out on a Saturday or Sunday.
  - (iv) A caretaker must be employed for the purpose of bringing the household garbage bins to the Broughton Street frontage for collection by Council's contractor (comprising not more than 11, 240 litre bins once per week) and the recyclables and garden organic bins to the loading bay in the Ruzac Street frontage via the dedicated bin lift that is located between units 15 and 16. A buggy with trailer is to be provided and kept within the basement car park for the purpose of transporting the household garbage bins to and from Broughton Street and the recyclable and garden organic bins to and from the bin lift.
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- (v) The bin lift situated between units 15 and 16 is to be used only for the purposes of transporting the recyclables and garden organic bins between the basement and the loading/unloading area in the Ruzac Street frontage of the development.
- (vi) No bins are to be stored within the Ruzac Street frontage of the development or on the loading bay.
- (vii) The caretaker is to place the household garbage bins onto Broughton Street in the afternoon prior to the collection day and those bins are to be retrieved on the day of collection and returned to the appropriate storage rooms in the basement car park.

**2. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

**3. Emergency access**

All dwellings shall be accessible via a minimum 1 metre wide, maximum 1:14 gradient ramp to provide sufficient emergency access throughout the site.

**4. Contract of Insurance (residential building work)**

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This clause does not apply:

To the extent to which an exemption is in force under Clause 187 or 188, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4), or

To the erection of a temporary building.

**5. Notification of *Home Building Act 1989* requirements**

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notice of the following information:

In the case of work for which a principal contractor is required to be appointed:

The name and licence number of the principal contractor, and

The name of the insurer by which the work is insured under Part 6 of that Act.

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In the case of work to be done by an owner-builder:

The name of the owner-builder, and

If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notification of the updated information.

## **6. Landscaping**

A revised landscaping plan shall be submitted for approval and must be approved prior to the issue of a construction certificate. The provision and maintenance of landscaping must be carried out in accordance with the revised landscape plan. The revised landscape plan shall reflect the landscape plan prepared by Taylor Brammer Landscape Architects Pty Limited, drawing LA01 Revision A dated 24 November 2005 except that it shall be adjusted so as to incorporate the built form shown in the proposed site and ground floor plan drawn by A R Design Sheet 351-05 Amendment 13 dated 10.07.2007. The provision and maintenance of landscaping shall also be in accordance with the requirements of condition 18 below.

## **7. External Finishes**

The external finishes shall be in accordance with the schedule of finishes identified in documents entitled Schedule of Finishes type 1, 2, 3, 4 and 5 by A R Design. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

## **8. Swimming pool**

The construction and operation of the swimming pool shall comply with the following requirements:

The pool shall not be filled with water nor be permitted to retain water until all required safety fencing has been erected in accordance with the provisions of the *Swimming Pool Act 1992*, *Swimming Pool Regulation 1998* and *Australian Standard 1926* and a compliance certificate issued for such by the principal certifying authority.

Filter backwash waters shall be discharged to the sewer mains of *Sydney Water* in accordance with *Sydney Water's* requirements. Where *Sydney Water* sewer mains are not available in rural areas, the backwash waters shall be discharged into a 5-metre absorption trench constructed within the confines of the property to the satisfaction of the principal certifying authority.

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A C.P.R. information resuscitation poster authorised by the *Life Saving Association* is to be displayed within the pool area. Such a poster may be obtained from Council for a prescribed fee.

Noise emissions from the filtration equipment must be maintained such that it does not cause a nuisance to adjoining residents. The use of the swimming pool area is prohibited on each day from sunset or 8.00pm (whichever comes first) until 7.00am the following day.

**9. Fencing detail**

The applicant shall submit to Council for written approval details of fencing proposed throughout the subject development site prior to Council or an accredited certifier issuing a construction certificate.

The portion of the boundary fence immediately adjoining the premises at 86 Broughton Street shall be of masonry construction from the front building line in Broughton Street until a point that is 3 metres past the north eastern end of the existing residence at 86 Broughton Street and a 1.8 metre high lapped and capped timber fence shall be erected on the site's remaining side and rear boundaries behind the front building alignment and between each required courtyard at the sole cost of the developer. All fencing shall be consistent with the approved fencing schedule.

**10. Switchboards/utilities**

Switchboards and storage for other utilities must not be attached to the front elevations of the building or side elevations that can be seen from a public place.

**11. Driveway**

The gradients of driveways and manoeuvring areas shall be designed in accordance with *Australian Standard AS 2890.1 and AS 2890.2 (as amended)*.

Driveways are to be constructed using decorative paving materials such as exposed aggregate or pattern stencilled concrete, or paving bricks. The finishes of the paving surfaces are to be non-slip. Plain concrete is not acceptable.

All driveways in excess of 20 metres in length shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

**12. Lighting and security**

Lighting shall be installed and maintained in the locations shown on the plan drawn by A R Design 351-05 amendment 13 dated 10.01.2007 and shall comply with the requirements of *Australian Standard 4282 (as amended)* and must not impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

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A closed circuit television system is to be installed to record between sunset and sunrise activity within the footpath areas that are to be illuminated. The cameras shall be located in the positions as shown on the plan drawn by A R Design 351-05 amendment 13 dated 10.01.2007. The footage recorded by the closed circuit television system is to be maintained for at least 2 weeks after being recorded and made available to the police upon request.

A security gate is to be provided on the pathway in the vicinity of the north east corner of unit 12 and the gate in the rear fence of unit 16 as shown on the plan drawn by A R Design 351-05 amendment 13 dated 10.01.2007. The gate shall be designed so that it is only capable of being opened by residents of the development. A sign shall be provided at the Broughton Street entrance to the site indicating that there is no pedestrian access available to Ruzac Street through the site. A sign shall be erected at the Ruzac Street entry to the development indicating that there is no pedestrian access available to Broughton Street through the site.

#### **13. Engineering design works**

All designs of engineering works shall be carried out in accordance with the requirements set out in Council's Engineering Design Guide for Development (as amended).

#### **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

#### **14. Water/electricity utility services**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit written evidence of the following service provider requirements:

Sydney Water – The submission of a Notice of Requirements under Section 73 of the *Water Board (Corporatisation) Act 1994*.

Integral Energy – A letter of consent demonstrating that satisfactory arrangements have been made to service the proposed development.

#### **15. Telecommunications utility services**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit written evidence demonstrating that satisfactory arrangements have been made with a telecommunications carrier to service the proposed development.

#### **16. Construction waste management plan**

Prior to Council or an accredited certifier issuing a construction certificate, the relevant provisions of Council's *Waste Management Plan* is to be completed to the satisfaction of Council.

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**17. Soil and water management plan**

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

**18. Landscaping**

A suitably qualified landscape consultant / contractor for landscaping works shall be retained to ensure that there is compliance at all times with the landscape plans as approved.

All trees identified as existing trees to be retained in the landscape plan are to be protected during construction by the erection of an appropriate fence or barrier around the tree. Such fence or barrier is to remain in place at all times during construction.

The landscaping shall be maintained for the life of the development and any landscaping that dies or is significantly damaged is to be replaced.

**19. Downstream drainage**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall liaise with adjoining land owners regarding downstream drainage and shall submit to the Council written approval from the owner(s) granting permission to discharge stormwater and to create an easement with a set width to Council's current requirement over any drainage works required to traverse those lands. Any easements required shall also be created and registered with *Land and Property Information NSW* prior to issue of the construction certificate.

**20. Stormwater management plan (development)**

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. Floor levels of all buildings shall be above finished site levels and stormwater shall be conveyed from the site to the nearest drainage system under Council's control. All proposals shall comply with Council's Engineering Design Guide for Development (as amended).

**21. Inundation of flood waters**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit plans and detailed hydrological and hydraulic calculations (all to AHD) prepared by an experienced practising hydraulics engineer in accordance with Council's Engineering Design Guide for Development (as amended) as it is considered that the subject development may be at risk of inundation by floodwaters due to overland flow affecting the property. The plans shall include details of:

The calculated 100 year flows at this location and the extent of any inundation affecting the development;

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Any effect on adjacent properties, public or private, likely to be caused by the development; and

Measures proposed to ensure compliance with Council's Engineering Design Guide for Development (as amended).

In addition to the above:

Site fill levels shall be at or above the calculated 100 year ARI level and habitable floor levels shall be in accordance with the freeboard requirements in accordance with Council's Engineering Design Guide for Development (as amended).

Any filling required shall be undertaken in accordance with Council's Specification for Construction of Subdivision Road and Drainage Works (as amended), AS3789 guidelines for Earthworks for Commercial and Residential Development (as amended), and the approved construction drawings.

Where finished floor and surface levels related to flooding are specified as above, a work as executed' plan certified by a registered surveyor shall be submitted to Council for approval prior to release of the occupation certificate.

## **22. Drainage easement**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit a suitable plan for approval by Council and have it registered with Land and Property Information NSW for the creation of a suitable drainage easement to enable stormwater runoff to be conveyed from the subject site to nearest Council drainage system in a manner specified by Council.

## **23. Dilapidation report**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit a dilapidation report for all buildings on lands that adjoin the subject works.

## **PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

## **24. Erosion and sediment control**

Prior to the commencement of any works on the land, erosion and sediment control measures detailed on the approved Erosion and Sediment Control Plan shall be fully installed/implemented.

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**25. Erection of construction sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;

Stating that unauthorised entry to the work site is prohibited; and

Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);

Stating the approved construction hours in which all works can occur.

Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**26. Toilet on construction site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

A public sewer, or

If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or

If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

**27. Trade waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

**28. Vehicular access during construction**

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided to minimise ground disturbance and prevent to transportation of soil onto any public place. Single sized 40mm or larger aggregate placed 150mm deep, and extending from the street, kerb/road to the site is to be provided as a minimum requirement.

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8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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**29. Public property**

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property controlled by Council which adjoins the site including kerbs, gutters, footpaths, walkways, reserves and the like. Failure to identify existing damage may result in all damage detected after completion of the building work being repaired at the applicant's expense.

**30. Footpath and vehicular crossing levels**

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

**31. Demolition works**

Demolition works shall be carried out in accordance with the following:

Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.

Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.

The handling or removal of any asbestos product from the building/site must be carried out in accordance with WorkCover provisions. A person/contractor licensed for asbestos removal must carry out all work.

An appropriate fence preventing public access to the site shall be erected for the duration of demolition works.

**32. Fencing**

An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

**DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

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8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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**33. Construction work hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No Work.

**34. Erosion and sediment control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

**Note: On the spot penalties up to \$1500 will be issued for any non-compliance with this requirement without any further notification or warning.**

**35. Work zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Sub-Committee outlining the proposal for the work zone. The application must be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures shall be borne by the applicant.

**36. Excavation and backfilling**

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

Must preserve and protect the building from damage; and

If necessary, must underpin and support the building in an approved manner, and

Must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

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### 8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

#### **37. Dust nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook). All haul roads and construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.

#### **38. Certification of location of buildings during construction**

Prior to the positioning of wall panels/ bricks or block work, the submission to the principal certifying authority of a registered surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from the boundaries, and the dimensions of the buildings.

#### **39. Certification of location of buildings upon completion**

Upon completion of the buildings, the submission to the principal certifying authority of a registered surveyors certificate showing the boundaries of the allotment, distances of walls and footings from boundaries.

#### **40. Certification Of levels of building during construction**

Prior to the placement of any concrete of the basement/ ground floor slab, the submission to the principal certifying authority of a registered surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

#### **41. Termite control**

The building shall be protected for subterranean termites in accordance with Australian Standard 3660.1. Certification of the treatment shall be submitted to the principal certifying authority prior to the issue of an occupation certificate.

#### **42. Public safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times. In this regard, the applicant shall ensure that a safe fully signposted passage minimum 1.2 metres wide, separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians at all times and that traffic control is undertaken and maintained strictly in accordance with AS 1742.3, the requirements set out in the RTA manual Traffic Control at Work Sites (as amended), all applicable Traffic Management and Control Plans and that any WorkCover Authority requirements are met. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

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8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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**43. Compliance with Council specification**

All design and construction work, lots and roads created shall be in accordance with Council's requirements as follows:

Engineering Design Guide for Development (as amended);

Soils and Construction (2004) (Bluebook); and

Relevant Australian standards and State Government publications.

The applicant shall provide water conduits, common drainage lines or kerb outlets, and laybacks as required.

**44. Medium density driveway and layback crossing**

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's Medium Density Vehicle Crossing Specification.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

**45. Associated works**

The applicant shall undertake any works external to the development made necessary by the development, including additional road and drainage works or any civil works required as directed by Council to make a smooth junction with existing work.

**46. Redundant laybacks**

All redundant layback/s shall be reinstated to conventional kerb and gutter to Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and Engineering Design Guide for Development (as amended).

**PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

**47. Section 73 Certificate**

Prior to the issue of an occupation certificate, the submission to the principal certifying authority of a Section 73 certificate issued by Sydney Water.

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8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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**48. Structural Engineering Certificate**

Prior to the issue of an occupation certificate, the submission to the principal certifying authority of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings and relevant SAA Codes and is structurally adequate.

**49. Completion of external works**

Prior to the issue of an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the consent authority.

**50. Consolidation of allotment**

Prior to the issue of an occupation certificate, the applicant shall submit to the principal certifying authority for endorsement a copy of the plan which consolidates the allotment/s that are the subject of the development application prior to lodgement at the Department of Land and Property Information.

**51. Restoration of public roads**

Prior to the principal certifying authority issuing a occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

**52. Public utilities**

Prior to the principal certifying authority issuing an occupation certificate, adjustments to public utilities required as a result of the development shall be completed at the sole cost of the applicant.

**53. Service authorities**

Prior to the principal certifying authority issuing a subdivision certificate, two copies of all servicing plans shall be forwarded to Council in accordance with the following:

Written advice from Sydney Water, Integral Energy and where applicable the relevant gas company, shall be submitted, stating that satisfactory arrangements have been made for the installation of either service conduits or street mains in road crossings, prior to the construction of the road pavement. All construction work shall conform to the relevant authorities specification/s.

The final seal shall be deferred pending installation of all services. In this regard the applicant shall provide a temporary seal and lodge with Council as security, the amount to be determined by Council, to cover the cost of trench restoration by Council and the placement of the final asphaltic concrete seal.

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8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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**54. Lot Numbers**

Prior to the principal certifying authority issuing an occupation certificate all lot numbers shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using approved pavement marking grade paint.

**55. Registration of Levels**

Prior to the principal certifying authority issuing an occupation certificate, a registered surveyor shall confirm that the floor levels of the development are in accordance with the development consent.

**56. Signage**

- (i) Prior to the principal certifying authority issuing an occupation certificate a sign shall be erected and thereafter maintained at all times in the Ruzac Street frontage of the development advising that visitor parking is available from Broughton Street.
- (ii) Prior to the issue of an occupation certificate a sign shall be erected and thereafter maintained at all times in the Broughton Street entry to the development advising that visitor car parking is available in the basement and that large delivery trucks should park in the delivery loading bay off Ruzac Street.
- (iii) Prior to the issue of an occupation certificate a sign shall be erected and thereafter maintained at all times in the delivery loading bay off Ruzac street indicating that no vehicle other than the waste collection vehicle of the private contractor engaged to collect green waste and recyclable material from the development may park or stand in that loading bay during the times that the waste collection contractor is required to attend the development for the purpose of collecting the said waste.

**ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act 1979*, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

**Advice 1. *Environmental Planning and Assessment Act 1979* requirements**

The *Environmental Planning and Assessment Act 1979* requires you to:

Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4608.

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### 8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.

Give Council at least two days notice prior to the commencement of any works.

Have mandatory inspections of nominated stages of the construction inspected.

Obtain an occupation certificate before occupying any building or commencing the use of the land.

#### **Advice 2. Tree preservation order**

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside 3 metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

#### **Advice 3. Disability Discrimination Act**

Your attention is drawn to the existence of the *Disability Discrimination Act*. A construction certificate is required to be obtained for the proposed building/s, which will provide consideration under the Building Code of Australia, however, the development may not comply with the requirements of the *Disability Discrimination Act*. This is the sole responsibility of the owner, builder and applicant.

#### **Advice 4. Smoke alarms**

The installation of smoke alarms is required to be carried out in accordance with AS 3786. The licensed electrical contractor is required to submit to the Principal Certifying Authority a certificate certifying compliance with AS 3000 and AS 3786.

#### **Advice 5. Retaining walls**

A separate development application shall be submitted and approved for any retaining walls that exceed 1 metre in height.

#### **Advice 6. Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

#### **Advice 7. Inspection within public areas**

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

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8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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**Advice 8. Adjustment to public utilities**

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

**Advice 9. Salinity**

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within Council's Engineering Design Guidelines for Development (as amended).

**END OF CONDITIONS**

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8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

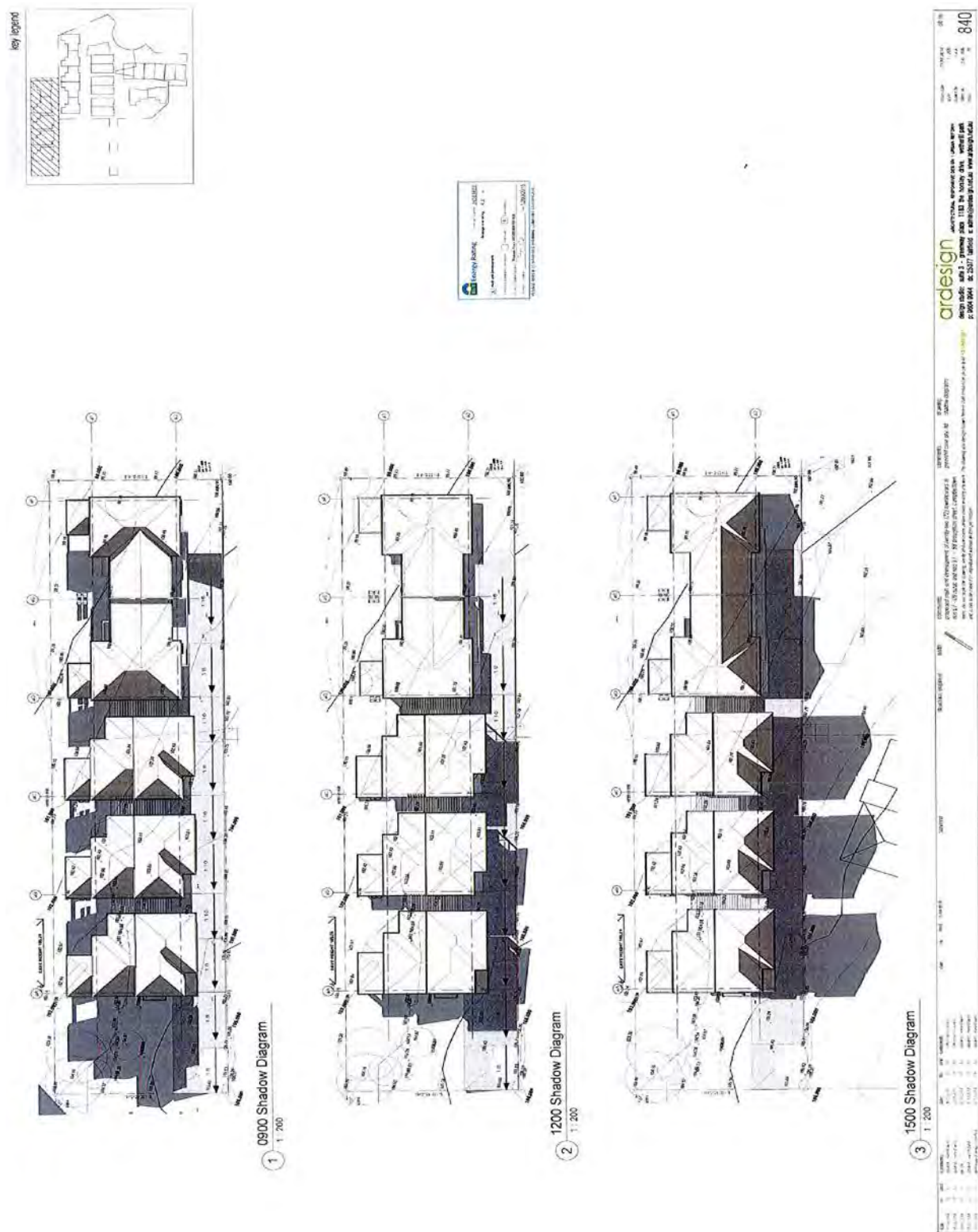
## ATTACHMENT 2





# 8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

## ATTACHMENT 4





## 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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### 8.4 Construction of a new warehouse building and use for the storage and distribution of fibreglass insulation products at No. 55 Stennett Road, Ingleburn

#### Division

City Development

#### Reporting Officer

Acting Manager Development Services

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#### Attachments

1. Recommended conditions of consent (contained within this report)
2. Locality plan (contained within this report)
3. Aerial photograph with building overlay (contained within this report)
4. Site plan (contained within this report)
5. Floor plans (contained within this report)
6. Elevations (contained within this report)
7. Roof plan and colours schedule (contained within this report)
8. Landscaping plan (contained within this report)

#### Purpose

To assist Council in its determination of the subject development application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

This development application is required to be reported to Council pursuant to Department of Planning Circular PS 08-104 dated 14 November May 2008 as it is seeking a variation of greater than 10 per cent to a development standard contained in Campbelltown (Urban Area) Local Environmental Plan 2002.

<b>Property Description</b>	Lot 1 DP 787736, No. 55 Stennett Road, INGLEBURN
<b>Application No</b>	3241/2015/DA-I
<b>Applicant</b>	CSR Limited
<b>Owner</b>	CSR Building Products Limited
<b>Statutory Provisions</b>	State Environmental Planning Policy No. 1 – Development Standards State Environmental Planning Policy No 55 - Remediation of Land Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment Campbelltown (Urban Area) Local Environmental Plan 2002

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## 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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	Draft Campbelltown Local Environmental Plan 2014 (since adopted as Campbelltown Local Environmental Plan 2015)
	Campbelltown (Sustainable City) Development Control Plan 2014
<b>Non-Statutory Provisions</b>	Campbelltown 2025 – Looking Forward
<b>Date Received</b>	November 2015

### Report

This application proposes the construction of a warehouse building with two separate tenancies, with a total gross floor area of 6350 square metres including associated office areas.

### The Site and Surrounds

The site is known as No. 55 Stennett Road Ingleburn, which has a total site area of 9.98 hectares. The site presently contains a large glass fibre manufacturing and warehousing operation, which is conducted by the applicant and has been done so for many years.

The development site within that larger land holding is presently vacant, although does contain a drainage depression and other outdoor storage areas associated with operations presently being undertaken at the property.

Surrounding development includes a range of large industrial buildings to the north and east along Williamson and Stennett Roads. The Hume Highway is approximately 520 metres away to the west of the site. To the south, the residential areas of Bow Bowing and St Andrews are approximately 460 metres away.

### The proposal

The proposal includes:

Construction and operation of a new warehouse building, with the following specifications:

- total floor area – 6535.2sqm
- factory ground floor area – 6149.2sqm
- ground floor office – 154.3sqm
- dock office ground floor – 40.3sqm
- first floor office – 191.4sqm
- existing warehousing/factory on site – 28,560sqm

It is proposed that the building will be used for warehousing/storage of goods associated with the manufacture of insulation batts at the adjoining facility. The total amount of car parking provided for the new warehouse building is 53 spaces, including accessible spaces.

A comprehensive landscaping plan has been provided with the application, which shows that a substantial vegetative screen would be established along the building's frontage to Williamson Road.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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The proposed office at the buildings front would be finished in an attractive palette of colours and materials.

Truck access, including that for B-double combination vehicles has been incorporated in to the building and site design.

### **Assessment**

The development has been assessed in accordance with the heads of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters, the following issues have been identified for further consideration.

### **Non-statutory provisions**

#### **1. Campbelltown 2025 - Looking Forward**

Campbelltown 2025 - Looking Forward is a vision statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- responds to what Council understands people want the City of Campbelltown to look
- feel and function like
- recognises likely future government policies and social and economic trends
- sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes.

The strategic directions relevant to this application are:

- growing the regional city
- building a distinctive Campbelltown sense of place
- creating employment and entrepreneurial opportunities

The proposed development is consistent with these directions.

The relevant desired outcomes associated with Council's vision, included in Campbelltown 2025 – Looking Forward include:

- urban environments that are safe, healthy, exhibit a high standard of design, and are environmentally sustainable
- an impression of architecture that engages its environmental context in a sustainable way
- development and land use that matches environmental capacity and capability.

The proposed development is consistent with the vision's desired outcomes having regard to the proposed scale, function and design of the proposed development.

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## 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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### 2. Statutory provisions

Section 79C(1)(a) requires the Council to consider environmental planning instruments and development control plans that apply to the site.

#### 2.1 State Environmental Planning Policy No. 1 – Development Standards

The application includes an objection to a local development standard, specifically in relation to a Clause in the Council's local environmental plan that restricts what types of works may be constructed within the street setback of industrial land.

A detailed assessment and discussion of the Clause and the resultant objection is undertaken later in this report as part of consideration of the Council's local environmental plan (see section 2.4).

#### 2.2 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies throughout the State. The SEPP requires consent authorities and land owners to consider contamination of land during redevelopment and rezoning applications.

In particular, Clause 7 requires:

1. A consent authority must not consent to the carrying out of any development on land unless:
  - a. it has considered whether the land is contaminated, and
  - b. if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
  - c. if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

The applicant commissioned a Phase 1 contamination assessment of the land on which the building is proposed. The investigation made the following conclusion:

A Phase 1 Preliminary Contamination Assessment has been completed for Lot 1 (DP 787736) Stennett Road, Ingleburn. Included in that assessment was;

1. a detailed review of historical and legal documents relating to the site and its use
2. a detailed review of aerial photographs taken between 1956 and 2016
3. an interview with a property employee, and
4. a site inspection.

The results of the Phase 1 Preliminary Contamination Assessment suggest the investigation area has never been subject to any significantly contaminating land use activities post 1956. No further investigations are deemed necessary.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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Accordingly and based on the conclusion of the Phase 1 assessment, no further action is required as part of this application in relation to land contamination.

### **2.3 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment**

GMREP No. 2 applies to the site and establishes objectives and certain considerations for development within the Georges River catchment (where it is located in metropolitan areas). Under the plan, the development would be defined as industry.

Matters for consideration detailed in the plan are detailed below:

- the potential cumulative environmental impact of any industrial uses on water quality within the Catchment.
- the adequacy of proposed stormwater controls and whether the proposal meets the Council's requirements for stormwater management.
- whether proposed erosion control measures meet the criteria set out in Managing Urban Stormwater: Soil and Construction Handbook (1998) prepared by and available from Landcom and the Department of Housing.
- likely impact on groundwater and remnant vegetation.
- the possibility of reusing treated waste water on land and the adequacy of proposed waste water disposal options.
- whether adequate provision has been made to incorporate vegetated buffer areas to protect watercourses, foreshores or other environmentally sensitive areas where new development is proposed.
- the adequacy of planned waste water disposal options.

The application and development respond favourably to the matters for consideration and address the issues raised in the plan. Subject to appropriate soil and sedimentation controls being implemented during the construction process, the development is unlikely to have any adverse impacts on stormwater run-off and water quality in the Georges River system.

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

Having regard to the time at which the application was lodged (being November 2015), Campbelltown (Urban Area) Local Environmental Plan 2002 (the LEP) is the relevant local environmental planning instrument that relates to the development for the purposes of this assessment.

Under the LEP, the site is zoned 4(a) – General Industry Zone.

Clause 12(2) of the LEP lists the objectives of the zone as:

- a. to encourage activities that will contribute to the economic and employment growth of the City of Campbelltown
  - b. to allow a range of industrial, storage and allied activities, together with ancillary uses, the opportunity to locate within the City of Campbelltown
  - c. to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development
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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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- d. to protect the viability of the commercial centres in the City of Campbelltown by limiting commercial activities to those associated with permitted industrial, storage and allied development
- e. to ensure development will not be carried out unless the consent authority is satisfied that the processes to be carried on, the transportation to be involved, or the plant, machinery or materials to be used, do not interfere unreasonably with the amenity of the area.

In addition, consent must not be granted unless that development would be consistent with one or more of the objectives of this zone.

The development is considered to be complementary with the objectives of Clause 12(2) for the following reasons:

- the development would provide a net gain of approximately 25 employment positions to the Campbelltown area
- the office and entry building presents to Stennett Road with an attractive and articulated facade with extensive site landscaping
- the proposed development does not involve a commercial component that would detract from the viability of businesses within established commercial centres

The development is defined as industry and warehouse, both of which are permissible with consent in the zone.

Clause 37 of the LEP contains Council's requirements for the setback of buildings in industrial areas. Relevant parts of the Clause are:

#### 37. Setbacks within industrial areas

Consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4 (a) or 4 (b) which is within:

- a. 30 metres of the main southern railway line, the South Western Freeway, Ben Lomond Road between Pembroke Road and the Main Southern Railway Line, Campbelltown Road, Henderson Road, Pembroke Road, Rose Payten Drive or Williamson Road

Accordingly, land within the site that is within 30 metres of Williamson Road may only be used for landscaping, vehicle parking and access. Under the subject proposal, the building would be located within the 30 metre setback area as the proposed distance to the road is 16.3 metres. This represents a 45 per cent variation to the standard.

As such, pursuant to SEPP 1 – Development Standards the applicant has submitted an objection to the relevant setback standard. The objection is founded on the basis that:

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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- the site does not directly front Williamson Road, nor has it vehicular access to/from Williamson Road. Therefore the proposed encroachment into the 30m setback area would not disrupt the desired character of the streetscape that is evident along Williamson Road further to the north of the subject site;
- the building is situated in the proposed location so as to avoid the sewer line running through the site;
- the design of the new building would be consistent with the design of the existing building, which is considered to be complimentary and consistent with the established character of the surrounding built and natural environment; and
- the levels differ between Williamson Road and the subject site, with the road being higher than the level of the buildings on the site. The existing mound/bunding would provide some screening of the proposed development from Williamson Road. The inclusion of the plant and infrastructure within the required setback is unlikely to erode the importance of the standard and that the area would be satisfactorily screened by an earth mound and landscape screen tree plantings.

Further, officers consider the following to be of relevance:

The impacts of the encroachment are likely to be almost imperceptible to motorists or visitors in general owing to the location of the western wall of the warehouse and its relationship to Williamson Road – which has a distinct kink in the road very close to where the encroachment commences, meaning that the physical road is in fact much further away from the building than would otherwise occur. An aerial photograph illustrating the above scenario is contained in attachment 3 to this report.

The movement of Williamson Road comes as a result of its connection to Campbelltown Road at the roundabout shown in the aerial photograph at attachment 3. Of further note is that should Campbelltown Road be widened in that vicinity in the future, the widening is located to the west of the existing pavement, meaning that the subject building would continue to be observed at a considerable distance from any road.

The applicant's assessment pursuant to the five part test sometimes known as The Winten Test developed from case law where an objection to a development standard has been made is reproduced below:

1. The objectives of the standard are achieved notwithstanding non-compliance with the standard.

Applicant's response: The LEP does not state an underlying object or purpose for the development standard at Clause 37. It is considered however, that the underlying objectives of this development standard are as follows:

- i. to control the visual impact of buildings on main transport routes in the Campbelltown urban areas;
  - ii. to create open spaces around these main transport routes;
  - iii. to provide visual continuity/corridors around these routes; and
  - iv. to provide areas of linked landscaping.
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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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Compliance with Clause 37(a), would result in a poor design outcome and would not be consistent with the objectives of the LEP and in particular clauses 12(2)(a) to (c) and inconsistent with the objectives of Part 7.3 of the DCP, both of which require a high standard of architectural treatment to buildings. The proposed building also presents better to Stennett Road.

In our view, the achievement of the setback requirement (numerical standard) would then tend to hinder attainment of Clause 12(2)(c) of the LEP.

Officer comment: In addition to the above and as mentioned earlier, the change in Williamson Road alignment in the vicinity of the proposed building in reducing the perceived proximity of the building to the road itself, further assisting with preservation of the standard's likely intent. For a visual representation of the road's proximity, please see attachment 3 of this report.

2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.

Applicant's response: The surrounding area is characterised by predominantly large warehouse/industrial development, occupying various building footprints. The character of the area has evolved into different forms of warehousing and industrial developments. The proposed development is therefore consistent with the character of the area.

3. The underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.

Applicant's response: The objectives of the General Industry zone relate to encouraging high quality development which will enhance economic activity and employment opportunities. The proposal will significantly contribute to economic growth and employment opportunities, in a high quality development outcome.

Compliance with the standard would not enable development of the site as proposed and is considered unreasonable as the proposal is consistent with the objectives of the zone.

4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.

Officer comment: The Sydney West JRPP has recently granted consent for construction of a new factory building and associated plant on Williamson Road, approximately 600 metres from the subject site. It also proposed an encroachment of the 30 metre setback to Williamson Road and relied on the construction of an earthen mound and landscaping to obscure the encroachment.

Similarly, the subject application proposes (following Council's initial assessment and subsequent request) a dense screen of trees and shrubs of various sizes to assist in screening the building's scale from Williamson Road.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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Further, it must be noted that the standard has been removed from Campbelltown Local Environmental Plan 2015, which was made by the Governor within a month of the subject application being made. Council did not wish to continue pursuance of achieving these setback controls via development standards, rather, it has now confined them to controls within the Campbelltown (Sustainable City) Development Control Plan.

#### 5. Is the objection well founded?

Applicant's response: Given the extent of the justification and, most importantly, given that the environmental and amenity impacts of the development are not significant, then the objection is considered to be well founded. The answer is yes.

The applicant's statements and objection are considered to be well founded, particularly when regard is given to the screening effect of the required landscape screen as well as the development's compatibility with the area's existing and desired character.

It is also noted that pursuant to the Department of Planning's Circular B1, issued in March 1989, the consent authority, in this case Council, may assume the Director-General's concurrence for approval of the variation.

Accordingly, it is considered reasonable for the Council to allow the variation to the development standard in the circumstances of the case, where Council decides to approve the development application recommended for approval as part of the granting of development consent.

### 2.5 Draft Campbelltown Local Environmental Plan 2014

At the time of the application's lodgement, Council had publicly exhibited draft Local Environmental Plan 2014, which was prepared in accordance with the Department of Planning and Environment's standard instrument template. The draft was exhibited during July and August 2014 and has since been gazetted.

Owing to the timing of application lodgement and draft LEP gazettal, the Plan now known as Campbelltown Local Environmental Plan 2015, is considered to be a draft instrument for the purposes of this assessment and Section 79C(1)(a)(ii) of the Act.

Under the draft LEP, the site would be zoned IN1 General Industrial. The site's use is consistent with that zone's proposed objectives and is permissible with development consent.

The building height is beneath the draft LEP's 12 metre height limit (at a max. height of 8.6 metres).

The development is therefore considered to be compatible with the draft LEP.

It is important to note that LEP 2015 does not contain a similar development standard to LEP 2002 regarding industrial development setbacks, as such, the building setback could not be a matter of consideration under LEP 2015.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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### 2.6 Campbelltown (Sustainable City) Development Control Plan 2014

Campbelltown (Sustainable City) Development Control Plan (the SC DCP) is the relevant development control plan for the site and development type.

The general provisions of Part 2 of the SC DCP, applying to all types of development, have been considered and are discussed as follows:

Views and vistas – The visual impact of the development would be generally limited owing to its location and the screening provided by the landscaping required.

Landscaping – There are no trees on site listed on Council's significant tree register. The site is not nominated or known to contain any threatened species or communities.

Landscape embellishment of the site is considered an appropriate outcome given the development on site and its surrounds. Landscaping would be utilised to effectively screen the building from public spaces over time.

Risk Management - The potential for environmental impacts has been examined and the site is considered suitable for the proposed development. There would be a small quantity of dangerous goods stored at the site, in accordance with WorkCover and Australian Standards requirements. All dangerous goods that would be stored on site are in quantities well below State Environmental Planning Policy No. 33 – Hazardous and Offensive Development maximum thresholds.

Waste Management - a Waste Management Plan for the development has been submitted and is considered satisfactory.

Part 7 of the SC DCP contains the Council's specific controls in relation to the design and operation of industrial developments.

#### Part 7 – Industrial development

The application has been assessed against the relevant parts of Part 7 of Campbelltown Sustainable City DCP 2014 due to the time at which the development application was lodged.

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8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

Standard	Required	Proposed	Compliance
<b>Height</b>	Predominantly single storey, excluding offices and mezzanines	Single storey with mezzanine	Yes
<b>Building design</b>	Vertical/horizontal offsets in wall surfaces	Vertical/horizontal offsets in wall surfaces provided	Yes
	Articulate windows/ doors/roof /entrances	Windows/ doors/roof /entrances articulated	Yes
	Articulate walls using texture, colour, materials	Walls articulated – different materials and colours	Yes
	Min. 50% of total surface area of front elevation to be constructed of masonry material	Greater than 50% of total surface area of front elevation would be constructed of masonry material	Yes
	Mezzanines/offices to be less than 50% of gross floor area of the ground floor of the building	Mezzanines/offices less than 50% of gross floor area of the ground floor of the building	Yes
	Offices shall not comprise more than 30% of the gross floor area of the building	<30%	Yes
	Main entry identifiable from street	Main entry identifiable from access road	Yes
<b>Setbacks</b>	10 metres to Stennett Road	170 metres	Yes
	30 metres to Williamson Road	16.3 metres	No – see discussion in Section 2.4 of this report.  Variation is considered to have merit

8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

<p><b>Car parking</b></p>	<p>One space for every 100sqm of LFA up to 2000sqm (40 – for the first 2000sqm of each unit) plus</p> <p>One space per 250sqm for the LFA exceeding 2000sqm plus</p> <p>One space per 35sqm for any office area, lunch rooms, storage areas and the like</p> <p>Total required = 47</p> <p>Enter and leave in a forward direction with max. 3 point turn</p> <p>Car spaces / manoeuvring not to occupy more than 50% of required front setback</p> <p>10% of required car spaces, including disabled spaces, located close to main pedestrian entry</p> <p>Loading bay to be provided for HRV. Loading/unloading wholly within the site.</p> <p>Each site shall have a: - maximum of one ingress and one egress for heavy vehicles (combined or separated); and</p>	<p>Proposed = 53</p> <p>All vehicles can enter and leave in a forward direction with max. 3 point turn</p> <p>Car spaces/ manoeuvring areas are all behind the required setback</p> <p>&gt;10% of car spaces, including disabled spaces, would be located close to main pedestrian entry</p> <p>Loading bays for several B-doubles provided. All loading and unloading is able to take place within the site.</p> <p>One heavy vehicle access/egress points proposed using existing large vehicle driveway for entire site to Stennett Road.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

<b>Landscaping</b>	Provided to min. 50% of each required setback area	Significant landscaping along Williamson Road frontage and also along Stennett Road.	Yes
	Along the full width of street frontage, other than driveways	Provided	Yes
<b>Fencing</b>	2.4m height Palisade, etc.	No fencing to Stennett Road is proposed	Yes
<b>Waste Management</b>	To be located behind the front building setback	Proposed development has adequate space for waste to be located behind front building setback	Yes
<b>Residential Interface</b>	Nearest residences approx. 450m to the south	No relevant controls	N/A
<b>Multi-Unit Complexes</b>	N/A	N/A	N/A

The development is largely compliant with the controls and objectives, except for one requested departure. This being:

##### 1. Street Setbacks

The SCDCP repeats the setback requirements of LEP 2002 detailed earlier in this report. The variation is supported on the grounds that vegetation screening will be available at the site by the establishment and maintenance of screen tree planting across the site's frontage to Williamson Road. The variation is further supported in that the roadway to the front of the site diverges away from the site, further reducing any potential visual impact on the character or amenity of the area.

A thorough discussion of the setback to Williamson Road is contained in Section 2.4 of this report.

Accordingly, the development is considered to be largely consistent with the SCDCP and is worthy of approval.

##### 3. Impacts on the natural and built environment

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires Council to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

## 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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Key matters for consideration when considering the development's potential impact on the natural and built environment are:

- stormwater and drainage management
- traffic impacts
- landscape works

These matters are individually discussed in more detail below.

### 3.1 Stormwater and drainage management

Stormwater collected from the roof space would be captured in a 20,000 litre storage tank, to be located underground.

The applicant and Council's City Delivery, Infrastructure unit have undertaken significant assessment of the proposal, noting an existing drain that traverses the site, and indeed, the exact location upon which the subject building would be constructed.

Assessment of the onsite stormwater management solution has been undertaken, with the formalised connection to Council's stormwater system required.

Appropriate conditions have been included in the draft consent to ensure that the stormwater system is designed and maintained in accordance with the Council's requirements.

### 3.2 Traffic impacts

Truck access to the site would continue in the same way the present, with only a minor increase in the total numbers of vehicles entering and leaving the site proposed. The site is provided with excellent access to Stennett, Williamson and ultimately the Hume Highway both north and southbound.

Vehicles accessing the site would predominantly be semi-trailers although the site has been designed to accommodate B-doubles. All vehicle entry and exit would be in a forward direction with passenger vehicles (for staff and visitors) separated from heavy vehicles at their respective entries.

### 3.3 Landscape works

The applicant has submitted a landscaping plan with the application. The plan shows embellishment of existing landscape pockets across the site. Significant embellishment to landscaping has been proposed along the site's frontage to Williamson Road in order to obscure the building and reduce motorist perception of its proximity to the street. Suitable conditions have been included in the draft consent requiring the same.

### 3.4 Social and economic impacts

The social and economic impacts of the development are considered to be positive. The new warehouse site would generate employment for approximately 30 persons and would allow for the existing, long-standing local business to increase its production and profitability.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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In addition to those employed on-site, the multiplier effects of those jobs and employment for contractors such as truck drivers and waste management are considered to be of benefit to the local area and the City's economy.

#### **4. Site Suitability**

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires the Council to assess the suitability of the site for the proposed development.

Having regard to the development's high level of compliance with the environmental considerations detailed previously, the proposal's high level of compliance with relevant planning objectives and controls, the development is considered to be suitable for the site.

The proposal is considered to be complementary to existing and likely future development within the immediate vicinity.

#### **5. Submissions**

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the Council to consider submissions made to the proposal.

Noting the location of the building, its relative distance to any nearby residents and the innocuous (warehouse) style use proposed the proposal was not notified.

#### **6. The public interest**

Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider the public interest where dealing with a development application.

The public interest is a comprehensive requirement that requires consent authorities to consider the long term impacts of development and the suitability of the proposal in a larger context. Implicit to the public interest is the achievement of desired environmental and built form outcomes adequately responding to and respecting the desired future outcomes expressed in Environmental Planning Instruments and Development Control Plans.

In this instance, the proposal is for an employment-generating development within an established industrial area. The site has excellent access to road transport networks and is suitable having regard to its size and its complementary responses to local and State planning objectives and controls notwithstanding its encroachment into a no build area. The development is not considered likely to have significant detrimental impacts on the natural or built environment.

Accordingly, its approval is considered to be in the public interest.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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### Conclusion

A development application has been received for the construction and use of an industrial facility for the warehousing of glass fibre insulation products.

The site is located within an established industrial area with good transport links and access to physical services such as water and gas supplies.

An objection to a development standard (pursuant to State Environmental Planning Policy No. 1 – Development Standards) accompanied the application. The objection related to a 30 metre street setback standard found within the CLEP2002, being the relevant LEP at the time of lodgement.

Upon assessment, the objection to the standard can be supported, provided that certain landscape screening works are undertaken to minimise the buildings impact on the streetscape amenity of the development. It is important to note that the standard has since been removed from Council's current LEP that applies to the site, and as such this would not be a matter of consideration under CLEP 2015 where the application was lodged today.

A range of conditions of consent are proposed to cover the broad spectrum of issues arising from the proposal, including standard matters such as reference to submitted plans and documents.

The development is not considered likely to have a significant and/or detrimental impact on the natural or built environment and is considered suitable for the site, having regard to its complementary nature to existing and desired industrial development in the vicinity.

With due reference to the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and the issues raised throughout the report, it is therefore considered that the proposed development is satisfactory and should be approved subject to the recommended conditions contained in attachment 1.

### Officer's Recommendation

1. That the objection to the development standard that requires the building to the building be setback 30 metres to Williamson Road be allowed.
  2. That subject to recommendation 1, development application 3241/2015/DA-I for the construction of a new warehouse building and use for the storage and distribution of fibreglass insulation products at No. 55 Stennett Road, Ingleburn be approved, subject to the conditions detailed in attachment 1 of this report.
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## ATTACHMENT 1

### Recommended Conditions of Consent

#### GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term applicant means any person who has the authority to act on or benefit of the development consent.

#### 1. Approved Development

The development shall be carried out in accordance with the approved plans listed below and all associated documentation supporting this consent, except as modified by any conditions within.

DeAngelis Taylor and Associates – Job No. 15037

<i>Drawing</i>	<i>Revision</i>	<i>Date</i>
DA01	B	15 April 2016
DA02	B	15 April 2016
DA03	B	15 April 2016
DA04	B	15 April 2016
DA05	B	15 April 2016
DA06	B	15 April 2016
DA07	B	15 April 2016
DA08	B	15 April 2016

MSL Consulting Engineers – Project No. 15363

<i>Drawing</i>	<i>Revision</i>	<i>Date</i>
C01	D	12 July 2016
C02	D	12 July 2016
C03	D	12 July 2016
C04	D	12 July 2016
C05	D	12 July 2016
C06	D	12 July 2016
C07	D	12 July 2016
C08	D	12 July 2016
C09	D	12 July 2016
C010	D	12 July 2016

#### Supporting Reports

Statement of Environmental Effects – prepared by Michael Brown Planning Strategies, Rev. 2, dated November 2015

#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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SEPP No. 1 Objection – prepared by Michael Brown Planning Strategies

Phase 1 Contamination Assessment – prepared by Harvest Scientific Services, ref. 201488, dated 31 March 2016

Flood Study – prepared by MSL Consulting Engineers, ref. CR-15363

### **2. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the Building Code of Australia. In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

### **3. Landscaping**

- a. The provision and maintenance of landscaping shall be in accordance with the approved landscape plans, including the engagement of a suitably qualified landscape consultant / contractor for the establishment of landscaping works.
- b. All plants shall be vigorous and well established, free from disease and pests, of good form, consistent with species or variety, hardened off, not soft or forced, with large healthy root systems with no evidence of root curl, restriction or damage.
- c. All trees are to be staked and tied with a minimum of three hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.
- d. Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths, car parking areas and driveways.
- e. Minimum 75mm depth of organic mulch shall be placed within an area 500mm radius from the base of the tree. Mulch shall be free from deleterious and extraneous matter, including soil, weeds, rocks, twigs and the like and shall be placed so that it is not in contact with the stem of the plant.

### **4. External finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

### **5. Deliveries**

Vehicles servicing the site shall comply with the following requirements:

- a. All vehicular entries and exits shall be made in a forward direction.
  - b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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- c. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

#### **6. Storage of goods**

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

#### **7. Security fencing**

All security fencing shall be established behind the required landscape areas and not on the road alignments. No barbed wire style fencing is to be erected in a location that can be seen from a public place.

Fencing shall be finished in dark, recessive colours.

#### **8. Storage of flammable and combustible liquids**

Flammable and combustible liquids shall be stored in accordance with Australian Standard 1940-(as amended) – The Storage and Handling of Flammable and Combustible Liquids.

#### **9. Unreasonable noise, dust and vibration**

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in nearby residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

#### **10. Flood level controls – industrial development**

This subject site is located within an area that has been identified as being at the risk of being affected by the 100 year ARI flood.

The floor area of any building erected on the site shall be a minimum of RL 36.34m AHD.

#### **11. Rubbish/recycling bin storage**

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

#### **12. Rain water tank(s)**

A 20,000 litre rain water tank shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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### **13. Graffiti removal**

In accordance with the environmental maintenance objectives of Crime Prevention Through Environmental Design, the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

### **14. Car parking spaces**

Fifty-three car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

### **15. Construction certificate**

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall obtain a construction certificate for the particular works
- b. the applicant shall appoint a principal certifying authority
- c. the private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works.

### **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

### **16. Utility servicing provisions**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

### **17. Soil and water management plan**

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

### **18. Section 94A Developer Contribution - community facilities and services**

Prior to Council or an accredited certifier issuing a Complying Development Certificate or a Construction Certificate (or where a Construction Certificate is not required, a Subdivision Certificate), the applicant shall provide a receipt for the payment to Council of a community facilities and services contribution in accordance with the provisions of the Campbelltown City Council Section 94A Development Contributions Plan.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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For the purposes of calculating the required S94A contribution, where the value of the total development cost exceeds \$100,000, the applicant is required to include with the application for the respective certificate, a report setting out a cost estimate of the proposed development in accordance with the following:

- where the value of the proposed development is \$500,000 or more, provide a detailed development cost report completed by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors (Quantity Surveyors Estimate Report Template 2). Payment of contribution fees will not be accepted unless the amount being paid is based on a Quantity Surveyors Estimate Report (QS Report) that has been issued within 90 days of the date of payment. Where the QS Report is older than 90 days, the applicant shall provide an updated QS Report that has been indexed in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 to ensure quarterly variations in the Consumer Price Index All Group Index Number for Sydney have been incorporated in the updated QS Report.

Copies of the Cost Summary Report - Template 1 and the Quantity Surveyors Estimate Report - Template 2 are located under Developer Contributions on Council's web site ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)) or can be collected from Council's City Development Division during normal business hours.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

Payment of Section 94A Developer Contributions will only be accepted by way of Cash, Credit Card or Bank Cheque issued by an Australian bank. Payment by any other means will not be accepted unless otherwise approved in writing by Council.

### **19. Design for access and mobility**

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

### **20. Sydney Water**

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to Council or an accredited certifier issuing a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

**PRIOR TO THE COMMENCEMENT OF ANY WORKS**

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

##### **21. Erosion and sediment control**

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

##### **22. Erection of construction sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

##### **23. Toilet on construction site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. a public sewer, or
- b. if connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. if connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

##### **24. Trade waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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### **25. Vehicular access during construction**

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

### **26. Public property**

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

### **27. Footpath and vehicular crossing levels**

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

### **28. Hoarding/fence**

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with WorkCover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the *Local Government Act 1993* shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

### **29. Sydney Water**

Prior to the commencement of any works on the land, the approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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### DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

#### **30. Construction work hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 4.00pm
Sunday and public holidays	No Work.

#### **31. Erosion and sediment control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$1500 will be issued for any non-compliance with this requirement without any further notification or warning.

#### **32. Work zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a work zone external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable Traffic/Pedestrian Management and Control Plan for the area of the work zone that will be affected. All costs of approved traffic/pedestrian control measures, including relevant fees, shall be borne by the applicant.

#### **33. Dust nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook). Construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.

#### **34. Public safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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### **35. Certification of location of building during construction**

Prior to the positioning of wall panels/bricks or block work, the applicant shall submit to the principal certifying authority a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from the boundaries, and the dimensions of the building.

### **36. Certification of levels of building during construction**

Prior to the placement of any concrete of the basement/ground floor slab, the applicant shall submit to the principal certifying authority a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

### **37. Associated works**

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

### **38. Completion of construction works**

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

### **39. Excess material**

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

#### **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: Under this subheading, for the purpose of issuing an occupation certificate, any reference to occupation certificate shall also be taken to mean interim occupation certificate.

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## 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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### 40. Section 73 Certificate

Prior to the principal certifying authority issuing an occupation certificate (or subdivision certificate, whichever shall occur first), a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate.

### 41. Completion of external works onsite

Prior to the principal certifying authority issuing an occupation certificate, all external works detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls are to be completed to the satisfaction of the principal certifying authority.

Screen landscaping to the development's Williamson Road frontage must be installed in accordance with the approved plan prior to release of the certificate.

### 42. Public utilities

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

### 43. Final inspection – works as executed plans

Prior to the principal certifying authority issuing an occupation/a subdivision certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown (Sustainable City) DCP Volume 3 (as amended).

The applicant shall also submit a copy of the works as executed information to Council in an electronic format in accordance with the following requirements:

#### Survey Information

- Finished ground and building floor levels together with building outlines
  - Spot levels every five metres within the site area
  - Where there is a change in finished ground levels that are greater than 0.3m between adjacent points within the above mentioned 5m grid, intermediate levels will be required
  - A minimum of fifteen site levels
  - If the floor level is uniform throughout, a single level is sufficient
-



#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s
- The surface levels of all other infrastructure.

#### Format

- MGA 94 (Map Grid of Australia 1994) Zone 56 - Coordinate System
- All level information to Australian Height Datum (AHD)

#### AutoCAD Option

- The eTransmit (or similar) option in AutoCAD with the transmittal set-up to include as a minimum:

Package Type	zip
File Format	AutoCAD 2004 Drawing Format or later
Transmittal Options	Include fonts
	Include textures from materials
	Include files from data links
	Include photometric web files
	Bind external references
	The drawing is <b><u>not</u></b> to be password protected.

#### MapInfo Option

- Council will also accept either MapInfo Native format (i.e. .tab file) or MapInfo mid/mif.

All surveyed points will **also** be required to be submitted in a point format (x,y,z) in either an Excel table or a comma separated text file format.

#### 44. Council fees and charges

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

#### ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2000*, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

#### Advice 1. *Environmental Planning and Assessment Act 1979* Requirements

The *Environmental Planning and Assessment Act 1979* requires you to:

#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

#### **Advice 2. Tree preservation order**

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self supporting stems that are more than three metres or has a trunk diameter more than 150mm measured one metre above ground level, and excludes any tree declared under the *Noxious Weeds Act* (NSW).

#### **Advice 3. Provision of equitable access**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a construction certificate is required for the approved works, due regard is to be given to the requirements of the Building Code of Australia (BCA) and the premises standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the premises standards.

Where no building works are proposed and a construction certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

#### **Advice 4. Adjustment to public utilities**

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

#### **Advice 5. Dial before you Dig**

Underground cable and pipes may exist in the area. In your own interest and for safety, telephone 1100 before excavation or erection of structures. Information on the location of

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#### 8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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underground pipes and cables can also be obtained by fax on 1300 652 077 or through the following website - [www.1100.com.au](http://www.1100.com.au)

Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

#### **Advice 6.      *Telecommunications Act 1997 (Commonwealth)***

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995* (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

**END OF CONDITIONS**

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8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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## ATTACHMENT 2





8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

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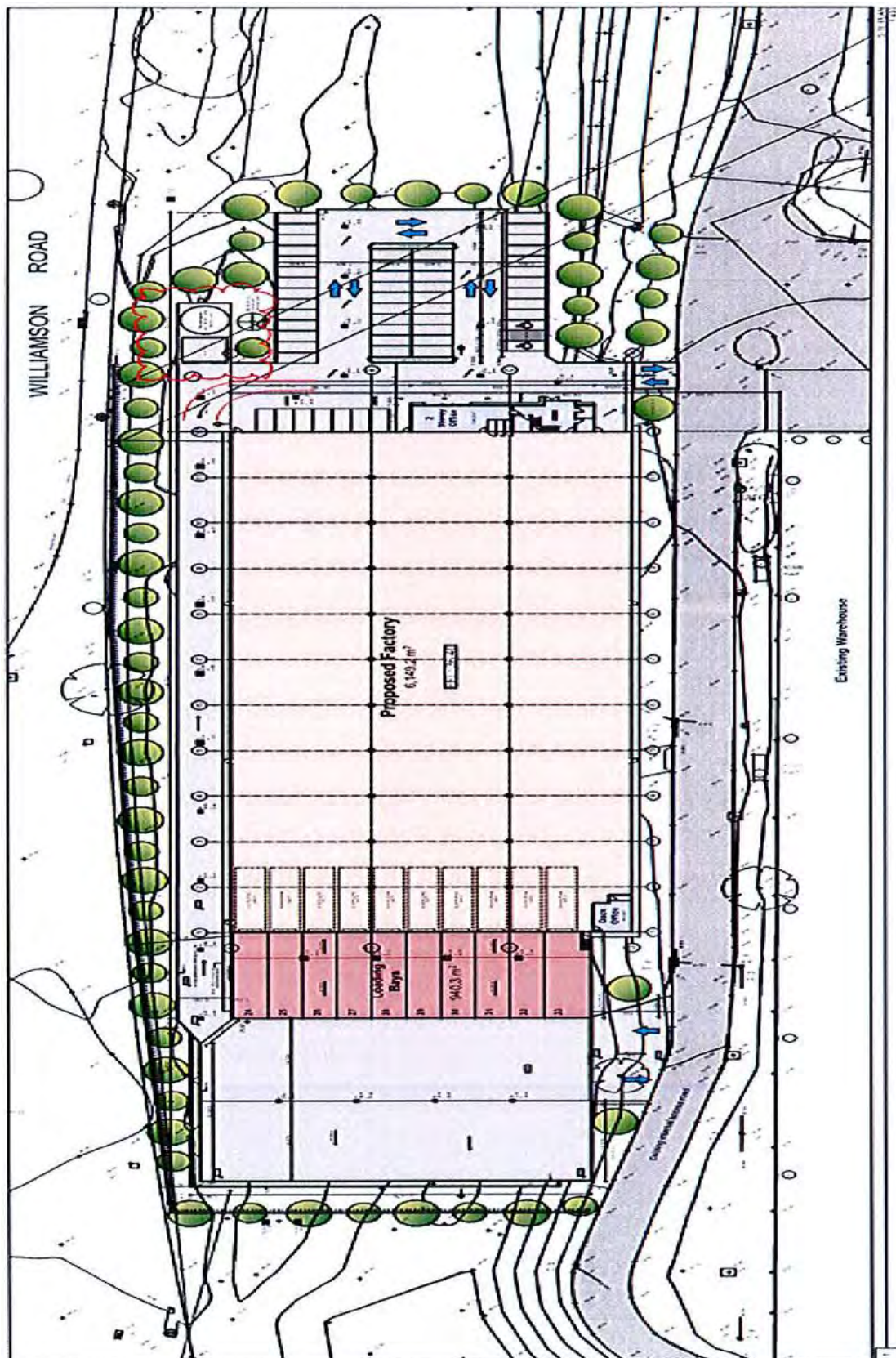
## ATTACHMENT 3





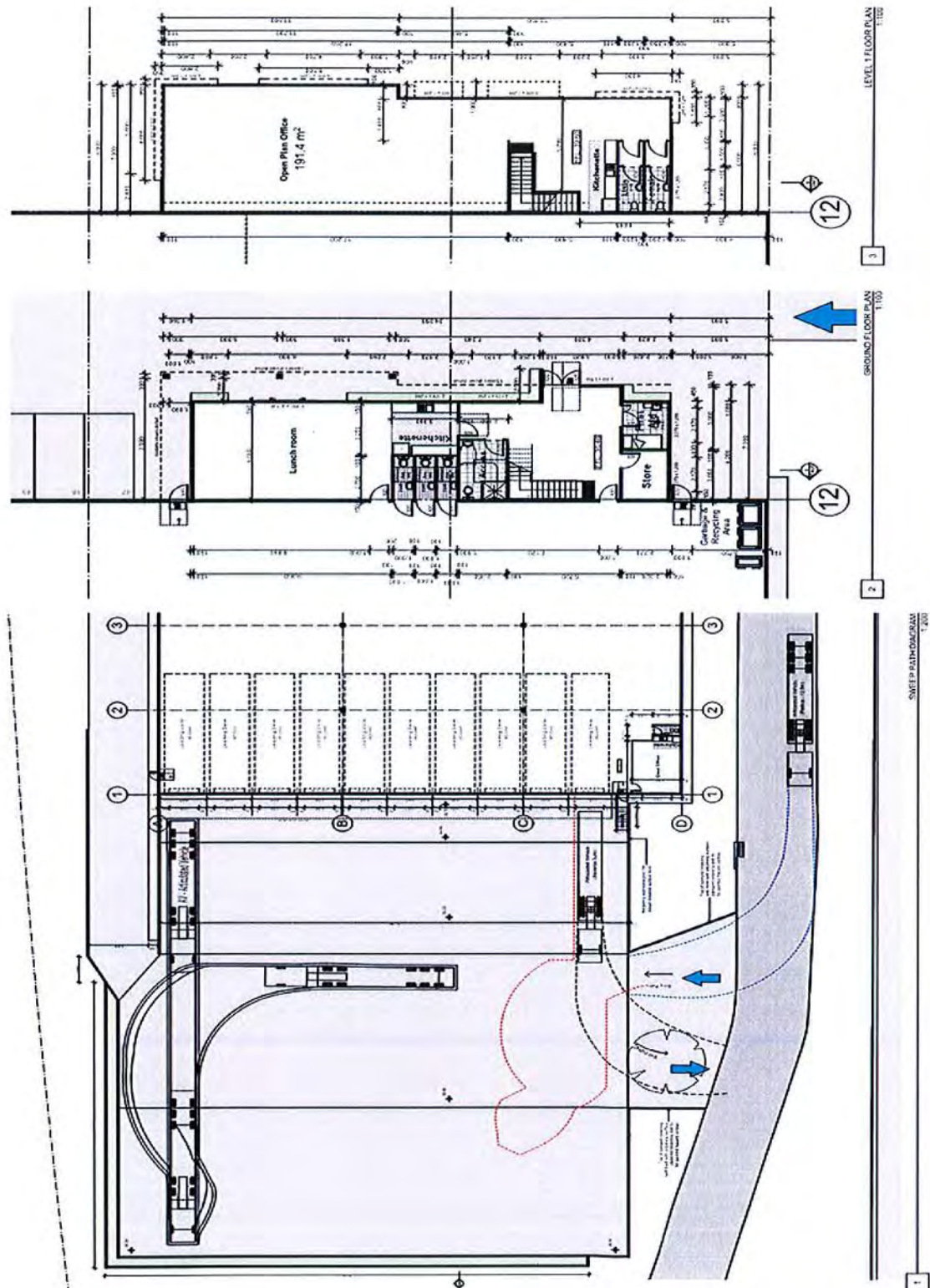
8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

**ATTACHMENT 4**



8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

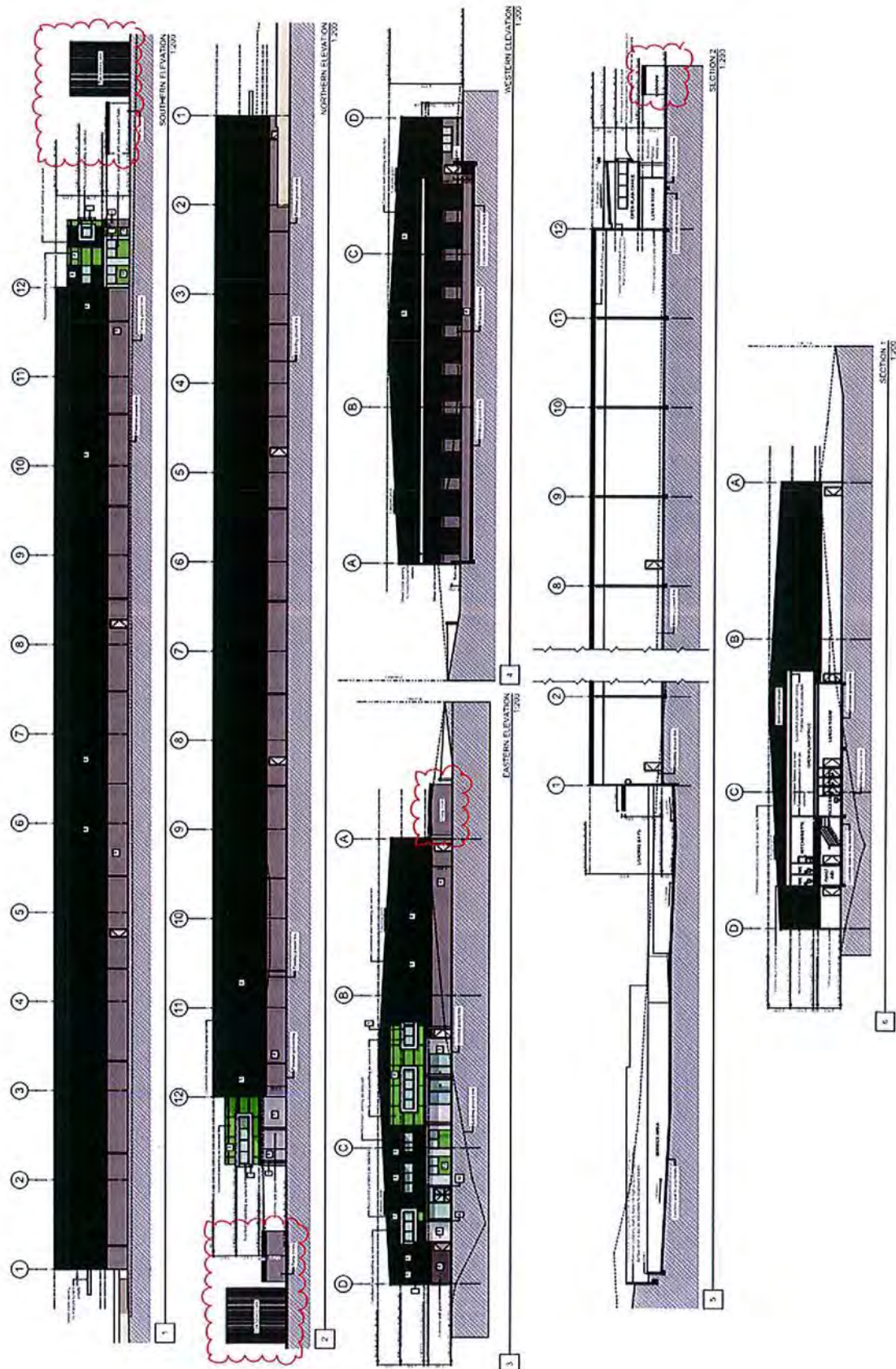
## ATTACHMENT 5





8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

ATTACHMENT 6





ATTACHMENT 7

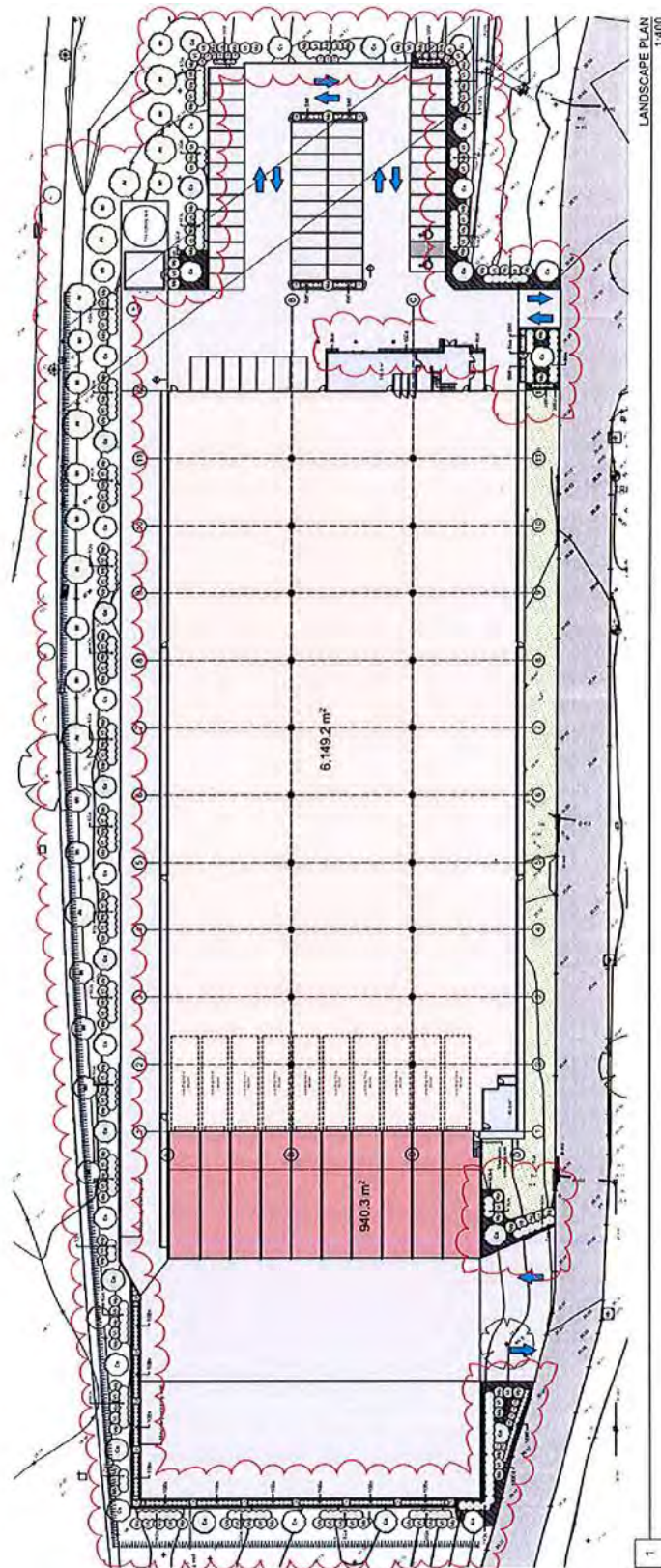
EXTERNAL FINISHES SCHEDULE					
Project Name: PROPOSED INDUSTRIAL DEVELOPMENT					
Project Number: 1527					
Revision: A					
Sample	Colour	Location	Sample	Colour	Location
	ALUCOBOND White (1)	Office facade		CONCRETE Grey (1)	External wall
	ALUCOBOND Forest Green (2)	Office facade		CONCRETE Dark Blue (3)	External wall
	ALUCOBOND White (1)	Office facade		CONCRETE Light Grey (4)	External wall
	ALUCOBOND Dark Grey (5)	Office facade		CONCRETE Dark Grey (5)	External wall

EXTERNAL FINISHES SCHEDULE					
Project Name: PROPOSED INDUSTRIAL DEVELOPMENT					
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	ALUCOBOND White (1)	Office facade		CONCRETE Light Grey (4)	External wall
	ALUCOBOND Dark Grey (5)	Office facade		CONCRETE Dark Grey (5)	External wall



8.4 Construction Of A New Warehouse Building And Use For The Storage And Distribution Of Fibreglass Insulation Products At No. 55 Stennett Road, Ingleburn

## ATTACHMENT 8



8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

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## **8.5 Outcome of the Public Exhibition of the draft Campbelltown Comprehensive Koala Plan of Management**

### **Division**

City Development

### **Reporting Officer**

Acting Manager Environmental Planning

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### **Attachments**

1. Summary table of main issues raised in submissions received on the draft Campbelltown Comprehensive Koala Plan of Management during the public exhibition period (contained within this report)
2. Copy of previous report to Council on the draft Campbelltown Comprehensive Koala Plan of Management, dated 17 May 2016 (distributed under separate cover due to size of document 78 pages)
3. Revised draft Campbelltown Comprehensive Koala Plan of Management (distributed under separate cover due to size of document 86 pages)

### **Purpose**

1. To advise Council of the recommended changes to the draft Campbelltown Comprehensive Koala Plan of Management in response to issues raised during the public exhibition period.
2. To inform Council of the outcome of the public exhibition of the draft Campbelltown Comprehensive Koala Plan of Management.
3. To seek Council's endorsement to adopt the revised draft Campbelltown Comprehensive Koala Plan of Management, and submit the Plan to the Department of Planning and Environment for approval.

### **History**

The koala is classified as a Vulnerable species under both the NSW *Threatened Species Conservation Act 1995* (TSC Act) and *Environment Protection Biodiversity Conservation Act 1999* (Cwlth) (EPBC Act).

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## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

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Campbelltown is fortunate to be home to a healthy free-living koala population. In recognition of this Campbelltown has been nominated under the NSW Recovery Plan for the Koala as a priority area for the preparation of a Comprehensive Koala Plan of Management (CKPoM). Section 69 of the NSW *Threatened Species Conservation Act 1995* requires Council (as the relevant public authority) to prepare a CKPoM for the Campbelltown Local Government Area (LGA) in accordance with the provisions of State Environmental Planning Policy 44 – Koala Habitat Protection (SEPP44).

SEPP 44 aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline by:

- a. requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat
- b. encouraging the identification of areas of core koala habitat
- c. encouraging the inclusion of areas of core koala habitat in environment protection zones.

The Campbelltown draft CKPoM has been prepared in accordance with the provisions of SEPP 44. Should it be adopted, the draft CKPoM would assist in the promotion of the sustainability of the local koala population and would provide a consistent framework for the assessment of development applications (DA's) that have been identified as having potential to impact upon core koala habitat within the Campbelltown LGA.

A Koala Management Project Reference Group (PRG) was established by Council in 2013 to oversee the development and subsequent implementation of the draft CKPoM. The PRG consists of key representatives from a range of key government agencies and the community, and since its inception a total of four meetings have been held to consult on the draft CKPoM.

### **Background**

Council has been subject to regular updates on the progress of the draft CKPoM, through a number of presentations by Dr Steve Phillips (of Biolink) and reports to Council on the draft CKPoM, including:

1. Presentation to Council at Briefing Night on the 24 November 2015.
2. Presentation to Council at Briefing Night on the 2 February 2016.
3. Report to Council on the 17 May 2016.

Council at its meeting held 17 May 2016 resolved:

1. That Council endorse the attached draft Campbelltown Comprehensive Koala Plan of Management for public exhibition over a 30 day period.
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## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

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2. That, subject to no submissions requiring major modifications of the plan being received during the exhibition period, the endorsed Comprehensive Koala Plan of Management be submitted to the NSW Department of Planning and Environment for subsequent approval.
3. That Council commit to undertaking a comprehensive koala population monitoring program, on a biennial basis, and allocate appropriate funds during the annual budget process to support the implementation of the Campbelltown Comprehensive Koala Plan of Management.

Attachment 1 refers to the previous report to Council on the draft Campbelltown Comprehensive Koala Plan of Management, dated 17 May 2016. A copy of the previous report is provided in attachment 1.

### **Outcomes of the public exhibition period**

The draft CKPoM was placed on public exhibition for 28 days, from 25 May to 22 June 2016. Comments were received until 1 July 2016. The public exhibition period gave the community the opportunity to provide comment and feedback on the draft CKPoM to Council. Residents were notified of the public exhibition period via advertising in local newspapers, on Council's website and Facebook pages; and copies of the document were available to view at Council's Civic Centre and all Council libraries, as well as online via Council's website. Members of the PRG were notified of the public exhibition period via email, and provided with soft copies of the draft CKPoM for review.

During the public exhibition period, a privately organised flyer was distributed to all residents within the Wedderburn area regarding the draft CKPoM. Unfortunately, the flyer misinterpreted the planning controls proposed within the draft CKPoM; this prompted a significant number of enquiries from said residents based on this misinformation.

In response, Council prepared a Q&A Factsheet to clarify the specific controls mentioned in the flyer. On 6 June 2016, the Factsheet was distributed to residents within core koala habitat, particularly those located in the Wedderburn, Kentlyn and Minto Heights Koala Management Precincts (KMPs).

Council also organised community workshops to provide residents a further opportunity to learn about the draft CKPoM, and have input into its development. Contact information to register for the proposed workshops were provided on the factsheet. Five workshops were offered by Council 20-24 June 2016 to cater to residents' needs. Six residents responded to the offer and attended a workshop with Council staff.

## **Report**

### **Summary of submissions**

During the public exhibition period, Council received a total of 23 formal submissions on the Plan. Submissions were received from a range of stakeholders, including: one submission from a state government agency (NSW Office of Environment and Heritage (OEH)), one from a Non-Government Organisation (NGO) (National Parks Association (NPA) Macarthur Branch) and 21 submissions from Campbelltown residents.

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## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

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All submissions received were reviewed by Council Officers with two of the more substantial submissions (from OEH and one resident) provided to Biolink for technical review.

Attachment 1 consists of a comprehensive summary table of all submissions received during the exhibition period, associated Officers responses and recommendations.

Resident submissions raised issues relating to similar general themes.

The key issues raised and Officer's comments are discussed below:

### 1. The need to prepare a CKPoM

Six submissions sought clarification on why the CKPoM was needed. The CKPoM has been prepared in accordance with the provisions of NSW State Environmental Planning Policy 44 – Koala Habitat Protection (SEPP44) and has been developed to provide a consistent and holistic approach to development within areas of core koala habitat (refer to history above).

The CKPoM will negate the need for the development of Individual Koala Plans of Management (IKPoM) currently required under SEPP44, and reduce associated costs.

In lieu of a CKPoM, Council Officers are required to assess DA's on a case-by-case basis, this is increasingly resulting in the requirement for the preparation of IKPoMs for each property where a development is proposed. This approach is inefficient for a number of reasons including: inaccurate and varying methodologies, lack of consistency, difficulty in ongoing monitoring, long term certainty, discrepancies in vegetation compensation measures and most significantly the cost incurred by applicants for the preparation of these documents and ongoing monitoring. As a result, applicants are being frustrated by the obligations of the assessment process and incurring significant costs. Council officers are also expending additional time and effort trying to manage the process which includes seeking approvals from external government agencies.

### 2. Community consultation

Six submissions raised issue with the perceived lack of community consultation in regards to the draft CKPoM, and expressed concerns regarding the notification potential of more isolated residents.

It is considered that the public were provided with ample opportunities to comment on the draft CKPoM. The draft CKPoM was on public exhibition for 28 days from 25 May to 22 June 2016. The public exhibition period was undertaken in accordance with Council's public exhibition procedure, and provided the community with the opportunity to provide comment and feedback on the draft CKPoM to Council. Residents have been notified of this public exhibition period via advertising in local newspapers, on Council's website and Facebook pages; with copies of the document available to view at Council's Civic Centre, Council libraries and online via Council's website. In addition to undertaking procedural notification, Council also undertook further public consultation during the public exhibition period:

- developed a Q&A factsheet to answer some of the more frequently asked questions about the draft CKPoM, which were mailed out to residents living in areas of core koala habitat including Wedderburn, Kentlyn and Minto Heights as well as being available online
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## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

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- organised community workshops to engage the community and give residents the further opportunity to learn about the draft CKPoM and have input into its development.
- 3. Clarification on applicability of the draft CKPoM and the proposed development standards

A number of submissions expressed confusion in relation to a number of the proposed development standards outlined in Section 6 of the draft CKPoM. It should be noted that the development controls are not retrospective. Common questions raised included:

- Will I have to change my existing fences?

The draft CKPoM does not require the modification of existing fences. The draft CKPoM provides development standards for new developments (not for existing home sites). New developments include rezoning's and development application's for new homes.

- Will I be restricted from owning a dog?

The draft CKPoM does not restrict any landowner from owning a dog. However, it is proposed that new dwellings in core koala habitat will be required to install a dog proof yard, for containment of dogs at night. Dog attacks are one of the biggest threats to our koalas, and actively managing domestic dogs by containing them at night when koalas are most active, is one of the most effective ways to reduce attacks on koalas.

The injuries associated with domestic dog attacks are almost always fatal. In the first week of November 2016, wildlife carers reported five koala mortalities in just four days from areas of core koala habitat within the Campbelltown LGA. Three of these koala deaths were the result of domestic dog attacks that could have been prevented had the dogs been contained at night.

- If I have a swimming pool, will I have to make modifications to it under the draft CKPoM?

The draft CKPoM does not require any landowners with an existing swimming pool to make any further modifications. However, it is proposed that new pools are required to incorporate a pool design component to assist koalas in getting out of a pool if they were to fall in, some examples of which are outlined in Section 6.4.3 of the draft CKPoM. Although they can swim, koalas often drown in swimming pools because they are unable to climb back out if they have fallen in.

- How does the draft CKPoM expect to reduce speed limits in existing areas?

The draft CKPoM does not propose to change speed limits on existing roads. The draft CKPoM proposes that any new roads, in areas of core koala habitat including Koala Management Precincts (KMPs), such as those created as part of a new residential development impose a speed limit of 40 km/h.

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## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

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### 4. Compensatory offset ratios and tree replacement costs

Eight submissions raised issue with the proposed replacement ratios for tree removal, with some submissions considering the ratios were too low, and other submissions considering the ratios to be too high.

Scientific studies have shown that koalas feed on PKFTs only once a PKFT has reached a size of around 250mm diameter at breast height (DBH). Therefore, the loss of trees greater than this size is difficult to compensate for, because of the time it takes these trees to grow to a suitable size. Under perfect conditions, it is estimated that it would take 10-15 years before a newly planted PKFT would become palatable for koalas, hence the need to keep the larger PKFTs in the ground where possible.

The offsetting ratios developed for the draft CKPoM were originally proposed to be 1:20 for the removal of all PKFTs with a DBH >200mm to account the importance of PKFTs to the survival of koalas; in addition to tree mortality rates, and the significant time lag between removing PKFTs and replacing this food resource in areas of low nutrient soils.

However, the draft CKPoMs offset ratios for minor development have been revised and further developed to be consistent with other CKPoMs and to take into consideration that due to the low nutrient soils found in Campbelltown, the growth rates of trees are much slower than trees found on higher nutrient soils (such as those found on the northern NSW coast). Due to the significant correlation between tree age and habitat value to koalas, the revised offset ratios for minor development have been scaled based on DBH:

- |                        |      |
|------------------------|------|
| 1. Small (<100mm)      | 1:10 |
| 2. Medium (>100<300mm) | 1:15 |
| 3. Large (>300mm)      | 1:20 |

### 5. Costs to ratepayers

Three submissions raised concern that the draft CKPoM would result in increased costs to ratepayers.

The draft CKPoM does not propose to involve any added costs to ratepayers, with the exception of requirements for new houses. The management actions identified in Appendix A of the draft CKPoM outline a schedule of works that are required to implement the CKPoM. The majority of these actions will be undertaken by an existing Council position and/or budget. However, funding for some actions will be sought through external funding opportunities such as State Government grants with the exception of Council allocated funding for koala population monitoring requirements under the draft CKPoM.

The Environmental Planning team have been actively seeking grant funding opportunities for koala projects, in order to initiate a number of management actions in the draft CKPoM. In the last 2015-16 financial year alone, Council Officers successfully secured \$93,000 in external grant funding to undertake projects focused on improving koala habitat and the viability of the species in the LGA. Further information on the projects can be accessed on Council's koala webpage [www.campbelltown.nsw.gov.au/koalas](http://www.campbelltown.nsw.gov.au/koalas).

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**Proposed amendments made to the draft CKPoM**

Recommended responses to the submissions and proposed amendments to the draft CKPoM have been outlined in detail and tabulated in attachment 2. The draft CKPoM has been updated accordingly and is provided in attachment 3. The amendments made to the draft CKPoM are not considered to be major and as such would not trigger the need to publicly re-exhibit the revised draft CKPoM. Amendments to the draft CKPoM include: formatting changes, refinement of figures, minor wording modifications within the draft CKPoM, clarification of proposed development controls and standards, and revised appendices.

Should Council support the proposed amendments, it is recommended that Council write to each of the parties who made a submission to provide an update on Council's consideration of the revised draft CKPoM and its progress.

**Conclusion**

The draft Campbelltown CKPoM was placed on public exhibition for a period of 28 days, and during this time 23 formal submissions were received on the draft CKPoM. Matters raised by the submissions have been considered by this report.

The proposed amendments to the draft CKPoM as a result of the public exhibition period are considered justifiable and are of minor nature, and as such do not trigger the need to re-exhibit the revised draft CKPoM. It is therefore recommended that Council endorse the revised draft CKPoM to be submitted to the Department of Planning and Environment for approval as shown under attachment 3 of this report.

**Officer's Recommendation**

1. That Council endorse the revised draft Campbelltown Comprehensive Koala Plan of Management for submission to the Director of the NSW Department of Planning and Environment for approval in accordance with SEPP44.
  2. The Council write to all persons who made a submission on the draft Campbelltown Comprehensive Koala Plan of Management, advising of Council's decision.
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## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

## ATTACHMENT 1

Attachment 2: Summary table of main issues raised by submissions received on the draft Campbelltown CKPoM during the public exhibition period

Section	Theme	Source	Summary of issues raised	Officer's response	Changes required	Recommended actions/ Proposed responses
Definitions and acronyms	Core koala habitat	OEH	Recommends modifying the 'core koala habitat' definition to ensure consistency throughout the document, including reference in Section 5.2.	Need for clarification acknowledged. For the purposes of the definitions on pages vi – vii, the 'either' be removed, with the 'and/or' be inserted after a) to clarify definition.	<input checked="" type="checkbox"/>	Wording in the draft CKPoM has been amended for clarity. Refer to: – Definitions – Section 5.2  Definition has been updated to remove 'either' from the preceding sentence, and insert 'and/or after a)' to clarify definition.
	Core koala habitat	OEH	Concerns that the definition for core koala habitat contained in the draft CKPoM differs from that in State Environmental Planning Policy 44 - Koala Habitat Protection (SEPP 44) and on this basis the respondent questions how it can be effectively implemented and upheld if challenged.	SEPP 44 relies upon the presence of potential koala habitat in the first instance to trigger the next step of investigating for core koala habitat. However, core koala habitat can also include largely cleared landscapes where there is evidence of a resident koala population, which can include evidence of breeding females, or recent koala sightings or historical records of koalas for the location. Hence, the draft CKPoM definition for core koala habitat is consistent with SEPP 44.	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Preferred Koala Food Trees (PKFTs)	OEH and one resident	Recommends outlining reasoning underpinning the list of PKFTs and including references to relevant papers (e.g Phillips and Callaghan 2000, Sluiter et al. 2002, Lunney et al. 2010).  Concerns that <i>Eucalyptus signata</i> (Scribbly Gum) is not included in the PKFT list despite being included in Schedule 2 of SEPP 44 and occurring widely in the Georges River bushland area.  Recommends including a definition for 'primary koala habitat' and 'secondary koala habitat'. Similar to CKPoMs for Kempsey (2011) and Lismore (2013).	Reasons underpinning the list of PKFTs were detailed in a review of an earlier Draft CKPoM prepared by EcoLogical (ELA, 2013), and are supported for inclusion into the draft CKPoM  <i>E. signata</i> was not identified as a PKFT for the Campbelltown LGA based on comprehensive research undertaken by Phillips and Callaghan (2000), nor by Sluiter et al. (2002), and therefore this species is not supported for inclusion.  Habitat definitions were included in a review of an earlier Draft CKPoM prepared by EcoLogical (Ward, 2013), and are supported for inclusion in the draft CKPoM.	<input checked="" type="checkbox"/>	Appendix C has been expanded to include the required information relating to list of PKFTs for the LGA
Executive Summary	Primary and secondary koala habitat	OEH	Recommends including a definition for 'primary koala habitat' and 'secondary koala habitat'. Similar to CKPoMs for Kempsey (2011) and Lismore (2013).	Habitat definitions were included in a review of an earlier Draft CKPoM prepared by EcoLogical (Ward, 2013), and are supported for inclusion in the draft CKPoM.	<input checked="" type="checkbox"/>	Appendix C has been expanded to include required information relating to definitions for 'primary' and 'secondary' koala habitat.
	Legislative requirements	Six residents	Seeking clarification on why the draft CKPoM is needed.	The draft CKPoM has been prepared in accordance with the provisions of NSW SEPP 44 and has been developed to provide a consistent and holistic approach to development within areas of core koala habitat. The draft CKPoM will negate the need for the development of IKPoMs currently	<input checked="" type="checkbox"/>	Outlined extensively in both the Executive Summary, and Part 1 – Introduction.  No changes to the draft CKPoM required.

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## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

Section	Theme	Source	Summary of issues raised	Officer's response	Changes required	Recommended actions/ Proposed responses
Part 1 – Introduction	Population estimates	Three residents	Concerns raised regarding discrepancy in koala population estimates	The population estimates provided in the draft CKPoM are based on calculations made for the Campbelltown population (ie within the LGA boundaries only). Appendix C provides a population estimate for the Campbelltown LGA of ~ 170 koalas, along with detail about how the estimate was calculated. Previous population estimates reported for the Macarthur area (ie by WIRES) are higher than those reported in the draft CKPoM as they consider the extent of the koala population at a broader geographic scale than the draft CKPoM does.	<input checked="" type="checkbox"/>	Wording in the draft CKPoM has been amended for clarity. Refer to: – Executive Summary – Appendix C  Koala population estimates have been updated accordingly to 170 individuals.
	Habitat buffers	OEI	Reference is made to 'habitat buffers' however the working provisions do not refer to these at all. Therefore, it is recommended to either remove from this reference from the preamble, or add text in relation to buffers in the relevant section(s) of the draft CKPoM	The purposes of habitat buffers are clarified in the Executive Summary as relating to proximity, specifically the 500 m that is referred to elsewhere as applying to core koala habitat generally.	<input checked="" type="checkbox"/>	No changes to draft CKPoM required.
	Compensation and offset measures	OEI	Concerns reference to compensation and offset mechanisms arising from the loss of PKFTs in this section is inconsistent with that outlined in Part 7 of the draft CKPoM regarding shelter trees.	Acknowledged – text to be amended in the preamble to include shelter trees.	<input checked="" type="checkbox"/>	Wording in the draft CKPoM has been amended for clarity. Refer to: – Executive Summary  Wording has been amended to include shelter trees.
	Campbelltown koala population (Section 1)	One resident	Express concerns that there are no studies that indicate that the Campbelltown koala population is in danger	A number of scientific studies exist to demonstrate the significant threats to the Campbelltown koala population. Council refers to the CKPoM reference list, with specific attention to – (DECC, 2008) NSW Approved Recovery Plan for the koala ( <i>Phascolarctos cinereus</i> ) and (Lunney et al, 2010) The koalas of Campbelltown, south-western Sydney: Does their natural history foretell of an unnatural future? <i>Royal Zoological Society of NSW</i> – both of which can be found in the draft CKPoM's reference list documents, and are available online	<input checked="" type="checkbox"/>	Scientific studies are outlined extensively in both the draft CKPoM and Appendix C reference lists
	10/50 Vegetation Clearing Scheme (Section 1.2.2)	One resident	Seeking clarification on the relationship between the draft CKPoM and its applicability to the NSW Rural Fires Service (RFS) 10/50 Vegetation Clearing Code of Practice	Outlined in Section 1.2.2(c) – Rural Fires Amendment (Bush Fire Prevention) Bill 2015. Under the Code of Practice, lots which are wholly or partly mapped within core koala habitat as	<input checked="" type="checkbox"/>	No changes to draft CKPoM required

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Section	Theme	Source	Summary of issues raised	Officer's response	Changes required	Recommended actions/ Proposed responses
Part 2 – Preliminaries				identified in CKPoMs, are now excluded from the operation of 10/50 scheme, meaning that free clearing measures associated with the Code. The Code of Practice is available from – <a href="http://www.rfs.nsw.gov.au/plan-and-prepare/1050-vegetation-clearing">http://www.rfs.nsw.gov.au/plan-and-prepare/1050-vegetation-clearing</a>		
	Supporting documentation (Section 2.3)	One resident	Recommends that the listed documents and literature relevant to the development of the draft CKPoM be appended to the document.	The specified documents are too large to be included as Appendices, but have value as historical background resources which served to inform the draft CKPoM.	<input checked="" type="checkbox"/>	Once finalised, Council's koala webpage will be updated with links to the CKPoM and associated supporting documentation.
	Koala population (Section 3.1)	One resident	Discrepancy between current population estimate (ie 170) and proposed persistence of koala population size (ie 300).	Appendix C provides a population estimate for the LGA of ~ 170 koalas, along with detail about how the estimate was calculated. Unfortunately there is insufficient habitat remaining in the LGA to sustain a population of 300 koalas, therefore the proposed persistence of the koala population has been amended to 200 individuals.	<input checked="" type="checkbox"/>	Wording in the draft CKPoM has been amended for clarity. Refer to – Section 3.1 (i) (a)
Part 4 – Roles and Responsibilities	Community consultation (Section 4.1)	Six residents	Suggestions there was a lack of community consultation in regards to the draft CKPoM, and concerns regarding notification potential of more isolated residents	The draft CKPoM was on public exhibition for 28 days, from 25 May to 22 June 2016. The public exhibition period provided the community with the opportunity to provide comment and feedback on the draft CKPoM to Council. Residents have been notified of this public exhibition period via advertising in local newspapers, on Council's website and Facebook pages; with copies of the document available to view at Council's Civic Centre and all Council libraries, or online via Council's website. Council developed a Q&A Factsheet to answer some of the more frequently asked questions about the draft CKPoM, which were mailed out to residents in the Koala Management Precincts (KMP) including Wedderburn, Kentlyn and Minto Heights, as well as being available online. Council organised community workshops to engage the community and give residents the further opportunity to learn about the draft CKPoM, and have input into it's development.	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required
	Lead authority (Section 4.1)	One resident	Concerns that a potential conflict of interest exists by identifying Council as the lead authority for Koala management, planning	Section 10.1 (viii) outlines that the monitoring component must be undertaken by a suitably qualified independent fauna ecologist (refer further	<input checked="" type="checkbox"/>	Wording in the draft CKPoM has been amended for clarity.

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DA: Development Application	KWC: Koala Management Committee	SLA: Strategic Linkage Area
DBH: Diameter at Breast Height	KMP: Koala Management Precinct	TSC Act NSW: <i>Threatened Species Conservation Act, 1995</i>
DCP: Development Control Plan	LGA: Local Government Area	USYD: University of Sydney
EOI: Expression of Interest	LLS: NSW Local Land Services	VAR: Vegetation Assessment Report
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## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

Section	Theme	Source	Summary of issues raised	Officer's response	Changes required	Recommended actions/ Proposed responses
			controls and decisions on development applications and rezoning proposals, as well as monitoring the koala population and the effectiveness of the draft CKPoM. Suggests that the koala monitoring component is performed independently of Council	to Definitions).		Section 10.1 (viii)  Sentence has been restructured to provide clarity regarding koala monitoring component to be undertaken by independent consultant.
	Koala management committee (KMC) (Section 4.2)	Two residents	Concerns regarding the: - caliber of those elected to the KMC - need to specify the number of stakeholder representatives and timeframes for elected chairperson - perceived conflict of interest with Council having control of the KMC - number of annual meetings may not provide sufficient opportunity for areas of koala habitat to be adequately updated	Following adoption of the draft CKPoM, a KMC will be established to assist with the timely implementation of the CKPoM, and to undertake the assessment of non-conforming developments. The KMC will consist of stakeholders from a number of government departments, including representatives from Council, OEH, RFS, USYD Koala Health Hub, local wildlife care group representative and two community stakeholders. Council processes and procedures will be followed with regard to the advertisement of an EOI process. KMC members will be selected based on professional merit, and demonstrable experience in koala habitat and ecology, and related fields.  Frequency of meetings is considered adequate, the extent of koala habitat is not likely to change significantly in short time frames based on the generational persistence modelling methodology used.	<input checked="" type="checkbox"/>	Wording in the draft CKPoM has been amended for clarity. Refer to: - Section 4.2 - Executive Summary  Wording has been amended to include the USYD Koala Health Hub.
<b>Part 5 – Koala Management Framework</b>	Classification of preferred koala habitat (Section 5.1)	OEH	Concerns that although 'preferred koala habitat' is defined for the purposes of the draft CKPoM, it does not define primary and secondary habitat classes. Nor does Figure 5.1 list any primary or secondary food tree species. Suggest definitions would help in understanding the habitat mapping.  Methods used to derive 'preferred koala habitat' shown in Figure 5.1 should be included, referring to relevant documents where possible. This is particularly important if any person were to dispute the habitat map. Also, the habitat map forms the basis for the need for future assessment if	That the matters raised will be placed on the agenda for inaugural meeting of the KMC.  Methodology and habitat definitions were included in a review of an earlier draft CKPoM prepared by EcoLogical (Ward, 2013).	<input checked="" type="checkbox"/>	Appendix C has been expanded to include the required information relating to koala habitat classification outlining the habitat definitions for Primary and Secondary habitat categories.

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Section	Theme	Source	Summary of issues raised	Officer's response	Changes required	Recommended actions/ Proposed responses
			development is proposed.  Clarification required as to the methodology used to determine 'preferred koala habitat'. It appears that according to Figure 5.1, this may have been derived from either koala records or areas of high koala activity (determined from scat searches) modelled against vegetation type to produce a ranked habitat map. Uncertainty as to whether the latest vegetation mapping should be used, i.e. The Native Vegetation of the Sydney Metropolitan Area' (OEH 2013). Noted that it appears that 'Native Vegetation of Southeast NSW - SCIV' (Tozer et al. 2010) was utilised for the preferred koala habitat mapping. Concerns that this mapping is very broad and not appropriate for mapping koala habitat for local planning.			
	Identification of core koala habitat (Section 5.2)	OEH	Notes that the method used to derive 'core koala habitat' shown in Figure 5.1 appears to be that included in Appendix C. Reference should be made to Appendix C.	Acknowledged.	<input type="checkbox"/>	For clarity, text associated with Figure 5.1 (page 27) has been modified to refer to Appendix C.
	Koala activity levels (Section 5.2)	OEH	Suggests that it would be beneficial for readers to understand why > 10% activity is used to indicate significant activity, whereas other CKPoMs such as Lismore (2013) considered significant activity from > 22.5%. The explanation provided later in Section 6.4 should be provided earlier in Section 5.2, where it is first referenced.	The CKPoM addresses koala activity levels in Section 6.4	<input type="checkbox"/>	For clarity, the information box on page 34 (Section 6.4) has been moved to page 27 (section 5.2).
	Extent of preferred and core koala habitat (Figure 5.1)	OEH and one resident	Suggests that: - the overlap between core and preferred koala habitat is removed, with core usurping preferred - where they overlap. - core koala habitat on Defence lands should not be included in the draft CKPoM	Core koala habitat is based on generational persistence modeling, and preferred koala habitat is based on vegetation community habitat mapping - therefore it is important to show the overlap/ juxtaposition between these two categories of habitat.  Defence lands are included in the draft CKPoM as the CKPoM covers the entire Campbelltown LGA, as per the requirements of SEPP 44.	<input type="checkbox"/>	No changes to the draft CKPoM required.
	Koala Management Precincts (KMPs) (Figures 5.2 (a,b,c))	OEH	Suggests that core koala habitat should be shown on Figures 5.2 and 5.2 (a-c). They also suggest that gaps between KMPs in areas that support core koala habitat should be removed by modifying KMP boundaries.	Acknowledge some benefit in illustrating core koala habitat in context of LGA.	<input checked="" type="checkbox"/>	Core koala habitat overlay has been included on Figure 5.2 (page 28)

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Section	Theme	Source	Summary of issues raised	Officer's response	Changes required	Recommended actions/ Proposed responses
	KMPs	One resident	Concerns that the future evaluations of KMP status could be compromised if landowners were to not report koala sightings and not consent to Council surveys  Questions what will happen if not enough landowners within KMPs express interest in having their land identified as part of a SLA to help afford safe passage for koalas into and between HLAs	Noted, but considered unlikely given the number of landowners in 400 ha grid cells that underpin KMP designations.  Agree that the numbers of landholders who may express interest is unknown. Take-up could be monitored through Section 10.	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.  As outlined in Section 10, a koala population monitoring program will be developed to address these issues.
	Wedderburn KMP (Figure 5.2a)	One resident	Recommends extending the Wedderburn KMP to include the Causeway	The lands excluded from the Wedderburn KMP (ie the Causeway) comprises land parcels zoned SP2 Defence, and are therefore outside of the planning boundaries under the CLEP 2015 (which have been used as the basis to develop KMPs). The Wedderburn causeway is still identified as core koala habitat as per the generational persistence modeling, however due to the land ownership it is unlikely that it faces the same future development pressure captured in the KMPs.	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Corridors (Section 5.5)	Three residents	Suggests maintaining connectivity through corridors: - Needs further investigation in the areas west of Appin Road - Could have potential disease implications for the koala population	Key koala HLAs identify important areas of preferred koala habitat that support major movement corridors for koala dispersal across the Campbelltown LGA. Figure 5.3 identifies a number of HLA corridors west of Appin Road, connecting habitat from the Georges River and west through to Gilead and Appin.  More detailed sampling would establish that the Campbelltown koalas are disease positive (ie Chlamydia and KoRV will be present in the population) but measures of clinical expression are currently low. Enhancing connectivity will ultimately work to increase robustness/fitness of the population by allowing exchange of genetic material, some aspects of which may even serve to improve (but cannot weaken) overall health of population.	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Strategic Linkage Areas (SLA) (Section 5.5)	One resident	Suggests that the SLAs within and between KMPs need to be clearly identified and mapped, giving the benefit of the doubt to koalas in areas where only recent records exist.  Concerned that the provisions for SLAs such as not allowing them to be severed may be relaxed over time. Questions the need to	The draft CKPoM deliberately encourages landholder participation and support in the process of designating SLAs and there is a danger that in designating specific areas, other opportunities might be lost.  Council is required to consider impacts of any development on integrity of SLAs (Section 6.2.3 refers) while width measurement is indicative and	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.

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<b>Part 6 – Development assessment and control</b>				proposed so as to offer flexibility in placement/ designation.		
	Section 149 Certificates (Section 5.6)	One resident	differentiate between HLAs and SLAs and the application of a width measurement to SLAs. Suggests that any reference to the draft CKPoM and mapped areas including HLAs and SLAs should be included on Section 149 certificates.	SLAs are specifically mentioned in context of Section 149 certificates in Section 5.6.	<input checked="" type="checkbox"/>	Wording in the draft CKPoM has been amended for clarity. Refer to: – Section 5.6 Wording has been amended to include HLA's.
	Key koala HLA's (Figure 5.3)	OEH and one resident	Confusion as to why many of the identified key HLAs occur in areas that are already linked through contiguous vegetation and unclear why particular areas have been identified (perhaps riparian corridors). Suggest that it would be beneficial to include explanations for key HLAs. Suggests overlaying core koala habitat on Figure 5.3 and extending the map to show crucial links to the south (in the absence of links for the population to the north or east) through the Southern Highlands (from Campbelltown through Wollondilly and Wingecaribee). Further suggestions are made in regards to including corridors in the vicinity of Nourumba Reserve, and Airds/ Bradbury.	Key HLAs in context of the draft CKPoM are koala specific and are primarily riparian in nature because such habitats offer higher nutrient soils and ready access to water, both of which can potentially create areas of high quality koala habitat. Key HLAs are conceptual in nature. Linkages to adjoining LGAs to the west and south of Campbelltown are self-evident in Figure 5.3. Three key HLAs connecting Georges and Nepean Rivers in the south of the Campbelltown LGA (adjacent to Nourumba Reserve and through Airds/ Bradbury) are already indicated in Figure 5.3. The location of corridors are considered to be conceptual only, and specifically intended to direct Council's attention to the importance of these areas for koala movement.	<input checked="" type="checkbox"/>	That Figure 5.3 (page 31) be amended to show linkages that extend into adjoining LGAs. For clarity, the information box on page 30 has been updated with more detailed information on key koala HLA's.
	Application and exclusions (Section 6.1)	One resident	Recommends that the option for IKPoMs as per Section 6.1(ii) be precluded once the CKPoM is in place for consistency.	Noted, however under SEPP44 this is not possible (refer to Clause 11). Where a CKPoM is in place, an IKPoM needs to conform to the development standards in place, or alternatively provide a strong argument as to why it can't. It should be noted that IKPoMs are required to be approved by Council and the Department of Planning (Clause 13).	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Assessment of koala habitat (Section 6.3)	OEH	Recommends that the provisions be amended to require reporting of shelter trees within VARs	Acknowledged and supported.	<input checked="" type="checkbox"/>	Wording in the draft CKPoM has been amended for clarity. Refer to: – Section 6.3.1 Wording has been amended to include shelter trees.
	Vegetation	One	Concerns whether a distance of 20 metres	The 20 m distance exceeds that otherwise	<input checked="" type="checkbox"/>	No changes to the draft CKPoM

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	Assessment Reports (VAR) (Section 6.3.1)	resident	(m) from the proposed development footprint is sufficient for the required stadia-metric survey of all native vegetation and to assess surrounding koala habitat that could be impacted by the proposed development.	required by existing development standards and is considered a suitable standard for Council to adopt (Section 6.4.2(ii) refers)		required.
	Koala Activity Assessment Report (KAAR) (Section 6.3.2 (v))	One resident	Concerned that the draft CKPoM does not provide a clear reason for requiring a Koala Activity Assessment Report (KAAR) in certain circumstances within a KMP. Also concerned that the required methodology provided in Appendix D is insufficient to protect koala habitat.	Reasoning is specifically detailed under Section 6.3.2 (v) of the draft CKPoM, while methodology in Appendix D has a proven track record in terms of identifying occupied areas of koala habitat.	2	No changes to draft CKPoM required.
	Scat decay rates – RGbSAT (Section 6.3.2)	One resident	Concerns that the scat-dependent methodology required by the KAAR doesn't adequately consider the decay rates of scat, and therefore may underestimate the presence of koalas at some sites	The issue of scat decay is certainly relevant, and is one of the things taken into account by the SAT methodology which relies on presence/absence within a prescribed area rather than counts. Some scats decay quickly, however others can last for months – it all depends on where they fall and the weather. Scats in Campbelltown have been recorded intact after 10 months ( <i>pers comm</i> Steve Phillips, September 2016). The issue with scats is that in areas being regularly utilised by koalas, scats are being produced constantly (ie 90 – 250 /day/koala) so there are always fresh scats being deposited to replace old ones that decay – again this is one of the key principals underpinning the SAT methodology. For further information - Phillips and Callaghan (2011) The Spot Assessment Technique: a tool for determining localized levels of habitat use by Koalas <i>Phascogalea cinerea</i> . Australian Zoologist 35(3): 774-780	3	No changes to the draft CKPoM required.
	Application of Development Standards (Section 6.4.1)	OEH	Confusion regarding the application of this section, which appears to exclude preferred koala habitat. Questions whether this is due to an overlap between mapped areas of core and preferred koala habitat as shown in Figure 5.1  Suggests clarification in either Section 6.4, or by amending Figures 5.2 and 5.2 a-c to show the extent of both preferred and core koala habitat on maps.	The application of this section does not exclude preferred koala habitat. The emphasis of this section is to establish development standards for areas of core koala habitat and in areas of preferred koala habitat (or otherwise), whereby significant koala activity levels have been identified by way of KAAR.  Respondent to note that all lands within KMPs are core koala habitat (Section 5.4.2 refers). Preferred koala habitat is not excluded and in fact is the trigger for assessment outside of KMPs (ie refer to Section 6.3).	4	Wording in the draft CKPoM has been amended for clarity. Refer to: - Section 6.4.1  A notification box (denoted by an asterisk) has been added with wording to clarify applicability of the section.  Figure 5.2 (page 28) has been amended to include both preferred and core koala habitat on map.

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## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

Section	Theme	Source	Summary of issues raised	Officer's response	Changes required	Recommended actions/ Proposed responses
	Minor and Major Development (Section 6.4.2)	OEI	Concerns the allowable loss of PKFTs does not consider whether it is from core or preferred koala habitat. Suggests more emphasis should be placed on the loss of PKFTs from each habitat type, in particular from core koala habitat	Some discretion is available in unoccupied areas of preferred koala habitat but only so long as retention of key habitat elements are maximized and CKPoM objectives are not compromised. A further loss of PKFTs beyond the limits imposed by the draft CKPoM is only possible in preferred koala habitat that is outside of KMPs and otherwise unoccupied (as confirmed by way of KAAR).	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Swimming pools (Section 6.4.3)	Five residents	Confusion as to: - whether design requirements for swimming pools would require alterations to existing infrastructure - why swimming pools would require design modifications while natural watercourses would not	The draft CKPoM does not require any landowners with an existing swimming pool to make any further modifications. However, new pools are required to incorporate a pool design component to assist koalas in getting out of a pool if they were to fall in, some examples of which are outlined in Section 6.4.3 of the draft CKPoM. Although they can swim, koalas often drown in swimming pools because they are unable to climb back out if they have fallen in.  Natural watercourses exhibit graduated elevations (ie banks) facilitating animals to get out should they fall in, whereas pools have stepped edges that largely prevent animals from getting out should they fall in.	<input checked="" type="checkbox"/>	Design requirements for developments in core koala habitat are specified in Appendix E of the draft CKPoM, requiring the Campbelltown Development Control Plan (DCP) to be amended.  No changes to the draft CKPoM required.
	Keeping of domestic dogs (Section 6.4.4)	OEI and 12 residents	Concerns regarding restrictions on owning dogs and how the restrictions to user on land title (or other suitable planning measure) would be regulated.	The draft CKPoM does not restrict any landowner from owning a dog. However, new dwellings in core koala habitat will be required to install a dog proof yard, for containment of dogs at night. Dog attacks are one of the biggest threats to our koalas, and actively managing domestic dogs by containing them at night is one of the most effective ways to reduce attacks on koalas.  There are a number of options by which a restriction on user can be regulated (e.g. conditions of consent, positive covenant – 88B restriction under the Conveyancing Act etc), but difficulties in enforcement are acknowledged. For this reason, mandated construction of a dog-proof yard on all new dwellings is the preferred objective, but requires planning support. The best measure by which support could be provided would be for construction to be completed prior to issuing of a Construction Certificate (CC).	<input checked="" type="checkbox"/>	Design requirements for developments in core koala habitat are specified in Appendix E of the draft CKPoM, requiring the Campbelltown DCP to be amended.  Wording in the draft CKPoM has been amended for clarity. Refer to: - Section 6.4.4 (ii)  Wording has been amended to specify that options referred to in Section 6.4.4(i) must be either registered and/ or in place prior to the issuing of a CC.

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	Other fencing (Section 6.4.5)	Ten residents	Concerns regarding fencing requirements for existing homes	<p>The draft CKPoM does not require the modification of existing fences. The draft CKPoM provides development standards for new developments. New developments include rezonings and development applications (DA) for new homes.</p> <p>Fencing requirements for new developments are outlined in Section 6.4.5 of the draft CKPoM, and must not restrict the movement of koalas. Design examples may include vegetation such as hedges or screens, open post and rail fences and raised fences.</p> <p>This is by no means an exhaustive list of options, and designs for new developments will likely depend on the intended use of the site. However, fences that exclude koalas, such as colourbond fences, are not supported by the draft CKPoM.</p>	<input checked="" type="checkbox"/>	<p>Design requirements for developments in core koala habitat are specified in Appendix E of the draft CKPoM, requiring the Campbelltown DCP to be amended.</p> <p>Wording in draft CKPoM has been amended for clarity. Refer to:</p> <ul style="list-style-type: none"> <li>Section 6.4.1</li> <li>Section 6.4.5</li> </ul> <p>A notification box (denoted by an asterisk) has been added with wording to clarify applicability of the section.</p> <p>Wording has been amended to specify what fencing types are not supported ie fencing that impedes or excludes the movement of koalas.</p> <p>No changes to the draft CKPoM required.</p>
	Speed limits (Section 6.4.6)	Eight residents	Concerns that reducing speed limits will be problematic	<p>The draft CKPoM does not propose to change speed limits on existing roads. The draft CKPoM proposes that any new roads, in areas of core koala habitat including Koala Management Precincts (KMPs), such as those created as part of a new residential development impose a speed limit of 40 km/h.</p> <p>It should be noted that emergency vehicles are exempt from governing speed limits (refer to Part 19 Exemptions as per the Road Rules, 2014 made under the <i>Road Transport Act, 2013</i>)</p> <p>Addressed in Section 6.4.6(i)(c)</p>	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Road design (Section 6.4.6)	Four residents	Suggests installation of: <ul style="list-style-type: none"> <li>culverts to facilitate koalas moving safely across the roads</li> <li>street lighting to increase visibility of wildlife crossing roads at night</li> </ul>		<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Unoccupied areas of preferred koala habitat (Section 6.5.1)	One resident	Concerns raised that development in areas of low/transient activity could still endanger koala health and longevity even if koalas are only present in low numbers.	<p>Section 6.5 only relates to areas outside of KMPs where a KAAR undertaken within the preceding 12 months has established either no koala activity or low (&lt;10%) activity. In such circumstances that draft CKPoM stipulates that Council may exercise</p>	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.

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Section	Theme	Source	Summary of issues raised	Officer's response	Changes required	Recommended actions/ Proposed responses
Part 7 – Compensation for loss of koala habitat				discretion in regards to the Section 6.4.2 (Retention of PKFTs), subject to the applicant demonstrating that retention of PKFTs > 200mm diameter at breast height (DBH) has been maximised and will not prejudice the overall vision, aims and objectives of the draft CKPoM.		
	Non-conforming developments (Section 6.5.2)	OEH	Clarification is sought regarding the contradictory nature of Section 6.5.2(i) (point 2) and 6.5.2(iv)	Section 6.5.2 is intended to offer some flexibility to the proponents of major developments by allowing encroaching of residential lots to occur so as to contain domestic dogs / exclude koalas.	☑	No changes to the draft CKPoM required.
	Development Assessment Flowchart (Figure 6.1)	OEH	OEH notes that there appears to be an omission in the flowchart (Figure 6.2) for 'no' following the question 'Is the DA accompanied by a VAR (Part 6.3.1)? In addition, the question 'Did the KAAR identify the presence of koala activity levels <10%?' is unnecessary. Also, consideration could be given to addressing SLAs within the flowchart.	Comments noted.	☑	Development Assessment Flowchart in the draft CKPoM has been amended for clarity. Refer to: Figure 6.1 (page 37)
	Context (Section 7)	One resident	Suggests that koala habitat should be protected rather than requiring compensatory and offset plantings	The intent of the draft CKPoM is to maximise protection of habitat in KMPs and other areas occupied by koalas by limiting the loss of PKFTs (Section 6.4.2 refers).	☑	No changes to the draft CKPoM required.
	Compensation for loss of koala habitat (Section 7)	One resident	Enquiry into whether there are compensation exceptions for some types of PKFTs (ie stages)	Compensation requirements under the draft CKPoM apply to all PKFTs regardless of their condition or placement in relation to infrastructure (Section 6.4.2 refers).	☑	No changes to draft CKPoM required.
	Major development (Section 7.1)	OEH	Suggestion that in regards to compensation for major development, consideration could be given to incorporating the conservation value of trees to be removed in compensation calculations in addition to the size of trees to be removed. Other offset policies have considered the location of trees in core koala habitat that also forms part of an endangered ecological community, preferred koala habitat and/or koala movement corridors. Alternatively, the Biobanking method could be considered as per the Lismore CKPoM (2013).	Council is currently developing a local offsets policy that will address the compensatory requirements for offsets beyond and above those covered by the draft CKPoM (ie PKFTs and shelter trees).  The local offset policy will address the loss of single trees in urban landscapes, native vegetation and endangered ecological communities.	☑	No changes to the Draft CKPoM required.
	Tree compensation offset ratios (Section 7.1 and 7.2)	Eight residents	Concerns the replacement ratios for tree removal are either too high/ too low	Studies have shown that koalas feed on PKFTs only once a PKFT has reached a size of around 250mm DBH. Due to the low nutrient soils found in Campbelltown, the growth rates of trees are much slower than trees found on higher nutrient soils (such as those found on the north coast of NSW).	☑	The Draft CKPoM's offsetting ratios have been altered to maintain consistency with other CKPoMs.  The draft CKPoM has been

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Part 8 – Habitat rehabilitation and restoration				Therefore, the loss of trees greater than 250mm DBH is difficult to compensate for, because of the time it takes for these trees to grow to a suitable size. Under perfect conditions, it is estimated that it would take 10-15 years before a newly planted PKFT would become palatable for koalas, hence the need to keep the larger PKFTs in the ground where possible.  The draft CKPoM's offsetting ratios have been scaled accordingly to take into account the importance of PKFTs to the survival of koalas; in addition to tree mortality rates, and the significant time lag between removing PKFTs and replacing this food resource in areas of low nutrient soils.		– Section 7.1 – Section 7.2  Offsetting ratios for major development have been retained (however compensation units aligned from centimeters (cm) to mm for consistency)  Offsetting ratios for minor development have been amended from 1:20 to a scaled approach based on DBH: 1. Small (<100mm) 1:10 2. Medium (>100-300mm) 1:15 3. Large (>300mm) 1:20
	Tree replacement options (Section 7.3)	One resident	Enquiry as to whether landowners have the option to undertake compensatory tree replantings on land subject to the DA	Landowners proposing to remove PKFTs have the option to compensate for the loss of these trees either by: – providing financial compensation to Council to undertake this activity for them on an alternative site, or – committing to replanting on the property subject to the DA (as outlined in Section 7.3)	(v)	The draft CKPoM has been updated accordingly. Refer to: – Section 7.3
	Compensation case study A	OEH	Recommends that the case study be amended to meet the definition for minor development, since the example is for a single residence, not a subdivision that allows for 2 trees/ha to be removed.	The minor development definition is inclusive of both the construction of a single residence and/ or the subdivision of a single lot of land into no more than two lots, therefore the Compensation case study A remains accurate.	(v)	Parts of Section 7.1 have been moved into Section 7.3 to clarify the requirements for landowners to undertake compensatory plantings on lands subject to the DA.  Wording in the draft CKPoM has been amended for clarity. Refer to: – Definitions  Wording in the case study has been amended to clarify that the definition relates to 'either' a single residential dwelling or subdivision of a single lot into two lots.
	Local provenance seed (Section 8.1)	One resident	Suggestion that trees planted should be from locally sourced seed	This is outlined in context of Section 8.1(v)	(v)	No changes to the draft CKPoM required
	Habitat rehabilitation	One resident	Suggests that a priority for habitat rehabilitation and restoration would be	This matter will be considered further in context of the preparation of the Koala Habitat Rehabilitation	(v)	No changes to the draft CKPoM required, although the matter will

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Part 9 – Community education	(Section 8.1 (ii))		enhancement of the wildlife corridor joining Smiths Creek and the Georges River bushland within future stages of the Airids redevelopment.	Program as per Section 8.1 (ii)		be placed on the agenda of the KMC for consideration
	PKFT species (Section 8.1)	OEH	Recommendation that all trees to be replanted are of the same species lost, and that some shelter trees also be planted in gullies and other areas with cool microclimates	Tree species to be planted will ideally reflect floristics of local community in localities that have previously been identified by Council, and will be listed as part of individual site rehabilitation plans as per Section 8.1 (v, vi)	✓	Wording in the draft CKPoM has been amended for clarity. Refer to: – Section 8.1(vi)  Wording has been amended to include shelter trees.
	Koala sightings (Section 9.1)	OEH	Suggests Council consider coordinating records collected from the community with existing OEH Atlas/ Bionet database	Council is already undertaking this. Council Officers have contacted OEH and are liaising with the Biodiversity Information Systems team regarding the development of a Bionet mobile application to facilitate reporting of sightings.	✓	No changes to the draft CKPoM required
Part 10 – Monitoring, reporting and review	Community awareness	One resident	Suggests a weekly local newspaper notice or koala information column to keep the community aware	This matter should be considered in context of Section 9.1 which relates to the preparation of a Koala Education Strategy	✓	No changes to the draft CKPoM required, although the matter should be placed on the agenda of the KMC for consideration
	Koala population monitoring (Section 10.1)	OEH and one resident	Recommends adopting a single standard method for monitoring, rather than allowing for a choice between two methods depending on the amount of available resources at the time of survey. Also concerns expressed regarding the lesser search time (Section 10.1 (b)) of 10 minutes overall per site in the case of the minimum field survey methodology  Recommends that establishment of monitoring plots to measure vegetation growth and koala use, be elevated to a monitoring requirement in Part 10.  Concern that no provision is made for monitoring the success of rehabilitation works and use of rehabilitated areas by koalas. This is mentioned in Section 11.2 (koala research), but should be elevated to a monitoring requirement.	Given the importance of long-term monitoring, the intent here is to offer the design of a low-cost monitoring program so as to ensure that monitoring can be undertaken on a regular basis, while maintaining the option for more detailed assessment to be undertaken if funding is available.  The SAT technique is as described by Phillips and Callaghan (2011). It is acknowledged that option b) would provide less information in terms of koala activity levels for each site than would option a). However, option b) is considered sufficient for assessing changes in koala occupancy while the monitoring program also requires collection of data on koala incidents and koala records for analysis in conjunction with changes in koala occupancy and/or activity.  The monitoring program is intended to enable intra-generational data on the population to be collected so as to enable a management response to be enacted if certain criteria are met (Section 10.2 (iii) and (iv)).	✓	No changes to the draft CKPoM required
				It was presumed that the need to monitor		

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Part 11 – Koala welfare and research	Koala monitoring program reporting (Section 10.3)	OEH	Suggestion that consideration be given to the provision of a separate monitoring report is considered that could be appended to the required overarching report that is to include other information such as the amount of koala habitat rehabilitated	rehabilitation works would be detailed in associated rehabilitation plans (Section 8.1(v)) Reporting the amount of koala habitat rehabilitated is already a requirement of the monitoring strategy under Section 10.3 (d).	<input type="checkbox"/>	No changes to the draft CKPoM required
	Koala research (Section 11.2)	OEH	Suggest that the draft CKPoM include text to indicate what other research might include (eg radio tracking or a comparison of different methods). Also refining the vegetation mapping layers to inform the draft CKPoM.	Further scientific research exploring various methodologies is supported (and could be undertaken by Universities), but is considered to be outside the scope of this draft CKPoM.  Refining vegetation mapping layers is an intended outcome arising from standardising of koala habitat assessment procedures.	<input type="checkbox"/>	No changes to the draft CKPoM required
	Disease and genetics (Section 11.2)	OEH	Suggest identifying locations with and without evidence of disease in order to help prevent spread of disease	Disease is present in population and prevalence will reflect presence of stressors on population which may change over time.	<input type="checkbox"/>	No changes to the draft CKPoM required
Part 12 – Other threats	Fire management (Section 12.1)	OEH	Suggests that Council provide the RFS with maps indicating where koala numbers are known to be high, and any known refuge areas	This may prove problematic over time as information becomes dated. RFS is a member of the KMC and should consequently remain informed of any relevant changes to knowledge.	<input type="checkbox"/>	No changes to the draft CKPoM required.
	Threat statistics	Three residents	Enquiry into koala statistics for road mortality, dog attacks and drownings in pools. Concerns that statistics are overestimated.	Refer to mapping included in a review of an earlier draft CKPoM prepared by EcoLogical (Ward, 2013).  However, the mapping contained in (ELA, 2014) does not represent a comprehensive list of mortality data for the LGA, and does not contain recent mortality records.  Furthermore, there is no central database that captures statistics on koala mortalities. The reporting of koala sightings are managed through a number of different databases (ie koala care groups, local veterinary clinics, state government agencies etc), and reliable estimates are difficult to make. In addition to this, taking into consideration that most koala deaths go largely unreported, any mortality statistics are considered gross underestimates of the actual figures.	<input type="checkbox"/>	Once finalised, Council's koala webpage will be updated with links to the CKPoM and associated supporting documentation.
	Vehicle-strike (Section 12.2)	OEH and two residents	Suggest that the draft CKPoM be more specific about how to best reduce the potential for vehicle strikes ie spatio-temporal factors associated with koala	Temporal factors associated with higher measures of koala vehicle strike are well known (i.e. breeding season), while localities will vary over time depending on population configuration.	<input type="checkbox"/>	No changes to the draft CKPoM required.

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Appendix A – Schedule of Management Actions			vehicle strikes Suggests lowering the speed limit of Appin Road to reduce koala mortalities in the need for wildlife. Also expresses the need for bridges/tunnels/exclusion fencing in the event of future road widening for major roads such as Appin Road or Georges River Parkway in wildlife corridor areas where there is a history of koala road strike.	Matter is best informed by monitoring.  A submission to RMS is supported unequivocally, but is beyond capacity of the draft CKPoM to enforce. A strategy to overcome this is proposed in Section 12.2 (i) and (ii)		
	Feral animal control	Seven residents	Concerns that the draft CKPoM doesn't address feral animal control in regards to foxes, feral cats, rabbits, and Indian myna birds	The draft CKPoM considers key threats to the Campbelltown koala population. Although attacks by wild and domestic dogs are considered a significant threat to koalas and are addressed in Appendix A, the management of other feral species (including the majority of those raised in submissions) are not considered a risk to the species such that they would need to be addressed via management actions.	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Development of the Plan	Three residents	Concerns regarding the cost to ratepayers to implement management actions associated with the draft CKPoM	The draft CKPoM does not propose to involve any added costs to ratepayers, with the exception of requirements for new houses. The management actions identified in Appendix A of the draft CKPoM outline a schedule of works that are required to implement the draft CKPoM. The majority of these actions will be undertaken by an existing Council position and/or budget. However, funding for some actions will be sought through external funding opportunities such as applications to the State Government for grants.	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Funding options	Three residents	Suggestion that development contribution funds should go to koala research and that Council should consider placing a local tax on Campbelltown residents ie via an Environmental levy	This matter is considered to be outside the scope of the CKPoM.	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required.
	Consistency of management action table	OEH	Concerns that the management actions are inconsistent ie there are many actions in the schedule that do not appear in the working provisions of the draft CKPoM (and vice versa), or are included under different headings to those that they appear in the draft CKPoM.	Appendix A reviewed for consistency and amended accordingly	<input checked="" type="checkbox"/>	Wording in the draft CKPoM has been amended for clarity. Refer to text boxes at beginning of each chapter and updated Appendix A.
	Collaboration with neighboring Councils	One resident	Suggests that adjoining Councils need to work together to achieve a regional approach to koala conservation, particularly in the case of the eastern and southern	Although this suggestion is acknowledged, it is beyond the capacity of the draft CKPoM to regulate how other Councils approach the matter of koala conservation.	<input checked="" type="checkbox"/>	No changes to the draft CKPoM required. Councils koala website will be

## Acronyms:

CC: Constitution Certificate  
CKPoM: Comprehensive Koala Plan of Management  
CLEP: Campbelltown Local Environmental Plan, 2015  
DA: Development Application  
DBH: Diameter at Breast Height  
DCP: Development Control Plan  
EOI: Expression of Interest  
EPBC Act: Commonwealth Environmental Protection Biodiversity Act, 1999  
HLA: Habitat Linkage Areas

IKPoM: Individual Koala Plan of Management  
KAAR: Koala Activity Assessment Report  
KMA: Koala Management Area  
KMC: Koala Management Committee  
KMP: Koala Management Precinct  
LGA: Local Government Area  
LLS: NSW Local Land Services  
OEH: NSW Office of Environment and Heritage  
PKFT: Protected Koala Food Trees

RFS: NSW Rural Fire Services  
RMS: Roads & Maritime Services  
SEPP 44: State Environmental Planning Policy 44 (Koala Habitat Protection)  
SLA: Strategic Linkage Area  
TSC Act: NSW Threatened Species Conservation Act, 1995  
USYD: University of Sydney  
VAR: Vegetation Assessment Report  
VPA: Voluntary Planning Agreement



## 8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

Section	Theme	Source	Summary of issues raised	Officer's response	Changes required	Recommended actions/Proposed responses
Appendix D - Analysing the historical record	Vegetation mapping	OEH	<p>boundaries. Reference is made to the Lunney, Close et al. (2010) publication concerning the natural history of Sydney and the Campbelltown koala population.</p> <p>Request clarity as to whether koala scats or koala records were modelled against vegetation mapping to derive preferred koala habitat. Request that this be clarified as well as providing confirmation of what vegetation mapping was used. The latest vegetation map for the Campbelltown area is titled 'The Native Vegetation of the Sydney Metropolitan Area' (OEH 2013).</p> <p>Concerns that the method for mapping preferred koala habitat is unclear, and suggest that the supporting documentation should be identified in full with a link provided</p>	<p>In regards to the collaboration of adjoining Councils however, Campbelltown Council has been participating in regular South West Sydney and Southern Highlands regional koala meetings with a number of stakeholders and representatives from Campbelltown, Wollondilly and Wingecarribee Councils.</p> <p>Neither koala scats nor records are used to derive preferred koala habitat; rather it is knowledge regarding abundance of PKFT species. Reasons underpinning the list of PKFTs were detailed in a review of an earlier draft CKPoM prepared by EcoLogical (Ward, 2013)</p> <p>Reasons underpinning the habitat categorizations were detailed in a review of an earlier draft CKPoM prepared by EcoLogical (Ward, 2013)</p>		<p>Appendix C has been expanded to include the required information relating to PKFTs and koala habitat classification.</p>
	Habitat assessment methodology	One resident	<p>Concerns that the habitat assessment methodology has been developed solely for the benefit of developers rather than to identify and protect koalas and their habitat. The respondent suggests combining community survey and pellet searches to determine tree species selection.</p>	<p>The intention of the methodology is to assist landowners to identify important koala habitat areas that are currently being used as part of normal koala ranging, social interaction and feeding. The SAT approach together with the RG-bSAT methodology is widely used in NSW, Queensland and Victoria and is recognized in published literature and the Commonwealth Environmental Protection Biodiversity Conservation Act, 1999 (EPBC Act) <i>Referral Guidelines for the Vulnerable Koala</i> (Commonwealth of Australia 2014) as one of a number of suitable/recommended indirect survey methods for koalas.</p>	2	<p>No changes to the draft CKPoM required</p>
	Unoccupied habitat	One resident	<p>Concerned that a focus on identifying areas that are subject to current use by koalas would fail to recognise the importance of important habitat areas for future population expansion and connectivity.</p> <p>It is noted that the sampling intensity for this draft CKPoM is less than that for other CKPoMs e.g. Kempsey (2011) and Lismore (2013) and requests that an explanation be provided in the draft CKPoM</p>	<p>Concern is considered to be unfounded given inclusion and protection of unoccupied areas of habitat in KMPs, as well as saving provisions of 6.5.1 (ii).</p>	3	<p>No changes to the draft CKPoM required</p>
	Regularised Grid-based SAT (RG-bSAT) sampling	OEH	<p>It is noted that the sampling intensity for this draft CKPoM is less than that for other CKPoMs e.g. Kempsey (2011) and Lismore (2013) and requests that an explanation be provided in the draft CKPoM</p>	<p>Coarser sampling intensity is because of lower density/carrying capacity of the planning landscape when compared to areas such as Lismore and Kempsey.</p>	3	<p>No changes to the draft CKPoM required</p>

### Acronyms:

Actonyns.  
 CC: Construction Certificate  
 CKPoW: Comprehensive Kuala Plan of Management  
 CKPPE: Campbelltown Local Environmental Plan, 2015  
 DA: Development Application  
 DBH: Diameter at Breast Height  
 DCP: Development Control Plan  
 EOI: Expression of Interest  
 EPBC Act: Commonwealth Environmental Protection Act  
 HLA: Habitat Linkage Areas

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## **8.6 Bardia Heritage Precinct**

### **Division**

City Development

### **Reporting Officer**

Acting Manager Environmental Planning

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### **Attachments**

Plan for proposed works at Mont St Quentin Oval subject to Development Application 3360/2016/DA-CW (contained within this report)

### **Purpose**

To respond to a Council request for a report to be presented on the condition of the Bardia Heritage Precinct and the developer's plans for its maintenance and enhancement.

### **History**

Council its meeting held 19 July 2016 Council adopted the Planning and Environment Committee's Recommendation with Resolution No 113, requiring a report be presented on the condition of the Bardia Heritage Precinct and the developer's plans for its maintenance and enhancement.

### **Report**

The area known as the Bardia Heritage Precinct relates to land formerly associated with the Ingleburn Army Camp, now located within the Edmondson Park Urban Release Area. The precinct straddles Campbelltown Road which forms the boundary between the Campbelltown and Liverpool Local Government Areas (LGAs).

The heritage precinct is listed under State Environmental Planning Policy (State Significant Precincts) 2005 as a heritage item of State Heritage significance, and includes the Ingleburn Military Heritage Precinct on the northern side of Campbelltown Road (Liverpool LGA) and Mont St Quentin Oval on the southern side of Campbelltown Road (Campbelltown LGA).

A key element of the significance of the Mont St Quentin Oval is connected with its utilisation as a parade ground for World War II troops at the site. It was also where the troops were formally farewelled before being shipped overseas, prior to the construction of official parade grounds.

The development of Edmondson Park Urban Release Area has been undertaken by UrbanGrowth NSW in accordance with the Concept Plan Approval issued by the Planning and Assessment Commission in August 2011.

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A condition of the Concept Plan Approval for the development of Edmondson Park required Landcom (now UrbanGrowth NSW) to provide local infrastructure to the development in accordance with its Statement of Commitments in the Concept Plan Application. This included restoration of the heritage listed Mont St Quentin Oval and embellishment of the surrounding Reserve. It is noted that these works form part of a Voluntary Planning Agreement (VPA) between Council and UrbanGrowth NSW, as reported to Council at its meeting of 13 August 2013.

Since that time, Council has approved a number of construction certificate applications for the subdivision of the land and construction of individual dwellings. The completed suburb of Bardia (within the Campbelltown LGA) will have approximately 1700 lots and an approximate population of 4500.

On 17 October 2016 UrbanGrowth NSW submitted a development application (DA 3360/2016/DA-CW) for restoration works relating to the Mont St Quentin Oval and surrounding reserve. A copy of the overall plan for proposed works under the application is provided in attachment 1.

The proposed works include the following:

- development of a playground and picnic area
- construction of an amenities building
- lighting, fencing and tiered seating to Mont St Quentin Oval
- restoration of the Heritage Gate and associated footpath
- construction of relevant drainage channels to ensure ongoing viability of the site.

Council is currently assessing the application having regard to the agreed works outlined in the VPA for the subject land, and a Conservation Management Plan prepared in 2015 for the broader Heritage Precinct. Additionally, it is noted that the application will also be subject to review by the NSW Office of Environment and Heritage given the State Heritage Listing of the site.

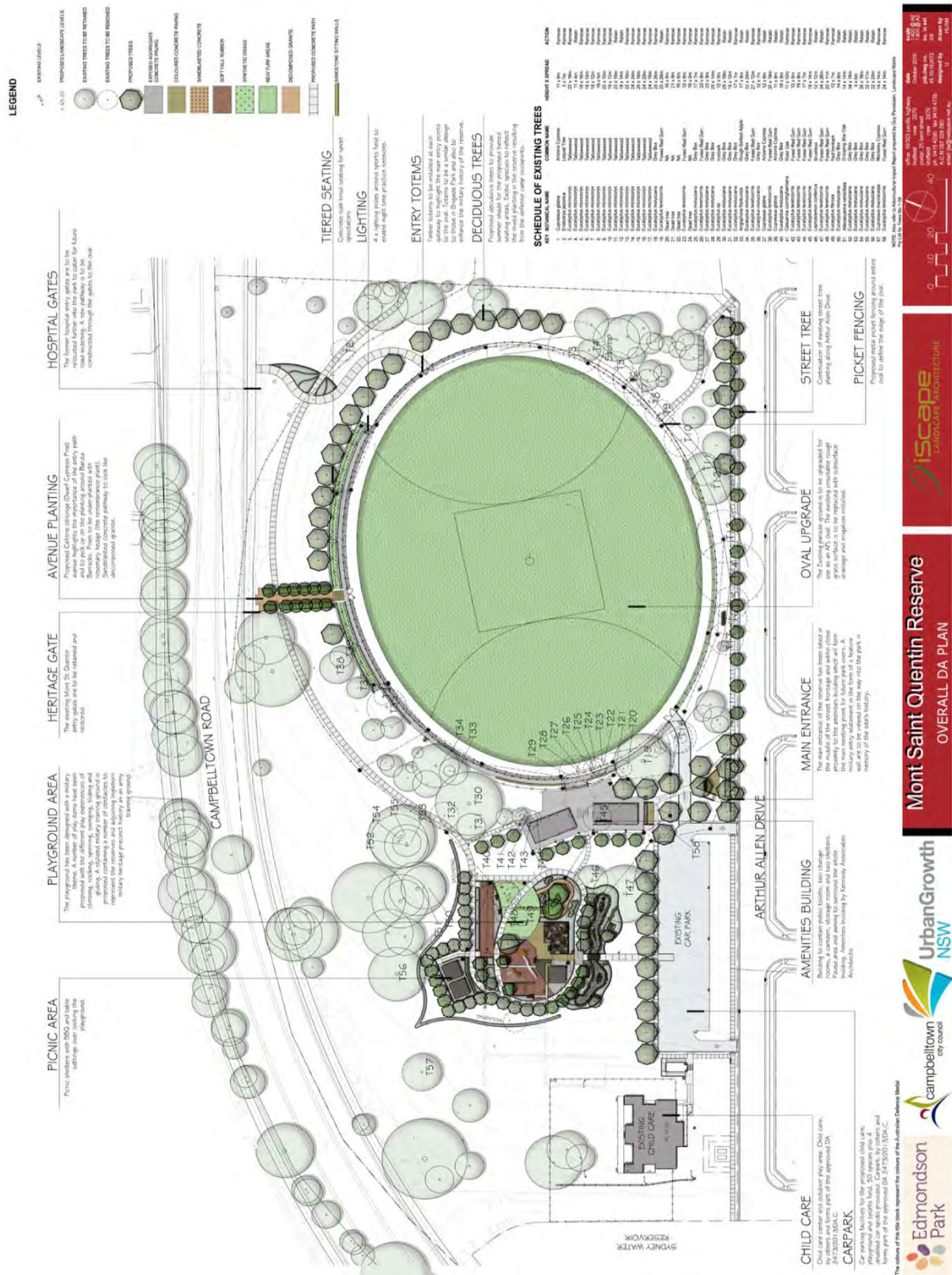
Councillors will be further advised through the Councillor Weekly Bulletin on the progress of the assessment of the subject application.

### **Officer's Recommendation**

That the information be noted.

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# ATTACHMENT 1





## **8.7 Development Services Statistics October 2016**

### **Division**

City Delivery

### **Reporting Officer**

Acting Manager Development Services

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### **Attachments**

Development services application statistics for October 2016 (contained within this report)

### **Purpose**

To advise Council of the status of development and other applications within the Development Services section.

### **Report**

In accordance with Council's resolution of 23 August 2005 that Councillors be provided with regular information regarding the status of development applications, the attachment to this report provides details of key statistics for October 2016 as they affect the Development Services section.

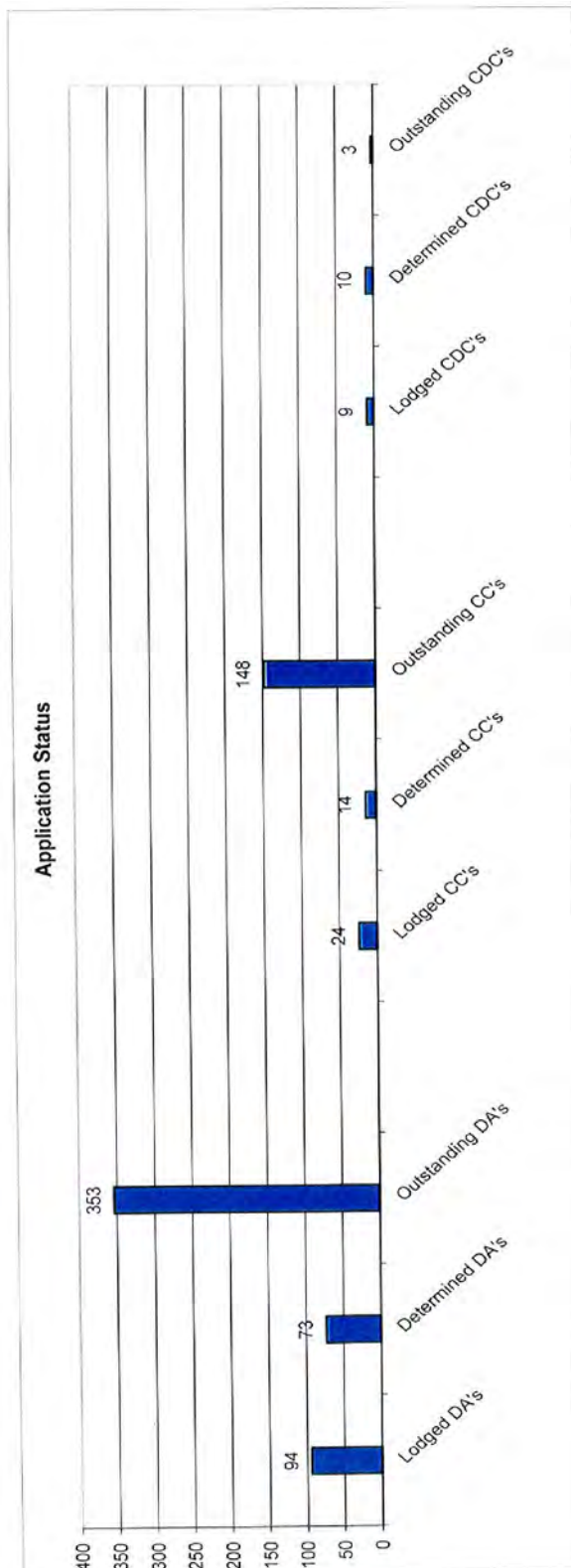
### **Officer's Recommendation**

That the information be noted.

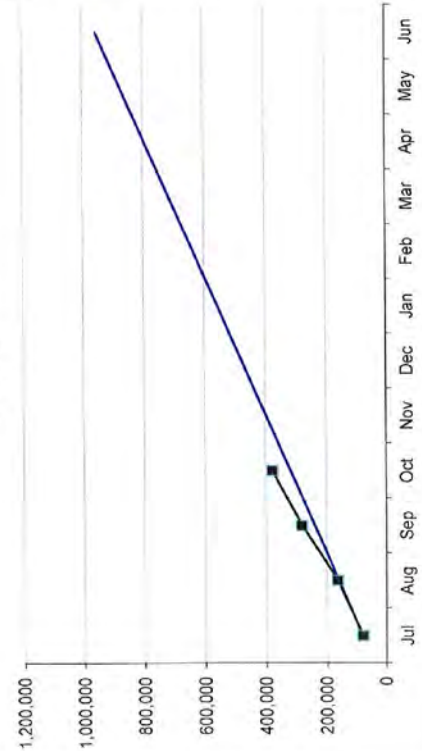
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## ATTACHMENT 1

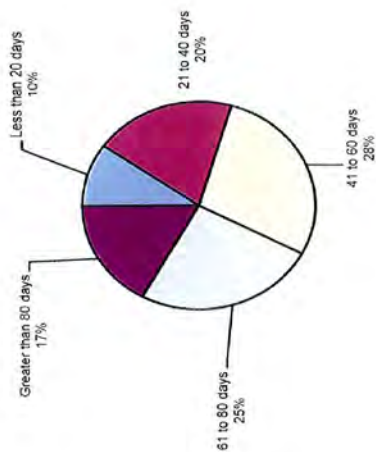
### DEVELOPMENT SERVICES SECTION MONTH AT A GLANCE – October 2016



### Development Application Income 2016/2017



### Development Application Monthly Processing Times



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## **8.8 Legal Status Report**

### **Division**

City Development

### **Reporting Officer**

Manager City Standards and Compliance

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### **Attachments**

City Development Division Monthly Legal Matters Status and Costs Summary (contained within this report)

### **Purpose**

To update Council on the current status of the City Development Division's legal matters.

### **Report**

This report contains total costs to date for each matter and the status of the Division's current legal matters for the 2016-2017 period as they relate to:

- The Land and Environment Court
- The Supreme Court
- The District Court
- The Local Court
- Matters referred to Council's solicitor for advice.

A summary of year-to-date costs and the total number of matters is also included.

### **Officer's Recommendation**

That the information be noted.

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## ATTACHMENT 1

<b>1. Land and Environment Court Class 1 Matters – Appeals Against Council's Determination of Development Applications</b>
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Total ongoing Class 1 DA appeal matters (as at 18/11/2016)	2
Total completed Class 1 DA appeal matters (as at 18/11/2016)	2
Costs from 1 July 2016 for Class 1 DA appeal matters:	\$45,917.90

<b>1 (a)</b>	<b>JD One Enterprise Pty Ltd</b>
<b>Issue:</b>	An appeal against Council's refusal of development application No. 2952/2014/DA-C that sought consent for the construction of a medical centre and a childcare centre, and associated car parking.
<b>Property:</b>	Lot 50 DP 1028174, Campbellfield/Redfern's Cottage, 20 Lind Street, MINTO
<b>Property Owner:</b>	JD One Enterprise Pty Ltd
<b>Council File:</b>	Development Application No: 2952/2014/DA-C
<b>Court Application:</b>	Filed on 14 April, 2016 - File No. 10351 of 2016
<b>Applicant:</b>	JD One Enterprise Pty Ltd
<b>Costs Estimate:</b>	\$40,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	\$28,007.03
<b>Status:</b>	Ongoing - proceedings listed for further callover on 16 December 2016.
<b>Progress:</b>	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 2952/2014/DA-C that sought consent for the construction of a medical centre and a childcare centre, and associated car parking on land known as Campbellfield/Redfern's Cottage, 20 Lind Street, Minto.</p> <p>The proceedings were before the Court for first callover on 12 May 2016. The Registrar made certain directions and adjourned the proceedings to 9 August 2016 for conciliation conference to commence onsite at 9:30 AM. Following the conciliation conference the Commissioner made certain directions and adjourned the proceedings to 9 September for telephone callover.</p> <p>At the callover on 9 September 2016 the Commissioner made certain directions for the applicant to submit amended plans to Council and for Council to respond. The proceedings were further adjourned to 26 September for telephone callover and case management reporting.</p>



At the telephone callover on 26 September 2016 the Commissioner made certain directions and adjourned the proceedings to 25 October 2016 for further telephone callover.

At the telephone callover on 25 October 2016, the Commissioner made direction that the applicant provide amended plans by 28 October 2016 and that the proceedings be listed before the Registrar on 8 November 2016 for callover and case management reporting.

Matter was before the Registrar on 8 November 2016 where certain procedural directions were given and the proceedings adjourned to 16 December 2016 for further callover.

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<b>1 (b)</b>	<b>Gwydir Holdings Pty Ltd</b>
<b>Issue:</b>	An appeal against Council's deemed refusal of development application No. 3552/2015/DA-BH that sought consent for the demolition of existing structures, removal of a tree, construction of a new generation boarding house with car parking.
<b>Property:</b>	Lot 18A, DP 389816, 38 Parliament Road, MACQUARIE FIELDS
<b>Property Owner:</b>	Gwydir Holdings Pty Ltd
<b>Council File:</b>	Development Application No: 3552/2015/DA-BH
<b>Court Application:</b>	Filed on 14 July, 2016 - File No. 16/213119
<b>Applicant:</b>	Gwydir Holdings Pty Ltd
<b>Costs Estimate:</b>	\$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	\$13,258.87 (awaiting final invoice from Council's solicitor)
<b>Status:</b>	Completed – appeal upheld and conditional consent granted to the development.
<b>Progress:</b>	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's deemed refusal of development application No. 3552/2015/DA-BH that sought consent for the demolition of existing structures, removal of a tree, construction of a new generation boarding house with car parking on land at 38 Parliament Road, Macquarie Fields.</p> <p>The proceedings were listed before the Court for first callover on 10 August 2016, where the Registrar made certain directions regarding exchange of information between the parties and adjourned the proceedings to 28 October 2016 for section 34 conciliation conference.</p>

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At the section 34 conference on 28 October 2016 the Commissioner heard from three objectors to the development before the parties convened for private conciliation session. The conciliation conference remains ongoing. The Commissioner made direction that the applicant provide revised plans and documents to Council by 1 November 2016; that Council consider the revised plans and documents by 8 November 2016; the proceedings be adjourned to 11 November for continuation, unless a signed conciliation agreement is filed with the Court beforehand.

On 11 November 2016, an electronic version of the section 34 agreement was provided to the Court and the mention of the conciliation conference was vacated.

On 15 November 2016, the original of the section 34 agreement was filed with the Court. Subsequently the Court made orders in accordance with the agreement thus upholding the appeal and granting conditional consent to the development.

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**1 (c)**

**Samir ALZAIDI**

<b>Issue:</b>	Appeal against Council's refusal of development application No. 1088/2015/DA-BH that sought consent for demolition of existing structure and construction of 19 room boarding house establishment.
<b>Property:</b>	Lot 913, DP 28119, 33 Colonial Street, Campbelltown
<b>Property Owner:</b>	Mr Samir Abdul Majid Alzaidi
<b>Council File:</b>	Development Application No: 1088/2015/DA-BH
<b>Court Application:</b>	Filed on 7 October 2016 - File No. 16/299387
<b>Applicant:</b>	Samir Alzaidi
<b>Costs Estimate:</b>	\$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	Nil
<b>Status:</b>	New Matter – proceedings listed for Conciliation Conference on 2 February 2017.
<b>Progress:</b>	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 1088/2015/DA-BH that sought consent for demolition of existing structure and construction of 19 room boarding house establishment.</p> <p>The proceedings were before the Court for first callover on 4 November 2016. The Registrar made certain procedural directions and adjourned the proceedings for section 34</p>

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Conciliation Conference commencing at 9.30am on site on 2 February 2017.

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**2. Land and Environment Court Class 1 and 2 Matters – Appeals Against Notices, Orders, or Directions issued by Council**

Total ongoing Class 1 and 2 appeal matters (as at 18/11/2016)	0
Total completed Class 1 and 2 appeal matters (as at 18/11/2016)	0
Costs from 1 July 2016 for Class 1 & 2 appeal matters:	\$0.00

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**3. Land and Environment Court Class 4 Matters – Civil Enforcement in respect of non-compliance with Planning Law or Orders issued by Council**

Total ongoing Class 4 matters before the Court (as at 18/11/2016)	0
Total completed Class 4 matters (as at 18/11/2016)	0
Costs from 1 July 2016 for Class 4 matters	\$0.00

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**4. Land and Environment Court Class 5 - Criminal enforcement of alleged pollution offences and various breaches of environmental and planning laws**

Total ongoing Class 5 matters before the Court (as at 18/11/2016)	0
Total completed Class 5 matters (as at 18/11/2016)	0
Costs from 1 July 2016 for Class 5 matters	\$0.00

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**5. Land and Environment Court Class 6 - Appeals from convictions relating to environmental matters**

Total ongoing Class 6 matters (as at 18/11/2016)	0
Total completed Class 6 matters (as at 18/11/2016)	0
Costs from 1 July 2016 for Class 6 matters	\$0.00

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**6. Supreme Court of NSW – Appeals and Civil Enforcement in respect of Council's regulatory enforcement activities**

Total ongoing matters (as at 18/11/2016)	0
Total completed (as at 18/11/2016)	1
Costs from 1 July 2016 for this matter	\$8,561.88

**6 (a) Rosetta PRESTIA**

**Issue:** Fence obstruction on residential land burdened by easement for right of carriageway for waste and recycling service vehicles and other vehicles.

**Property:** Lot 98, DP 270660, 35 Eleanor Drive, Glenfield NSW

**Property Owner:** Mrs Rosetta Prestia

**Court Application:** Court action averted.

**Costs Estimate:** \$15,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

**Progressive Costs:** \$7,954.71 (Awaiting final invoice from Council's solicitor).

**Status:** Completed – Obstructing fence removed from easement.

**Progress:** Council's attention was drawn to a fence erected within the easement for right of carriageway burdening Lot 98, DP 270660, 35 Eleanor Drive, Glenfield NSW. Initial discussions with the property for the removal of the obstruction failed to reach a resolution, as an issue concerning the validity of the easement arose. Accordingly the matter was referred to Council's solicitor.

Inquiries with the NSW Land and Property Information Service have now established the validity of the easement and the property owner has agreed to remove the obstructing fence by 3 November 2016.

Inspection on 7 November revealed the fence had not been removed. Council's solicitor has written to the solicitor for the property owner seeking an explanation as to why the fence has not been removed and advising Council's intention to seek Court Orders should the fence not be removed by 13 November 2016.

Inspection on 14 November 2016 revealed that the obstructing fence had been relocated out of the easement for right of carriageway burdening Lot 98, DP 270660, 35 Eleanor Drive, Glenfield NSW.



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**7. District Court of NSW – Appeals from the Local Court in respect of the Magistrate erred at law or severity of sentence imposed**

Total ongoing matters (as at 18/11/2016)	0
Total completed (as at 18/11/2016)	0
Costs contribution from 1 July 2016 for this matter	\$0.00

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**8. Local Court prosecution matters**

The following summary lists the current status of the Division's legal matters before the Campbelltown Local Court.

Total ongoing Local Court Matters (as at 18/11/2016)	25
Total completed Local Court Matters (as at 18/11/2016)	17
Costs from 1 July 2016 for Local Court Matters	\$2,415.18

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<b>File No:</b>	LP25/16 – Penalty Notice Court Election
<b>Offence:</b>	Development without development consent (secondary dwelling)
<b>Act:</b>	<i>Environmental Planning &amp; Assessment Act 1979</i>
<b>Final Costs:</b>	\$597.68 – Matter dealt with by Council's Legal and Policy Officer - external solicitor instructed.
<b>Status:</b>	Completed – withdrawn and dismissed
<b>Progress:</b>	<p>The matter was before the Court for first mention on 16 August 2016 where the defendant entered a not guilty plea. The proceedings have been adjourned to 18 November 2016 for hearing.</p> <p>The matter was before the Court for hearing on 18 November 2016, where Council, by consent, withdrew the proceedings. Civilian witness declined to provide Council with a written statement or to support the prosecution by attendance at Court to give oral evidence; accordingly Council was unable to prove its case to the requisite standard of 'beyond reasonable doubt', therefore it was necessary to withdraw the proceedings.</p>

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<b>File No:</b>	LP28/16 – Penalty Notice Court Election
<b>Offence:</b>	Not comply with Order (overgrown/untidy land)
<b>Act:</b>	<i>Local Government Act 1993</i>
<b>Progressive Costs:</b>	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer - external solicitor instructed.
<b>Status:</b>	Ongoing – listed for hearing 12 December 2016
<b>Progress:</b>	The matter was before the Court for first mention on 4 October 2016 where the defendant entered a not guilty plea. The proceedings have been adjourned to 12 December 2016 for hearing.

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<b>File No:</b>	LP31/16 – Penalty Notice Court Election
<b>Offence:</b>	Companion Animal (Cat) not registered
<b>Act:</b>	<i>Companion Animals Act 1998</i>
<b>Progressive Costs:</b>	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer - external solicitor instructed.
<b>Status:</b>	Ongoing – listed for hearing on 18 January 2017
<b>Progress:</b>	The matter was before the Court for first mention on 1 November 2016 where the defendant entered a not guilty plea. The Registrar adjourned the proceedings to 18 January 2016 for hearing.

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<b>File No:</b>	LP33/16 to LP35/16 – Charge Matters x 3
<b>Offence:</b>	Dog escape premises; dog attack animal and person; dog attack person - (not dangerous dog).
<b>Act:</b>	<i>Companion Animals Act 1998</i>
<b>Progressive Costs:</b>	\$91.00 – Matter being dealt with by Council's Legal and Policy Officer - external solicitor instructed.
<b>Status:</b>	New matters – mention on 29 November 2016.
<b>Progress:</b>	The matters are listed before the Court for first mention on 29 November 2016.

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**File No:** LP36/16 to LP42/16 – Charge Matters x 7  
**Offence:** Dog escape premises; dog attack animal and person; dog attack person; not comply with control requirements to: keep dog in a prescribed enclosure, erect warning signs, dog to wear distinctive collar, control and muzzle dog - (dangerous dog).  
**Act:** *Companion Animals Act 1998*  
**Progressive Costs:** \$91.00 – Matter being dealt with by Council's Legal and Policy Officer - external solicitor instructed.  
**Status:** New matters – mention on 29 November 2016.  
**Progress:** The matters are listed before the Court for first mention on 29 November 2016.

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**File No:** LP43/16 – Charge Matter  
**Offence:** Not comply with control requirement to desex dog - (dangerous dog).  
**Act:** *Companion Animals Act 1998*  
**Progressive Costs:** \$91.00 – Matter being dealt with by Council's Legal and Policy Officer - external solicitor instructed.  
**Status:** New matter – mention on 29 November 2016.  
**Progress:** The matter is listed before the Court for first mention on 29 November 2016.

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**File No:** LP44/16 – Charge Matter  
**Offence:** Not fully comply with control requirement to construct prescribed enclosure - (dangerous dog).  
**Act:** *Companion Animals Act 1998*  
**Progressive Costs:** \$91.00 – Matter being dealt with by Council's Legal and Policy Officer - external solicitor instructed.  
**Status:** New matter – mention on 29 November 2016.  
**Progress:** The matter is listed before the Court for first mention on 29 November 2016.

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<b>File No:</b>	LP45/16 to LP49/16 – Charge Matters x 5
<b>Offence:</b>	Dog escape premises; dog attack persons; not comply with control requirements to: keep dog in a prescribed enclosure, dog to wear distinctive collar, control and muzzle dog - (dangerous dog).
<b>Act:</b>	<i>Companion Animals Act 1998</i>
<b>Progressive Costs:</b>	\$91.00 – Matter being dealt with by Council's Legal and Policy Officer - external solicitor instructed.
<b>Status:</b>	New matters – mention on 29 November 2016.
<b>Progress:</b>	The matters are listed before the Court for first mention on 29 November 2016.

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<b>File No:</b>	LP50/16 – Charge Matter
<b>Offence:</b>	Not comply with control requirement to desex dog - (dangerous dog).
<b>Act:</b>	<i>Companion Animals Act 1998</i>
<b>Progressive Costs:</b>	\$91.00 – Matter being dealt with by Council's Legal and Policy Officer - external solicitor instructed.
<b>Status:</b>	New matter – mention on 29 November 2016.
<b>Progress:</b>	The matter is listed before the Court for first mention on 29 November 2016.

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<b>File No:</b>	LP51/16 – Charge Matter
<b>Offence:</b>	Not comply with control requirement to construct second prescribed enclosure - (dangerous dog).
<b>Act:</b>	<i>Companion Animals Act 1998</i>
<b>Progressive Costs:</b>	\$91.00 – Matter being dealt with by Council's Legal and Policy Officer - external solicitor instructed.
<b>Status:</b>	New matter – mention on 29 November 2016.
<b>Progress:</b>	The matter is listed before the Court for first mention on 29 November 2016.

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<b>File No:</b>	LP52/16 – Penalty Notice Court Election
<b>Offence:</b>	Stop on roadside with continuous yellow line
<b>Act:</b>	<i>Road Rules 2014</i>
<b>Progressive Costs:</b>	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

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<b>Status:</b>	New matter – mention on 13 December 2016
<b>Progress:</b>	The matter is listed before the Court for first mention on 13 December 2016.

#### 9. Matters referred to Council's solicitor for advice

Matters referred to Council's solicitors for advice on questions of law, the likelihood of appeal or prosecution proceedings being initiated, and/or Council liability.

<b>Total Advice Matters (as at 18/11/2016)</b>	<b>6</b>
<b>Costs from 1 July 2016 for advice matters</b>	<b>\$21,267.50</b>

#### 10. Legal Costs Summary

The following summary lists the City Development Division's net legal costs for the 2016/2017 period.

Relevant attachments or tables	Costs Debit	Costs Credit
Class 1 Land and Environment Court - appeals against Council's determination of Development Applications	\$45,917.90	\$8,000.00
Class 1 and 2 Land and Environment Court - appeals against Orders or Notices issued by Council	\$0.00	\$0.00
Class 4 Land and Environment Court matters - non-compliance with Council Orders, Notices or prosecutions	\$0.00	\$0.00
Class 5 Land and Environment Court - pollution and planning prosecution matters	\$0.00	\$0.00
Class 6 Land and Environment Court - appeals from convictions relating to environmental matters	\$0.00	\$0.00
Supreme Court hearing and appeal matters	\$8,561.88	\$0.00
District Court appeal matters	\$0.00	\$0.00
Local Court prosecution matters	\$2,415.18	\$0.00
Matters referred to Council's solicitor for legal advice	\$21,267.50	\$0.00
Miscellaneous costs not shown elsewhere in this table	\$718.24	\$0.00
Costs Sub-Total	\$78,880.70	\$8,000.00
<b>Overall Net Costs Total (GST exclusive)</b>	<b>\$70,880.70</b>	

## 8.9 Sydney South West Planning Panel Representatives

### Division

City Governance

### Reporting Officer

Manager Governance and Risk

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### Attachments

Extract from the *Greater Sydney Commission Act 2015* (contained within this report)

### Purpose

This report informs Council about recent changes to the South West Joint Regional Planning Panel (JRPP) and recommends Council determine its nominees to the newly formed Sydney South West Planning Panel.

### Report

The Sydney West Joint Regional Planning Panel ceased operation on 20 November 2016 and has been replaced by the Sydney South West Planning Panel. Council's nominated members to the Sydney West Joint Regional Planning Panel do not automatically roll-over to the new Panel.

The South West District Commissioner of the Greater Sydney Commission, Sheridan Dudley, has been appointed as Chair of the Sydney South West Planning Panel and Professor Nicole Gurran and Bruce McDonald as members. The table below outlines all State members and alternates of the Planning Panels.

Planning Panel	Chair	Members	Pool of Alternates
Sydney North	Deborah Dearing	John Roseth Sue Francis	Peter Brennan Clare Brown Susan Budd Louise Camenzuli Lindsay Fletcher Abigail Goldberg Mark Grayson John Griffin Andrew Kelly Stuart McDonald Julie Savet Ward
Sydney Central	Maria Atkinson	John Roseth Sue Francis	
Sydney South	Morris Iemma	Nicole Gurran Bruce McDonald	
Sydney South West	Sheridan Dudley	Nicole Gurran Bruce McDonald	
Sydney West Central	Edward Blakely	Mary-Lynne Taylor Paul Mitchell	
Sydney West	Sean O'Toole	Mary-Lynne Taylor Paul Mitchell	

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## 8.9 Sydney South West Planning Panel Representatives

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The Sydney South West Planning Panel will determine regionally significant development applications (generally development with a capital investment value of more than \$20m) and consider pre-Gateway (rezoning) reviews. These are the same functions as the current JRPP.

At its meeting on 27 September 2016, Council appointed Councillors George Greiss and Darcy Lound as the primary representatives on the South West Joint Regional Planning Panel. Councillor Meg Oates was appointed as the alternate representative.

The *Greater Sydney Commission Act 2015* requires Council to nominate two persons as Council nominees to the panel that may be Councillors, Council staff or other persons nominated by the Council. At least one of those nominated by the Council is to be a person with expertise in at least one area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism. Council may also nominate one or more alternate panel nominees.

The relevant section of the *Greater Sydney Commission Act 2015* is included as attachment 1 to the report.

### **Officer's Recommendation**

That Council nominate two nominees and at least one alternate nominee to the Sydney South West Planning Panel.

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## ATTACHMENT 1

### Greater Sydney Commission Act 2015 No 57

#### Schedule 3 Sydney planning panels

(Section 18 (7))

##### 1 Definitions

In this Schedule:

**applicable council** means the council of an area that is situated (wholly or partly) in a part of the Greater Sydney Region for which a Sydney planning panel is constituted.

**chairperson** means the person appointed by the Minister as chairperson of a Sydney planning panel.

**member** means a member of a Sydney planning panel.

##### 2 Members of Sydney planning panels

- 1) A Sydney planning panel is to consist of the following 5 members:
  - a) 3 members appointed by the Minister (the **State members**), one of whom is to be a District Commissioner,
  - b) 2 nominees of an applicable council (the **council nominees**) who are councillors, members of council staff or other persons nominated by the council.
- 2) The State members of a Sydney planning panel are to be persons who have expertise in at least one area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration. In appointing State members, the Minister is to have regard to the need to have a range of expertise represented among the panel's members.
- 3) At least one of the council nominees of a Sydney planning panel is to be a person who has expertise in at least one area of planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.
- 4) The State member who is a District Commissioner is to be appointed by the Minister as chairperson of the Sydney planning panel.
- 5) Each applicable council is to nominate 2 persons as council nominees for the purposes of the Sydney planning panel. If an applicable council fails to nominate one or more council nominees, a Sydney planning panel is not required to include 2 council nominees for the purposes of exercising its functions in relation to the area of the council concerned.

##### 3 Rotation of council nominees

- 1) For the purposes of exercising the functions of a Sydney planning panel in relation to a matter, the council nominees are to be those nominated by the applicable council for the land to which the matter relates.
  - 2) Subject to this Schedule, a council nominee remains eligible to participate as a member of a Sydney planning panel for such period (not exceeding 4 years) as is specified in the
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nominee's instrument of nomination, but is eligible (if otherwise qualified) for re-nomination.

#### **4 Rotation of chairperson of planning panel**

For the purposes of exercising the functions of a Sydney planning panel in relation to a matter, the chairperson of the planning panel is to be the District Commissioner appointed under section 6 (1) (b) to represent the district in which the land to which the matter relates is situated.

#### **5 Term of office of State members**

- 1) Subject to this Schedule, a State member holds office for such period (not exceeding 4 years) as is specified in the member's instrument of appointment.
- 2) That period may be determined by reference to the occurrence of a specified event or completion of the exercise of particular functions of a Sydney planning panel.
- 3) A State member is eligible (if otherwise qualified) for re-appointment.
- 4) A person may not hold office as a State member of a Sydney planning panel for more than 8 years in total.

#### **6 Basis of office**

The office of a member is a part-time office.

#### **7 Remuneration**

A member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the member.

#### **8 Deputy chairperson**

- 1) The members of a Sydney planning panel may elect a State member to be the deputy chairperson of the planning panel.
- 2) The person may be elected for the duration of the person's term of office as a member or for a shorter term.

#### **9 Alternates**

- 1) The Minister may, from time to time, appoint a person to be the alternate of a State member, and may revoke any such appointment.
  - 2) An applicable council may, from time to time, appoint a person to be the alternate of a member nominated by the council, and may revoke any such appointment.
  - 3) In the absence of a member, the member's alternate may, if available, act in the place of the member.
  - 4) While acting in the place of a member, a person has all the functions of the member and is taken to be a member.
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8.9 Sydney South West Planning Panel Representatives

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- 5) A person while acting in the place of a member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the person.
- 6) A person may be appointed as the alternate of 2 or more members, but has only one vote at any meeting of the Sydney planning panel.

**10 Vacancy in office of member**

- 1) The office of a member becomes vacant if the member:
  - a) dies, or
  - b) completes a term of office and is not re-appointed, or
  - c) resigns the office by instrument in writing addressed to the Minister or applicable council, as the case requires, or
  - d) in the case of a council nominee, is removed from office by an applicable council under this clause or by the Minister under subclause (2), or
  - e) in the case of a State member, is removed from office by the Minister or by the Governor under Part 6 of the [Government Sector Employment Act 2013](#) or
  - f) is absent from 3 consecutive meetings of the Sydney planning panel of which reasonable notice has been given to the member personally or by post, except on leave granted by the panel or unless the member is excused by the planning panel for having been absent from those meetings, or
  - g) becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit, or
  - h) becomes a mentally incapacitated person, or
  - i) is convicted in New South Wales of an offence that is punishable by imprisonment for 12 months or more or is convicted elsewhere than in New South Wales of an offence that, if committed in New South Wales, would be an offence so punishable.
- 2) The Minister may remove a member from office if the Independent Commission Against Corruption, in a report referred to in section 74C of the [Independent Commission Against Corruption Act 1988](#) recommends that consideration be given to the removal of the member from office because of corrupt conduct by the member.
- 3) The Minister may remove a State member from office at any time for any reason and without notice. However, the Minister must provide a written statement of the reasons for removing the member from office and make that statement publicly available.
- 4) An applicable council may remove any of its council nominees from office at any time for any reason and without notice. However, the general manager of the applicable council must provide a written statement of the reasons for removing the council nominee from office and make that statement publicly available.

**11 Filling of vacancy in office of member**

If the office of a member becomes vacant, a person may, subject to this Act and the regulations, be appointed to fill the vacancy.

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**12 Chairperson**

- 1) The chairperson vacates office as chairperson if he or she:
  - a) is removed from that office by the Minister, or
  - b) resigns that office by instrument in writing addressed to the Minister, or
  - c) ceases to be a member of the Sydney planning panel or the Commission.
- 2) The Minister may at any time remove the chairperson from office as chairperson for any or no stated reason and without notice.

**13 Disclosure of pecuniary interests**

- 1) If:
    - a) a member has a pecuniary interest in a matter being considered or about to be considered at a meeting of the Sydney planning panel, and
    - b) the interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter,

the member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the planning panel.
  - 2) A member has a pecuniary interest in a matter if the pecuniary interest is the interest of:
    - a) the member, or
    - b) the member's spouse or de facto partner or a relative of the member, or a partner or employer of the member, or
    - c) a company or other body of which the member, or a nominee, partner or employer of the member, is a member.
  - 3) However, a member is not taken to have a pecuniary interest in a matter as referred to in subclause (2) (b) or (c):
    - a) if the member is unaware of the relevant pecuniary interest of the spouse, de facto partner, relative, partner, employer or company or other body, or
    - b) just because the member is a member of, or is employed by, a council or a statutory body or is employed by the Crown, or
    - c) just because the member is a member of, or a delegate of a council, a company or other body that has a pecuniary interest in the matter, so long as the member has no beneficial interest in any shares of the company or body.
  - 4) A disclosure by a member at a meeting of the Sydney planning panel that the member, or a spouse, de facto partner, relative, partner or employer of the member:
    - a) is a member, or is in the employment, of a specified company or other body, or
    - b) is a partner, or is in the employment, of a specified person, or
    - c) has some other specified interest relating to a specified company or other body or to a specified person,is a sufficient disclosure of the nature of the interest in any matter relating to that company or other body or to that person which may arise after the date of the disclosure and which is required to be disclosed under subclause (1).
  - 5) Particulars of any disclosure made under this clause must be recorded by the Sydney planning panel in a book kept for the purpose and that book must be made available for inspection by any person at any reasonable time for no charge.
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- 6) After a member has disclosed the nature of an interest in any matter, the member must not, unless the Minister or the Sydney planning panel otherwise determines:
  - a) be present during any deliberation of the planning panel with respect to the matter, or
  - b) take part in any decision of the planning panel with respect to the matter.
- 7) For the purposes of the making of a determination by the Sydney planning panel under subclause (6), a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates must not:
  - a) be present during any deliberation of the planning panel for the purpose of making the determination, or
  - b) take part in the making by the planning panel of the determination.
- 8) A contravention of this clause does not invalidate any decision of the Sydney planning panel.

**14 Effect of certain other Acts**

- 1) The provisions of the [Government Sector Employment Act 2013](#) relating to the employment of Public Service employees do not apply to a member.
  - 2) If by or under any Act provision is made:
    - a) requiring a person who is the holder of a specified office to devote the whole of his or her time to the duties of that office, or
    - b) prohibiting the person from engaging in employment outside the duties of that office,the provision does not operate to disqualify the person from holding that office and also the office of a member or from accepting and retaining any remuneration payable to the person under this Act as a member.
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## **8.10 Draft Open Space Strategic Plan 2016**

### **Division**

City Delivery

### **Reporting Officer**

Executive Manager Open Space

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### **Attachments**

1. Draft Open Space Strategic Plan 2016 (contained within the report)
2. Flowchart for Open Space Strategic Plan (contained within the report)

### **Purpose**

The purpose of this report is to consider the Draft Open Space Strategic Plan 2016 and to seek Council's endorsement to publicly exhibit the Draft Open Space Strategic Plan 2016 for a period of at least 42 days.

### **Report**

Campbelltown is a developing regional city centre with significant future projected growth pressures anticipated for the region. The current population is set reach an estimated total population in excess of 270,000 by 2036.

At the Councillor briefing held on 29 November 2016 a presentation was made to Councillors identifying the key elements and objectives of the Draft Open Space Strategic Plan 2016. It is envisaged that this document will provide a strategic direction for the next 20 years for the management of open space throughout the Campbelltown Local Government Area.

The Open Space Strategic Plan is a high level strategic document that assists in developing an integrated and balanced response to the demands of existing and future public open space in the Campbelltown Local Government Area, in order to best meet the needs of the community now and into the future.

The Open Space Strategic Plan is an overarching plan that views open space as the blank canvas for all proposed uses of open space and encourages an integrated approach for the delivery and use of passive, active and natural open space. The plan aims to create holistic recreational opportunities for the community. This plan also reflects the Department of Planning and Environment's identified Green Grid by promoting healthy living and community spirit through access to recreational and cultural opportunities whilst promoting diversity and a strategic interconnected network of open space (NSW Governments Architects office).

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This strategic plan ensures that the provision of suitable and necessary spaces for formal and informal sport and the numerous active and passive recreation opportunities are considerate of community needs. The plan also creates opportunities for better designed and managed public parks and reserves as well as an appreciation and enhancement of riparian and bushland areas.

The plan aims to establish a framework and a set of guiding principles to assist with the forward planning of the long term provision, development and management of public open space to the year 2036.

The objectives of the Open Space Strategic Plan are to:

1. review the existing public open space in terms of its function and distribution
2. develop a set of guiding principles (clear and consistent policies) for the integrated management of public open space
3. develop an action plan/an implementation strategy for the management of public open space.

The plan identifies a vision for open space that is consistent with Council's community vision statement of a connected community with opportunities to grow in a safe, sustainable environment:

Vision: A well-developed open space network that conserves and reflects the landscape character and biodiversity of Campbelltown and offers a diversity of high quality recreational opportunities and experiences for all, whilst building on the rich natural and cultural heritage and is celebrated as a highly valued community asset contributing to the distinctive character and liveability of the contemporary Campbelltown City.

The Draft Open Space Strategic Plan 2016 identifies four focus areas for open space:

1. strengthening the existing open space network
2. managing the existing open space network
3. preparing for future open space
4. involving the community in open space

Further to these focus areas are a set of 14 guiding principles to enable key actions identified within the plan.

Connected	open space areas are part of an integrated and connected network
Functional	open space areas are of an appropriate size, shape and slope and many areas can be adapted to support a range of activities, experiences and settings
Accessible	open space is accessible and safe, visually appealing and easy to interpret
Sustainable	open space is managed sustainably to maximize the protection of the local environmental values
Integrated	The management of Campbelltown's open space is well coordinated

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Predictive	upgrades and improvements to Campbelltown's open space are based on well-developed policies, plans and strategies
Proactive	Council takes initiative in ensuring that open space is actively managed and well maintained, with clear procedures and protocols
Planning	Council develops the appropriate plans and strategies for future open space
Responding	Council proactively responds to external plans and submissions that will directly or indirectly affect open space
Funding	Council is able to fund the existing and proposed open space to meet the community needs
Anticipation	Council will prepare for the future and develop open space concept plans to help drive that future
Communication	information on Campbelltown's open space is readily available and conveyed to the community
Education	Council actively works with the community to raise awareness and understanding of issues related to open space
Participation	the community is encouraged to be involved in the management of the existing open space and the planning for future open space.

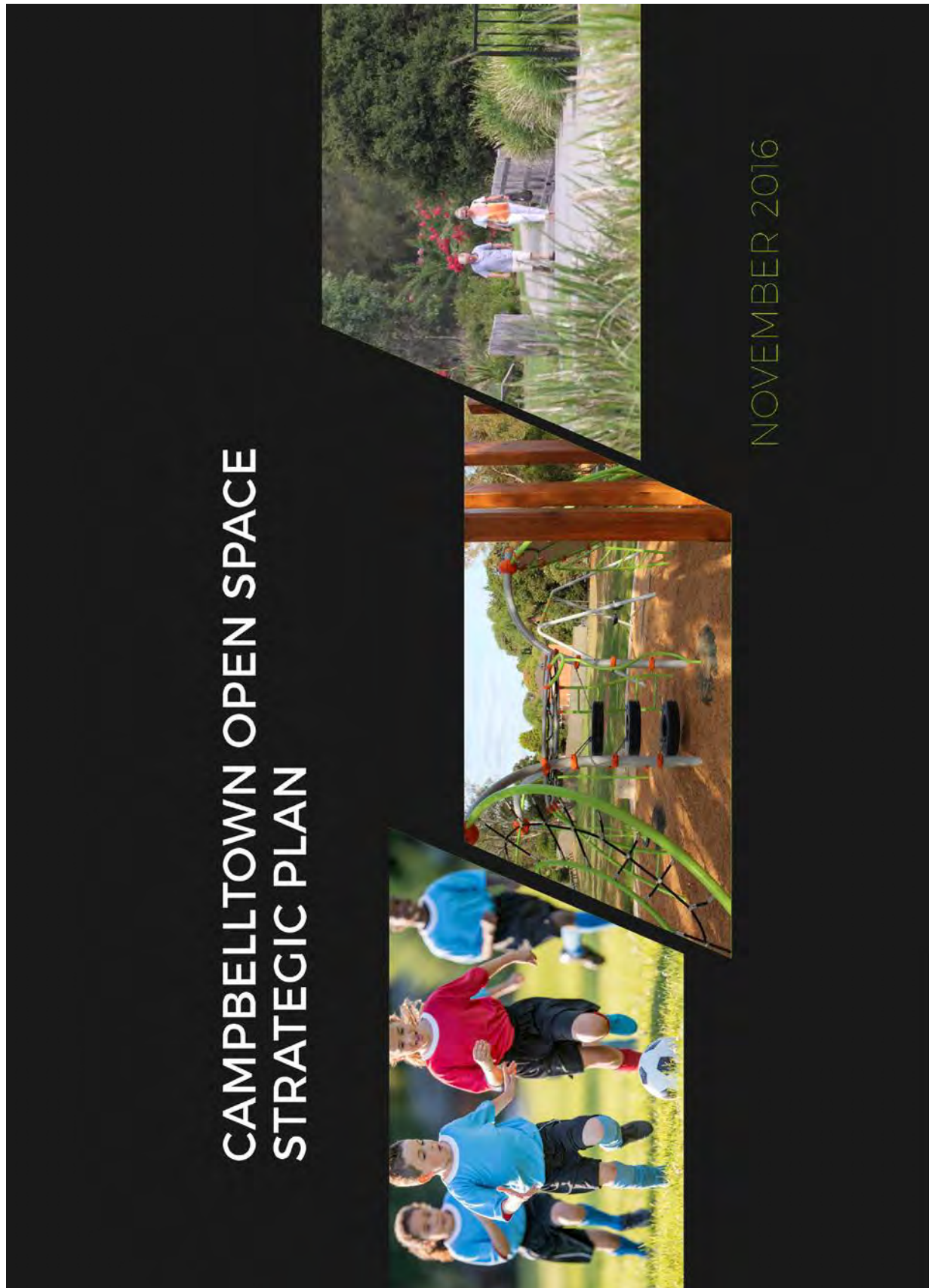
Within the Open Space Strategic Plan a number of other strategies have been identified (attachment 1) that are either in draft or are required to be developed. These strategies will be delivered by various areas of Council and will further emphasise Council's strategic direction for open space and the important role that open space has within a growing, socially and culturally diverse community.

It is proposed that actions from the Draft Open Space Strategic Plan and other plans and Strategies yet to be developed, will be included in future delivery programs of Council to ensure that open space initiatives are representative of the community needs.

### **Officer's Recommendation**

1. That Council agree to publicly exhibit the Draft Open Space Strategic Plan 2016 for a period of at least 42 days.
  2. That a further report be tabled on the Draft Open Space Strategic Plan 2016 for Council's consideration following the public exhibition, highlighting any changes to the draft.
  3. That subject to any Council amendments, the Campbelltown Open Space Strategic Plan, that is able to deliver on the open space needs of the community, be adopted.
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## ATTACHMENT 1





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## INTRODUCTION

### Background

Campbelltown is a regional city centre with significant future projected growth pressures anticipated for the region. The population is set to reach an estimated total population in excess of 350,000 by 2036. This includes the more than 18,000 new dwellings proposed in the Menangle Park and Mt Gilead planning precincts of the Greater Macarthur Urban Release Area, a number of other new land release areas, as well as urban renewal and infill development of the existing urban area. This increase in the projected population will require additional provision of Open Space.

The existing Open Space areas in the Local Government Area (LGA) have been developed progressively over many decades, with each wave of development in response to the prevailing context of the times. The Open Space needs of the existing population have continued to develop over recent decades and will continue to do so in the years ahead.

These challenges necessitate that Campbelltown City Council provides quality Open Space areas, settings and facilities in existing areas, as well as new release areas, to enhance the landscape character, provide for community recreation and protect biodiversity conservation and heritage values. It is essential that an appropriate level and mix of Open Space types is provided for the future, together with appropriate management models. To this end, Council is currently undertaking a review of its existing Open Space and preparing an Open Space Plan.

### What is Open Space?

Public Open Space is land in public ownership that is used primarily for the purposes of recreation and/or environmental conservation. It includes all the land zoned REI Open Space Recreation on the Campbelltown LEP 2015. Public Open Space also includes public land zoned E2 Environmental Conservation and can also include lands zoned for special purposes (drainage reserves, road reserves and utility corridors), open space around community facilities, public urban spaces and road verges and nature strips.

### Why do we need an Open Space Plan?

The Open Space Plan is a high level strategic document that assists in developing an integrated and balanced response to the demands of existing and future Public Open Space needs in the Campbelltown LGA, in order to best meet the needs of the community now and into the future.

The Plan aims to establish a framework and set of guiding principles to assist with the forward planning of the long term provision, development and management of Public Open Space to the year 2036. The objectives of the Open Space Plan are to:

1. Review the existing Public Open Space in terms of its function and distribution
2. Develop a set of guiding principles for the integrated management of Public Open Space
3. Develop an action plan / an implementation strategy for the management of Public Open Space

### Legislation and strategic context

- Local Government Act 1993 - Section 36 core objectives for community land
- Campbelltown LEP 2015 - objectives for Zone REI Public Recreation
- Campbelltown Community Strategic Plan 2013-2023 - community vision statement - "a connected community with opportunities to grow in a safe, sustainable environment"
- A Plan for Growing Sydney, Greater Macarthur Urban Land Release Investigation, Glenfield-Macarthur Priority Urban Renewal Corridor Strategy, District Plans of Greater Sydney Commission, (in preparation).

Council is developing a suite of plans and strategies to guide future direction, including the Playspaces and Sport and Recreation Strategies and the Biodiversity Conservation Strategy, to form a planning framework for Open Space.

### Local context - place, people

Campbelltown LGA is situated around 50 kilometres south west of the Sydney Central Business District (CBD) and covers an area of 312 km<sup>2</sup>. Around 120 km<sup>2</sup> (or 38% of the LGA) is located within the Holsworthy Army Reserve, the Woronora Catchment Area and Dharawal National Park and State Conservation Area in the eastern part of the LGA.

Campbelltown LGA is dominated by a north-south alignment of natural and built features - the Scenic Hills, the Main Southern Railway, the M31 Hume Motorway and the Georges River. These features have provided the structure for a linear urban area nestled within a distinctive non-urban backdrop.

The area is characterised by four distinct landscape elements:

- A central urbanised valley set in a valley ringed by hills, dominated by its lower north-south ridges and Bunbury Curran and Bow Bowling Creeks system. It includes large areas of Open Space, including Smiths Creek and Kanbyugal Reserves.







- The Scenic Hills is a strong, undulating and highly scenic, largely open grazing landscape dotted with patches of remnant Cumberland Plain Woodland, natural water courses and some unique built heritage items and cultural landscape settings. The Scenic Hills embrace a major and several minor ridges from Denham Court to Mount Annan and provide a clear physical separation from the adjoining Camden and Liverpool LCAs.
- The Georges River Landscape and the East Edge Scenic Protection Lands are associated with the Georges River and significant sandstone bushland vegetation communities. The land adjacent to the Georges River from Glenfield south to St Helens Park, together with vegetated corridors joining the river and its tributaries, was identified in the 1970s as Regional Open Space, and the majority of this was then acquired by the NSW Government for conservation purposes. Georges River Corridor is home to a number of endangered and critically endangered ecological communities and numerous threatened and vulnerable species.
- Gently undulating open grazing landscapes of Mt Gilead and Menangle Park are to the south of Mt Sugarloaf are interspersed with bushland areas, including Noorumba Reserve and Beulah Forest to the south and the bushland gullies of Wedderburn to the east. Mt Gilead and Menangle Park will be developed as part of the Macarthur South Urban Growth Area.

Campbelltown was planned in the early 1960s as a compact satellite city contained within clearly defined edges, with a high priority placed on the protection of the historic, scenic and environmental qualities of the setting between the Scenic Hills and East Edge Protection Lands. In the 1970s, Campbelltown developed more rapidly after it became a growth corridor in the planned urban expansion of Metropolitan Sydney.

Campbelltown LCA now comprises 38 diverse suburbs and localities, home to a population of more than 155,000 people. Residents live in a range of housing types, from low density to medium density and limited high rise residential apartments in the suburbs and town centres. There is more dispersed housing in the rural-residential areas surrounding the suburbs and a small number of people reside on rural holdings.

In 2011, residents of Campbelltown were younger than the NSW average, with more very young children and fewer people over 65. However, overall the population is aging due to the high proportion of residents of the baby boomer generation. The LCA has a higher proportion of social housing and a lower Socio-Economic Index of Disadvantage (SEIFA) compared to the rest of NSW.

Campbelltown is becoming an increasingly culturally and linguistically diverse community. The number of Australian-born individuals within the area has

decreased with overseas-born individuals increasing in number, creating a more diverse and linguistically varied community than previously seen before.

Campbelltown is a significant centre for the Macarthur region, providing a broad range of high quality services and facilities, including a major regional hospital, Western Sydney University, two TAFE colleges, a regional arts centre, Campbelltown Sports Stadium, public transport, large shopping centres and a growing commercial and industrial sector.

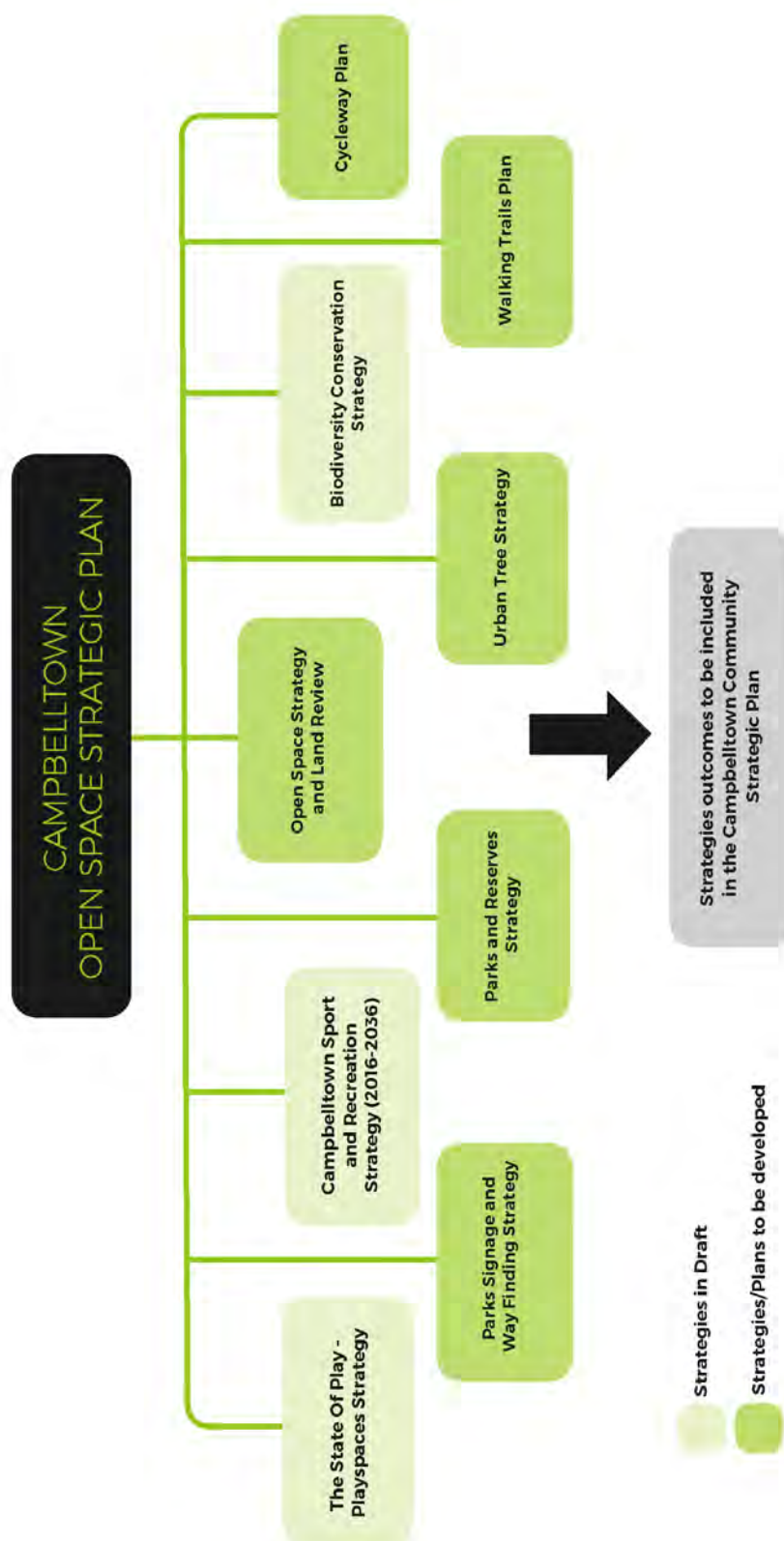
The central urbanised valley of Campbelltown LCA is considered to be well supplied with public land zoned for passive and active recreation under the care, control and management of Council. Recreational facilities are dispersed throughout the LCA, including playing fields, sports courts, swimming pools, skate parks, playgrounds, and barbecue and picnic areas.

Campbelltown's location between the Nepean and Georges Rivers and the large areas of bushland along the Georges River regional corridor provide many opportunities for residents and visitors to connect with nature.

Residents have good access to the wider Sydney Metropolitan area while valuing the natural environment around Campbelltown. This is reflected in the vision of Campbelltown City Council – *'a City of choice and opportunity in a natural environment.'*

#### Open Space Trends

- With smaller backyards and higher density living, activities that once took place in private backyards now are taking place more in the public realm, including children's play, dog exercise, barbecues and entertainment, green space, large shade trees, space for contemplation and relaxation
- Increased awareness of and interest in protecting the local environment, improving sustainability
- Concerns about loss of biodiversity, trees and wildlife, as a result of fragmentation of habitat, increased urbanisation and new developments
- Concerns about declining levels of physical activity and the health and social implications of this
- Concerns about loss of connection with the natural world (nature deficit disorder)
- Play spaces as areas for the whole family, evenly distributed to ensure access for all and promotion of nature play to encourage learning and development
- Increase in walking for recreation and fitness, growth in cycling for recreation, mountain bikes, road bikes, with increasing demand for safe, accessible well connected walk/cycle paths.





## OPEN SPACE VALUES, VISION AND GUIDING PRINCIPLES

### Open Space Values

- Landscape character – the combination of city opportunities in a natural setting, with predominance of the green landscape perpetuating the green city image, highly valued as a community, visual and recreational asset
- Recreational opportunities – an extensive network of connected open space offering a wide range of recreational opportunities to encourage the health and wellbeing of the community, with trees that help define the character and identity of the neighbourhoods, providing shade, scale and encouraging people to walk and use the parks
- Biodiversity values – the contributions that biodiversity, natural resources and natural environmental features make to the quality of life, with plenty of opportunities to get close to nature, and environmental assets like the rivers and bushland that are critical to the LGA's sustainability
- Natural and cultural heritage – its Aboriginal heritage, the rich historical heritage from the early colonial period to more recent times, and the aesthetic and natural values of the bushland and river
- Community asset – the contribution Open Space makes to social cohesion and community engagement

### Open Space Vision

A well-developed Open Space network that conserves and reflects the landscape character and biodiversity of Campbelltown, offers a diversity of high quality recreational opportunities and experiences for all, builds on the rich natural and cultural heritage and is celebrated as a highly valued community asset contributing to the distinctive character and liveability of the contemporary Campbelltown City.

This vision is consistent with Council's community vision statement of "a connected community with opportunities to grow in a safe, sustainable environment".

### Open Space Guiding Principles

There are four focus areas covering 14 guiding principles as part of this Plan:

- 1 Strengthening the existing Open Space network: connected, functional, accessible, sustainable**
  - 1.1 Campbelltown's Open Space areas are part of an integrated and connected network.
  - 1.2 Campbelltown's Open Space areas are of an appropriate size, shape and slope and many areas can be adapted to support a range of activities experiences and settings.
  - 1.3 Campbelltown's Open Space is accessible and safe, visually appealing and easy to interpret.
  - 1.4 Campbelltown's Open Space is managed sustainably to maximise the protection of the local environmental values.
- 2 Managing the existing Open Space network: integrated, predictive, proactive**
  - 2.1 The management of Campbelltown's Open Space is well coordinated.
  - 2.2 Upgrades and improvements to Campbelltown's Open Space are based on well-developed policies, plans and strategies.
  - 2.3 Council takes the initiative in ensuring that Open Space is actively managed and well maintained, with clear procedures and protocols.
- 3 Preparing for future Open Space: planning, responding, funding, anticipation**
  - 3.1 Council develops the appropriate plans and strategies for future Open Space.
  - 3.2 Council proactively responds to external plans and submissions that will directly or indirectly affect Open Space.
  - 3.3 Council is able to fund the existing and proposed Open Space to meet the community needs.
  - 3.4 Council will prepare for the future and develop Open Space concepts to help drive that future.
- 4 Involving the community in Open Space: communication, education, participation**
  - 4.1 Information on Campbelltown's Open Space is readily available and conveyed to the community.
  - 4.2 Council actively works with the community to raise awareness and understanding of issues related to Open Space.
  - 4.3 The Campbelltown community is encouraged to be involved in the management of the existing Open Space and planning for future Open Space.



## FOCUS AREA 1 STRENGTHENING THE EXISTING OPEN SPACE NETWORK

### 1a Overview – values and key issues

The existing Open Space is highly valued by the community for sport and recreation, play and other activities and as space for nature. It has been developed progressively in a piecemeal manner. Land has been acquired by Council through various means, including developer contributions. Some Open Space is riparian land developed for recreation or remnant native vegetation for biodiversity conservation offsets. Distribution of Open Space is variable. Some suburbs have Open Space areas with well-connected corridors along creek lines or ridge tops, but other suburbs have discrete and separate Open Space areas that do not easily form a network. In some suburbs, the Open Space is made up of many small parcels of land, which lack flexibility. There are numerous parks that do not have good passive surveillance from streets. In most cases, embellishments have been done one by one, rather than as part of an overall plan. There are various inconsistencies of Open Space zoning, ownership and management. There is a need to consolidate and better define existing Open Spaces to ensure a focus on the opportunity provided by these spaces.

### 1b Guiding principles

**Connected** – Campbelltown's Open Space areas are part of an integrated and connected network.

**Functional** – Campbelltown's Open Space areas are of an appropriate size, shape and slope and many areas can be adapted to support a range of activities, experiences and settings.

**Accessible** – Campbelltown's Open Space is accessible and safe, visually appealing and easy to interpret.

**Sustainable** – Campbelltown's Open Space is managed sustainably to maximise the protection of the local environmental values.

### 1c Actions

#### 1.1 Connected – Campbelltown's Open Space areas are part of an integrated and connected network.

1. Adopt this Open Space Plan as the overarching strategy in a policy framework that includes the Playspaces and Sport and Recreation Strategies and Biodiversity Conservation Strategy.
2. Develop and promote a network of high quality local, neighbourhood and district Open Space, so that there is a well distributed network of district parks and reserves and most residents live within 400 m of a local park and within 1 km of a neighbourhood park.
3. Enhance or establish the local character of Open Space, in partnership with the community, building on the sense of place to provide a diversity of facilities and settings.
4. Recognise that connectivity is extremely important to the utilisation of parks and reserves and increases the activity and length of time spent in the park.
5. Highlight the importance of view corridors and vantage points as place makers. Ensure that these remain accessible to the community as Open Space or are incorporated into the streetscape design.
6. Encourage people to use the existing natural connections linking Open Space areas along the creeks and across the ridge lines (eg, the linked Open Space areas through Leumeah). Use signage on site to direct people and include site specific information on the website.
7. Strengthen walking and cycling connections, current or future, between Open Spaces to capitalise on the natural assets. Improve connections between smaller Open Space areas to increase community opportunities to use these for local recreation.
8. Promote ecological corridors, green links and connections along creeks linking Open Space areas. Investigate opportunities for accessible paths and boardwalks in bushland reserves.

#### Links with other Plans/Strategies

Community Strategic Plan
Parks & Reserves Strategy
Parks & Reserves Strategy
Parks & Reserves Strategy
Open Space Strategy
Open Space Strategy
Bicycle Plan, Footpath Plan
Biodiversity Conservation Strategy, Destination Management Plan



9. Provide high quality civic spaces to form better links to, and between, existing Open Spaces, creating welcoming and pleasant spaces.	City Delivery; City Growth	Essential	CBD Structure Plans. Open Space Strategy
10. Use park signage as a way of highlighting connections. Continue to develop a LGA signage strategy, including Open Space signage.	City Delivery	Beneficial	Signage Strategy
<b>1.2 Functional – Campbelltown's Open Space areas are of an appropriate size, shape and slope and many areas can be adapted to support a range of activities, experiences and settings.</b>			
1. Ensure that the Open Space is able to function now and into the future, based on the physical attributes of each parcel, including size, shape and slope.	Responsibility	Priority	Links with other Plans/Strategies
2. Ensure that a range of Open Space opportunities are provided for the community, catering for both active and passive recreation and offering areas that are adaptable as the population changes.	City Delivery	Essential	Open Space Strategy
3. Ensure that the distribution of Open Space throughout the LGA provides a diversity of experience, rather than a concentration of activities, facilities and settings in specific locations.	City Delivery	Essential	Open Space Strategy
4. Prioritise connectivity and functionality as key aspects before planning any park embellishment.	City Delivery	Essential	Parks & Reserves Strategy
5. Undertake embellishments at a level appropriate for the designated hierarchy to meet the needs of the current community. Enhance the importance of district parks through suitable embellishments adding new activities. Do not over-embellish small isolated parks.	City Delivery	Important	Parks & Reserves Strategy
6. Create nodes of activity in local and neighbourhood parks by grouping together, in accessible locations within each park, those facilities that require high levels of maintenance.	City Delivery	Essential	Parks & Reserves Strategy
7. Ensure that embellishments are flexible and adaptive so future needs can be accommodated.	City Delivery	Beneficial	Parks & Reserves Strategy
8. Designate suitable areas of Open Space, preferably within Campbelltown CBD, as multi-functional event space to be used for community and major cultural events. Investigate the possibility of Hurley Park, Centenary Park and/or Campbelltown Showground for this purpose.	City Delivery	Beneficial	Parks & Reserves Strategy
9. Continue to liaise with local schools regarding shared usage of playing fields and other opportunities.	City Delivery	Essential	Destination Management Plan, Sports & Recreation Strategy
10. Consider opportunities for multiple uses (eg, stormwater infrastructure in parks) where the recreational values of the land will not be restricted. Take into account negative impacts that can result, including the effects of periodic flooding on playing surfaces and the need for accrued field top dressing and storm sediments to be removed periodically to restore flood water storage volumes in detention basins. Fenced stormwater detention basins in Open Space should be rezoned as infrastructure.	City Lifestyle City Delivery	Beneficial Beneficial	Sports & Recreation Strategy Floodplain Risk Management Plan
11. Review any landlocked or small and isolated Open Space as part of any proposal for urban renewal. Investigate potential for that Open Space to be reconfigured to activate the street frontages, improve access and natural surveillance and enhance neighbourhood landscape character.	City Delivery; City Growth	Essential	Open Space Land Review



12. Identify small spaces zoned RE1 that do not serve any recreational, conservation or landscape function, but are only residual open spaces left over for Council to manage, and zone these to the surrounding land use and classify as operational land for possible future disposal.	City Delivery; City Growth; City Governance	Beneficial	Open Space Land Review
13. Identify those larger areas zoned RE1 that are not currently functioning well as Open Space and assess them against specified criteria to clarify those individual sites that should then be subject to a further, more detailed review regarding future use.	City Delivery; City Governance	Important	Open Space Land Review
<b>1.3 Accessible – Campbelltown's Open Space is accessible and safe, visually appealing and easy to interpret.</b>			
1. Incorporate Crime Prevention through Environmental Design (CPTED) considerations into all Open Space designs, management and maintenance (eg. through the provision of way finding elements to build the perception of public safety).	City Delivery; City Lifestyle	Essential	Parks & Reserves Strategy
2. Acknowledge that activity in Open Space provides the best passive surveillance and deterrent to anti-social behaviour. Work towards improving use of Open Space areas through design upgrades and other measures to help encourage more women and the elderly in particular to use the parks. Incorporate way finding elements into the Renew-Connect-Revitalise City-wide Improvement Program.	City Delivery; City Lifestyle	Essential	Parks & Reserves Strategy; Crime Prevention Plan
3. Provide quality playspaces for all ages, not only children and young people.	City Delivery	Important	Playspaces Strategy
4. Increase opportunities for young people to access sporting and recreational activities. Provide places for youth to recreate and socialise near safe and affordable public transport.	City Delivery; City Lifestyle	Essential	Youth Strategy; Park & Reserves Strategy
5. Provide active and passive recreational facilities and activities to encourage healthy lifestyles, including for older people. Integrate walking connections with facilities including resting places through local streets to encourage easy exercise as part of everyday life. Encourage more participation in active sport through facilities upgrades.	City Delivery; City Lifestyle	Essential	Aging Strategy; Parks & Reserves Strategy
6. Enhance the local centres with pedestrian friendly streets, new trees, inviting civic spaces and attractive street furniture. Develop the public domain as the community focus through public art, playspaces, community events and so on.	City Delivery; City Growth	Essential	Glenfield to Macarthur Planning Strategy
7. Investigate opportunities to improve all abilities access into some Open Space areas, through accessible pathways and park furniture. Investigate options for continuous paths of travel, all abilities play areas and other park facilities.	City Delivery; City Lifestyle	Important	Parks & Reserves Strategy; Playspaces Strategy
8. Ensure that new neighbourhood and district parks and reserves are designed to include cycleway connections, bike racks and other cycling facilities, and sufficient car parking for the facilities provided.	City Delivery	Beneficial	Parks & Reserves Strategy



1.4 Sustainable – Campbelltown's Open Space is managed sustainably to maximise the protection of the local environmental values.	Responsibility	Priority	Links with other Plans/Strategies
<p>1. Acknowledge that the natural values and nature activities in Open Space are as equally important as social and recreational activities. Recognise the fundamental relationship between the natural environment and recreational activities and the importance of managing activity and facility development, as well as careful management of the environment.</p> <p>2. Encourage sustainable use of Open Space, compatible with the capacity of the site. Ensure that the functionality of the site is considered in conjunction with the environmental values and undertake steps necessary to protect those values, including managing adverse impacts, constraining use or restricting access to sensitive sites.</p> <p>3. Highlight the important role of wildlife corridors and the small remnants of the endangered ecological communities of Cumberland Plain Woodland and Shale Sandstone Transition Forest in the urbanised valley. Incorporate these natural assets into the ongoing park maintenance and in any park upgrade or embellishment.</p> <p>4. Highlight the importance of Open Space in managing the impacts of climate change, the urban heat island effect, total water cycle management and other environmental issues (eg. to implement recommendations of the Climate Change Risk Assessment Adaptation Report and the Cool Cities Initiative).</p> <p>5. Consider the financial dimension to sustainable management and the high maintenance costs for some types of Open Space. Create an overarching landscape structure through low maintenance landscapes that increases the visual amenity, identity and economic performance of Open Space.</p>	<p>City Delivery: City Lifestyle</p> <p>City Delivery</p> <p>City Delivery</p> <p>City Delivery: City Development</p> <p>City Delivery</p>	<p>Essential</p> <p>Essential</p> <p>Important</p> <p>Beneficial</p> <p>Important</p>	<p>Biodiversity Conservation Strategy</p> <p>Parks &amp; Reserves Strategy</p> <p>Biodiversity Conservation Strategy</p> <p>Sustainability Strategy</p> <p>Open Space Strategy</p>

## FOCUS AREA 2 MANAGING THE EXISTING OPEN SPACE NETWORK

### 2a Overview – values and key issues

There are limited funds for operational maintenance and capital improvements of the existing Open Space. As more Open Space land is acquired, further pressure is placed on these limited funds. A significant proportion of these funds is spent cutting grass in underutilised Open Space. The existing maintenance regimes need to be reviewed. There is the need for a more focussed and coordinated approach to managing the open space, clearly describing how the Open Space is to be managed, based on a clear vision for each park and reserve, how this can be done and how it will be funded. More detailed planning is required and some of this is now underway, but gaps have been identified that must be addressed.

### 2b Guiding principles

**Integrated** - The management of Campbelltown's Open Space is well coordinated.

**Predictive** - Upgrades and improvements to Campbelltown's Open Space are based on well-developed policies, plans and strategies.

**Proactive** – Council takes the initiative in ensuring that Open Space is actively managed and well maintained, with clear procedures and protocols.

### 2c Actions

#### 2.1 Integrated – The management of Campbelltown's Open Space is well coordinated.

1. Manage Open Space in an integrated way, considering all aspects of landscape character, recreational opportunities, environmental conservation, natural and cultural heritage significance and community expectations.

2. Ensure that there is good integration of objectives and actions regarding Open Space matters across all relevant Council strategies, plans and policies.

3. Base all decisions on Open Space embellishments on a systematic whole-of-park approach using a more prescriptive and predictive process, rather than in reaction to short term community issues and demands. Use strategies such as the Playspaces Strategy, Sport and Recreation Strategy and the Biodiversity Conservation Strategy as the basis for these plans.

4. Identify the Open Space with a primary objective for biodiversity conservation. Consider rezoning some of the bushland reserves as E2 Environmental Conservation to reflect this primary objective.

5. Review CLEP 2015 zoning for all Public Open Space. Ensure that newly landscaped Public Open Space areas in urban renewal areas (eg, new parks in Minto) are zoned RE1 and classified as community land.

6. Use the Floodplain Risk Management Study and Plan to identify drainage areas which may be suitable for large scale landscape treatments including revegetation with riparian species (eg, Eagle Creek Reserve, Eschol Park).

#### Responsibility Priority Links with other Plans/Strategies

City Delivery Essential

Open Space Strategy

City Delivery: All Essential

Community Strategic Plan

City Delivery Important

Parks & Reserves Strategy, Sport & Recreation Strategy, Biodiversity Conservation Strategy

City Delivery: City Growth: City Development Beneficial

Biodiversity Conservation Strategy, Open Space Land Review

City Delivery: City Growth Beneficial

Open Space Land Review

City Delivery Beneficial

Floodplain Risk Management Plan, Biodiversity Conservation Strategy



7. Investigate the Biobanking potential of Council's Open Space areas to contribute to Strategy enhanced and funded local biodiversity conservation. Integrate Biobanking areas into the Open Space network to ensure that these areas are valued by the community.	City Delivery: City Development	Beneficial	Biodiversity Conservation
8. Review the internal organisational structure to provide for a fully integrated Open Space approach to all parks and reserves, to co-ordinate planning and budgeting, capital works, asset management, land management and maintenance, community consultation and involvement, monitoring and reporting.	City Delivery: All	Essential	Open Space Strategy
9. Develop and maintain strong links between all relevant staff to assist with the coordinated management of Open Space and to facilitate exchange of ideas.	City Delivery: All	Essential	Open Space Strategy
<b>2.2 Predictive - Upgrades and Improvements to Campbelltown's Open Spaces are based on well-developed policies, plans and strategies.</b>			
1. Prepare an integrated Open Space Map and Data Base which provides details of the location, type and condition of all Open Space in the LGA.	City Delivery	Beneficial	Open Space Strategy
2. Develop a forward plan for the progressive embellishment of district and neighbourhood parks.	City Delivery	Essential	Parks & Reserves Strategy, Sports & Recreation Strategy, Playspaces Strategy
3. Develop landscape concept plans for Public Open Space as the first step in any Renew-Connect-Revitalise Program asset upgrade, taking into consideration landscape character, recreational, biodiversity conservation and heritage values. Ensure that all works are designed, planned and implemented in an integrated manner, including planting, seating, paths, signage and fencing.	City Delivery	Important	Parks & Reserves Strategy, Asset Management Plan & Strategy
4. Continue to prepare Plans of Management for the major bushland reserves. Update the generic plans of management for all community lands zoned RE1.	City Delivery	Important	Parks & Reserves Strategy
5. Develop a suite of landscape master plans for significant Open Space areas (eg, Victoria and Kayess Parks, Minto) with a consistent format for ease of use.	City Delivery	Important	Parks & Reserves Strategy
6. Prepare landscape master plans and concept plans for town centre parks, as part of any urban renewal program.	City Delivery; City Growth	Important	Parks & Reserves Strategy
7. Ensure that Campbelltown LGA is well provided with district and regional sporting facilities as identified in the Sports and Recreation Strategy.	City Delivery; City Lifestyle	Essential	Sports & Recreation Strategy
8. Develop a Campbelltown policy and plan for dogs off-leash exercise areas within Open Space.	City Delivery	Beneficial	Parks & Reserves Strategy
9. Develop a Campbelltown policy and plan for outdoor fitness equipment and sports practice areas within Open Space.	City Delivery	Beneficial	Parks & Reserves Strategy



10. Ensure that Open Space planning incorporates the recommendations/actions contained within Council's adopted Public Art Strategy. Include the planning and design of art and culture within Open Space to encourage social interactions.	City Delivery: City Lifestyle	Beneficial	Public Art Strategy
11. Review and update the Walking Tracks Concept Plans adopted in March 2004. Develop a Walking Trails Plan. Utilise the existing fire trails linking local reserves and public recreation areas with the scenic natural areas along the Georges River south from The Basin.	City Delivery	Beneficial	Walking Trails Plan, Destination Management Plan
12. Review all policies relevant to Open Space, identify policy gaps and develop new policies that would assist in the management of the Open Space (eg, filming in bushland; access through parks and reserves to neighbouring properties, memorials in parks and reserves).	City Delivery	Important	Biodiversity Conservation Strategy
13. Adopt the Draft Roadside Vegetation Policy and Plan. Implement the associated management action plan, incorporate the best practice measures into Council's works procedures, and use the checklist prior to any works being done within the identified road reserves.	City Delivery	Important	Roadside Vegetation Plan
14. Develop an Urban Tree Strategy including guidelines for planning for tree retention and replanting on infrastructure upgrades. Identify priorities for tree planting, including "hot spot" areas for canopy tree planting, locations for street tree planting to create shady links and other green infrastructure.	City Delivery	Essential	Urban Tree Strategy
15. Establish protocols to ensure street tree planting is of appropriate species and installed in a way to minimise adverse impacts on surrounding infrastructure and that new street and park tree planting takes into account district views (eg, across to the Scenic Hills and East Edge Scenic Lands).	City Delivery	Important	Urban Tree Strategy, Visual Analysis Study
16. Review and update plant species lists including the Street Tree Technical Guidelines and Preferred Species List and Sustainable Planting Policy July 2014.	City Delivery	Beneficial	Urban Tree Strategy
17. Update the Asset Management System regularly and include more detailed descriptions of open space assets. Use agreed and consistent terms and definitions for Open Space hierarchies, functions and landscape character. Investigate including natural assets in the asset management system, incorporating ecological data as well as infrastructure data for Open Space areas.	City Delivery	Beneficial	Asset Management Plan & Strategy, Biodiversity Conservation Strategy
<b>2.3 Proactive – Council takes the initiative in ensuring that Open Space is actively managed and well maintained, with clear procedures and protocols.</b>			Links with other Plans/Strategies
1. Undertake a detailed and thorough review of the maintenance regimes and budgets for all Open Space areas.	City Delivery	Essential	Open Space Strategy
2. Develop and maintain service standards for the maintenance of all Open Space areas.	City Delivery	Essential	Open Space Strategy



3. Establish separate budget accounts to provide for more specific maintenance costs for each type of Open Space, including state road verges, local road verges and residual open spaces, parks, sportsgrounds, bushland reserves, and so on.	City Delivery	Beneficial	Open Space Strategy
4. Investigate a broad range of options to reduce maintenance costs on under utilised areas. Reinvest any savings from reduced open space maintenance costs towards other works within Open Space (eg, upgrades to parks and reserves close to town centres, bush regeneration works within the urbanised valley and new parks and reserves as they are handed over to Council) and maintenance for newly established areas.	City Delivery	Important	Open Space Strategy
5. Review maintenance regimes and budgets for high costs areas including city centre parks, road medians and entry gardens. Balance the evaluation of the high cost of maintenance of these areas with the desire to maintain the green image of the LGA. Consider alternative treatments where feasible.	City Delivery	Important	Open Space Strategy
6. Manage the seasonal staffing demands for sportsground maintenance and grass cutting. Consider flexible working arrangements including longer summer work hours, seasonal casual staff, time off in winter, winter works program focusing on landscape maintenance tasks.	City Delivery	Beneficial	Open Space Strategy
7. Reduce the areas and frequency of mowing in some specific locations (eg, surrounds around Bob Prenter Oval, Macquarie Fields, and Quirk Reserve, Bradbury). Look for opportunities away from residential properties for differential mowing regimes, no-mow areas or tree, shrub and ground cover planting to reduce areas that require frequent mowing. Use biodiversity mapping and on-ground investigations to identify potential areas for no-mow treatments. Trial various treatments to encourage growth of local grasses and ground covers that require reduced maintenance.	City Delivery	Important	Biodiversity Conservation Strategy
8. Continue to provide joint summer and winter playing facilities, and work with the clubs and associations to ensure that there is sufficient down time between seasons for ground changeover and maintenance. Manage bookings at the end of season to allow for ground access by Council's Operations Staff to carry out routine maintenance at season changeover. Keep at least two weeks free of sports bookings at season change over. Get club and association boards to support this in the interests of improved ground conditions for the competition seasons.	City Lifestyle; City Delivery	Essential	Sports & Recreation Strategy
9. Investigate capacity constraints for popular and rapidly growing sports (eg, soccer) particularly around the provision of competition and training facilities. Organise greater shared use of facilities between sporting codes.	City Lifestyle	Beneficial	Sports & Recreation Strategy
10. Investigate the condition of some playing fields on flood prone land, which have sufficient space but not the required quality, lacking irrigation and drainage, floodlights that do not comply with relevant Australian Standards, lack supporting facilities and other shortfalls, and work towards plans for improvements, including funding options.	City Delivery; City Lifestyle	Beneficial	Sports & Recreation Strategy

11. Upgrade facilities at sporting grounds to cater for spectators as well as players as funds become available (eg, small play areas, more shaded seating).	City Lifestyle: City Delivery	Beneficial	Sports & Recreation Strategy
12. Continue to respond rapidly to damage from graffiti and other vandalism. Look to design out safety and security concerns with better lighting, fencing, signage, CCTV and so on.	City Delivery	Essential	Parks & Reserves Strategy, Crime Prevention Plan
13. Investigate the potential for other active recreation activities (eg, mountain bike track, at Kanbyugal Reserve, Woodbine). Investigate potential sources of funding for this.	City Delivery	Beneficial	Open Space Strategy, Destination Management Plan
14. Continue with the practice of protecting and preserving those bushland areas in good condition as priority over restoring or enhancing those in poorer condition. Ensure that the rationale for prioritising work areas is based on biodiversity values and strategic importance and is well communicated.	City Delivery	Beneficial	Noxious Weeds Strategy
15. Investigate options for funding for more bush regeneration works other than noxious weed control and bush fire hazard reduction, including providing seed funding for grant funding applications. Investigate having a dedicated bush regeneration team to undertake on-ground works in the bushland reserves, including hazard reduction works, and help develop volunteer networks.	City Delivery	Important	Noxious Weeds Strategy, Bush Fire Risk Management Plan
16. Investigate the regeneration potential for bushland areas first before undertaking any revegetation planting. Establish protocols for where revegetation is more appropriate.	City Delivery	Important	Biodiversity Conservation Strategy
17. Define activity nodes on the Georges and Nepean Rivers more clearly and improve management around these nodes to help control public access. Consider activities not currently formally addressed (eg, kayaking access).	City Delivery	Beneficial	Destination Management Plan, Walking Trails Plan
18. Continue to educate Council's Operations Staff on Threatened Species and Endangered Ecological Communities. Develop and keep updated a Standard Handbook of Procedures for best practice environmental management to guide implementation of on-ground works.	City Delivery	Important	Biodiversity Conservation Strategy
19. Introduce a program of rainy day workshops with Council's Operations Staff on other Open Space matters, including rain gardens and other water sensitive urban design (WSUD), no-mow zones, and hold two way discussions on existing work practices and potential improvements.	City Delivery	Beneficial	Open Space Strategy



## FOCUS AREA 3 PREPARING FOR FUTURE OPEN SPACE

### 3a Overview – values and key issues

There is a large amount of new development about to take place in Campbelltown LGA. The community vision is for the LGA to remain a green city into the future even with the major population changes that are occurring. Council needs to be ready for this future with clear purpose and direction and be in control of the process, rather than reacting to the development proponents. The challenge for Council is to facilitate new growth, meet the recreation needs of a growing population and preserve and ultimately enhance the natural environment. This new development will require a plan for future acquisitions of Open Space to address any identified shortfalls including multi field sports grounds and multi court sports facilities.

### 3b Guiding principles

**Planning** – Council develops the appropriate plans and strategies for future Open Space.

**Responding** – Council proactively responds to external plans and submissions that will directly or indirectly affect Open Space.

**Funding** – Council is able to fund the existing and proposed Open Space to meet the community needs.

**Anticipation** – Council will prepare for the future and develop Open Space concept plans to help drive that future.

### 3c Actions

#### 3.1 Planning – Campbelltown CC develops the appropriate plans and strategies for future Open Space.

1. Ensure that any new proposals for Open Space are consistent with the vision and guiding principles for Open Space within the LGA.
2. Ensure that new development areas include an adequate amount of Open Space for the full range of open space types: for active recreation including team sports; informal recreation including playgrounds; and for environmental protection, biodiversity conservation and heritage conservation where these assets are present.
3. Ensure that Open Space Recreation is given an appropriate weighting in any proposed development and that Campbelltown LGA remains a place that is well provided with areas for neighbourhood and district sport and recreation to meet the needs of population growth and anticipated future requirements.
4. Prepare a S94 plan, incorporating information from the Sports and Recreation and Playspaces Strategies to validate the existing population needs for sport and recreation areas and forecast future population growth. Ensure that the plan includes other Open Space needs, including passive recreation.
5. Implement a benchmark provision model for new developments to ensure that there is adequate provision of good quality land for Public Open Space, not just drainage or flood prone land or landscape buffers to busy roads, and that the land is integrated into the existing Open Space network.

#### Links with other Plans/Strategies

City Delivery; City Development	Essential	Open Space Strategy
City Delivery; City Development	Essential	Open Space Strategy
City Delivery; City Development	Essential	Open Space Strategy, Sports & Recreation Strategy
City Delivery; City Development	Essential	S94 Plan
City Delivery; City Development	Essential	Open Space Strategy

<p>6. Develop planning controls specifying a minimum area for any bushland reserve that is part of any development proposal within a new release area to ensure its long term viability, and a minimum width of any proposed wildlife corridor, based on OEH guidelines.</p> <p>7. Develop a Land Dedication Policy, with Open Space acquisitions being considered as part of the strategic planning process rather than at development assessment.</p> <p>8. Develop the Campbelltown Sports Stadium and surrounding land as a regionally significant integrated sports and entertainment precinct to provide a gateway to the regional city centre.</p> <p>9. Develop concept plans for a linear park linking Campbelltown and Macarthur Railway Stations.</p> <p>10. Protect wildlife corridors in the southern new land release areas to link the Georges and Nepean Rivers.</p>	<p>City Delivery; City Development</p> <p>City Delivery; City Development</p> <p>City Lifestyle; City Growth</p> <p>City Delivery; City Development; City Growth</p> <p>City Delivery; City Development; City Growth</p>	<p>Essential</p> <p>Beneficial</p> <p>Beneficial</p> <p>Beneficial</p> <p>Essential</p>	<p>Biodiversity Conservation Strategy</p> <p>Biodiversity Conservation Strategy</p> <p>Destination Management Plan</p> <p>CBD Structure Plans</p> <p>Biodiversity Conservation Strategy</p>
<p><b>3.2 Responding – Council proactively responds to external plans and submissions that will directly or indirectly affect Open Space.</b></p> <p>1. Protect existing Open Space in close proximity to town centres and look for opportunities to make new and improved connections between Open Space. Consider land swaps in some locations for better street access to open space (eg, Matthews Reserve at Ingleburn).</p> <p>2. Require all infill development to maximise protection and minimise any adverse impacts on environmental values, natural systems and scenic landscapes. Require proposals to demonstrate that the existing Open Space is enhanced not degraded as a result of the proposal.</p> <p>3. Require all greenfield development to provide adequate, well-planned open space networks, based on projected catchment, demographic data and so on, which must be endorsed by Council, and the Public Open Space is to be incorporated into the plans at the earliest possible stage of the development.</p>	<p>City Delivery; City Growth; City Development</p> <p>City Delivery; City Development</p> <p>City Delivery; City Growth; City Development</p>	<p>Essential</p> <p>Essential</p> <p>Essential</p>	<p>Links with other Plans/Strategies</p> <p>Open Space Strategy</p> <p>Local Planning Strategy</p> <p>Open Space Strategy</p>



<p>4. Develop specifications for developer funded and managed Open Space embellishments. Develop specifications and guidelines for construction and maintenance of new Open Space areas. Ensure that consideration is given to the ongoing maintenance costs for Council (eg. include requirements for grassed areas in new park developments to be planted with couch not kikuyu, with formalised edges and mowing strips, and to be of a regular shape with a minimum width of 2.5 m suitable for Council's mowing machinery). Ensure that the relevant Council Operations Staff are included in periodic inspections of new park developments at least six months before the scheduled handover.</p> <p>5. Investigate other options for new Open Space areas, with the developers to retain the maintenance liability for new open spaces (eg. through covenants on community title, or through public access to private Open Space).</p>	<p>City Delivery; City Development</p> <p>Important</p>	<p>Parks &amp; Reserves Strategy</p>
<p>3.3 Funding – Council is able to fund the existing and proposed Open Space to meet the community needs.</p>	<p>City Delivery; City Development</p> <p>Beneficial</p>	<p>Open Space Strategy</p>
<p>1. Ensure that decisions regarding future Open Space areas are made for the long term, rather than a short term response to current funding shortage for embellishments, acquisitions or new facilities.</p> <p>2. Identify opportunities, consistent with the zoning provisions, for small scale commercial development such as kiosks and cafes within Public Open Space to provide additional funds for ongoing maintenance (eg. cafes at Burrendah Reserve, Raby, and Marsden Park, Campbelltown).</p> <p>3. Investigate opportunities for leasing large areas of residual Public Open Space that have no recreational, biodiversity conservation or environmental protection values (eg. non-vegetated road reserves, drainage reserves and utility reserves) to generate income and reduce the cost to Council to maintain these areas.</p> <p>4. Review Open Space fees and charges, including sportsground hire, and clearly document the cost base for these (eg. as percentage of maintenance costs).</p> <p>5. Use S94 funding and other developer contributions to fund embellishments to existing Open Space where appropriate.</p> <p>6. Identify priority biodiversity corridors and Biobanking sites for offsets. Extend Biobanking after an assessment of its efficacy at Noorumba Reserve.</p>	<p>Responsibility</p> <p>Priority</p> <p>City Growth; City Delivery</p> <p>Essential</p> <p>City Delivery</p> <p>Beneficial</p> <p>City Delivery; City Governance</p> <p>Beneficial</p> <p>City Lifestyle</p> <p>Beneficial</p> <p>City Delivery; City Development</p> <p>Essential</p> <p>City Development; City Delivery</p> <p>Important</p>	<p>Links with other Plans/Strategies</p> <p>Open Space Strategy</p> <p>Open Space Strategy</p> <p>Open Space Land Review</p> <p>Sports &amp; Recreation Strategy</p> <p>S94 Plan</p> <p>Biodiversity Conservation Strategy</p>



3.4 Anticipation – Council will prepare for the future and develop Open Space concept plans to help drive that future.	Responsibility	Priority	Links with other Plans/Strategies
1. Develop concept plans for Open Space in new release areas and areas that may be potentially part of any urban renewal program in anticipation of future community needs.	City Delivery; City Growth	Beneficial	Open Space Strategy
2. Investigate the need for a new regional sports facility in the southern part of Campbelltown LGA in the new land release area.	City Delivery; City Lifestyle; City Growth	Important	Sports & Recreation Strategy
3. Work towards creating improved Open Space outcomes at Glenfield west of the railway as part of any redevelopment of the Hurlstone Agricultural High School site, to form an Open Space network linking the Bunbury Curran Creek corridor to the Glenfield Urban Growth area.	City Delivery; City Growth; City Development	Essential	Open Space Strategy
4. Plan for the future when the Georges River Corridor will become an increasingly important recreational asset as the population grows and infill development takes place.	City Delivery; City Growth; City Development	Beneficial	Koala Plan of Management, Biodiversity Conservation Strategy
5. Investigate all opportunities to link The Scenic Hills with the Western Sydney Parklands.	City Delivery; City Growth; City Development	Beneficial	Destination Management Plan
6. Investigate opportunities for a commercial holiday park or camping accommodation for visitors exploring the bushland areas.	City Delivery; City Growth; City Development	Beneficial	Destination Management Plan

## FOCUS AREA 4 INVOLVING THE COMMUNITY IN OPEN SPACE

### 4a Overview - values and key issues

Public Open Space is an important community asset. It helps define local neighbourhoods, builds community connections, improves community health and well-being, and helps protect and conserve the local environment. Council has a well-publicised Environmental Education Program focussing on the natural environment and sustainability. Its Renew-Connect-Revitalise City-Wide Improvement Program for upgrades to parks and reserves is well publicised and there is good community feedback to surveys about these infrastructure upgrades. Information about local sporting clubs and sportsgrounds is readily available. The community has an opportunity to have a say on Open Space planning and recreational facilities planning and funding during the public consultation period for draft LEP/planning proposals for new release planning areas, draft DCPs and Section 94 plans and VPAs. Council needs to continue to look for the best ways to engage with, inform and involve the community in decisions about Open Space.

### 4b Guiding principles

Communication - Information on Campbelltown's Open Space is readily available and conveyed to the community.

Education - Council actively works with the community to raise awareness and understanding of issues related to Open Space.

Participation - The Campbelltown community is encouraged to be involved in the management of the existing Open Space and the planning for future Open Space.

### 4c Actions

#### 4.1 Communication - Information on Campbelltown's Open Space is readily available and conveyed to the community.

1. Make information about Campbelltown's Open Space readily available to the community. Collate and publish all relevant environmental, recreational and landscape plans, strategies and policies on Council's website and provide a clear link from the home page. Regularly update this information.
2. Use new technologies to let the community know about the Open Space (eg, phone app that allows the community to find recreation facilities). Expand the use of QR codes on park signs.
3. Promote the wide range of Public Open Spaces in the LGA. Provide cross links on Council's website between information on recreational and bushland areas. Ensure that the information is accessible and inclusive for the various cultural groups living in the community.
4. Continue to promote the environmental values of Campbelltown widely, through the use of images of the natural areas, local wildlife, endangered species and ecological communities within Campbelltown. Incorporate these images into park infrastructure through public art, interpretive and wayfinding signs to enhance the sense of place.
5. Continue to update the recreation information on Council's website and expand on information on the sporting facilities, activities and sports available as upgrades are proposed, planned and implemented.

#### Responsibility Priority Links with other Plans/Strategies

City Governance; City Delivery	Essential	Open Space Strategy
City Governance; City Delivery	Beneficial	Open Space Strategy
City Governance; City Delivery	Beneficial	Open Space Strategy
City Governance; City Delivery	Essential	Environmental Education Strategy
City Delivery; City Lifestyle; City Governance	Essential	Sports & Recreation Strategy



6. Develop information about the playspaces in Public Open Space and make it readily available and inclusive to the various cultural groups living in the community.	City Delivery: City Governance	Important	Playspaces Strategy, Community Engagement Framework
<b>4.2 Education – Campbelltown CC actively works with the community to raise awareness and understanding of issues related to the Open Space.</b>	<b>Responsibility</b>	<b>Priority</b>	<b>Links with other Plans/Strategies</b>
1. Encourage people to explore Open Spaces in their area, not only those parks and reserves with structured activities. Promote parks as spaces for many activities, not just playgrounds, including nature appreciation, relaxation, contemplation, social interaction, exercise and other health benefits. Emphasise the value of bushland areas for community health and well-being.	City Delivery	Beneficial	Parks & Reserves Strategy
2. Continue to identify and raise awareness of endangered ecological communities (eg. Cumberland Plain Woodland using Pembroke Park as a regional focal point).	City Delivery: City Development	Important	Environmental Education Strategy
3. Continue to highlight the natural and cultural heritage assets within Open Space and make the information on specific sites available on the website and on interpretive signs on site.	City Delivery: City Development	Important	Parks & Reserves Strategy
4. Highlight the value of trees to provide shade and shelter, encourage people to walk and use parks, help define the character of a neighbourhood and perpetuate the green city image. Promote parks as spaces for trees and undertake community tree planting in local parks in addition to the annual National Tree Planting Day.	City Delivery: City Development	Essential	Urban Tree Strategy Environmental Education Strategy
5. Continue to deliver environmental education programs to create a sustainable connected community that is actively engaged with the surrounding natural environment.	City Development	Important	Environmental Education Strategy
6. Educate the community about how the uses of recreational Open Spaces change over the years to reflect the needs and trends of the times and the people that use them.	City Delivery	Beneficial	Parks & Reserves Strategy
<b>4.3 Participation – The Campbelltown community is encouraged to be involved in the management of existing Open Space and the planning for future Open Space.</b>	<b>Responsibility</b>	<b>Priority</b>	<b>Links with other Plans/Strategies</b>
1. Involve the local Indigenous community regarding sites of cultural heritage, through guided walks and talks, interpretive signs and so on. Develop an Aboriginal perspective in other Public Open Space. Encourage the Indigenous community to participate in the management of natural areas and other environmental programs in parks and reserves.	City Lifestyle	Important	Aboriginal Strategy, Destination Management Plan



2. Continue to encourage community involvement in the planning and design of Open Space, in particular, in landscape and facilities upgrades to parks and reserves, through on line surveys, community events, temporary signs on site and other methods, and ensure that these are well publicised.	City Delivery	Essential	Parks & Reserves Strategy, Community Engagement Framework
3. Investigate ways for greater community involvement in the longer term planning of future	City Delivery; OGM	Beneficial	OpenSpace Strategy, Community Open Space Engagement Framework
4. Continue to engage with the community through the volunteer Bushcare program, walks and talks and other activities focusing on the local environment and other topics.	City Delivery; City Development	Important	Environmental Education Strategy
5. Investigate ways to increase the community stewardship of Public Open Space.	City Delivery; City Development	Beneficial	Environmental Education Strategy
6. Continue to support community organisations which play a role in the management of Open Space (eg, sporting clubs assisting with playing field maintenance).	City Lifestyle;	Important	Sports & Recreation Strategy
7. Investigate the level of interest in community gardens within Open Space and take further action if there is demonstrated interest.	City Delivery	Beneficial	Parks & Reserves Strategy
8. Investigate the feasibility of establishing a community nursery to provide local provenance for restoration works within the LCA and to further engage the community in biodiversity conservation initiatives	City Delivery	Beneficial	Biodiversity Conservation
9. Consult with young people on spaces for youth, including court facilities, games tables, sports practice areas and kick about areas. Encourage their input into the design of these facilities and other positive recreation opportunities.	City Lifestyle; City Delivery	Important	Youth Strategy, Community Engagement Framework
10. Investigate sites suitable for citizenship gardens where plants provided to new citizens can be planted on their behalf as a commemoration.	City Delivery	Beneficial	Parks & Reserves Strategy

## DEFINITIONS

### Open Space Categories

Parks – areas set aside to provide for recreational, cultural, social and educational activities and pastimes, including passive recreational activities, casual playing of games, play or fitness equipment, picnicking, relaxation and contemplation, tree and shrub planting. (small < 0.5 ha, medium 0.5 – 2 ha, large > 2 ha)

Sportsgrounds – areas set aside for organised and informal sporting facilities and games including team field sports, sports courts, aquatic centres, golf courses and other active recreational activities. (levels A, B, C)

Natural areas (bushland, water courses, wetlands, escarpments) – areas set aside primarily for nature conservation and environmental protection, including natural landform and vegetation, riparian areas with natural vegetation along natural creeks.

Ancillary/residual open space – drainage lines, road reserves, utility corridors and other green areas that are reserved for another purpose and do not function as a park due to their poor location, incompatible land uses, poor access, or only function to assist pedestrian movements between roads or adjacent areas.

Much of the Public Open Space is owned by Campbelltown City Council and is classified as Community Land under the Local Government Act. There is some Council owned land classified as Operational Land and some land owned by the NSW Government under the care, control and management of Campbelltown City Council.

### Open Space Hierarchy

#### Local Open Space

##### Functions

- Can have various uses, depending on the nature of the space:
  - passive recreation and low key informal play, running around
  - green spaces in the built environment, spaces for trees and other vegetation
  - relaxation, contemplation, enjoying the outdoors, getting close to nature
  - meeting point for nearby residents
  - visual or environmental amenity, buffer between different land uses.

#### Location and size

- in residential areas
- catchment area of 400 m radius, which is about a 5 minute walk along local streets
- small, should be at least 0.2 ha and are usually less than 1 ha.

#### Facilities

- facilities are limited as they are mainly used by locals for frequent short stays
- may have seating, some simple play equipment, small grassed area to run around
- shade trees and other vegetation
- maybe a tap and bin in a limited number of locations.

#### Examples

Murray Reserve, Minto; Figtree Reserve, Eschol Park; Cargary Reserve, Ambarvale; Stranraer Reserve, St Andrews

### Neighbourhood Open Space

#### Functions

- Can have a number of different functions (eg, park and bushland, park and sportsground):
  - used for a range of passive and active recreation depending on the characteristics of the space and the facilities
  - a community focal point, contributes to and reflects neighbourhood character, place for neighbourhood events
  - varied topography, often good vantage point
  - green lungs for the neighbourhood
  - can connect along linear parks or local streets with other open space to form a network.

#### Location and size

- in residential area, often near other community facilities (eg, schools, neighbourhood shops)
- most users live within 800 m radius, which is about a 10 – 15 minute walk
- moderate size, area should be at least 0.5 ha, with good frontage to local streets, access from number of directions.

#### Facilities

- range of facilities as users stay for a while,
- some active recreation facility (eg, practice walls and half courts, single playing field),
- play equipment, fitness equipment,
- parks seats and tables, picnic seating, bins, bubblers,
- walking paths or bush tracks, may have interpretive information,
- areas of vegetation either remnant vegetation or planted areas, large shade trees,



<p><b>Examples</b></p> <ul style="list-style-type: none"> <li>Midlothian Reserve, St Andrews; Bellevue Park, Leumeah; Abington Reserve, Glen Alpine; Startop/Trotwood Reserves, Ambarvale; John Kidd/Harvey Brown Reserves, Blair Athol; Oswald Reserve, Rosemeadow; Mandurama Reserve, Ambarvale</li> </ul>	<p><b>Facilities</b></p> <ul style="list-style-type: none"> <li>varied according to the purpose, can be either specialised use or a wide range of facilities</li> <li>range of facilities are provided for lengthy stays, seating and other facilities for large numbers of users</li> <li>car parking on site, good public transport access</li> </ul>
<p><b>District Open Space</b></p> <p><b>Functions</b></p> <ul style="list-style-type: none"> <li>Can have a number of different functions (eg, park and bushland, park and sportsground);</li> <li>used by residents and visitors drawn from across the LCA</li> <li>provide a variety of spaces, settings and facilities for both active and passive recreation and community activities</li> <li>cater for a large number of people for all age groups and levels of ability and a range of activities</li> <li>used for significant community events</li> </ul> <p><b>Location and size</b></p> <ul style="list-style-type: none"> <li>centrally located within a suburb or between a number of suburbs within a 5 km radius</li> <li>access by various ways (eg, walking, cycling, driving, public transport)</li> <li>large area, greater than 2 ha, often greater than 5 ha</li> </ul> <p><b>Facilities</b></p> <ul style="list-style-type: none"> <li>users may spend several hours there involved in a number of activities</li> <li>shared facilities (eg, several sporting organisations share space and facilities) can be multiple playing fields, sports courts, sports practice area, swimming pools, skate parks</li> <li>picnic areas with barbecues, play equipment, fitness equipment</li> <li>track heads for bushwalks, interpretive signs</li> <li>dog exercise areas</li> <li>toilets, car parking</li> </ul> <p><b>Examples</b></p> <ul style="list-style-type: none"> <li>St Helens Park, St Helens Park; Seddon/Kennett Parks, Glenfield; Bradbury Oval, Bradbury; Milton Park/Macquarie Road Reserve/Bob Prenter Park/Hazlett Park/Bensley Reserve, Macquarie Fields</li> </ul>	<p><b>Examples</b></p> <ul style="list-style-type: none"> <li>Raby Sports Complex, Raby; Campbelltown Stadium, Leumeah; Simmos Beach, Macquarie Fields</li> </ul> <p><b>Open Space Functions and Landscape Character</b></p> <p><b>Functions – the uses/purpose for a space:</b></p> <ul style="list-style-type: none"> <li>Access – Area set aside to link other areas (eg, a path, cycleway or grassed corridor or connecting streets).</li> <li>Biodiversity conservation – Area set aside for the conservation of native vegetation and wildlife.</li> <li>Civic space – Area in front of or surrounding a community or civic building (eg, library, community centre, indoor sports centre, school).</li> <li>Commemoration – Commemorative areas (eg, memorial gardens, cemeteries).</li> <li>Cultural events – Area designated for cultural events (eg, community events, festivals, district shows, entertainment or markets).</li> <li>Environmental amenity – Area set aside for tree protection, space for nature bush fire asset protection zones.</li> <li>Health/fitness – Area with facilities for informal exercise and fitness activities, shared paths, sports walls, etc.</li> <li>Heritage conservation – Area set aside for the protection and interpretation of cultural heritage items, or curtilage around these items (eg archaeological site, heritage building, heritage garden, significant trees).</li> <li>Outdoor sports – Area set up for the playing of organised outdoor sports.</li> <li>Play space – Area with facilities and settings for outdoor play.</li> <li>Relaxation – Area for quiet enjoyment, contemplation, tranquillity, urban escape.</li> <li>Road reserve – Area within a road reserve including vegetated road islands, road closures, wide nature strips, but excluding the road maintenance zone.</li> <li>Social recreation – Areas with facilities and/or settings for family or group social activities that cater for a range of ages (eg BBQs, picnics, informal play, casual games, kick about areas).</li> <li>Stormwater management – Area set aside primarily for drainage or stormwater management, including ponds, dams, detention basins.</li> <li>Utility reserve – Area set aside to provide for current or future infrastructure (eg, power).</li> <li>View point – Area set aside for public access to a scenic vantage point.</li> <li>Visual amenity – Area set aside to enhance the visual quality of an area, soften the built environment, as a visual buffer between different land uses, landscaped entry treatments.</li> </ul>
<p><b>Regional Open Space</b></p> <p><b>Functions</b></p> <ul style="list-style-type: none"> <li>destinations for regional sporting events, large community events, regional community activities, or integral part of regional facility</li> </ul> <p><b>Location and size</b></p> <ul style="list-style-type: none"> <li>usually large area, with good access</li> </ul>	



**Landscape character - the landscape form and/or vegetation type of a space:**

- Bushland - Natural vegetation of the land, with its characteristic plant species and structure.
- Managed turf - Open area of turf managed for organised field sports or other recreation.
- Open grassland - Open area of predominantly exotic grasses.
- Open parkland - Informal park setting with grass and scattered trees, shrub plantings.
- Ornamental garden - Manicured or formal garden with specimen trees and garden beds.
- Outdoor sports structures - Enclosed managed turf or synthetic playing surfaces for specific sports (eg. tennis, netball, athletics, lawn bowls).
- Riparian corridor - River or creek corridor, either open water course or piped creek, with either natural or planted vegetation.
- Roadside reserve - Natural or planted vegetation along roadsides, as a tree reserve, buffer or screen.
- Rough area - Unmanaged vegetation (native and/or exotic) on undeveloped or disused land.
- Tree plantation - Planted forest or woodland (native and/or exotic).
- Urban open space - Landscaped paved urban space with tree plantings.
- Wetland - Pond or lake which is at least seasonally inundated with water surrounded by either natural or planted vegetation.

**Assessment criteria for Open Space areas for review**

- Without ecological value, no value for biodiversity conservation
- Little landscape character
- No natural or cultural heritage values identified
- Currently serving no recreation purpose
- Not well used or valued by the community
- Poor accessibility
- Poor natural surveillance
- Poorly connected to other Open Space
- Duplicated by other similar Open Space close by that has more options for recreation
- Has little potential for improvement as functional Open Space due to its physical characteristics - location, size, shape, slope
- Not required for drainage
- Not required due to the likely nature of future development around the site

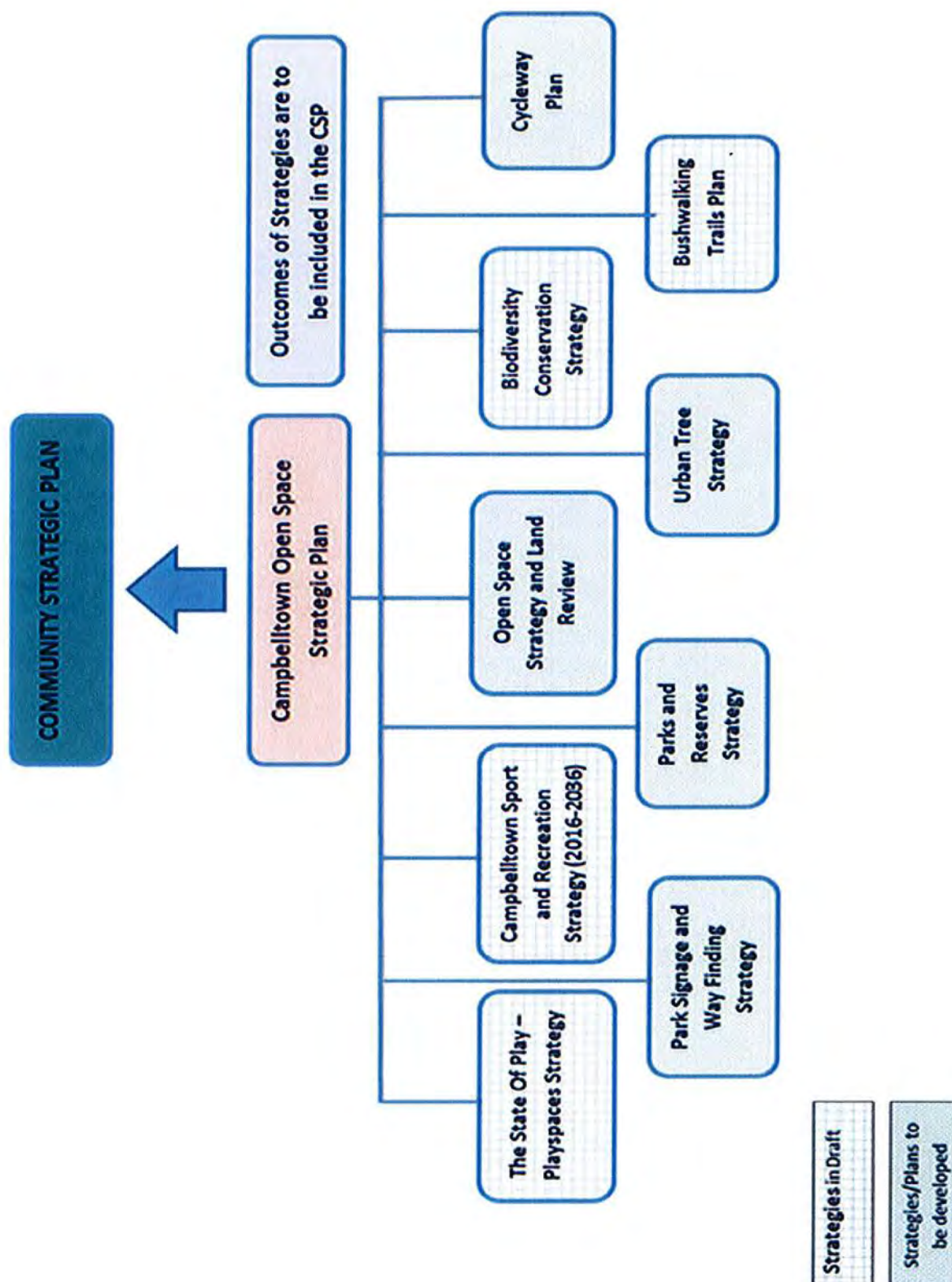
**Additional assessment criteria for Open Space areas for review of their extent**

- Retaining large street frontages to enhance natural surveillance (frontage >20 m or the corner block location)
- Final size of the Open Space should be appropriate for the hierarchy and function (functional neighbourhood Open Space >0.5 ha)

### KEY DOCUMENTS

- Campbelltown Community Strategic Plan 2013
- Campbelltown Local Planning Strategy 2014
- Campbelltown LEP 2015
- Campbelltown Sustainable City DCP
- Sustainability Strategy 2015
- Asset Management Strategy & Plan 2015
- Biodiversity Conservation Strategy (in preparation 2016)
- Sport and Recreation Strategy (in preparation 2016)
- Playspaces Strategy (in preparation 2016)
- Macarthur Destination Management Plan 2016-2020
- Environmental Education Strategy (in preparation 2016)
- Youth Strategy 2013-2017
- Ageing Strategy 2013
- Aboriginal Strategy 2014
- Crime Prevention Plan 2015-2018
- Upper Georges River Environmental Strategic Plan 2010
- Floodplain Risk Management Study and Plan 2015
- Visual Analysis Study 2011
- Heritage Study Review, Paul Davies Pty Ltd, April 2011
- Roadside Vegetation Management Plan, Molino Stewart, 2015
- Bushfire Risk Management Plan 2012
- Climate Change Risk Assessment Adaptation Report March 2012
- Biodiversity Study Stage 2 2008
- Noxious Weeds Strategy (in preparation 2016)
- Koala Plan of Management (in preparation 2016)
- Plans of Management for Ingleburn, Pembroke, Noorumba, Simmos Beach, Bunbury Curran Reserves
- Master Plan for St Helens Park and others
- Glenfield to Macarthur Priority Urban Renewal Corridor Strategy 2015
- Ingleburn Structure Plan 2015
- Greater Macarthur Preliminary Land Release Strategy 2015
- Draft Menangle DCP
- VPAs for East Leppington, Edmondson Park, UWS Campbelltown, Airlds/Bradbury
- Section 94 plans and drafts for Menangle Park and Glenfield Road Urban Release Areas
- various other planning proposals
- Significant Tree Register
- Closure and Sale of Walkways Policy
- Corporate Sponsorship of Council Activities Policy

## ATTACHMENT 2





## **8.11 T16/17 Heating Ventilation and Air Conditioning System at Campbelltown Arts Centre**

### **Reporting Officer**

Manager Assets and Supply Services and Manager Sustainable City and Environment

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### **Attachments**

The following confidential attachment has been distributed to Councillors under separate cover as numerous tenderers have indicated that the contents of their tender are commercial-in-confidence:

Evaluation and Pricing Matrix

### **Purpose**

To advise Council of the results of the negotiation process to engage a suitable organisation to undertake the upgrade of the Heating Ventilation and Air Conditioning (HVAC) system at the Campbelltown Arts Centre and recommend that Council accept the offer of Ultimate 1 Air Conditioning Pty Ltd.

### **History**

The current air conditioning units at Campbelltown Arts Centre are beyond their economic life. A need was identified to replace these units with a new centralised energy efficient system including associated building works and electrical upgrades.

Council previously tendered for the works. A report was presented to Council in August 2016 recommending Council decline to accept the tenders received and enter into negotiations with five organisations with a view to entering into a contract for the works.

### **Report**

#### **Legislation**

This process was conducted in accordance with the *Local Government Act 1993*, the Local Government (General) Regulation 2005 and Council's Procurement Policy and Procedures.

#### **Process**

In accordance with Council's resolution and the negotiation protocol drafted for the project, Council requested quotations based on a revised specification from the following five organisations:

- Austral Air Conditioning Services Pty Ltd
  - Clarke & Wootton Pty Ltd
-

- FDC Mechanical Services Pty Ltd
- Midas Construction Group Pty Ltd
- Ultimate 1 Air Conditioning Pty Ltd

### **Site Briefing**

A briefing was held at the Campbelltown Arts Centre to give the organisations an understanding of the project requirements. The briefing included an inspection of the existing plant. The following organisations attended the briefing:

- Austral Air Conditioning Services Pty Ltd
- Clarke & Wootton Pty Ltd
- Ultimate 1 Air Conditioning Pty Ltd

FDC Mechanical Services Pty Ltd advised that they would not submit a quotation as their current work schedule commitments rendered them unable to provide the resources for the project.

Midas Construction Group Pty Ltd declined without reason.

### **Quotation Document**

Organisations were requested to submit the following information with their quotation:

- company details
- references
- company experience, particularly as they relate to these services
- details of any subcontractors and their experience, particularly as they relate to the services
- program and methodology
- technical data
- pricing
- insurances
- environmental practices
- Work Health and Safety management systems
- conflict of interest declaration
- collusive submission declaration
- additional terms of contract, if proposed.

### **Quotations Received**

Quotations closed on Tuesday 1 November 2016. Two on-time responses were received from the following organisations:

- Clarke & Wootton Pty Ltd
- Ultimate 1 Air Conditioning Pty Ltd

Following the closure of quotations, Austral Air Conditioning Services Pty Ltd requested an extension to allow them time to submit. In accordance with the negotiation protocol, this extension was not allowed.

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### **Evaluation Process**

The Evaluation Panel, consisting of officers from Sustainable City and Environment, Assets and Supply Services, and an independent Mechanical Engineering Consultant evaluated the quotations against the following weighted assessment criteria:

- experience of the company and any subcontractors
- program and methodology
- technical data
- price
- work health and safety
- environmental systems.

### **Recommendation of Evaluation Panel**

It is recommended that Council accept the offer of Ultimate 1 Air Conditioning Pty Ltd as they:

- provided sufficient experience of similar works
- detailed a satisfactory program and methodology of works
- proposed componentry that met Council's specification
- provided satisfactory WHS and environmental documentation
- quoted the cheapest price, within Council's budget.

The quotation from Clarke & Wootton Pty Ltd was more expensive than the recommended organisation. The evaluation panel did not consider there to be sufficient benefit to Council to justify consideration of the corresponding increase in cost.

### **Assurance of the Process Undertaken**

In accordance with Council's Procurement Procedures, a Tender Review Panel, consisting of members of Council's Executive reviewed the process to assure that it was undertaken in a manner that was fair, transparent and resulted in the best value outcome to Council.

### **Officer's Recommendation**

1. That Council accept the offer of Ultimate 1 Air Conditioning Pty Ltd to undertake the upgrade of the Heating Ventilation and Air Conditioning system at the Campbelltown Arts Centre.
  2. That the contract documents be executed under the General Manager's delegation.
  3. That the unsuccessful organisation be notified of the results of the negotiation process.
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## **8.12 Development of a Library Strategic Plan**

### **Division**

City Lifestyles

### **Reporting Officer**

Director City Lifestyles

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### **Attachments**

Report by Roger Henshaw Consulting on the provision of Library Services (distributed under separate cover due to the size of the document)

### **Purpose**

This report seeks Council endorsement to undertake the development of a strategic plan for Campbelltown City Council Local Government Area (LGA), including the establishment of a community advisory group to assist in the development of this strategy.

### **History**

Council at its meeting held 11 February 2014 requested a report on the provision of Library Services across the City. External consultant, Roger Henshaw Consulting was engaged to undertake a review of the Library service during the second half of 2014. The review examined the existing Library service in the context of both state and national standards, the *Library Act 1939 (NSW)* and Library Regulation and benchmarking against other Category 13 Urban Fringe Very Large (UFV) councils.

A briefing to Council was conducted on 24 February 2015, with a report provided to the Council meeting held on 21 July 2015.

This report provided 49 recommendations across the areas of Library operations, including: Library Service Delivery, Service Design and Delivery, Community Engagement, Partnerships and Income Options, Collections, Staffing Organisational Structure and Marketing. This report also concluded that:

- existing service delivery model is currently working well
  - population growth and changes in density will place pressure on existing buildings
  - demographic change will demand enhancement of current programming especially for over 65 and preschool age groups.
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At this meeting Council resolved that:

- That a comprehensive Library Facilities Plan be developed to ensure Library services are positioned to service future growth.
- Following the completion of the Library Facilities Plan, a further briefing is presented to Council.

## **Report**

### **Current Situation**

The work undertaken by Roger Henshaw Consulting was undertaken prior to the formation of the Greater Sydney Commission and the preparation of the draft district plan, as well as work undertaken around the Glenfield to Macarthur Corridor and the Menangle Release area.

There is a need to revisit findings of these reports in the context of this growth as well as within the strategic framework of what outcomes does our community wish to see from its library services as well as the opportunities that will arise from other strategic work. This work includes the preparation of the Campbelltown Central Business District Strategy. Further, to ensure that library services are meeting the needs, wants and aspirations of our current and future communities, there is a need to undertake consultative process with key stakeholders. This stakeholder engagement includes local residents, government and non-government agencies as well as industry experts. The significant growth and change to the demographics of our area make this even more critical.

### **Emerging Trends**

The development of the Library Strategic Plan will provide the opportunity to explore the needs of our community, opportunities and impacts and relevance of emerging trends in libraries such as:

- technological advances including eBooks, Web 2.0, and social networking being used to connect people and collections or information
- self-service loans freeing up staff to provide more personalised customer service
- workforce changes and skills shortages including generation Yes approach to careers choices and the ageing of the existing library workforce
- partnerships to deliver a range of services
- use of libraries as a community space where individuals and groups can connect and network.

In addition, the Library service needs to ensure it is well placed to respond and be relevant to the different generational needs and expectations. A significant aspect of the generational differences in approaching library services is the digital natives use of new technologies. These digital natives have never known life without the internet or mobile devices and expect information and services to be delivered in these formats.

With these factors in mind, it is proposed to undertake a strategic planning process over the next ten months to establish the future direction of the Library service. This process will result in a ten year strategic plan to guide the provision of library services in the LGA.

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### **Formation of the Community Advisory Group (CAG)**

To support more active engagement with the community and broader stakeholders it is proposed that a Community Advisory Group (CAG) is established to provide expertise and feedback into the process and development of the strategic plan.

As outlined in the recently Councillor Briefing engagement is both a process and an outcome. It is intended through the work of the CAG that opportunities for future partnerships will be identified.

It is proposed that the CAG consist of:

1. Mayor or his delegate
2. Councillor Margaret Chivers as the NSW Public Libraries Councillor representative
3. State Library of NSW representative
4. an urban or social researcher
5. a specialist in the use of Social Networking/Web 2.0/Technology
6. two community representatives
7. Director City Lifestyles - Campbelltown City Council
8. Executive Manager Community and Cultural Services - Campbelltown City Council
9. Coordinator Customer and Branch Services - Campbelltown City Council
10. Coordinator Technology and Collection Services - Campbelltown City Council.

The terms of reference for the Community Advisory Group will be to:

- provide advice and direction for the development of the strategic plan
- assist in the communication of the strategic planning process and ultimate outcome
- encourage broad ownership of the Strategic Plan; and
- be actively involved in the formation of strategies in response to community comments.

Phase 1	<p>January 2017 - March 2017: Formation of CAG and Research</p> <p>Community Advisory Group established.</p> <p>Research phase: review of previous studies and research, identify stakeholders and knowledge of libraries; analyse members and non-members data, consider best practice and emerging trends in the provision of contemporary libraries; analysis of land use changes and demographics – who our community are and how they live and use their time.</p> <p>Development of the community consultation and engagement plan.</p>
Phase 2	<p>March 2017 - May 2017: Consultation</p> <p>Undertake community consultation and engagement activities.</p> <p>Analyse data from research and consultations.</p>



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Phase 3	3 June 2017 - September 2017: Development of Draft Strategy  Develop strategies in response to analysis of research and consultation process.  Prepare draft Strategic Plan for endorsement for public exhibition.
Phase 4	October 2011 - Onwards: Adoption and Implementation  Draft Strategic Plan put to Council for adoption.  Implement ten year strategic plan through inclusion into Council's Delivery Plan and Annual Operating Plan and Budget.

The plan will integrate into Council's Community Strategic Plan.

### **Conclusion**

The development of the Library Services Strategic Plan will ensure our service is well positioned to respond to the specific needs, wants and aspirations of our growing and changing community. The Strategy will consider emerging trends in the wider library industry and technology to ensure the delivery of a relevant and contemporary service for our residents.

### **Officer's Recommendation**

1. That Council endorse the development of a Strategic Plan for the Campbelltown City Council Library Service.
  2. That the Mayor, or his delegate and Councillor Chivers be the Councillor Representatives on the Community Advisory Group.
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## **8.13 Current conditions of Bensley Reserve Soccer Complex**

### **Division**

City Lifestyles

### **Reporting Officer**

Executive Manager Sport, Recreation and Leisure

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### **Attachments**

Nil

### **Purpose**

To advise Council on proposals for Bensley Road Soccer Complex, in the context of the draft Sport and Recreation Strategy and Council's resolution on 19 April 2016. To provide Landowners consent at the facility funded via the Federal Government Community Grants programme.

### **History**

Council at its meeting held 19 April 2016 resolved that a report be presented on the current condition of Bensley Road Soccer Complex and any proposed upgrade works including associated costs.

### **Report**

#### **Strategic Context**

Bensley Reserve, Macquarie Fields has two full size playing fields and three modified playing fields (4.54 ha) The complex is currently used 22.75 hours per week. The current occupants, Gunners Soccer Club have approximately 550 registered players across juniors, youth and seniors and has grown 46 per cent in the last three years.

The Draft Campbelltown City Council Sport and Recreation Strategy (which is the subject of a separate report in this business paper) recommends minimum standards of service for sporting facilities. Based on a hierarchy of what should be provided at each sport facility.

The draft strategy identifies Bensley Reserve as a district level sporting facility. A district level facility is determined as a facility which serves a cluster of communities/suburbs with a mix of local training or social use and inter-club competition.

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## 8.13 Current Conditions Of Bensley Reserve Soccer Complex

The growing demand on Campbelltown's sporting facilities presents challenges to the quality of playing surface maintenance. The draft strategy highlights the need to upgrade sporting fields with drainage, irrigation and sports lighting to address the playing surface, as well as provide for more evenly distributed use through lighting for training.

To address this, a prioritised staged program of works has been produced. This is a ten year program, which will require Council to partner with local clubs as well as seek external funding.

### Current situation

Bensley Reserve, requires a range of works which includes drainage, irrigation and lighting. Council has been working with the club to identify these issues and is now progressively implementing solutions.

In November 2016, irrigation and drainage works commenced on Field 1. These works were funded in Council's 2016-2017 budget.

As part of the recent Federal Government Election, Bensley Reserve received an election commitment to upgrade field works through the Minister for Infrastructure and Regional Development through the Community Grant programme. Council has received confirmation of a \$290,000 commitment and needs to provide owners consent for the grant to be released and works to be procured. This grant will provide for installation of additional fencing to protect neighbouring houses from misplaced shots at the goals as this issue has been reported to Council on numerous occasions by both the club and nearby residents. The Grant will also remedy other field works as requested by the club.

Current and future planned works are set out below:

Works	Description	Cost	Funding	Status
Irrigation	Replace irrigation field 1	\$40,000	Council's 2016/2017 budget	Underway
Drainage and field works	Subsurface drainage to both fields 1 and 2 Replace turf on fields 1 and 2	\$232,000	Community Grants Programme	Planning
Irrigation	Install irrigation field 2	\$40,000	Community Grants Programme	Planning
Fencing	Install fencing to northern end of field 1	\$30,000	Community Grants Program	Planning
Lighting	1 x light pole to mini field	\$35,000		Planning
Lighting	1 x light pole to field 1	\$35,000	Not funded	Seeking grant opportunities
Ancillary	Rebuild of ancillary building as part of Assets work schedule	\$1m	Council programed maintenance RCR program	Identified for 2021



### **Funding for works**

The majority of works identified for Bensley Reserve will be undertaken over the next 12 months. The grant received under the Community Grant Programme will rectify all current issues with the surface of fields 1 and 2.

Council officers are working with the club in furthering the work schedule and in identifying the needs of the club.

### **Conclusion**

Bensley Reserve as a district level facility will continue to be developed in line with the principles set out in the Draft Sport and Recreation Strategy. This will ensure that the facility meets current as well as future demand. Council Officers will continue to work in partnership with club representatives to deliver the works provided through the Federal Government Community Partnership Grant to the club.

### **Officer's Recommendation**

1. That Council provide land owners consent for the drainage and fields work, fencing, floodlight to mini field and irrigation to field 2, the Community Development Programme.
  2. That Council note the works that will be completed in 2016-2017 and the funding program for Bensley.
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## **8.14 Installation of ancillary facilities at Macquarie Fields Skate Park**

### **Division**

City Lifestyles

### **Reporting Officer**

Executive Manager Sport Recreation and Leisure

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### **Attachments**

Aerial photography of provisions at skate parks at Leumeah, Macquarie Fields and St Helens Park (contained within this report)

### **Purpose**

To provide advice to Council on the feasibility of installing ancillary facilities at Council's skate parks in particular at Macquarie Fields Skate Park in response to Council's resolutions on 10 May 2016.

### **History**

Council at its meeting held 10 May 2016, resolved that a report be presented investigating the feasibility of installing shaded seating and BBQ facilities as well as a foam pit at Macquarie Fields Skate Park.

### **Report**

There are three skate parks within the Campbelltown LGA, these are located at Leumeah, Macquarie Fields and St Helens Park. There are two additional activity spaces used predominantly for skateboarding, Mexican hat at Bradbury Oval adjacent to Apex Park and Deminy Park, Claymore.

Skate parks form part of the recreational experiences across the LGA and are considered and classified by their nature and purpose, that is, as a neighborhood, district or regional facility.

The types and level of embellishment provided at each facility depends on the classification. The Macquarie Fields, Leumeah and St Helens Park skate parks are all classified as regional facilities, attracting the highest level of embellishment.

These types of facilities attract visitation from a wider area and are generally places where people tend to stay longer and would therefore require facilities and services such as toilets, water, shelter and shade. Users of skate parks often spend long periods of time at the facility, and as such require a higher level of embellishment.

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## 8.14 Installation Of Ancillary Facilities At Macquarie Fields Skate Park

One of the characteristics of skate parks is that they are not all the same. In fact users are attracted by parks that are different and have a mix of elements that form the activity space. When designing a new skate park, consideration is given to the elements provided at other parks in the area and ensure that these elements are not repeated.

### Provision of Ancillary Facilities at Council's Skate Parks

#### Seating and Shade Provision

The level of embellishment at Council's skate parks, even though all classified as regional, does vary. Leumeah has been embellished over a longer period of time as the high level of usage has required more facilities and highlights the difference in the level of ancillary facilities across the stake parks.

The current provision of facilities at the skate parks are:

	Shade structure with seating	Shade structure without seating	BBQ unit with shade	Toilet complex	Bubbler	Seating without shade
Leumeah	4	1	1	1	1	-
St Helens Park	-	2	-	1	-	3
Macquarie Fields (Glenquarie)	1	1	-	1	-	-

A program of embellishment to bring all three sites to a consistent standard will be implemented through Council's Delivery Plan and Capital program.

The re-birthing of the tennis courts at Glenquarie (which are adjacent to the skate facilities) to basketball, volleyball and futsal, has resulted in further activation of the site as an attractor of youth for active participation.

The facility is active during the day; this allows for a range of different youth. The whole space is serviced by a centrally located toilet block with lighting provided up until 10.00pm on both the courts and skate park.

Although the design between youth of the area and the design consultants was for part of the skate park to include seating elements as interactive features, the overall popularity of the site has resulted in a shortage of seating for non-participants, parents, and spectators. The installation of shaded seating to the site is therefore supported. It is important that the location of additional seating does not impact on the actual space or cast shadow on the skate park.



## 8.14 Installation Of Ancillary Facilities At Macquarie Fields Skate Park

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Skate park design consultant Enclous, were consulted regarding the provision of shade. They advised that due to the deep nature of skate park bowls that shade and speckled light can affect depth perception and the ability of riders to maintain balance as such recommended against any form of structure that casts shadow on to the skate park. In addition, they advised that hard vertical structures should be a substantial distance from any of the approaches or rises in and out of the skate facility. This will mitigate the risk of young people attempting a range of stunts on bikes, scooters and skate boards that may not be fully understood by equipment installers and the distances that young people can travel when using the skate facility.

### **Foam Pit**

Foam pits are traditionally located at indoor facilities that cater for gymnastics or other such activities where summersaults, and advanced manoeuvres are rehearsed. A number of companies around Australia have provided foam pits for skate and scooter activities, however all are indoors. Examples of this are The Shed in the City of Casey in Victoria, Rampfest in Melbourne, Grind Indoor at Bannockburn, Monster Skatepark at Sydney Olympic Park and Korrupt Indoor Skate Park in Campbelltown.

Installation of foam pits is governed by a secure and dry location; and by the ability of supervising staff to monitor the pit, as having the foam pit, increases and promotes risker type behaviours in attempting stunts. They are generally designed to have foam pits that do not detract from the general freedom and movements of the other park users. Campbelltown's skate parks are not activity supervised and all the spaces within the skate parks have been designed to allow a range of different ages and abilities. The placement of a foam pit at Council skate parks contained in this report is not recommended as Council would be unable to actively monitor the condition, vandalism, hygiene, and maintenance of the product. It is also likely that Council would increase its risk exposure.

### **St Helens Park**

St Helens Park is a 3.8ha site, with the skate park located in the South West corner. Council undertook a master plan of the entire site to allow for future planning of the reserve as development continues on its southern border. Additional play equipment, seating, shade and BBQ unit are all considered as part of this Draft Masterplan and consistent with the directions of the draft Play Space Strategy.

### **Conclusion**

There is a variation in the level of embellishment across Council's three skate parks due to the demand and evolving facilities at each location. Leumeah Skate Park is meeting the demand for facilities that exists in that location. A draft master plan for St Helen's Park Skate Park has been developed in consultation with the local community and will be finalised over the coming few months.

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8.14 Installation Of Ancillary Facilities At Macquarie Fields Skate Park

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Macquarie Fields Skate Park is in need of additional facilities to support the number of visitors and users of the park. The installation of shade structures, additional seating and water bubbler is supported, and estimated at a cost of \$30,000. Funds are not available in the 2016-2017 budget and as such, it is proposed to be considered in the 2017-2018 budget. The provision of contemporary facilities is critical for the local community. A program of upgrades to support these facilities will be included into Council's Delivery Plan and supporting budget.

**Officer's Recommendation**

1. That Council note the advice of the unsuitability of foam pits at Council's outdoor skate parks.
  2. That Council consider \$30,000 towards seating and shade facilities as part of the 2017-2018 budgeting process.
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## ATTACHMENT 1

Macquarie Fields Skate Park

X = Shade

O = Toilets





8.14 Installation Of Ancillary Facilities At Macquarie Fields Skate Park

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Leumeah Skate Park



8.14 Installation Of Ancillary Facilities At Macquarie Fields Skate Park

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St Helens Park Skate Park



## **8.15 Investigating the feasibility of multipurpose courts at Rosemeadow**

### **Division**

City Lifestyles

### **Reporting Officer**

Executive Manager Sport, Recreation and Leisure

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### **Attachments**

Aerial photo of Rosemeadow tennis courts (contained within this report)

### **Purpose**

To advise Council on the feasibility of multipurpose courts at Rosemeadow, following the resolution of Council on 25 October 2016.

### **History**

Council at its meeting of 25 October 2016 resolved:

1. That a report be presented investigating the feasibility of turning the dilapidated tennis courts located at Cleopatra Drive, Rosemeadow into multipurpose courts.
2. That a further report be presented investigating the possibility of introducing other multipurpose courts and skate parks in the Local Government Area.

### **Report**

Four tennis courts are located on Thomas Acres Reserve, Cleopatra Drive in Rosemeadow. The courts are centrally located to the Rosemeadow community and the schools in the area. The courts are approximately 15 years of age. Council and NSW Department of Housing are the two land owners that encompass Thomas Acres Reserve and adjoining open space.

Council has control and management of the tennis courts that are situated on the land owned by NSW Department of Housing. Formal permission for the conversion of the tennis courts to multipurpose courts will be required prior to any changes.

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## 8.15 Investigating The Feasibility Of Multipurpose Courts At Rosemeadow

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The Southern Districts Tennis Association managed the courts for a number of years prior to vacating the site and its management in 2008. At this time the association advised that they were vacating the site as there was not the demand for tennis in the area. Australian Bureau of Statistics data shows a general decrease in tennis being played by Australians. However, it should be noted that there is still growth and stable participation in specific locations. Tennis in Campbelltown is focussed mainly at the Leumeah tennis facility. The small number of local tennis centres, such as Glen Alpine, Ruse and Bow Bowing, under the directions of local coaches appear to be sustainable, however tennis in Campbelltown appears to be focussed at a regional tennis centre level.

The draft Sport and Recreation Strategy, which is the subject of a report within this business paper, identifies a future shortage of outdoor courts that include both tennis courts and multipurpose courts.

Recent success with the conversion of the Glenquarie tennis courts into multi-purpose courts indicates that a similar conversion of the Rosemeadow courts is feasible.

### **State of the Facility**

The facility is not in use and is in a poor state of repair. The synthetic surface has pealed and is unserviceable. Subsoil tests would need to be undertaken to ascertain the state of the base, however, due to the age of the base it is anticipated that no major subsoil work would need to be undertaken.

The existing fencing is loose and the internal fencing is designed for tennis and not team based sports such as basketball and futsal. In order to make the tennis courts fit for purpose as a multipurpose court, a hot mix or acryl surface is required. As such to convert the courts, the surface would need to be regenerated, new line marking provided and additional internal fencing provided to convert the current courts to multipurpose.

### **Opportunity**

There is an opportunity to convert the courts to multipurpose to meet the need for unstructured recreation and play, particularly for 10-18year age groups. Whilst Council is still able to provide for tennis in close proximity, as Glen Alpine and Ruse courts are in proximity to these communities.

The facility, if converted, can accommodate basketball (2) and futsal (2). These two activities are best suited to community multipurpose courts due to their popularity with youth, their non-structured nature i.e. not restricted by minimum numbers and their ability to fit inside tennis court dimensions.

### **Cost**

Based on the recent experience at Macquarie Fields the cost would be approximately \$150,000. This cost is subject to any sub-surface work required.

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**Conclusion**

The conversion of the former tennis courts at Rosemeadow to multipurpose courts will meet identified community needs in the draft Sport and Recreation Strategy for the shortage of multipurpose courts. Tennis courts are available within proximity to the former courts at both Glen Alpine and Ruse.

**Officer's Recommendation**

1. That the information be noted.
  2. That Council consider allocating funds of \$150,000 for the redevelopment of the existing tennis courts at Rosemeadow to multipurpose courts, along the lines of the conversion at Macquarie Fields in the draft 2017-2018 budget.
  3. That Council write to NSW Department of Housing notifying of Council's intent to change the use of the courts, and if no objection is provided, Council proceed with construction subject to funding in 2017-2018.
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## ATTACHMENT 1



## **8.16 Draft Sport and Recreation Strategy for public exhibition**

### **Division**

City Lifestyles

### **Reporting Officer**

Executive Manager Sport, Recreation and Leisure

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### **Attachments**

Draft Campbelltown City Council Sport and Recreation Strategy (2016–2036) (distributed under separate cover due to size of the document)

### **Purpose**

To seek Council's endorsement of the draft Sport and Recreation Strategy (2016–2036) for public exhibition.

### **History**

In October 2015 Council commissioned Otium Planning Group to produce a Sport and Recreation Strategy.

On 31 May 2016, Otium Planning Group presented the draft Sport and Recreation Strategy to Council at Council's Briefing night. The Draft Campbelltown City Council Sport and Recreation Strategy (2016–2036) is referred to in this report as the Draft Sport and Recreation Strategy.

Following the recent local government election in September 2016 a further briefing was held on 29 November 2016 to present details to the new councillors as well as the site specific implications for recently raised sports field issues.

### **Report**

#### **Background**

Campbelltown City Council provides a range of services and maintains a variety of facilities to cater for the sporting and recreational pursuits of the community.

The estimated population of the Campbelltown Local Government Area is approximately 160,000 and is expected to grow rapidly over the next 20 years to in the order of 300,000, primarily as a result of greenfield and urban renewal projects such as, the Glenfield to Macarthur Urban Renewal Corridor and Greater Macarthur Land Release Investigation.

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Council has 228ha of open space dedicated to sport. This includes 91 playing fields, 46 outdoor netball courts and 3 aquatic centres, along with numerous bespoke facilities that cater for specific recreational activities. Council allocates significant resources in the provision, maintenance and upgrade of these facilities.

In this context it is critical that Council takes a proactive and strategic approach to manage growth responsibly to meet both the challenges and optimise the opportunities that growth will bring.

### **State Government Planning**

In recent years, the Department of Sport and Recreation and Department of Planning have encouraged local government authorities to implement a considered, strategic approach to the development of recreation and sport facilities, and developed the Recreation and Open Space Planning Guidelines for Local Government document.

Many NSW Government policies support the planning, provision and management of open space and recreation. The NSW Government is committed to promoting participation in sport and recreation, though it recognises the limitations – including the cost of land for open space planning.

The study was commissioned in response to the:

- significant population growth along with a large shift and change in the area's demographics and associated future development requirements
- need to inform future Council Planning Schemes and Infrastructure Charges Schedules for the region
- need for improved coordination and planning in the provision of sport and recreation facilities
- need for a stronger evidenced based approach
- various requests for facility development at current sites by individual clubs.

The Draft Sport and Recreation Plan has been developed within this context to ensure Campbelltown meets current needs and expectations, future planning and delivery in a strategic and sustainable manner.

### **Process undertaken**

The Draft Strategy was undertaken in four stages:

1. Research and Analysis of Current Situation
2. Community and Stakeholder Consultation
3. Analysis of Findings, Future Demands and best practice
4. Development of the Draft Strategy and recommendations

In preparing the draft Strategy, Otium Planning Group, undertook comprehensive community consultation. This is set out below:

- sport and Recreation Strategy Steering Committee comprised of five local prominent sporting administrators to provide input; including one workshop with steering committee
  - online survey comprising a club survey and a general community survey
  - two community workshops
-



- open community engagement at Macarthur Square shopping centre
- one on one meetings with all regional sporting bodies and individual clubs
- school workshop with grades 9 and 12 at Leumeah High School
- internal Council briefings and workshops

## **Findings**

Several key themes emerged from the extensive consultation undertaken. These are summarised below:

1. Need for improved maintenance of the existing facilities (e.g. playing surface, level of lights and drainage)
2. Need for facility improvements (e.g. seating, car parking and storage)
3. Clubs with good governance practices are generally experiencing growth in membership.
4. There are more participation options and increasing participation in women's sport
5. There is demand for access to playing fields to support longer seasons and new off-season formats
6. Clubs/associations are generally satisfied with current fees and charges associated with use of Council facilities
7. 42 per cent of clubs/associations that provided a survey response indicated they had a business plan
8. Local schools indicated they are generally satisfied with the standard of and access to Campbelltown sport and recreation facilities
9. There are no standards of service within Council to inform the future provision of sport and recreation space and facilities
10. Crime prevention and vandalism at sport and recreation facilities is a major concern for the community
11. There is a desire for larger, multi-use sporting precincts as opposed to single, stand-alone facilities.

## **Draft Recommendations**

The draft strategy provides seven sets of recommendations that are underpinned by the vision and guiding principles. These recommendations have been developed in the context of the research, analysis and outcomes of the community consultation in the development of the draft strategy.

The draft recommendations are focused around:

1. Planning processes for future land and facilities
  2. Outdoor Sport
  3. Aquatic
  4. Indoor facilities
  5. Resourcing
  6. Master Planning
  7. Programs
-

Two core recommendations in the draft strategy that will be critical for the provision of sport and recreation facilities over the next 20 years focus around:

- introducing a classification hierarchy
- establishment of prioritisation criteria for the allocation of funding and resources to the enhancement of existing or development of new sporting and recreation facilities.

### **Classification hierarchy**

The draft strategy proposed the introduction of a hierarchy of facilities with associated clear definitions that set out the level of amenity to be provided. The purpose of this hierarchy is to facilitate the fair and equitable distribution of facilities across the LGA that meet the broad range of needs now and into the future. The hierarchy proposes a network based on Local, Neighbourhood, District, Regional and State level facilities to cater for juniors through to elite level sports.

### **Prioritisation criteria**

There are competition demands for limited resources, particularly in a high growth environment. In the delivery of sport and recreation facilities it is essential that decisions are made in a fair, equitable and transparent manner with regard for the longer term benefit of the community. This is particularly important in relation to the allocation of funding. The draft strategy proposes the establishment of prioritisation criteria against which proposals can be assessed. This criterion is aligned to and supports the vision and guiding principles contained in the draft strategy. The draft criteria proposed prioritisation around the following aspects:

- situated within high growth area
- improves the functionality of land (e.g. drainage, lighting, amenities, parking)
- addresses safety/ risk management issues (and if not addressed, there is a high risk exposure to Council)
- part of an endorsed master plan
- identified as a high need in the Sport and Recreation Strategy or other Council strategies
- existing facility/area is at capacity
- likely to increase operating efficiency or significantly reduce operating costs and/or lower impact on future Council operating expenditure
- has high likelihood of partnership funding
- has minimum impact on sensitive environmental areas
- benefits multiple community/user groups
- facility is accessible for informal recreation use out of hours
- addresses lack of facility provision
- beneficiaries (if a club) have demonstrated financial/ management capacity
- improves accessibility and/or participation opportunities for people with disabilities
- addresses urban amenity issue(s).

The establishment of this criteria will provide transparency and support good governance as well as drive greater collaboration and partnerships.

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### **Implementation of the Strategy**

The draft strategy is proposed to be implemented over a 20 year period, with funding and resourcing required from a variety of sources. Council will need to invest through a rolling program to be integrated into the Delivery Plan and Operating Plan/Budget. There will also need to be greater focus on developer contributions to meet the demand created by new communities as well as actively seeking external funding from the Federal and State Government through programs such as the Community Building Partnership funding. Critical to the success of this strategy will be a stronger partnership and collaboration with local sporting clubs and associations to ensure that efforts are aligned and resources are combined to delivery maximum benefit to the community.

### **Community Consultation**

It is proposed to place the Draft Sport and Recreation Strategy on public exhibition from 9 January through o 17 February 2017. This timing will enable targeted consultation over the school holiday period and summer sporting associations as well as schools and winter sporting associations. It is proposed that the following avenues will be used:

- Council's website
- local media
- e-newsletter
- online survey
- focus groups with key groups, including sporting clubs and association.

The purpose of this consultation is to communicate the draft strategy and seek feedback on the key elements around the Vision, guiding Principles and Recommendations and in particular around the proposed Hierarchy and prioritisation criteria.

### **Conclusion**

The draft Sport and Recreation Strategy 2016-2036 provides a framework to guide decision making over the coming 20 years to ensure that sport and recreation facilities, services and programs are delivered in the most effective way. The draft strategy provides a vision and underpinning principles for sport and recreation into the future and a series of recommendations to support the realisation of the vision, whilst also ensuring that Council does so in a financially sustainable manner. The exhibition of the draft strategy will provide a valuable opportunity to gain final feedback on the draft prior to Council adopting the final Strategy.

### **Officer's Recommendation**

1. That Council endorse the Draft Sport and Recreation Strategy for public exhibition from 9 January 2017 to 17 February 2017.
  2. That a further report be presented to Council at the conclusion of the exhibition period, to consider any submissions with a view to adopt the strategy.
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## **8.17 Feasibility study of a summer basketball competition at the Glenquarie multipurpose courts**

### **Division**

City Lifestyles

### **Reporting Officer**

Executive Manager Sport Recreation and Leisure

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### **Attachments**

Nil

### **Purpose**

To advise Council on the feasibility of a summer basketball competition at Glenquarie.

### **History**

Council at its meeting held 16 August 2016 resolved that a report be presented investigating the feasibility of holding a summer basketball competition (similar to the Midnight Basketball competition) at the new multipurpose courts located at Glenquarie.

### **Report**

Macquarie Fields historically had two tennis court locations:

1. Six courts located adjacent to Macquarie Fields Leisure Centre, which was managed by Ingleburn Tennis
2. Four courts located adjacent to the skate park across from Glenquarie Shopping Centre

In accordance with Council directions, the tennis courts at Glenquarie have been renovated to one futsal multipurpose, two basketball and one volleyball court. Anecdotal evidence is that the courts have experienced a significant increase in use since this change.

A feasibility study was undertaken in relation to the conduct of a summer basketball competition at the new multipurpose courts in Glenquarie.

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**Competition Structure option**

Three options were considered, these include:

**Option 1- informal competition**

- a volunteer could provide essential equipment and instruction to whoever attended the courts
- advertising of competition times with little to no organisation in teams (those who turn up create teams on the day)
- this arrangement would be informal
- the model would be non-competitive, where people can turn up and play, and as a result there would be no formal process for insurance
- this type of competition can appear disorganised as from week to week, it is unclear how many people may participate

**Option 2 - structured competition**

- as part of a broader competition: a fully structured competition, where Macarthur Basketball Association invited registrations from interested individuals and where participants were covered by Basketball NSW player insurance
- advertising of competition to attract team registration
- competitive social competition
- organised by Macarthur Basketball Association or alternative not for profit organisation
- player insurance covered by pay for play concept
- small cost to participant, approximately \$7 to \$10
- minimal cost to council, where Council's role may be to assist in advertising of the competition and payment of advertisements to encourage registration
- the tournament may or may not have finals and grand finals, as final week could be a gala celebration, or grand final dependant on the organising association

**Option 3- formal competition**

- a more formal arrangement that promoted the competition and where participants were covered by Council insurance with Macarthur Basketball Association running a more formal competition
  - rules and interpretation of rules are monitored trickly (e.g not being able to transfer within teams during competition)
  - advertising and registration of teams prior to competition
  - competitive social competition
  - official referees
  - players registered with Basketball NSW (covers 12 month period of insurance at approximately \$110 per player per year)
  - the cost to conduct the competition would be expected to be much higher for participants, comparatively; it would costs teams approximately \$50 per team to register, on top of player registration to assist in covering overheads of managing the competition
  - trophies and or prize money offered however would further increase the costs associated with the competition
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## 8.17 Feasibility Study Of A Summer Basketball Competition At The Glenquarie Multipurpose Courts

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There are a number of advantages and disadvantages with all options. In considering the nature of youth participation and how young people are currently utilising the courts at Glenquarie, a less formal form of competition would suit.

Option two is recommended as it provides the less formal form of competition, whilst still having some structure to the program so a not for profit organisation has some certainty each week to who may turn up and play.

It is proposed that the competition could be trialled over an eight week period during January to February 2017 on a Saturday evening.

Event day age grouping would need to be conducted to ensure that juniors are not playing with seniors and adults. This would be facilitated by the event coordinators in working with the young people and groups that are currently using the courts.

### **Management and organisation of the Competition**

Macarthur Basketball Association have been consulted and have indicated they would be willing to partner Council to trial the competition. Under this partnership, Council would provide a grant of \$5,000 towards the costs of the competition for the eight week period. Macarthur Basketball Association would:

- organise and conduct the competition
- advertise and promoting the registration of participants
- arrange the draw and provide officials and ancillary equipment
- promote the competition through their normal processes

As the courts are lit and as it is a summer based competition it is proposed that events be conducted in the early to late evening.

### **Insurance**

Basketball NSW has a range of programs to support local basketball associations including come and play forms of competition and ensuing participants are still covered under insurance. The cost for the participants generally range from \$7 to \$10 and this would be for the entire period of the eight week competition and covers insurance for participants.

### **Communication Strategy**

It is proposed that the trial would be promoted through the Macquarie Fields and broader areas via local contacts and youth.

Further promotion would also be undertaken through:

- Macarthur Basketball Association
  - social media and Facebook
  - local high schools
-

**Financial Implications**

To conduct an eight week trial summer basketball competition for juniors (aged 12-17), as outlined in option two, there would be an approximate cost of \$5,000. This cost can be met within the Sport, Recreation and Leisure operating budget.

**Officer's Recommendation**

1. That Council support Option Two to provide a competition for an eight week trial summer basketball competition be undertaken between 7 January 2017 and 25 February 2017.
  2. That Council partner with Macarthur Basketball Association to deliver the trial program.
  3. That Council allocate funds of \$5,000 to trial the program.
  4. That following the trial competition, a further report be provided to Council to inform future programs.
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## **8.18 Hiring of bicycles and helmets at the Bicycle Education Centre**

### **Division**

City Lifestyles

### **Reporting Officer**

Manager Healthy Lifestyles

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### **Attachments**

Nil

### **Purpose**

To advise Council on the feasibility of hiring bicycles and helmets at the Bicycle Education Centre (BEC) for use by the community within the Centre on community open days in response to Council's resolution of 19 April 2016.

### **History**

Council at its meeting held 19 April 2016 resolved that a report be presented investigating the feasibility of hiring out bicycles and helmets to people attending Council's BEC.

### **Report**

#### **Background**

The BEC was officially opened in 1990 and is located at the end of King Street, Campbelltown. The BEC is an enclosed facility and was established as a health promotion partnership to respond to the projected growth of the Campbelltown Local Government Area (LGA) in particular, the growth in the number of young children as part of that population. The Centre was constructed to provide a skill course, education program and a replicated road environment for children and adults to ride their bicycles.

The BEC provides the following services and programs that are booked in advance as well as providing open days each Sunday. These are set below:

- Educational Programs for preschool, primary, secondary schools and for children/adults with special needs. Through this program, bikes and helmets are provided to participants
  - Learn to Ride program is suitable for all ages and abilities, children and adults. This program provides a safe riding environment under the tuition of centre staff, where bikes and helmets are also provided
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## 8.18 Hiring Of Bicycles And Helmets At The Bicycle Education Centre

- Private Hire is also available with allocated times for use. Council does not hire bikes and helmets for private use
- 100 free open days for the community each year, these occur each Sunday and during school holiday periods. Historically, Council does not hire bikes and helmets for open days.

During the 2015-2016 financial year:

- 9800 visitors attended the BEC during open days
- 180 private hire bookings (approximately four per weekend) with up to 7200 visitors
- 100 school groups (maximum 50 students per group) participated in our school education programs
- 80 participants in our Learn to Ride program.

The BEC has approximately 99 bicycles as well as helmets that are used during school education and Learn to Ride programs. Twice a year a stocktake is conducted on all the bicycles and helmets at the BEC. On average ten bicycles and helmets are replaced annually due to high usage, this cost is funded through the Community and Road Safety Education Scheme (C.A.R.E.S) provided by the Roads and Maritime Services where Council receives a \$3000 grant. In addition, Council meets the cost of the purchase of spare parts to repair the bicycles when needed.

### Models provided by other LGAs

Council Officers investigated options for bicycle hire services through private organisations and local government. These are set out in a table below:

Organisation	Program	Cost	Comment
Western Sydney Cycling Network (this is an external provider, however Fairfield City Council pay for the utilities used at the clubhouse)	Hiring of a bike and helmet. However customers are able to keep the helmet after paying this fee.	\$10 bike hire \$25 to purchase helmet	These fees are used to repair and service bikes which are used for hire. This provider has a cash only policy. The bike hirer is asked to leave their licence details as security for the bike. This is an open cycle way.
Sydney Bike Tours	Hiring of bikes	1hr - \$12 2hrs - \$18 Full day hire - \$24	This is an open cycle way.
Sydney Olympic Park	Hiring of bikes	1hr - \$10 2hrs - \$15 Full day hire - \$45	This is an open cycle way.
Randwick City Council	Heffron Pedal Park	N/A	Do not provide bike hire. This is a public park.
Cumberland Council	Holroyd Garden Centre	Admission fee to garden centre	Do not provide bike hire. This is a public park.

## 8.18 Hiring Of Bicycles And Helmets At The Bicycle Education Centre

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St Peters CARES program (part of City of Sydney Council)	Utilise City of Sydney's Centennial Bike Park which is conducted by Police - Bike program (education and learn to ride).	Bike hire is available by the external provider - Centennial Park Cycles	This is an open space park utilised by public.
Central Coast CARES	Bike program (education and learn to ride) conducted by Police.	\$4 per person	Enclosed facility. Not open to the public. Only school groups are able to use facility Monday to Thursday.

Council is able to provide bicycles in its pre-booked programs, as these payments and bookings are made at the main Council Administration building. Staff have advanced notice of the number within the program and group to check that all bicycles are fit for purpose and are the right size and style relevant to the user's skill and ability level.

Further to the above investigations, it was identified that it would cost Council approximately \$15,920 for the purchase of additional bikes, staff wages and maintenance fees. At present the technology available at the BEC is not sufficient to facilitate bookings and payments at the centre if customers were to arrive requesting hire.

Council Officers have received one enquiry to hire bicycles at the BEC for open days in the last seven years. At present demand does not support the case to extend the operation of the centre to provide bicycles and helmets for hire.

If in the future, this demand changes, a business case will be developed and submitted to Council for consideration.

### Officer's Recommendation

That Council maintain the current systems for Open Days where customers bring their own Bicycles and Helmets.

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## **8.19 Draft - The State of Play, Strategic Planning and Management of Playspaces in the City of Campbelltown 2016-2036**

### **Division**

City Lifestyles

### **Reporting Officer**

Executive Manager Sport, Recreation and Leisure

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### **Attachments**

Draft - The State of Play: Strategic Planning and management of Playspaces in the City of Campbelltown 2016-2036 (distributed under separate cover due to size of the document)

### **Purpose**

To seek Council's endorsement of the draft State of Play, Strategic Planning and Management of Playspaces in the City of Campbelltown for public exhibition from 9 January - 17 February 2017.

### **History**

In October 2015 Council commissioned Oneighty Sport and Leisure Solutions to produce a Playspace Strategy.

On 31 May 2016 the consultant presented to Council on The State of Play, Strategic Planning and Management of Playspaces in the City of Campbelltown 2016-2036.

A further briefing was provided to Council on 29 November 2016, following the September local government election, to brief Council on the final draft prior to seeking endorsement for exhibition. This is referred to as the Draft Playspace Strategy within this report.

### **Report**

#### **Overview**

Campbelltown Local Government Area (LGA) owns and manages over 300 parks and reserves which provide a range of opportunities for active and passive recreation.

The estimated population of the Campbelltown LGA is approximately 160,000 and is expected to grow rapidly over the next 20 years to in the order of 300,000 primarily as a result of greenfield and urban renewal projects, such as the Glenfield to Macarthur Urban Renewal Corridor.

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Of the 300 plus parks and reserves, 95 contain playground equipment representing, almost one third of the parks and reserves.

At a time of unprecedented growth it was acknowledged that a strategy for the provision of playspaces was required to assist Council in its future planning and decision making to meet the needs of the community.

Council called for public tenders, where Oneighty Sport and Leisure Solutions was the successful company to develop a strategy and schedule of works for playspaces in the LGA.

### **Purpose**

The Draft Playspace Strategy provides:

- an understanding of the benefits and type of play
- details on the current distribution of playspaces and the nature of these
- a framework on which to plan and respond
- recommendations and strategies based on the framework.

The draft strategy has been developed based on research and analysis of current Playspaces and their distribution and responds to the outcomes of community consultation in the development of the draft strategy.

### **Benefits and types of play**

Research shows that play has many benefits for children, families and the wider community as well as improving health and quality of life and suggests that children's access to good play provision can:

- increase their self-awareness, self-esteem, and self-respect
- improve and maintain their physical and mental health
- give them the opportunity to mix with other children
- allow them to increase their confidence through developing new skills
- promote their imagination, independence and creativity
- offer opportunities for children of all abilities and backgrounds to play together
- provide opportunities for developing social skills and learning
- build resilience through risk taking and challenge, problem solving, and dealing with new and novel situations
- provide opportunities to learn about the environment and wider community.

Evidence also supports wider benefits of play to include:

- parents feeling secure knowing their children are happy, safe and enjoying themselves
  - families benefit from healthier, happier children
  - play services are frequently seen as a focal point for communities
  - offers opportunities for social interaction for the wider community and supports the development of a greater sense of community spirit and cohesion
-



- public outside spaces have an important role in the everyday lives of children and young people, especially as a place for meeting friends
- parks and other green spaces are popular with adults taking young children out to play and for older children to spend time together.

Play has a significant impact on the social, physical and mental development of the child. Play theory in general identifies the following three broad categories of play:

- **cognitive play** includes those activities that challenge the intellect of the child and can include games of strategy, exploration, observation or those that use and develop language
- **social play** can be found both by using existing physical equipment and through learning and exploring with friends in the natural environment
- **physical play** is also often referred to as gross motor activity and can include running, hanging, climbing, experiencing height, agility/gymnastic activities, sliding, jumping, balancing, swinging, crawling, bouncing, spinning, rocking, ball games, skipping.

Given the broad categories of play theory, playspaces need to include components that encourage cognitive, social, and physical elements and across the LGA network offer differing play experiences and meet the needs of different users. That is, playspaces can and should, be designed for a number of ages to include:

- **toddlers (ages 1-3):** Simple settings and small scaled and detailed environments with friendly surfaces and a familiar adult close by.
- **juniors (ages 3-6):** The ages from three to six years cover a wide range of development in children.
- **seniors (ages 6-12):** Older children may use play equipment as incidental props in their group games.
- **teenagers (ages 13 +):** Areas for play for teenagers needs to be carefully managed and monitored and in some instances youth recreation requires a separate study to determine the broader needs of this group in general. While it is acknowledged young people will use open space for a number of uses including skateboarding, bike riding, unstructured sport or just hanging out with friends, the location areas needs to be carefully managed to avoid potential conflicts of use with younger children and their carers.
- **adults:** Playspaces need to be designed and developed taking into account the needs of adults in terms of comfort and facilitating opportunities for interaction as well as providing facilities such as adult exercise equipment.
- **accessibility:** An accessible playspace is one without barriers but is commonly associated with children and a range of disabilities. This is not to say that every item of play equipment needs to be designed for wheelchair access, but that consideration should be given to access and inclusion in a number of playspaces across a municipality.

The strategy uses both the PlaySpace Development Model (PSDM) and the Pedshed concept as the basis of analysing current provision and planning for future provision. These two models should provide the basis for Council's considerations in planning for playspace provision.

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The strategy also presents a hierarchy of playspaces contains standards of service. The hierarchy is based on local, neighbourhood, district and regional. Set out below are details of each classification:

### **Current classification and distribution of playspaces**

Classification hierarchy:

The draft Strategy provided a classification hierarchy that responds to the type and nature of playspaces. This is based on four categories as set out below:

1. **Local:** Normally small in size (approx. 0.1–0.2ha) and offering passive and low key recreation opportunities such as seating and landscaping, local playspaces would be small in nature and would target toddlers and/or juniors (0-3 and 3-6 year olds). Equipment would normally include basic swing and slide aspects and minor landscaping.
2. **Neighbourhood:** Targeting a broader demographic catchment and therefore (normally) located on larger parcels of land, neighbourhood playspaces would include equipment for toddlers to seniors and may include assets such as seating, shade bins and picnic tables.
3. **District:** Usually attracting a wider catchment and located on larger parcels of land also used for other activities such as sport or other forms of recreation, these playgrounds offer a wider variety of pay choice from toddler to senior and in some instances youth. District level facilities normally include seating, shading, shelter and end of trip facilities such as water fountains and bicycle racks for example. Accessible playgrounds and playspaces are often considered in district level classifications or higher.
4. **Regional:** These types of facilities attract visitation from outside of a Council's boundary and are generally those places where people tend to stay longer and would therefore require facilities and services such as toilets, water, shelter and shade. The playgrounds themselves often offer a unique aspect or feature which encourages use, whether this be a special feature, larger open spaces, or just the range of play opportunities.

District and regional classification provide for greater diversity of use, especially active recreation associated with extended periods of play. For example, adult exercise/fitness equipment, skate parks and active recreation/multipurpose courts, should predominately be co-located with district and regional playspaces and/or district and regional sports grounds.

The draft Strategy identifies that Campbelltown is well supplied by way of playspaces however, that provision is not equitably distributed to meet the current and future needs.

The draft Strategy identifies the following playspaces, and in accordance with the presented hierarchy recommends the following changes:

### **Current distribution of playspaces and the nature of these**

There are currently 95 playspaces in the City. In the development of the strategy, the type and location of these spaces was analysed, in terms of areas where there may be duplication or gaps in provision. The draft strategy recommends some adjustments of the type and location of these over the next 20 years to meet both current and future needs.

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The draft Strategy recommends a net increase of 18 playspaces within the City.

	Local	Neighbourhood	District	Regional
Current	38	29	17	2
Future	21	46	34	3

To facilitate the equitable distribution and provision of playspaces the draft strategy proposes that seven playspaces be removed and others be re-classified, replaced and enhanced.

Where the draft strategy proposes removal of playspaces, this is only recommended where there is a general oversupply within a short distance, specifically within a 400 metre safe walkable distance, and the neighbouring park is embellished more suitably to increase use and participation. Where this is the case, it is proposed that the upgrade or provision of the new playspace occur prior to the removal and that a comprehensive communication strategy be implemented to ensure the rationale for the changes are clearly communicated. This provides for better distribution and embellishment of playspaces across the City wide network.

### **Fitness zones**

Council has nine adult fitness areas located throughout the city and whilst these have seen resurgence in recent years, their location needs to be carefully considered and where possible linked with strategic open spaces such as district classification due to their unique features.

This assumes that people will tend to travel further to use these pieces of equipment if appropriately designed and offering unique fitness opportunities, but in some instances fitness stations are on lower classifications of land and often as standalone playspaces when they may be better sited on strategic parcels of land.

Council has been approached by a number of residents over the last six months requesting the installation of fitness equipment and fitness zones in their local area. Council has met and continues to meet with these residents to explain how fitness zones fit within the mix of playspaces in the LGA.

### **Budget considerations**

The draft Strategy has recommended costs associated with playground equipment changes and additions. These are estimates only and would be refined as part of specific project planning to take into account other amenities to be provided, such as landscaping, toilets and car park facilities.

### **Developer contributions**

Developers continue to supply play grounds and playspaces in the new urban developments. The latest example is Willowdale Park which opened in November 2016.

The vision and principles, especially in relation to distribution and hierarchy, as outlined in the draft Strategy, will be used as the basis of future discussion with developers to ensure provision is aligned to Council's long term strategy and supports equitable provision of a city wide playspace network.

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## 8.19 Draft - The State Of Play, Strategic Planning And Management Of Playspaces In The City Of Campbelltown 2016-2036

The draft strategy has costed its recommendations as follows:

1-3 years		
Existing	New	Total
\$950,000	\$1,400,000	\$2,350,000
3-5 years		
Existing	New	Total
\$580,000	\$1,400,000	\$1,980,000
5-10 years		
Existing	New	Total
\$320,000	\$550,000	\$870,000
Total		
Existing	New	Total
\$1,850,000	\$3,350,000	\$5,200,000

These costs would need to be considered as part of Council's Delivery Plan and budget, use of developer contributions and actively seeking additional funds externally.

### Community consultation

It is proposed to place the draft Strategy on public exhibition from 9 January to 17 February 2017. The following avenues will be used:

- Council's website and intranet
- email survey to key stakeholder groups
- eNewsletter
- fact sheets
- focus groups with site specific playspaces and neighbourhoods
- local media.

Whilst it is not a usual time to exhibit plans, the school holiday period provides a range of opportunities to target local families through school holiday activities and programs.

### Conclusion

The Draft Playspace Strategy provides recommendations beyond a ten year horizon to improve the distribution and embellishment of the City's playspace network. It provides a framework to Council and residents incorporating playspace theory, hierarchy and considering current and future trends in the way that children and families utilise parks and open space for the purposes of play. Although there are some playspaces identified for change and removal, there is a net increase of eighteen new playspaces with recommendations to increase the number of district and neighbourhood playspaces intended to improve the distribution and quality across the entire LGA.

### Officer's Recommendation

1. That Council endorse the Draft Playspace Strategy: Strategic Planning and Management of Playspaces in the City of Campbelltown 2016-2036 for public exhibition from 9 January to 17 February 2017.
2. That a further report be presented to Council at the conclusion of the exhibition period, to consider any submissions with a view to adopt the strategy.



## **8.20 Draft Meeting Calendar for 2017**

### **Division**

City Governance

### **Reporting Officer**

Manager Governance and Risk

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### **Attachments**

Draft Meeting Calendar for 2017 (contained within this report)

### **Purpose**

To submit for Council's consideration a draft meeting calendar for 2017.

### **Report**

The draft meeting calendar for 2017 proposes that meetings continue to be held on Tuesday evenings with Council meetings being held on the 2nd and 4th Tuesday of each month and briefings on other Tuesdays available within that month. The schedule is as follows:

- 1st Tuesday of the month - Briefing
- 2nd Tuesday of the month - Council meeting
- 3rd Tuesday of the month - Briefing
- 4th Tuesday of the month - Council meeting
- 5th Tuesday of the month – Briefing (if required)

The draft meeting calendar for 2017 provides for the first briefing to be held on Tuesday 31 January and the first Council Meeting to be held on Tuesday 14 February.

Under section 365 of the *Local Government Act 1993*, a council is required to meet at least 10 times each year.

The draft calendar does not provide for a meeting during the week of the Local Government Conference to be held from Sunday 15 October - Tuesday 17 October 2017.

### **Officer's Recommendation**

That the draft meeting calendar for 2017 as outlined in the attachment be adopted.

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## **8.21 Reports and Letters Requested**

### **Division**

City Governance

### **Reporting Officer**

Director City Governance

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### **Attachments**

Status list of reports and letters requested (contained within this report)

### **Report**

Attached for the information of Councillors is a status list of reports and letters requested of Council as at 22 November 2016.

### **Officer's Recommendation**

That the information be noted.

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## ATTACHMENT 1

### Reports Requested as at 22 November 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Lifestyles</b>			
03.06.14 BT 3859092	CS3.5 - That a report be provided examining the feasibility of establishing an artist walk as part of the new street scape in Queen Street, Campbelltown. <b>Comment:</b> To be considered early in the first quarter of 2017 upon the appointment of the Executive Manager Community Life.	CL	March 2017
29.7.14 PL 3934158	CG3.3 - Report identifying alternative methods for managing the hire of Council's sporting fields. <b>Comment:</b> Currently being investigated as part of a broader Council project to review bookings	CL	February 2017
21.06.16 MO 4874926	CS8.1 - That a report be presented investigating opportunities to create arts and cultural activities in the northern part of the Local Government Area. <b>Comment:</b> To be considered early in the first quarter of 2017 upon the appointment of the Executive Manager Community Life.	CL	February 2017
16.08.16 GB 4976615	NM17.3 - That Council prepare a feasibility report into a possible Vivid Lighting Event or similar event during the Fishers Ghost Festival, with a ghost theme, to assist in promoting a night time economy/entertainment for Campbelltown. <b>Comment:</b> To be considered early in the first quarter of 2017 upon the appointment of the Executive Manager Community Life to ensure that the investigation of all options is undertaken prior to presenting to Council for consideration.	ORD (CL)	February 2017
16.08.16 RK 4962373	PE5.2 - That Council be provided with a report outlining how the 200th anniversary of Campbelltown's founding in 1820 will be celebrated.	CL (CG)	February 2017
25.10.16 GB 5074805	ORD10.2 1. That a report be presented investigating the feasibility of turning the dilapidated tennis courts located at Cleopatra Drive, Rosemeadow into multipurpose courts. 2. That a further report be presented investigating the possibility of introducing other multipurpose courts and skate parks in the Local Government Area.	CL	February 2017



*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
08.11.16 M Chivers 5095789	<p>ORD - 11.4</p> <p>That Council officers investigate and report on how to provide a program that could be trialled through Library Services that caters for children on the autism spectrum, which includes but is not limited to:</p> <ul style="list-style-type: none"> <li>a. considering timing options for the program (eg opening a library one hour earlier on a Saturday to run the trial program) as well as how best to promote such a program to targeted audiences</li> <li>b. obtaining advice from experts in programming for children on the autism spectrum on how this can be best delivered (including programs involving therapy dogs and shadow puppet shows) and</li> <li>c. providing a collection of resources for parents and carers of children on the autism spectrum (if Council does not already have same) to supplement such a program.</li> </ul>	CL	February 2017
22.11.16 GB 5116854	<p>ORD - 11.1 - That Council seeks a report on the feasibility of creating a BMX track at the St Helens Park skate park and other sites, taking into consideration using the soil from the civil works creating the car park at that location.</p>	CL	March 2017
22.11.16 PL 5116854	<p>ORD - 11.2</p> <p>That a report be presented to Council investigating financial incentives to encourage sporting teams and other events to utilise Campbelltown Sports Stadium and with the funds to be included in future budgets. The report should address how to build the Region's competitive advantage to host major events at Campbelltown Sports Stadium (CSS) and how this would boost the reputation of the City and its' economy. It should also include and not be limited to:</p> <ul style="list-style-type: none"> <li>i) ways which funds could be used to attract major events</li> <li>ii) benefits to the residents of Campbelltown and the region</li> <li>iii) employment benefits</li> <li>iv) benefits to the local business community</li> <li>v) potential sponsorship with private partners</li> <li>vi) the potential for value capture and revenue generation.</li> </ul>	CL	March 2017
19.04.16 PL 4770731	<p>CG7.1 - Bicycle Education and Road Safety Centre</p> <p>That a report be presented investigating the feasibility of hiring out bicycles and helmets to people attending Council's Bicycle Education and Road Safety Centre.</p> <p><b>Comment:</b> This item is reported as Item 8.18 of this agenda.</p>	CL	
19.04.16 RT 4770735	<p>PE5.2 - Bensley Road Soccer Complex - Macquarie Fields</p> <p>That a report be presented on the current condition of Bensley Road Soccer Complex and any proposed upgrade works including associated costs.</p> <p><b>Comment:</b> This item is reported as Item 8.13 of this agenda.</p>	CL	
16.08.16 GB 4976827	<p>CS8.1 - That a report be presented investigating the feasibility of holding a summer basketball competition (similar to the Midnight Basketball competition) at the new multipurpose courts located at Macquarie Fields.</p> <p><b>Comment:</b> This item is reported as Item 8.17 of this agenda.</p>	CL	

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Delivery</b>			
21.06.16 FB 4851108	CW1.3 - 3. - That following completion of the Floodplain Risk Management Study and Plan, a further report be tabled for Council's consideration.	CD	August 2018
19.07.16 RK 4837880	PE5.4 - That a report be presented updating Council on the potential to provide a south bound on-ramp for the M31, skirting around the edges of Jackson Park.	CD (PE)	April 2017
16.08.16 RK 4977483	PE5.4 - That Council be provided a report identifying the best practical means of securing a second point of access to and from Wedderburn. The report to specifically explore the viability, with the in-principal support of Wollondilly Shire Council, of securing State Government agreement to the re-opening of the fire trail, informally and formerly known as Lysaght Road, as an unsealed local road.	CD (PE)	March 2017
08.11.16 MO 5095792	ORD - 11.1 1. That a report be presented to Council investigating the potential to establish a Georges River Bush Cycle Track from Glenfield to Wedderburn.  2. That this report include:  <ul style="list-style-type: none"> <li>• possible route and various access points</li> <li>• potential and existing sources of funding - Local, State, Federal and Non-Governmental Organisation</li> <li>• estimated initial construction costs and ongoing maintenance costs</li> <li>• suggested time frame and schedule</li> <li>• potential impediments to the development</li> <li>• an assessment of environmental issues.</li> </ul>	CD	April 2017
17.05.16 MO 4816112	CS8.1 - That a report be presented investigating the feasibility of installing shaded seating and BBQ facilities as well as a foam pit at Macquarie Fields Skate Park. <b>Comment:</b> This item is reported as Item 8.14 of this agenda.		

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
<b>City Governance</b>			
18.6.13 PL 3450946	CG3.1 - Further report following expressions of interest on the ground lease in Blaxland road. <b>Comment:</b> Currently addressing Sydney Water regarding Section 73 requirements.	CG	March 2017
14.10.14 RK 4033794	CG2.3 - 4. That a further report will be submitted to Council once a draft VPA/Infrastructure Services Delivery Plan (ISDP) have been finalised which will deal with the compulsory acquisition/land transfer issues concerning the whole of the Claymore Urban Renewal Project. <b>Comment:</b> Still in the process of finalising the VPA/ISDP with Urban Growth.	CG	February 2017
17.05.16 MO 4816113	CS8.2 - That a report be presented investigating the feasibility of providing wi-fi services at all skate parks located within the Local Government Area. <b>Comment:</b> Currently being investigated.	CG	March 2017
25.10.16 GB 5074804	ORD10.3 - That a report be presented to Council on the options into a fairer distribution of rate collection across the Local Government Area due to the significant rate rises especially in the suburbs of Ingleburn, Macquarie Fields and Glenfield as a result of recent Valuer General evaluations.	CG	February 2017



*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Development</b>			
16.7.13 RK 3483315	PE4.1 - Further report to review implementation of the draft Swimming Pool Barrier Inspection Program including the cost and resourcing implications after 12 months of the programs implementation. <b>Comment:</b> Additional time required to assess impact of the implementation of the provisions of the <i>Swimming Pools Act 1992</i> requiring pool owners to obtain a Certificate of Compliance before selling or leasing their property commencing on 29 April 2016. Report to be completed 12 months from this date so a full 12 month period can be assessed.	CDVP (CS)	August 2017
27.10.15 GG 4526199	PE5.2 - That Council's Public Notification Policy, in respect to Development Applications, be reviewed and a report provided back to Council recommending options for a more comprehensive community notification process. <b>Comment:</b> Review of notification requirements being incorporated into further review Amendment No.3 of SCDCP which will require new requirements for green and blue roofs and walls.	CDVP (EP)	March 2017
15.12.15 RK 4607896	PE5.2 - 1. That a full report be presented to Council outlining the cost of a pet giveaway and the likely implications for sales from the Animal Care Facility in the balance of the year. 2. That the report include information about the potential for pets freely given from the Animal Care Facility to be abandoned by virtue of the fact that they were acquired at no cost. <b>Comment:</b> Currently awaiting Executive feedback regarding a need for briefing prior to a Council report.	CDVP (CS)	February 2017
19.04.16 MO 4770730	CS8.1- Old Clinton's development site That a report be presented outlining any action taken by Council with regards to the dead trees on the old Clinton's development site - Queen Street, Campbelltown. <b>Comment:</b> Meeting held with development representatives to discuss financial contribution for street tree damage. Estimate of financial contribution being prepared for further consideration.	CDVP (CS)	February 2017
19.7.16 RK 4937879	PE5.3 - That a report be presented on ways through which Council can encourage or mandate developers of residential apartment buildings in the CBD's to design roof space and/or green walls as either private, open or green space for the occupants or for some other beneficial purpose. <b>Comment:</b> Matter to be incorporated into Amendment No 3 of SCDCP 2015.	CDVP (EP)	March 2017
16.08.16 RK 4971886	NM17.2 - That Council be presented with a report with regard to rezoning a large tract of land at Glen Alpine, used as the Campbelltown Golf Course, from R2 (low density residential) to one that reflects Council's long term intentions to preserve the land as open space. <b>Comment:</b> This report will be a joint City Delivery/City Development Report.	CDVP and CD	March 2017



*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
16.08.16 TR 4977487	PE4.2 1. That Campbelltown City Council work collaboratively with Camden Council to negotiate a shared service agreement for the Campbelltown Animal Care Facility to house, care for and rehome Camden Council's impounded cats and dogs. 2. That the terms of any shared service agreement be negotiated on the basis that it does not financially disadvantage Campbelltown City Council. 3. That authority be delegated to the General Manager to finalise the terms and conditions of a satisfactory shared service agreement as referred to in recommendation 1 above. 4. That Council's prior resolution of 21 April 2015, relating to the invitation and consideration of tenders for the future operation of the Animal Care Facility be stayed and revisited by way of a further report to Council following completion of shared service agreement negotiations with Camden Council. 5. That a full report be presented to the November/December meeting of Council with the details of the following points: a) any refurbishments made to the Animal Care Facility to accommodate the relocation of Camden's animals including any costs. b) update the 2015 Therian report including costs, to bring the Animal Care Facility up to a standard that will accommodate all future impounding requirements including any associated issues that may impact on Council. c) write to appropriate Minister asking for a time frame as to when the draft Companion Animals Act will be considered for legislation. <b>Comment:</b> Report to incorporate ten year capital upgrade plan.	CDVP	February 2017
25.10.16 GB 5074806	ORD10.1 - That an urgent report be presented investigating all possible avenues of appealing the recent zoning approval by the Joint Regional Planning Panel for a 136,000 plot cemetery within the Scenic Hills. <b>Comment:</b> Legal advice currently being obtained.	CDVP	February 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
08.11.16 GG 5095788	<p>ORD - 11.5</p> <ol style="list-style-type: none"> <li>1. That a report and a briefing be presented to Council detailing the cost associated with establishing and running a Design Excellence Panel (DEP) to encourage high quality urban design within the Campbelltown Local Government Area (LGA) including any honorariums, and the feasibility of any other options to ensure the best practice function of the panel.</li> <li>2. That the report consider establishing a panel to provide an independent and transparent specialist peer review of major urban development and high density dwellings within the Local Government Area based on the following criteria:               <ol style="list-style-type: none"> <li>a. The Design Excellence Panel be comprised of five members consisting of, four professionals and one community representative, with membership open to:                   <ul style="list-style-type: none"> <li>o well-known and respected professionals who are involved in the design of major projects and have extensive expertise in areas of architecture, urban design and/or landscape architecture; and</li> <li>o a community representative with a demonstrated understanding and experience in architecture, urban design, landscape architecture or a related field.</li> <li>o to ensure the panel's independence, a panel member cannot be a Councillor or council employee.</li> </ul> </li> <li>b. Expert members must not live or do business in the council area in a related field. Community representatives must live in the area, but not do business in the Campbelltown area in a related field.</li> <li>c. That the panel members' tenure should be limited to two years with an optional extension for another two years.</li> <li>d. That a selection committee be established to undertake the selection of panellists. The selection committee should include the Mayor or his/her Councillor, representative and one other Councillor. Two senior staff members and two distinguished independent people with knowledge of the development assessment system. All members of the selection committee to be approved by a council resolution.</li> <li>e. That the appropriate Policy and Procedure and Code of Conduct be developed in line with ICAC recommendations to ensure the panel demonstrate the highest ethical standards in the exercise of their duties and responsibilities, maintain the integrity of the panel and to provide for fair and transparent dealings in making decisions.</li> </ol> </li> </ol> <p><b>Comment:</b> Required information currently being investigated.</p>	CDVP	March 2017



*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
08.11.16 GG 5095787	<p>ORD - 11.6</p> <ol style="list-style-type: none"> <li>1. That a report and briefing be presented to Council detailing the cost associated with the establishing and running an Independent Hearing and Assessment Panel (IHAP) including any honorariums, and the feasibility of any other options to ensure the best practice function of the panel.</li> <li>2. That based on the following points, the report also consider the establishing of a IHAP to provide an independent and transparent specialist peer review of the officers' assessment and recommendations to the Council/Councillors on development applications within the Local Government Area that are significant in size or complexity or have unresolved objections.               <ol style="list-style-type: none"> <li>a. A IHAP consisting of five members including the chair of the design panel, two professional members and one community member.</li> <li>b. The chairperson should be a renowned expert in one of the specialist fields or with experience in the Land and Environment Court</li> <li>c. A pool of panel members of at least ten independent experts and four community members should be established to enable random selection</li> <li>d. The pool should include experts in the fields of planning, design, law and environmental science, traffic/engineering, heritage, land economics and social planning</li> <li>e. To ensure the panel's independence and transparency, a panel member cannot be a Councillor or council employee</li> <li>f. That an expert members must not live or do business in the council area in a related field. Community representatives must live in the area, but not do business in the Campbelltown area in a related field</li> <li>g. That the panel members' tenure should be limited to two years with an optional extension for another two years</li> <li>h. That a selection committee be established to undertake the selection of panellists. The selection committee should include the Mayor or his/her Councillor representative, and one other Councillor, two senior staff members and two distinguished independent people with knowledge of the development assessment system. All members of the selection committee to be approved by a council resolution</li> <li>i. That the appropriate Policy and Procedure and Code of Conduct be developed in line with ICAC recommendations to ensure the panel demonstrate the highest ethical standards in the exercise of their duties and responsibilities, maintain the integrity and transparency of the panel and to provide for fair dealings in making decisions.</li> </ol> </li> </ol> <p><b>Comment:</b> Required information currently being investigated.</p>	CDVP	March 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
13.12.11 BT 3421776	2.4PE - Further Report detailing the outcome of all submissions received as a result of the public exhibition of all Menangle Park documentation. <b>Comment:</b> This item is reported as Item 8.1 of this agenda.	CDVP (EP)	
22.03.16 GG 4725155	PE2.4 - Planning Proposal - Rezoning of the Glenfield Waste Site 3. That a further report be submitted to Council on the outcome of the public consultation. <b>Comment:</b> This item is reported as Item 8.2 of this agenda.	CDVP (EP)	
19.7.16 MO 4937877	PE5.1 - That a report be presented on the condition of the Bardia Heritage Precinct and the developer's plans for its maintenance and enhancement. <b>Comment:</b> This item is reported as Item 8.6 of this agenda.	CDVP (EP)	



*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Growth and Economy</b>			
29.7.14 PL 3934241	CW5.1 - detailed report on the Leumeah Sports Precinct by the Strategic Planner for a new 40,000 seat sporting/entertainment complex with parking facilities to include both the eastern and western side of the railway line. <b>Comment:</b> scoping investigations proceeding under direction of the General Manager. Government Policy - Stadia Strategy under assessment. Review of Policies - Campbelltown Sports Stadium Precinct Draft Options Report under review.	CGE	March 2017
29.7.14 GG 3939939	PE5.3 - Report investigating possible further partnerships with University Western Sydney, Campbelltown and Campbelltown TAFE. <b>Comment:</b> Briefing to Council to be held on the Draft MOU with a presentation by TAFE Senior Staff. Then to be reported to Council for endorsement and action.	CGE	February 2017
17.02.15 GG 4189107	PE3.3 - 3. That a future report be presented to the Council which investigates options and identifies practical limits for a core Campbelltown CBD precinct, for the purposes of permanently varying the commercial parking rates within that precinct. <b>Comment:</b> Campbelltown CBD Parking nearing finalisation by Consultants in conjunction with CBD Traffic Strategy and Campbelltown Information Project.	CGE	March 2017
24.04.15 GG 4275787	PE2.6 - The Council receive a further report on a proposal to establish a Business Advisory Board following further consultation with the Campbelltown and Ingleburn Chambers of Commerce. <b>Comment:</b> Continues to be under investigation.	CGE	December 2016
16.08.16 RK 4971886	PE5.3 - That Council be provided a report outlining what Campbelltown City Council, independently or in partnership with State and/or Federal Government, can/should do to provide incentives for businesses to establish in our City and create local employment opportunities for our residents. <b>Comment:</b> The South West Business Enterprise Centre (SWBEC) have made informal contact with a number of business owners in the Local Government Area, to discuss the idea of the small business reference group to garner their interest with the view to formalise and organise the initial meeting in the first quarter of 2017.	CGE	February 2017

## Letters Requested as at 22 November 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
City Lifestyles			
*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
City Delivery			
25.10.16 FB 5074828	<p>ORD - 6.5</p> <p>1. That Council write a further letter to the Minister for Emergency Services outlining the Government's announcement of the review of the NSW Fire Certification and request the reinstatement of the 37 metre Bronto fire service equipment in Campbelltown until such time as the review is completed.</p> <p>2. That a copy of this letter be sent to all local Members of Parliament.</p>	CD	Letters sent 31 October 2016
25.10.16 GG 5074798	ORD - 10.4 - That Council write to the Member of Campbelltown Mr Greg Warren thanking him for his prompt representation to the Minister for Transport regarding the provision of bus services along Blaxland Road.	CD	Letters sent 31.10.16
08.11.16 M Chowdhury 5095791	ORD - 11.2 - That Council writes to Transport for NSW to provide extensions to the shelter structures for both taxi drivers and passengers at Ingleburn Station and Minto Station to accommodate for increased passenger numbers.	CD	November 2016
08.11.16 M Chowdhury 5095790	<p>ORD - 11.3 - That Council conduct a traffic study at the intersection of Minto Road and Ohlfsen Road, Minto, and on completion, if the need is identified, write to the Roads and Maritime Services requesting alternate traffic safety measures such as a roundabout or similar traffic safety measure.</p> <p><b>Comment:</b> Council has spoken to the RMS who have undertaken some traffic counts for this location. Council will use this data to undertake a feasibility study for the provision of a roundabout.</p>	CD	December 2016

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
<b>City Governance</b>			
22.11.16 GG 5095791	ORD - 11.3 - That Council write to the Member for Campbelltown, Mr Greg Warren MP, thanking him for his representations for the people of Campbelltown including issues of education.	CD	November 2016
*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Development</b>			
*Date of Decision *Mover *DocSet	Item/Comments	Div.Resp	Comp Date
<b>City Growth and Economy</b>			

## **8.22 External Audit of Financial Statements**

### **Division**

City Governance

### **Reporting Officer**

Executive Manager Corporate Services and Governance

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### **Attachments**

Letter received from Audit Office of New South Wales (contained within this report)

### **Purpose**

To provide a report advising Council of the new financial statements audit arrangements.

### **Report**

In October 2015, the Independent Pricing and Regulatory Tribunal (IPART) released its Local Government Assessment of Councils Fit for the Future (FFTF) Proposals Final Report.

The report set out the assessment of whether local councils are fit or not fit based on the individual proposals submitted as well as outlining a number of key sector wide reforms to be implemented.

The NSW Government has identified one of these reforms would be the placement of council audits under the auspice of the Auditor-General of NSW (Auditor-General) on the basis that strengthening the audit requirements for local government will assist to identify trends and opportunities for improvement. It was also noted that in giving the Auditor-General responsibility for the audit of councils' financial statements, it will improve quality, consistency, timeliness and the provision of reliable data across the sector that can be used for sustainability assessments and benchmarking.

The *Local Government Amendment (Governance and Planning) Act 2016* was assented on 30 August 2016. Under the amendments councils are subject to oversight by the Auditor-General for general audits from this financial year. This is a major reform that brings New South Wales into line with most Australian jurisdictions.

The Auditor-General will be free to engage private sector auditors to assist with these new responsibilities however the Auditor-General has indicated a transitioning with care approach whereby a small number of audits of selected councils will be conducted in house.

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Campbelltown City Council has been assessed and selected as an in house audit commencing 2016-2017 based on a number of factors including size, complexity and a recommendation from the Office of Local Government. The Auditor-General has indicated that Campbelltown City Council has been identified as a benchmark Council to commence the new audit regime with.

The Auditor-General also has scope to conduct performance audits for various activities of Council which determine whether these activities are being carried out effectively, efficiently and economically and in compliance with relevant legislation.

The Auditor-General has not at this stage provided definitive pricing for the conduct of Councils audits, however review of their pricing framework indicates that the audit fee will substantially increase from our current audit fee with Intentus Chartered Accountants. The pricing will be determined by the Auditor-General as the audit resource base grows and assessments are made on risk and audit approach, having consideration of benchmarking, based on audits of similar characteristics such as size and complexity.

It should also be noted that the existing audit contract is now effectively null and void with no liability for Council to pay any balance or compensation under the current audit contract.

The Auditor-General will be conducting information workshops with councils in the coming months. Council will also liaise with the Auditor-General to determine our audit schedule, 1st and 2nd interim and final audits as soon as practicable.

### **Officer's Recommendation**

1. That the information be noted.
  2. That Council write to its existing contractor, Intentus Chartered Accountants advising them on the new audit arrangements.
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## ATTACHMENT 1



Mrs Lindy Deitz  
General Manager  
Campbelltown City Council  
PO Box 57,  
CAMPBELLTOWN NSW 2560

Contact: Peter Coulogeorgiou  
Phone no: (02) 9275 7460  
Our ref: D1631900

Via email: [Council@campbelltown.nsw.gov.au](mailto:Council@campbelltown.nsw.gov.au)

17 November 2016

Dear Mrs Deitz

### Changes to Audit Arrangements

#### Campbelltown City Council

The purpose of this letter is to inform you of my decision to bring in-house the annual financial audit of Campbelltown City Council from 2016-17.

Your council is one of 12 councils we will audit in-house in 2016-17, with the remaining councils audited by an accredited audit firms under my oversight. As previously communicated to all councils, my decision to audit a small number of councils in-house is our way of quickly gaining a practical understanding of the sector. In determining the council audits to bring in-house, we also considered a number of factors including:

- council feedback on my letter dated 7 October 2016 regarding current audit arrangements
- our preliminary assessment of the complexity of council operations and risk
- our aim of having a mix of metropolitan and regional in-house audits.

We will contact you shortly to arrange an introductory planning meeting, as well as discuss our audit approach to ensure a seamless transition from your existing auditor.

Following our initial planning meeting and other preliminary audit procedures, we will send you a draft annual audit plan by no later than 28 February 2017. This plan will contain detailed information on our audit approach, key issues for the 2016-17 audit, the proposed audit timetable and our audit fee.

If you would like to discuss the new audit arrangements, please call me on 9275 7108 or Peter Coulogeorgiou on 9275 7460 or by email at [peter.coulogeorgiou@audit.nsw.gov.au](mailto:peter.coulogeorgiou@audit.nsw.gov.au). I look forward to working collaboratively with your council and to building a strong relationship.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Margaret Crawford  
Auditor-General of NSW

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## **8.23 Delegation of Authority - Christmas/New Year Recess**

### **Division**

City Governance

### **Reporting Officer**

Director City Governance

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### **Attachments**

Nil

### **Purpose**

To seek Delegated Authority for the Mayor and General Manager or their nominees to conduct urgent business of Council during the Christmas/New Year recess of Council.

### **Report**

The *Local Government Act 1993* (the Act) allows Council to delegate functions and, in addition, authority is also provided to the Mayor, under section 226 of the Act, to exercise functions between meetings.

Council will be in recess from 14 December 2016 until Tuesday 14 February 2017 (the recess period). During the recess period, it may be necessary to determine development applications and other urgent matters requiring a decision that may not fall within the delegations granted to staff, for example, development applications of a contentious nature or where objections have been received.

It is Council's normal practice to delegate authority to the Mayor and General Manager or their nominees during the recess period to approve development applications and matters of a critical nature. In this way, authority is provided to exercise the development approval function and allow Council to fulfil its statutory obligations between meetings.

This delegation would only be exercised in matters of urgency. In the event of an issue of significant magnitude and impact arising, an extraordinary Council Meeting will be convened.

A report outlining any exercise of this delegation will be provided to the Ordinary Council Meeting of 14 February 2017.

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It is recommended that the Mayor and General Manager or their nominees be delegated authority to conduct urgent business of Council during the recess period from 14 December 2016 to 14 February 2017.

### **Officer's Recommendation**

1. That Council delegate authority to the Mayor and General Manager or their nominees of development applications and cases of necessity, during the period 14 December 2016 to 14 February 2017 as provided under sections 226 and 377 of the *Local Government Act 1993*.
  2. That Council be informed as to the use of the Mayor and Deputy Mayor's delegated authority during the period 14 December 2016 to 14 February 2017 by report to the Ordinary Council Meeting of 14 February 2017.
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## **8.24 Community Engagement Policy**

### **Division**

City Growth and Economy

### **Reporting Officer**

Executive Manager City Growth and Strategy

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### **Attachments**

Community Engagement Policy

### **Purpose**

To submit a proposed policy on Community Engagement to Council for adoption, that outlines Council's commitment to working alongside communities. It will set out how and when communities will be engaged. This document will be critical in establishing clear community expectations about levels of influence and extent of engagement according to the nature of and degree of impact of any policy or proposal that Council is seeking to bring to the community's attention.

### **History**

Council at its meeting held 10 December 2013, resolved:

That Council develops and implements a philosophical approach and commitment to community engagement, describing, documenting and promoting best practice in community engagement, reviewing and/or developing a Community Consultation Policy, Community Participation Policy, Community Engagement Policy and a Statement of Commitment which is reflected in the Vision and Values of this Council.

### **Report**

The abovementioned policy has been developed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

A working group was established to progress this resolution. After investigating several options and benchmarking against other councils it was decided to develop a Community Engagement Policy, supported by an internal Community Engagement Framework (based on project management methodologies) underpinned by a Community Engagement Toolkit.

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In September 2015 Elton consulting was tasked with developing a high order engagement policy that outlines Council's commitment to working alongside communities. It will set out how and when communities will be engaged. This document will be critical in establishing clear community expectations about levels of influence and extent of engagement according to degree of impact of any policy or proposal.

A practical easy to use engagement framework and toolkit that is aligned with council's project management systems was also established, and will:

- clearly delineate between legislative requirements for engagement and what is good to do
- identify requirements for developing an engagement plan
- enable project leaders to assess the timing and extent of engagement required and how this may be practically delivered
- define criteria for where either targeted or broader engagement approaches should be deployed
- provide an evaluation framework to determine the effectiveness of engagement and drive continuous improvement and learning
- provide a template for a standard engagement plan
- provide a description of frequently used techniques and an assessment of their relative strengths and weaknesses and examples of when they may be best used
- provide tips for how to access hard to reach groups and groups with particular needs
- identify resource requirements for various types of engagement
- provide suggestions for how to evaluate the effectiveness of council's engagement.

The roll out and implementation of this policy across the organisation will commence immediately upon adoption.

### **Officer's Recommendation**

1. That the Community Engagement Policy as attached to this report be adopted.
  2. That the Policy review date be set at 30 November 2019.
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## ATTACHMENT 1

 <b>POLICY</b>	
Policy Title	Community Engagement Policy
Related Documentation	Community Strategic Plan 2013-2017 Media Policy Social Media Authorised Statement
Relevant Legislation	<i>Local Government Act 1993</i> <i>AA1000 Stakeholder Engagement Standard 2015</i> <i>Quality Assurance Standard for Community and Stakeholder Engagement – International Association for Public Participation Australasia</i>
Responsible Officer	Coordinator Corporate Strategy and Reporting

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

### Objectives

1. To build trust and foster positive relationships between Campbelltown City Council and the community and other stakeholders.
2. To enable community members to understand and, where appropriate, provide input to planning and decision making on Council's projects, services and initiatives.
3. To enable more efficient delivery of Council projects, services and initiatives based on a clearer understanding of community needs, interests and expectations.
4. To provide a consistent framework for community engagement across Council.
5. To enable engagement activities to be delivered as effectively as possible.

### Policy Statement

This Policy demonstrates Campbelltown City Council's commitment to community engagement and provides a clear and consistent framework for undertaking engagement.

The Policy provides guidance to Council staff undertaking engagement associated with a wide range of projects and activities. It supports staff to actively seek out and take into account community views as part of the planning and delivery of projects, services and activities.

Effective community engagement:

- informs decision making
- drives better community outcomes by providing insight into people's aspirations and priorities
- increases community understanding of Council's role and the rationale behind decisions
- establishes Council as an engaging and responsive organisation
- drives overall community satisfaction
- enables the creation of effective partnerships with the community and other key stakeholders.

Campbelltown City Council's approach focuses on three main purposes of community engagement:

**Inform:** One-way communication providing balanced and objective information to promote understanding about something that is going to happen or has already happened. This typically occurs throughout a project and after a decision has been made.

**Consult:** Two-way communication designed to obtain public feedback about ideas, alternatives and proposals to help inform decision making

**Involve:** Two way communication to ensure that concerns and aspirations are consistently understood and considered.

**Collaborate:** Two-way participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision making.

**Empower:** Placing final decision making in the hands of the public.

All engagement processes will need to inform, many will include consultation and some will involve active participation.

Council also recognises four levels of engagement, based on the scale and likely impact of the proposed project or activity:

- **Level 1:** Low impact, local projects
- **Level 2:** Low impact, city-wide projects
- **Level 3:** High impact, local projects
- **Level 4:** High impact, city-wide projects.

Council will plan and deliver activities targeted to the engagement purpose and level and in accordance with the principles set out below.

#### **Scope**

This Policy applies throughout the Campbelltown local government area. All staff, contractors and consultants are responsible for adhering to this Policy.

#### **Legislative Context**

The services and projects undertaken by councils in NSW are subject to a wide range of legislation, some of which has implications for community engagement. The following legislation has particular engagement requirements:

- *Local Government Act 1993*
- *NSW Environmental Planning and Assessment Act 1979.*

In undertaking community engagement, staff should also ensure they comply with service and project-specific requirements set in relevant legislation and policy.

This policy ensures that council's community and stakeholder engagement practises are in line with the:

- *Quality Assurance Standard For Community and Stakeholder Engagement – International Association for Public Participation Australasia (IAP<sup>2</sup>)*
- *AA1000 Stakeholder Engagement Standard 2015.*

#### **Principles**

The following principles will guide Council in the planning and delivery of all engagement activities:

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- **Proactive:** Council anticipates and acts on community needs for information and involvement from the beginning of a project.
- **Accessible:** Council's engagement materials and activities are easy to understand, find and participate in.
- **Timely:** Council prepares early to ensure it engages in the right way, at the right time, with the right people.
- **Consistent:** Council's approach to community engagement consistently reflects the scale and likely impact of the project.
- **Realistic:** Council sets realistic expectations about the purpose of engagement and communicates this clearly.
- **Evidence-based:** Council understands and uses the engagement approaches that work best for the community and stakeholders.

#### **Responsibility**

All staff are responsible for complying with this Policy. All managers are responsible for informing their staff about this Policy. The Business Review and Improvement Officer is responsible for monitoring this Policy.

#### **Effectiveness of this Policy**

Council will monitor and evaluate its community engagement activities through a wide variety of methods, including:

- monitoring participation in engagement events and activities
- analysing submissions
- seeking feedback from participants.

This Policy will be reviewed at least every three years, based on the outcomes of ongoing monitoring and evaluation.

### **END OF POLICY STATEMENT**

## **8.25 Western Sydney Airport - Final Environmental Impact Statement**

### **Division**

City Growth and Economy

### **Reporting Officer**

Executive Manager City Growth and Strategy

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### **Attachments**

1. Previous Report to Council - dated 15 December 2015 – Western Sydney Airport (WSA) EIS – Peer Review and Submission (contained within this report)
2. Council's Submission on the Draft EIS - dated 18 December 2015 (contained within this report).
3. Letter from the Australian Government's Department of Infrastructure and Regional Development (DIRD) regarding the release of the final Environmental Impact Statement (EIS) for the proposed Western Sydney Airport - dated 15 September 2016 (contained within this report)
4. Minister for Environment and Energy's Conditions for the Stage 1 Development of a Western Sydney Airport - dated 11 November 2016 (contained within this report)
5. Extract from An Airport for Western Sydney Building Western Sydney's Future – Next Steps - dated September 2016 (contained within this report)

### **Purpose**

- To advise Council about the progress of the Western Sydney Airport (WSA) project including the release of the final EIS
- To provide an overview of issues raised in submissions and particularly how they relate to those raised in Council's submission
- To advise Council of the next steps in the process.

### **History**

On 15 April 2014, the Australian Government confirmed that Badgery's Creek would be the site for the Western Sydney Airport (WSA). Council has had an on-going interest in this matter and on 9 December 2014 resolved in part:

That Council call upon the Federal Government to ensure that planning for the new Badgery's Creek Airport proceeds on the basis that it will maintain, as a minimum, a quality of life enjoyed by those who live and work near, or under the flight paths to, Sydney Kingsford Smith Airport – notably in respect to hours of operation.

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Council also participated in a peer review process of the draft EIS and made its own submission to the public exhibition held in late 2015. The main issues raised in Council's submission are summarised briefly as follows:

**Objection:**

- to the intention to operate the WSA without curfew arrangements and without knowing the scale, nature and extent of any mitigating arrangements.

**Potential benefits:**

- substantial infrastructure investment
- potential to drive the long-term economic and social development of Western and South Western Sydney
- major influence on urban planning and regional development.

**Concerns:**

- the degree of uncertainty about the airport and its operations
- noise generation and impacts on liveability and amenity
- traffic and transport – both road and rail
- air quality and greenhouse gases
- environmental impacts
- cumulative impacts and flow-on effects.

The previous report to Council on the Draft EIS and Council's submission are provided at attachments 1 and 2 respectively.

## **Report**

### **Introduction**

The WSA is a major infrastructure investment that will shape the future of Western and South Western Sydney. It will cater for ongoing growth in demand for air travel, particularly in Western Sydney, and service both domestic and international markets. It will also provide additional aviation capacity in the broader Sydney region. The airport is also likely to provide long term economic and employment opportunities and accelerate the provision of critical infrastructure and urban development. Depending on the final determination of details regarding the operation and management of the airport, it could also result in a variety of impacts, with some being more favourable than others.

The first stage of the proposed WSA is planned to be operational by the mid-2020s, with further stages developed in line with ongoing growth in aviation demand.

On 15 September 2016, Council received correspondence from the Australian Department of Infrastructure and Regional Development (DIRD) advising that the EIS - a comprehensive assessment of Stage 1 of the proposed development - has been finalised, inclusive of a submissions report. A copy of this letter is provided at attachment 3.

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## **Submissions to the Draft EIS**

Almost 5000 submissions were received to the public exhibition of the Draft EIS and Draft Airport Plan. Submissions originating from persons, groups and organisations within the Campbelltown Local Government Area have been categorised as numbering between 1 and 10. Matters raised in the submissions have been consolidated into 48 core issues. The issues that are relevant to those raised by Council in its submission are discussed in the following section of this report.

### **Matters Raised in Campbelltown City Council's Submission**

As outlined earlier in this report, Council's submission raised a variety of issues. Each of these issues is discussed below, together with commentary on how they have been considered. It is important to note that the actual submissions received will not be made public and that the Submissions Report does not identify the specific source of particular issues and comments.

#### **1. General, qualified support for the WSA**

Council's submission provides qualified support for the proposed airport and a balanced view outlining both the considered benefits and the potential negative impacts, particularly if there is no curfew. Chapter 5 of the Submissions Report states that a broad range of submissions provided support for the proposed WSA and its location at Badgery's Creek. A range of reasons for support are listed in the report, including that the WSA would:

- be a major catalyst for economic and employment growth in Western Sydney, the Sydney Metropolitan Region and wider NSW, and
- bring significant social, economic and tourism benefits for the Western Sydney region and beyond it, including areas like the Illawarra and the Blue Mountains.

These points are consistent with those made in Council's submission.

The Submissions Report also acknowledges that Some Western Sydney councils provided qualified support for the airport. These submissions questioned elements of the operations of the WSA (such as no curfew) and sought more information and assurances about transport connections to major centres, and the assessment processes for the final flight paths.

As a result of the submissions on the above matters, DIRD have indicated that the EIS has been updated to explore the appropriateness of high speed rail as a viable alternative to the development of a new airport.

#### **2. Degree of uncertainty especially regarding impacts of the WSA**

Chapter 2 of the Submissions Report acknowledges that some submissions commented that the indicative nature of the airport site layout created uncertainty about potential impacts, while Chapter 10 indicates that the issue of the flight paths being indicative was raised 3301 times in the submissions received. Council's submission is consistent with these views, in that it specifically raises concern about the uncertainty surrounding the airport's layout and flight paths and associated over-flight noise disturbances.

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Council's submission sought confirmation from the Federal Government and the DIRD that the flight paths presented in the Draft EIS (as publicly exhibited) will be implemented for Stage 1 and that the airport approval be conditioned accordingly. There is no clear indication in the final EIS or the Submissions Report that Council's request has been actioned.

As a result of the submissions received, Chapter 7 of the EIS has been updated to include a detailed explanation of the future airspace and flight path design process. This process will identify and authorise final air traffic management arrangements for implementation and will commence after determination of the Airport Plan. At the time of writing, the final WSA Airport Plan has not been determined by the Infrastructure Minister. Therefore, uncertainty remains about the exact operations of the airport, including its layout and final flight paths.

### **3. No curfew**

Chapter 10 of the Submissions Report states that the WSA airport's proposed hours of operation was raised 1700 times via the submissions received, with conflicting opinions on whether the proposed airport should have 24-hour operations or a curfew. A number of submissions, including Council's submission, did not support the airport operating without a curfew in place. Submitters were concerned that noise generated by planes operating 24 hours a day would adversely impact human health and social amenity, primarily through sleep disturbance. Local councils in particular, requested further detailed discussion and justification in the final EIS of the need for 24-hour operations. The Submissions Report acknowledged that on equity grounds, it had been suggested that the curfew restrictions placed on Sydney Airport should also be applied to the Western Sydney Airport – a point specifically raised in Council's submission. Additionally, some submissions raised concern about the absence of a cap on the number of flights per day.

The response to the issues raised via submissions states that an airport at Badgery's Creek had always been planned to operate without a curfew. The response also discusses the benefits of an airport operating without a curfew and attempts to justify not imposing one by stating that there are likely to be less flights at night. Chapters 10 and 13 of the final EIS examine the likely effects and impacts of curfew free operations. The Submissions Report also states that opportunities to minimise the noise and amenity impacts of night time aircraft operations on communities will be examined during the detailed airspace and flight path design process. This process will include the identification of preferred operating modes, flight paths and noise abatement procedures for night time periods. All of the information presented in the latest documentation indicates that it is still proposed that the airport will operate 24 hours per day.

### **4. Noise generation, particularly from over-flight and road and rail development**

Noise, particularly that generated by aircraft over-flight, is partly addressed by the commentary provided for item three, as discussed above. It is clear, and stated in the final EIS, that operation of the Stage 1 development would change the pattern of aircraft movements in the airspace above Western Sydney. However, the noise assessments provided in the final EIS are still based on the indicative flight paths and therefore are still uncertain.

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## **5. Traffic and transport – road and rail**

Council's submission focussed on access and connectivity. It raised concerns regarding the delivery of essential enabling infrastructure such as the South West Rail Link extension and particularly its connection south towards Narellan and through to the Campbelltown-Macarthur Regional City Centre. It also stated that direct rail access to the airport from across Western and South Western Sydney is essential for economic and social equity reasons and particularly access to employment opportunities.

The Submissions Report states that issues relating to the road network were raised 690 times, issues relating to rail were raised 1442 times and issues relating to freight were raised 850 times. A large number of submissions expressed strong support for the planning and delivery of a multi-modal transport network to service the proposed airport. In particular, a rail link to the airport site at the commencement of operations of the Stage 1 development was seen as necessary to enhance the economic and social benefits of the proposed airport, to minimise environmental impacts and to support growth in Western Sydney. The submissions also raised the key issue of the need for long-term planning coordination across all levels of government to ensure existing infrastructure projects are delivered on time, effectively manage the transport impacts from the proposed airport and surrounding development, and ensure that appropriate funding mechanisms are in place.

Council's recent submission on the Western Sydney Rail Needs Scoping Study, which is linked to the proposed development of the WSA, also highlighted the urgent need for additional rail infrastructure in South Western and Western Sydney and the integration of this infrastructure into the existing system that services and connects to the airport, Western Sydney and the broader metropolitan area.

## **6. Air quality and greenhouse gases**

In relation to air quality and greenhouse gases, Council's submission commented on the fact that the effectiveness of the proposed mitigation measures to achieve compliance with relevant standards was not quantified in the draft EIS. In particular, it noted that the analysis of air quality did not include an assessment of the cumulative impact of the WSA, other planned development and current and future planned urban growth within the Sydney Basin, and the quality of the air shed in the longer term.

Issues relating to air quality and greenhouse gases were raised 1533 times in the submissions to the Draft EIS. The submissions stated that while the assessment of both local and regional impacts on air broadly followed accepted methodologies and guidelines, the draft EIS did not fully explore the cumulative air quality impacts of the airport in relation to urban development particularly in Western Sydney. The submissions also suggested that Western Sydney's topography and the nature of air movement throughout the Sydney Basin were not adequately considered in the Draft EIS. The Submissions Report states that both the topography of Western Sydney and the cumulative air quality impacts were considered in the air quality assessments undertaken as part of the preparation of the EIS.

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## **7. Environmental impacts**

In terms of environmental impacts, Council's submission raised concerns about the lack of certainty about the extent and nature of a range of likely impacts from the airport across Western Sydney, and the uncertainty that this creates for the community and for business investment. Council also requested that further environmental assessment be undertaken once an operator has been determined and there is greater clarity regarding the airport's purpose, layout and flight paths.

The Submissions Report covers a range of environmental issues including:

- biodiversity - raised in 847 submissions
- topography, geology and soils - raised in 218 submissions
- surface water and ground water - raised in 16 submissions
- aboriginal heritage - raised in 141 submissions
- european heritage - raised in 37 submissions
- landscape and visual amenity - raised in 170 submissions.

A number of environmental conditions will also be placed on the Stage 1 Airport development. These conditions are discussed in a latter section of this report. A Biodiversity Offsets Package has also been prepared to complement Stage 1 of the proposed airport development.

## **8. Economic impacts**

Council's submission highlighted the potential of the WSA to drive significant and enhanced economic and social outcomes for the future of Western and South Western Sydney, particularly if coupled with direct and efficient road and rail connectivity to the airport.

The final EIS acknowledges the rapid growth of Western Sydney and the fact that the South West District is the fastest growing district in Sydney. It also acknowledges that a new airport would be a major catalyst for growth in investment, infrastructure and jobs throughout the South West District.

The Submissions Report states that 1330 submissions raised issues relating to economic impacts and that 674 submissions raised social issues. Submissions relating to economic issues suggested that the final EIS should provide greater clarity on the expected economic uplift and job creation potential of the proposed airport. Various views were put forward about the employment benefits from the construction and operation of the airport, and prioritising support for local businesses. A revised assessment has since been undertaken that includes consideration of a curfew and the wide reaching effects that this would have on the operation and associated economic benefits of the proposed airport.

In terms of social issues, the final EIS acknowledges that the proposed airport is likely to result in both positive and negative social impacts. It has the potential to bring significant benefits to Western Sydney via increased economic development and employment opportunities.

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## **9. Cumulative impacts and flow-on effects associated with significant future urban growth**

The final EIS states that the NSW Government and local councils have considered the potential opportunities and impacts from the proposed airport when developing the Western Sydney Priority Growth Area. This is an area immediately surrounding the airport site, comprising 14,518 hectares from the south of Penrith and Blacktown extending to Leppington. It is being investigated for new employment, housing and service opportunities. This consideration includes the opportunity to capitalise on the economic growth and investment that the proposed airport could bring. The EIS also states that measures to manage land use and planning impacts are proposed, including mitigation measures for employment and land use conflict, zoning rationalisation, integration of operational airspace controls and aircraft noise protection as well as infrastructure corridor protection.

Chapter 7 of the Submissions Report deals with the Land Use Plan for the proposed airport and its surrounds. Key themes raised in the submissions include land use zoning, linkages between airport land use zones and regional planning, and the need for coordinated regional planning. Council's submission highlighted the need for the EIS to take into consideration the significant future urban growth within the South West in the longer term, and particularly the need to understand the airport's impacts of future environmental conditions.

### **Issuing of environmental conditions**

On 11 November 2016, the Hon Josh Frydenberg MP, Minister for the Environment and Energy, released the environmental conditions for the Stage 1 Development of the WSA. A copy of the conditions is provided at attachment 4. These conditions have been referred to the Hon Paul Fletcher MP, Minister for Urban Infrastructure, for consideration and appropriate reflection in the final Airport Plan.

Determination of the Airport Plan by the Minister for Urban Infrastructure is required to authorise development of Stage 1 of the WSA. The Airport Plan will effectively authorise the Stage 1 development and act as a transitional planning instrument under the *Airports Act 1996*. The likely timeframe for such determination is not known at the time of writing.

### **Further stages in the airport's development**

While significant progress has been made, there are still a number of significant processes and outcomes that need to be addressed before realisation of the WSA. This further work is the responsibility of the Australian Government, the relevant ministers and government departments. A brief overview of these steps is provided in the diagram provided at attachment 5.

### **Conclusion**

The development of the WSA will play a significant role in transforming the future of Western and South Western Sydney. This new airport has the potential to bring economic and social benefits and major infrastructure investment to the region.

The final EIS and the conditions imposed by the Minister for the Environment and Energy give due consideration to some of the matters raised in Council's submission. However, it is important to note that it is still proposed to operate the new airport without a curfew.

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The overall effect of the WSA on Campbelltown City and broader Western and South Western Sydney will depend in part on the final content of the Airport Plan and its subsequent implementation as well as the distribution of and access to new employment opportunities for people living in the Campbelltown LGA and the Macarthur Region in particular.

### **Officer's Recommendation**

That the information be noted.

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## **ATTACHMENT 1**

### **12. REPORT OF DIRECTOR PLANNING AND ENVIRONMENT**

#### **12.1 Western Sydney Airport EIS - Peer Review and Submission**

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##### **Attachments**

1. Summary of Main Issues Arising in the Draft Western Sydney EIS Technical Reports (contained within this report)
2. Western Sydney Airport Environmental Impact Statement Peer Review Report (distributed under separate cover due to size of document)

##### **Report**

###### **Introduction**

On 15 April 2014, the Commonwealth Government confirmed Badgerys Creek as the site for the Western Sydney Airport (WSA). On 9 December 2014, Campbelltown City Council made the following resolution in relation to the WSA:

1. That Council call upon the Federal Government to ensure that planning for the new Badgerys Creek Airport proceeds on the basis that it will maintain, as a minimum, a quality of life enjoyed by those who live and work near, or under the flight paths to, Sydney Kingsford Smith Airport – notably in respect to hours of operation.
2. That Council place the above motion on the agenda for the next meeting of MACROC seeking support from our MACROC partners to protect the quality of life of the residents of Macarthur.
3. That Council write to all Federal Members of Parliament in electorates potentially impacted upon by the Badgerys Creek Airport urging them to support Council's aim of preserving the quality of life of their constituents.

The WSA Draft Environmental Impact Statement (EIS) was released for public exhibition on Monday 19 October 2015 along with the Draft Airport Plan and submissions have been invited. The closing date for the public exhibition and the lodgement of submissions is 18 December 2015.

Due to the size and complex nature of the Draft EIS and the associated technical reports and other supporting information, an alliance of many WSROC and all MACROC councils commissioned WSP Parsons Brinckerhoff (the multi-national planning, engineering and design consultants) to conduct a peer review of the Draft EIS and Draft Airport Plan. The Consultants also engaged a range of specialist sub-consultants to review specific technical reports. It was agreed that all participating councils could then use the findings of the peer review to inform their own submissions. At its meeting on 19 May 2015, Council considered a report on the proposed independent review of the Draft EIS and resolved:

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1. That if sufficient Councils participate to make this viable, Council participate in Blacktown City Council's proposal for a collaboration of south western and western Sydney councils to undertake an expert peer review of the Environmental Impact Statement for the proposed Western Sydney Airport.
2. That Council make a financial contribution towards the cost of the expert peer review at recommendation one above, equivalent to 7.4 per cent of the total cost (based on a pro-rata per cent of Campbelltown City's population compared to the total population for western and south western Sydney) up to a maximum of \$30,000.
3. That the funding of the financial contribution raised in recommendation two above, be considered as part of Council's September 2015 Quarterly Budget Review.
4. That Campbelltown City Council make a detailed submission against the proposed 24 hour operation of the Western Sydney Airport.

The expert peer review has now been completed.

This report provides a brief overview of the EIS and the findings of the expert peer review, and discusses the main issues of relevance for Campbelltown which can be considered by Council for inclusion in Council's submission.

#### **The Proposed Western Sydney Airport**

The Draft EIS describes the proposed WSA as a staged development. The Draft EIS and Airport Plan (which defines the proposed layout and land uses for Stage 1) consider an airport with an initial single runway with a maximum capacity of 185,000 aircraft movements (37 million passengers) per year by approximately 2050. Thereafter, a dual runway configuration is proposed with a maximum capacity of 370,000 aircraft movements per year (82 million passengers) by approximately 2063. The package also includes a document that addresses "Airspace and Architecture Operation" which nominates operation and flight paths associated with the airport.

The Draft EIS focuses on the Stage 1 works, which include construction of a single 3.7km runway on the northern part of the site able to cater for a full range of international and domestic passenger and freight aircraft, as well as a business park, parking and cargo facilities, and areas set aside for environmental conservation. The Draft EIS estimates that by 2030, approximately 10 million passengers and 63,000 aircraft would use the airport each year. This is equivalent to approximately 34 per cent of the total Stage 1 capacity of aircraft movements and 27 per cent of the total Stage 1 capacity of passenger movements. At this stage, site preparation works are proposed to commence in mid-2016.

The Draft EIS also provides a broad assessment of the fully established dual runway airport (post 2050). However, it acknowledges that due to the time frame for full development of the airport, a more detailed assessment will be required to fully understand the impacts of the project at that point in time.

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The Draft EIS also notes that no operator has been nominated as yet for the construction and operation of the airport which means that the Draft Airport Plan will be subject to future detailed master planning and project development processes. This means that there is some degree of uncertainty about the proposed WSA, and in therefore in effect, key aspects of the Draft EIS can be argued to be indicative only.

#### **Brief Overview of the EIS**

The Draft EIS was prepared in what appears to be generally recognised in the expert consultant industry, as a compressed timeframe (i.e. eight months).

The Draft EIS is divided into four volumes:

- Volume 1 – Project Background, provides an overview of the project
- Volume 2 – Stage 1 Development, contains an EIS for the Stage 1 development (a single runway facility in 2030)
- Volume 3 – Long Term Development, provides a strategic assessment of the long-term development (dual runway facility by 2063)
- Volume 4 – EIS Technical Reports.

The Draft EIS, as required under the provisions of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), seeks approval for Stage 1 (2030) and provides an indicative outline of the eventual proposed development (2063). It also includes a Draft Airport Plan, which is a transitional plan describing Stage 1 of the development. The Minister for Infrastructure is the proponent and the Minister for the Environment is the approval authority and can impose conditions on any consent issued under the *Airports Act 1996*. There is no role for NSW agencies in approving airport development.

#### **The Expert Peer Review**

The aims of the expert peer review were to determine the following:

- the efficacy of the draft EIS assessment and reporting processes
- the extent, scale and nature of likely economic and social benefits that stand to flow from the proposed airport
- the degree of significance and nature of likely environmental impacts, including any geographically localised impacts
- the identification of any constraints to the achievement of the benefits that could potentially accrue from the proposed airport, such as infrastructure 'gaps'.

The expert peer review was largely a desktop assessment undertaken over a three week period, given the allocated exhibition time of 60 days. There was no contact with the authors of the draft EIS and detailed reviews of the models used to underpin the draft EIS could not be undertaken as they were not made available. It should be noted that no additional modelling was undertaken as part of the expert peer review.

The expert peer review included an overall review of the Draft EIS and also focussed on the following key issues:

- aviation planning
  - noise – overflight noise and ground based noise and vibration
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- traffic and transport
- air quality and greenhouse gas
- human health impacts
- social and economic
- biodiversity
- surface water and Groundwater
- impact on the Blue Mountains.

#### **Key Findings of the Expert Peer Review**

The expert peer review found that:

- the draft EIS was produced within an accelerated and compressed timeframe, leading to numerous issues relating to "adequacy" with a number of omissions and limitations being identified
  - the Airport Planning is preliminary only (based on an indicative preferred airport layout) and therefore there are significant uncertainties
  - there has been no consideration of alternative airport layouts or runway orientations, (which are a key determining factor of flight paths), and there is little indication of whether the indicative layout and runway alignments achieve the best environmental outcome – i.e. there is no evaluation of different options
  - there is limited justification and visibility/rigour/transparency behind the airport layout and flight paths
  - it is unclear if the preferred flight path is the best option and there appears to be little rigour behind the identified flight path and alignment
  - the Stage 1 assessment was based on airport throughput of 63,000 annual traffic movements (5 years after opening) but the maximum capacity of Stage 1 is 185,000 annual traffic movements (20 years after opening)
  - there are a lack of mechanisms for delivering essential enabling infrastructure (such as the extension of the South West Rail Link)
  - the general management and mitigation measures are not qualified and residual impacts are not discussed
  - investigation of long term and cumulative impacts on long-term future urban growth and land use impacts is limited
  - the proposed WSA has no curfew, and its impacts will therefore be felt 24 hours a day
  - there is uncertainty over environmental impacts largely due to the indicative nature of the airport layout and flight paths
  - the Draft EIS does not place explicit limits on key environmental impacts including airport noise – in many areas it does not provide assurances that acceptable environmental thresholds will not be breached
  - proposed mitigation measures to deal with environmental impacts are generally not prescriptive and caps are not determined, largely due to the fact that no Airport Lessee Company (ALC) has been appointed and the Department of Infrastructure and Regional Development wishes to maintain flexibility over management and mitigation – this creates uncertainty over likely future impacts
  - no detailed description of the expected or predicted effectiveness of proposed mitigation measures is provided
  - a biodiversity offset package to compensate for the anticipated loss of habitat on the airport site has not been formalised
  - the WSA will impact on the Blue Mountains World Heritage Area but further work is required to investigate the significance of the impact/s.
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The expert peer review also raises a number of concerns regarding the approvals process:

- the Airport is subject to an untested approval process as the *Airports Act 1996* has not been used for a greenfield airport development in the past – this creates uncertainty about how the approvals process will operate, however, it is implied that once the airport has been leased, all future approvals would be under the *Airports Act 1996*.
- a number of matters relating to approvals were found to be unclear:
  - the potential triggers for further referrals and (potentially) approvals under the EPBC Act
  - any further assessment and approval required for the construction and operation of Stage 1 (beyond the current EIS and associated Airport Plan approval) once an ALC is appointed and the actual airport layout and operations are more certain
  - the limitations that any EPBC Act approval may place on the airport
  - the level of community and stakeholder engagement that will be undertaken in future.

The expert peer review identified a number of concerns regarding the flight paths as presented in the Draft EIS:

- the Draft EIS makes clear that the flight paths have not been designed to minimise environmental (and in particular noise) impacts on communities
- no account has been taken of the existing smaller airports (Camden, Richmond and Bankstown), other than to note that these airports would be impacted in the long term
- there is no visibility/clarity in the Draft EIS about how the contours were determined or of how they compare to any alternatives
- the contours are indicative only and could be revised by a future Airport Lessee Company (ALC) without recourse to the EPBC Act, which creates significant uncertainty about what the actual impacts of the airport may be
- the merge point over Blaxland (the point at which all incoming flights converge) is noted.

The expert peer review also makes a number of recommendations regarding flight paths:

- greater consideration of alternative options is required, particularly with regard to minimising environmental impacts
  - it is not clear whether or not the nominated flight paths represent the best option – there is a lack of transparency regarding how and why these flight paths were chosen
  - a holistic review of flight paths should be considered, taking account of all airports in metropolitan Sydney, and including options that allow for flight paths at Kingsford Smith to be modified
  - as a future ALC may modify the flight paths from those used in the EIS, sensitivity testing should have been undertaken and included in the EIS to demonstrate the changes of noise impacts that would result if modifications are made
  - the proposed use of a merge point (at Blaxland), and consideration of alternative merge points, should be further explored.
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A summary of the main issues arising with the Draft EIS technical reports (as identified by the peer review) are summarised in Attachment 1.

### **Matters of relevance to the Campbelltown Local Government Area**

#### **1. Degree of Uncertainty**

One of the issues to arise from the expert peer review, is that there is some lack of certainty associated with the draft EIS, relating to the future impacts of the WSA. This uncertainty stems largely from the fact that the Draft EIS was prepared on the basis of a concept airport with no identified operator nor confirmed details of operation (i.e. its purpose). Additionally, the airport layout and flight paths used as the basis of the Draft EIS appear to be indicative only, and therefore the full potential impacts could not be determined with any significant certainty.

It is a welcome fact that the flight paths nominated in the draft EIS present very little if any impact on the Campbelltown LGA in terms of over-flight noise disturbance.

Other parts of Western Sydney are likely to experience more significant over-flight activity at varying heights and with varying levels of impact. E.g. Lower Blue Mountains, Penrith LGA, Blacktown LGA, and parts of the Wollondilly LGA.

However, the flight paths nominated in the draft EIS for Stage 1 appear to have the potential to be changed and depending upon the location, nature and scale of any changes that do occur, the Campbelltown LGA could potentially be subject to different impacts.

As part of a recommended submission by Council to the draft EIS, it is considered important for Council to seek confirmation from the Federal Government that the flight paths presented in the draft EIS will be those that are actually implemented, and any approval conditioned accordingly.

#### **2. No Curfew**

As mentioned above, Council has previously raised its objections to any proposed 24-hour operation of the WSA. Disappointingly, the EIS does not impose a curfew on the proposed airport's operations.

Coupled with a level of uncertainty regarding the detailed design of the airport, its flight paths and operations, (both in the short and especially in the longer term) and the fact that airspace within the Sydney Basin will need to be completely reconfigured when the second runway eventually becomes operational, Council cannot be assured that the environmental and consequential amenity impacts of the airport will not be detrimental to the lifestyles of residents within the Campbelltown LGA. The recommended submission by Council to the exhibition of the draft EIS must incorporate Council's objection to "the no curfew" operation of the WSA, and seek confirmation of the Stage 1 flight paths as presented in the draft EIS documentation.

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### **3. Noise Generation**

The proposed WSA is located in Badgerys Creek, approximately 21kms from the Campbelltown CBD, and the Campbelltown LGA and Macarthur Region are well outside the noise contours for the proposed flight paths for Stage 1. There is, however, and as could be expected, less certainty concerning over-flight noise impacts associated with the longer term operation of the airport.

Given the location of the proposed WSA, it is highly unlikely that there will be any impacts of the Campbelltown LGA from on-site ground-based noise and vibration from both the construction and operational stages of the proposed WSA. Potential impacts associated with the development of other enabling and supporting infrastructure (such as road and rail) could impact, depending on their location.

### **4. Traffic and Transport – Road and Rail**

The Draft EIS traffic analysis is considered to be limited. The expert peer review also found that the Draft EIS lacks mechanisms for delivering essential enabling infrastructure such as the South West Rail Link extension, and particularly its extension to the south towards Narellan and Campbelltown/Macarthur Regional City Centre. It is considered inappropriate and short-sighted to deliver the WSA without direct rail access that directly links back to the Sydney rail network, including the T2 Southern line which traverses the Campbelltown LGA. Reduced connectivity has the potential to severely compromise access to both the airport and to the benefits of economic growth and employment opportunities stemming from the airport.

The regional traffic impacts of the WSA are of concern to the Campbelltown LGA because the proposed airport and the economic development that it is likely to generate will also give rise to additional traffic on local and regional roads. If a connected rail link to the WSA is not established, then the long term implications for this regional and local network are questionable.

It is also noted that the supply of aviation fuel to the WSA is proposed to be via road transport rather than the establishment of a dedicated pipeline. This will significantly increase the presence of heavy vehicles carrying dangerous materials on local and regional roads, and will impact on traffic.

These “connectivity” concerns are fundamentally important to the Campbelltown LGA in two respects and are recommended to be raised in Council’s submission on the draft EIS:

- Campbelltown City residents and those within the Macarthur Region (both today and in the future) deserve fair and efficient access to the airport facilities and associated employment opportunities associated with the airport precinct
  - Campbelltown’s local road network needs to be future proofed against a failure of the capacity limits of the regional road network to accommodate traffic and transport movements to and from the WSA precinct and attendant enterprise and employment precincts.
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## **5. Air Quality and Greenhouse Gases**

In terms of air quality, the effectiveness of the proposed mitigation measures to achieve compliance with relevant standards is not quantified. Importantly, the analysis of air quality did not include an assessment of the cumulative impact of the WSA, other major developments and current and future planned urban growth within the Sydney Basin and notably, within western and south western Sydney. A critical question that has not been clearly addressed is the quality of the air shed in the longer term (2063).

From a local perspective, it is imperative that the additional growth identified in the Glenfield to Macarthur Urban Corridor Strategy and in the Greater Macarthur Urban Investigation Area be factored into any air quality assessments related to the proposed WSA. This is an important issue for consideration for inclusion in the recommended submission to the draft EIS.

## **6. Environmental Impacts**

The lack of understanding and certainty associated with the extent and nature of a range of likely environmental impacts of the WSA across western Sydney generally, is of some concern. It is difficult for Council to plan for the future and to inform the community and potential business investors about the impacts of the proposed airport on the Campbelltown LGA if the Draft EIS does not clearly describe what these impacts will be. It is therefore considered imperative that a further environmental assessment of the airport be undertaken once the ALC has been determined and there is greater clarity regarding the airport's purpose, layout and flight paths.

## **7. Economic Impacts**

The development of the WSA has the potential to drive significant and enhanced economic and social outcomes for the future of Western and South Western Sydney, including the Macarthur Region and the Campbelltown Local Government Area (LGA). These would be welcomed benefits that communities could potentially draw upon to help sustain their future prosperity, but only if direct connectivity to the proposed airport via both road and rail is put into place.

However, the draft EIS does not specify how the potential for economic growth can be captured and developed or illustrate how the Campbelltown LGA can be connected into the potential economic growth opportunity, particularly via transport infrastructure. It is important for any EIS to clearly articulate such social benefits (and costs) and identify any requirements or conditions that would need to be met in order to maximise their positive impact. This is an important issue and considered worthy of inclusion in Council's submission to the draft EIS.

## **8. Cumulative Impacts and Flow-On Effects**

There is limited assessment of the cumulative impact of the airport on long term future urban growth and land use on the immediate area surrounding the WSA and the broader western and south western Sydney context.

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Given the significant nature and scale of this infrastructure project, it is considered imperative that an assessment of cumulative impacts be undertaken before the Draft EIS is finalised, and that future strategic and structure planning for the South West Region in particular take appropriate account of the WSA and its cumulative associative implications, in terms of:

- flight paths and noise
- traffic and transport accessibility
- air quality.

### **Conclusion**

The Western Sydney Airport (WSA) is a substantial infrastructure investment that has the potential to drive the economic and social development of western and south western Sydney for decades to come, and can be considered a 'game changer' in a structural planning and regional development context.

The WSA will impact on Western and South Western Sydney and the Campbelltown LGA. Those impacts stand to be both positive and potentially less attractive, depending upon future choices that need to be made around the confirmation of flight paths and the means of mitigation of noise and other environmental impacts.

It can be anticipated with some reasonableness that other local government authorities and communities in other parts of Western Sydney may express an objection to the EIS and seek the Federal Government's review of matters associated with flight paths, noise impacts, implications for biodiversity and wilderness areas, and transport and traffic access.

It is considered essential that Council express its support to the Federal Government for a restriction of actual the flight paths to those which are presented in the draft EIS, and seek its confirmation that these flight paths are those that will be approved and enforced (as conditions of any approval) as the flight paths followed for Stage One of the Airport operation.

At the same time, and noting that Council has previously decided to make a submission to the Federal Government against the proposed 24 hour (no curfew) operation of the WSA, it is recommended that such submission express Council's disappointment that the draft EIS does not adequately address impact mitigation measures including the imposition of a curfew. It is further recommended that Council's submission make specific mention of the range of items raised in the above report.

### **Officer's Recommendation**

1. That Council express its appreciation to WSROC and MACROC for coordinating the expert peer review process.
  2. That Council forward a submission on the Western Sydney Airport draft EIS (and its supporting documents) to the Department of Infrastructure and Regional Development consistent with the matters raised in the above report.
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3. That Council's submission reiterate its opposition to the proposed 24 hour operation of the WSA, and call for the *Sydney Airports Curfew Act 1995* to apply to the proposed Western Sydney Airport.
4. That Council seek an urgent meeting with the Federal Minister for the Environment, and the Federal Minister for Infrastructure and Regional Development:
  - seeking confirmation that any approval for the Western Sydney Airport will be conditioned such that the flight paths associated with Stage One of the airport operation are restricted to those which are presented in the draft EIS
  - to discuss the range of concerns relating to "uncertainty, adequacy, impact and mitigation" associated with the draft EIS as discussed in this report and the expert peer review, and how the Government intends to deal with such
  - to seek the Government's preparedness to commit to the construction of the extension of the South West Rail Link from Leppington to the Western Sydney Airport and connecting southwards to the Campbelltown/Macarthur Regional City Centre via Narellan.

#### **Council Meeting 15 December 2015 (Bricevic/Greiss)**

That the Officer's Recommendation be adopted.

#### **Council Resolution Minute Number 240**

That the Officer's Recommendation be adopted.

A **Division** was called in regard to the Resolution for Item 12.1 - Western Sydney Airport EIS - Peer Review and Submission with those voting for the Motion being Councillors Borg, Bricevic, Chanthivong, Glynn, Greiss, Hawker, Kolkman, Lake, Lound, Matheson, Oates, Rowell and Thompson.

Voting against the Resolution was Councillor Mead.

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### Main Issues Arising with the Draft EIS

Environmental Issue	Key Issues Raised
Noise (aircraft overflight)	<ul style="list-style-type: none"> <li>Assessment is based on 2030 scenario which reflects the early stage of airport operation only</li> <li>Uncertainty around actual flight paths</li> <li>Proposed mitigation measures are generic due to uncertainty of flight paths</li> <li>Outline of mitigation process is not performance driven</li> </ul>
Noise (airport ground-based noise and vibration)	<ul style="list-style-type: none"> <li>Type and magnitude of impact, pre and post mitigation has not been included</li> <li>A single rating background level has been assumed for all receptors, and this generalisation has underestimated the magnitude of noise impacts at receptors close to the airport</li> <li>Luddenham sensitive receptors were not included in background noise monitoring</li> <li>No cumulative noise impact assessment has been considered</li> <li>The M12 motorway and the realignment of the Northern Road have been excluded from the assessment regarding operational road traffic noise in Stage 1</li> </ul>
Local air quality and greenhouse gas (GHG)	<ul style="list-style-type: none"> <li>Local air quality assessment has several long term exceedances – NO<sub>2</sub>, formaldehyde, PM<sub>2.5</sub>, PM<sub>10</sub></li> <li>Effectiveness of proposed mitigation measures to achieve compliance was not quantified</li> <li>GHG emissions are relatively small</li> </ul>
Regional air quality	<ul style="list-style-type: none"> <li>Stage 1 assessment is acceptable</li> <li>Ozone concentration is significantly above the allowable increment for longer term development</li> </ul>
Aviation planning	<ul style="list-style-type: none"> <li>No real visibility in the Draft EIS of how flight paths were determined</li> <li>No presentation of alternatives</li> <li>No certainty over final outcome</li> <li>No consideration of point merge – impacts on Blaxland</li> </ul>
Surface transport and access	<ul style="list-style-type: none"> <li>STM3 model has not been effectively calibrated and validated as the model is still in development with TfNSW</li> <li>No traffic intersection modelling was undertaken</li> <li>Did not consider assessment of rail</li> <li>Traffic estimate is based on 2011 which may be an underestimate as it does not include recent land use development</li> <li>Traffic generation (outside of air cargo) is unknown and no consideration is made for passengers transferring within the airport</li> </ul>
Human health	<ul style="list-style-type: none"> <li>Reviewed air quality, noise and water impacts, however no discussion on implications of the distribution of effects for inequality and equality have been discussed</li> <li>No rationale or justification given on why a Health Risk</li> </ul>



## 8.25 Western Sydney Airport - Final Environmental Impact Statement

	<p>Assessment (HRA) has been undertaken rather than a Health Impact Assessment (HIA)</p> <ul style="list-style-type: none"> <li>• Perceived health issues not considered</li> <li>• Social determinants of health have not been considered</li> <li>• Long term cumulative impacts were not considered</li> </ul>
Biodiversity and offset strategy	<ul style="list-style-type: none"> <li>• Offset package has not been prepared and residual ecological risks have not been discussed</li> <li>• Mitigation measures are limited</li> <li>• Difficult to assess the biodiversity value of the site for the long term development</li> </ul>
Surface water and groundwater	<ul style="list-style-type: none"> <li>• Duncan Creek and its tributaries have not been modelled to allow definition of baseline and hydraulic impacts</li> <li>• Draft EIS appears to dismiss any relevance of increased pollutant loads on the receiving environment</li> <li>• Groundwater assessment lacks qualification of data, no baseline time-series data collected</li> <li>• Two residual risks for groundwater were identified; soil and subsurface contamination from spill/release of chemical or contaminants and impact on groundwater dependent ecosystems from reduced water supply.</li> </ul>
Social impact	<ul style="list-style-type: none"> <li>• Balance of discussion on impacts – strong focus on economic benefits rather than a balanced discussion</li> <li>• Strong focus on regional benefits not local impacts</li> <li>• Many potential issues are stated with little assessment of their implications or level of significance or duration</li> <li>• No discussion on how mitigation measures will be coordinated or resourced or who the key accountability falls with</li> <li>• Claims being made by the Commonwealth about economic generation and job creation have not been explicitly tested in the Draft EIS</li> <li>• The Draft EIS does not describe the economic or social impacts of any transfer of activity from other areas in Sydney or Australia</li> </ul>
Greater Blue Mountains	<ul style="list-style-type: none"> <li>• A detailed assessment of significance under the Biodiversity Assessment for the Blue Mountains World Heritage Area has been deferred until a 'multidisciplinary workshop' is held to identify and assess potential impacts</li> <li>• Limited assessment of wilderness value and high sensitivity</li> <li>• Noise levels predicted to be relatively low (below 50-55dB LAmax) however for a natural landscape this prediction is not justified and may impact the amenity values</li> </ul>

## ATTACHMENT 2



18 December 2015

Department of Infrastructure and Regional Development  
Western Sydney Airport Submission  
Western Sydney Unit  
GPO Box 594  
CANBERRA ACT 2601

Dear Sir/Madam

### **Western Sydney Airport – Submission on Draft Environmental Impact Statement**

Thank you for providing Campbelltown City Council with the opportunity to comment on the Draft EIS for the Western Sydney Airport (WSA).

Council acknowledges that the proposed WSA is a substantial infrastructure investment that has the potential to drive the economic and social development of Western and South Western Sydney for decades to come. It will also have a major influence on structural planning and regional development.

The WSA will impact on Western and South Western Sydney and the Campbelltown Local Government Area (LGA). The anticipated impacts range from positive to potentially less favourable, depending upon future choices regarding the confirmation of flight paths and the means of mitigation for noise and other potential environmental impacts.

Council also has concerns about a range of issues related to the WSA, including:

- the degree of uncertainty surrounding the WSA and its operations
- noise generation and consequent impacts on liveability and amenity
- traffic and transport – road and rail
- air quality and greenhouse gases
- environmental impacts
- cumulative impacts and flow-on effects.

Importantly, **Council continues to object to the intention to operate Western Sydney Airport without curfew arrangements** and without knowing what the scale, nature and extent of any mitigating arrangements will be.

### **Degree of Uncertainty**

Council is concerned that there is some lack of certainty associated with the Draft EIS, particularly in relation to the impacts of the WSA, as it was based on a concept airport design

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with no identified operator or confirmed details of operation. There is also a lack of certainty over the airport layout and flight paths, which appear to be indicative only, and therefore the full potential impacts could not be determined with any significant certainty.

Council is satisfied that the flight paths nominated in the Draft EIS present a likelihood of very limited if any impact on the Campbelltown LGA in terms of over-flight noise disturbance. However, the nominated paths for Stage 1 appear to have the potential to be changed. Depending upon the location, nature and scale of any changes that do occur, the Campbelltown LGA could potentially be subject to different impacts.

Council therefore seeks confirmation from the Federal Government and the Department that the flight paths presented in the Draft EIS (as publicly exhibited) will be those that are actually implemented for Stage 1, and that any approval for the WSA be conditioned accordingly.

#### **No Curfew**

Whilst Council is not opposed to the development of the WSA as such, it is seriously concerned by, and is opposed to, the proposed 24 hour (no curfew) operation of the WSA. Council wishes to express its disappointment that the Draft EIS does not adequately address impact mitigation measures including the imposition of a curfew.

Coupled with a level of uncertainty regarding the detailed design of the airport, its flight paths and operations (both in the short and especially in the longer term) and the need to reconfigure the airspace within the Sydney Basin when the second runway becomes operational, Council cannot be assured that the environmental and consequential amenity impacts of the airport will not be detrimental to the lifestyles of residents within the Campbelltown LGA.

Council therefore requests that the *Sydney Airports Curfew Act 1995* be extended to apply to the proposed WSA. This will assist in ensuring that the same controls apply to major airports across the Sydney Basin and can only be described as respecting the amenity of Western Sydney's residents.

#### **Noise Generation**

As stated above, the uncertainty relating to flight paths gives rise to further uncertainty and concerns regarding the potential impacts of over-flight noise for the Campbelltown LGA. However, if the nominated flight paths are actualised, the impacts do not appear to be significant in the short-term. The longer term implications and impacts are not known as yet, and Council requests that its concern in this regard be noted.

Potential noise impacts associated with the development of other enabling and supporting infrastructure (such as road and rail) could impact on the Campbelltown LGA and its residents, depending on their location.

#### **Traffic and Transport – Road and Rail**

Council is concerned that the Draft EIS lacks mechanisms for delivering essential enabling infrastructure such as the South West Rail Link extension, and particularly its connection south towards Narellan and through to the Campbelltown-Macarthur Regional City Centre. In Council's view, it is considered inappropriate and short-sighted to deliver the WSA without direct rail access that links directly back to the Sydney rail network, including the T2 Southern Line which traverses the Campbelltown LGA.

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Council is also of the view that this absence of any connectivity by public transport between the WSA and the South Western parts of the Macarthur Region has the potential to severely compromise access for the Campbelltown community to not just the airport facility itself, but importantly as well as disappointingly, to the benefits of economic growth and employment opportunities associated with or otherwise related to the airport. This is not acceptable.

The regional traffic impacts of the WSA are of concern for the Campbelltown LGA because the proposed airport and the economic development that it is likely to generate will also give rise to additional traffic on local and regional roads. If a rail link enabling direct connectivity to and from the WSA is not provided, then the long term implications for the efficacy of the regional and local road network are questionable.

Issues of connectivity are fundamentally important to the Campbelltown LGA for two main reasons being:

1. Campbelltown City residents and those within the broader Macarthur Region (both today and in the future) deserve fair and efficient access to the airport facilities and associated employment opportunities associated with the airport precinct, and
2. Campbelltown's local road network needs to be future proofed against a failure of the capacity limits of the regional road network to accommodate traffic and transport movements to and from the WSA precinct and attendant enterprise and employment precincts.

It is therefore imperative that the South West Rail Link be extended back to the T2 line at Campbelltown-Macarthur.

It is also noted that the supply of aviation fuel to the WSA is proposed to be via road transport rather than the establishment of a dedicated pipeline. This will significantly increase the presence of heavy vehicles carrying dangerous materials on local and regional roads, and will impact on traffic.

#### **Air Quality and Greenhouse Gases**

In terms of air quality, the effectiveness of the proposed mitigation measures to achieve compliance with relevant standards is not quantified. Importantly, the analysis of air quality did not include an assessment of the cumulative impact of the WSA, other major developments and current and future planned urban growth within the Sydney Basin and notably, within Western and South Western Sydney. A critical question that has not been clearly addressed is the quality of the air shed in the longer term (2063).

From a local perspective, it is imperative that the additional growth identified in the Glenfield to Macarthur Urban Corridor Strategy and in the Greater Macarthur Urban Investigation Area be factored into any air quality assessments related to the proposed WSA. The Draft EIS needs to be reviewed to give due consideration to these matters.

#### **Environmental Impacts**

The lack of certainty associated with the extent and nature of a range of likely environmental impacts of the WSA across Western Sydney generally, is of some concern. It is difficult for Council to plan for the future and to inform the community and potential business investors about the impacts of the proposed airport on the Campbelltown LGA if the Draft EIS does not clearly describe what the scale, nature, extent and location of these impacts will be. Business investment requires certainty over Government decision making and accordingly, Council believes it is imperative that a further environmental assessment of the airport be undertaken

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once the operator has been determined and there is greater clarity regarding the airport's purpose, layout and flight paths.

### **Economic Impacts**

Council recognises that development of the WSA has the potential to drive significant and enhanced economic and social outcomes for the future of Western and South Western Sydney, including the Macarthur Region and the Campbelltown LGA. These would be welcome benefits that communities could potentially draw upon to help sustain their future prosperity, but only if direct and efficient connectivity to the proposed airport via both road and rail is achieved. Without such connectivity, the benefits to be gained will be compromised by the social costs of poor accessibility, working against principles of opportunity, equity and fairness.

In addition, the Draft EIS does not specify how the potential for economic growth can be captured and developed.

It is important that the Draft EIS be revised to clearly articulate such social benefits (and costs) and identify any requirements or conditions that would need to be met in order to maximise their positive impact.

### **Cumulative Impacts and Flow-on Effects**

The draft EIS has not factored into account the implications for significant future urban growth that is planned to take place in South Western Sydney in the longer term, arising from the operation of the WSA. This is an important issue, particularly in so far as understanding properly the:

- consequences of the likely evolution of Sydney's future Airspace Architecture, and
- impacts of the operation of the airport on future environmental conditions such as regional air quality and the wider regional 'receiving noise' background.

Coupled with the higher level of uncertainty over the location, scale, and nature of environmental impacts associated with the longer term operation of the airport, the future and long term development of metropolitan Sydney stands to potentially be compromised by an absence of any real consideration of what is already understood to be major metropolitan scale development that the NSW Government has announced for South Western Sydney.

Council believes that given the significant nature and scale of this infrastructure project, it is imperative that an assessment of cumulative impacts be undertaken before the Draft EIS is finalised, and that future strategic and structure planning for the South West Region in particular take appropriate account of the WSA and its cumulative associated impacts related to flight paths and noise, traffic and transport accessibility, and air quality.

### **Conclusion**

In light of the above concerns, Council requests an urgent meeting with the Federal Minister for the Environment, and the Federal Minister for Infrastructure and Regional Development in relation to the following matters:

- seeking confirmation that any approval for the WSA will be conditioned so that the flight paths associated with Stage 1 of the airport's operation are restricted to those which are presented in the Draft EIS (as publicly exhibited)
  - to discuss the range of concerns (outlined above) relating to uncertainty, adequacy, impact and mitigation associated with the Draft EIS and the independent peer review
-

commissioned by a select group of WSROC and MACROC (Western Sydney and Macarthur Region) Councils

- to seek the Government's preparedness to commit to the construction of the extension of the South West Rail Link from Leppington to the WSA and connecting southwards to the Campbelltown-Macarthur Regional City Centre via Narellan.

Thank you once again for the opportunity to comment on this critically important infrastructure project.

If you require any further information, would like to discuss any aspect of Council's submission or to organise the requested meeting, please contact Jeff Lawrence, Director Strategy on 4645 4656.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz  
General Manager

Enc. Directors Report to Campbelltown City Council on 15 December 2015 "Western Sydney Airport EIS – Peer Review and Submission"

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## ATTACHMENT 3



**Australian Government**

**Department of Infrastructure and Regional Development**

Ms Lindy Deitz  
General Manager  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

Dear Ms Deitz

**Subject: Release of final Environmental Impact Statement for proposed Western Sydney Airport**

In October last year, the Government released for public exhibition the draft Airport Plan and draft Environmental Impact Statement (EIS) for the proposed Western Sydney Airport.

Following a comprehensive community consultation process and the receipt of almost 5000 submissions from the community, industry and other stakeholders, I am pleased to advise that the EIS has now been finalised. Thank you for your contribution to the EIS consultation process.

The EIS is a comprehensive assessment of the Stage 1 development of the proposed Western Sydney Airport. It is the result of more than 700 field studies and 19 technical reports, and takes into account all submissions received during the public exhibition period. While individual submissions will not be published, the Submissions Report which can be found at Volume 5 of the EIS, details the feedback received during the exhibition period and how this feedback has been taken into account in finalising the EIS.

The EIS examines potential impacts and sets out measures to reduce impacts on, among other things, noise, air quality, transport, water quality, ecology, and European and Indigenous heritage from the proposed Stage 1 development and operation of a Western Sydney Airport.

The Environment Minister will now consider the EIS and advise of any environmental conditions that should be placed on the proposed airport's development. Following the Environment Minister's consideration, it is expected that the Infrastructure Minister will determine the Airport Plan which will set out the long-term vision for a Western Sydney Airport.

This is a significant milestone in the project's development and underlines the Government's commitment to delivering crucial infrastructure and generating jobs and economic opportunity in the Western Sydney region.

If you have any questions or would like more information on the finalised EIS or the Western Sydney Airport project, please visit the project website at [www.westernsydneyairport.gov.au](http://www.westernsydneyairport.gov.au) or contact the Department on 1800 038 160 or [wsu@infrastructure.gov.au](mailto:wsu@infrastructure.gov.au).

Thank you again for providing a submission as part of this important process.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Garth Taylor  
General Manager  
Western Sydney Unit  
15 September 2016



## ATTACHMENT 4



### Conditions for the Stage 1 Development of a Western Sydney Airport.

This document contains the conditions to be included in the final Airport Plan. These conditions will be set out in Section 3.10 of the Airport Plan to be determined by the Minister for Urban Infrastructure, the Hon Paul Fletcher MP.

#### 3.10 Conditions

In accordance with subsection 96C(5) of the Act, this section of the Airport Plan sets out the conditions to be complied with in relation to the Stage 1 Development. Section 96J of the Act provides penalties for non-compliance with a condition.

Subsection 96B(9) of the Act prevents the Infrastructure Minister from determining the Airport Plan unless it includes any conditions specified in the notice given by the Environment Minister under subsection 96B(3) of the Act in response to the draft Airport Plan. By operation of subsection 96C(8) of the Act, any other condition or provision of the Airport Plan is of no effect to the extent that it is inconsistent with a condition required to be included in the Airport Plan by subsection 96B(9) of the Act.

The structure of this section of the Airport Plan is as follows:

- Section 3.10.1 provides definitions and interpretation
  - Section 3.10.2 contains construction conditions
  - Section 3.10.3 contains airspace design conditions
  - Section 3.10.4 contains operational conditions
  - Section 3.10.5 contains general conditions
  - Section 3.10.6 contains other conditions.
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### 3.10.1. Definitions and interpretation

**Aircraft Overflight Noise** means noise generated by an aircraft in flight or when landing, taking off or taxiing at an airport.

**Airport Operations** means the operation of the Airport, providing access for air transport. Commissioning activities such as test flights are not Airport Operations.

**Approval Condition**, in relation to an Approved Plan, means the condition in accordance with which the plan was originally approved.

**Approved Plan** means a plan approved in accordance with a condition. However, see condition 41 (Variation of Approved Plans).

**Approver** means:

- (a) for condition 30 (Biodiversity Offset Delivery Plan) and any matter relating to the Biodiversity Offset Delivery Plan – the Environment Minister or an SES employee in the Environment Department; and
- (b) for other matters – the Infrastructure Minister or an SES employee in the Infrastructure Department.

**Biodiversity Assessment Report** has the same meaning as in the FBA.

**CEMP** means a construction environmental management plan required under a condition in section 3.10.2.

**Construction Period** means the period from the date of commencement of Main Construction Works in any part of the Airport Site until the date of commencement of Airport Operations.

**Direct Offset(s)** has the same meaning as in the EPBC Act Environmental Offsets Policy issued by the Environment Department in October 2012.

**Environment Department** means the Department of State administered by the Environment Minister.

**FBA** means the Framework for Biodiversity Assessment, which is a methodology that is adopted by the *NSW Biodiversity Offsets Policy for Major Projects* and administered by OEHL, to assess the impacts of a project on biodiversity and to provide guidance on the implementation of offsets.

**Infrastructure Department** means the Department of State administered by the Infrastructure Minister.

**OEHL** means the New South Wales Office of Environment and Heritage.

**OEMP** means an operational environmental management plan required under a condition in section 3.10.4.

**Other Compensatory Measures** has the same meaning as in the EPBC Act Environmental Offsets Policy issued by the Environment Department in October 2012.

**PFOS and PFOA** means per- and poly-fluorinated alkyl substances (PFASs) (also commonly known as PFCs (per- and poly-fluorinated chemicals)), and their derivatives including perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS).

**Plan Owner** means the person who is or was required to prepare a plan under a condition. However, after an Airport Lease is granted, the ALC is the Plan Owner for any plan that was approved under a condition before the lease was granted, except for any plan approved under condition 3 (Disinterment of Human Remains), condition 4 (TransGrid Relocation Works) or condition 30 (Biodiversity Offset Delivery Plan).

**Sensitive Receptor** means:

- (a) a dwelling;
- (b) an impermanent dwelling in a place designed, or reserved, for impermanent dwellings (for example, a caravan park or residential marina);
- (c) a hotel, motel or hostel;
- (d) a child care institution, kindergarten, school, college, university or other educational institution;
- (e) a hospital, medical centre or nursing home; or
- (f) a building that is a church or similar place of worship.

**SES employee** means an SES employee under the *Public Service Act 1999*.

**Shapefiles** means an ESRI Shapefile containing '.shp', '.shx' and '.dbf' files and other files capturing attributes of the offset area, including the shape and the protected matters present at the relevant site. Attributes should also be captured in '.xls' format.

**Site Occupier** means:

- (a) before an Airport Lease is granted – the Commonwealth; and  
*Note: Where a condition specifies an activity to be carried out by the Commonwealth, the Infrastructure Department will be responsible for carrying out the activity on behalf of the Commonwealth (unless stated otherwise).*
- (b) after an Airport Lease is granted – the ALC.

**Suitably Qualified Expert** means any individual with tertiary qualifications and a minimum of five years demonstrated experience relevant to the task in question.

**TransGrid** means the network operator (as that term is defined in the *Electricity Supply Act 1995* (NSW)) which operates the 330 kV electricity transmission lines located on the Airport Site.

**Wilderness Area** has the same meaning as in the *Wilderness Act 1987* (NSW).

The following interpretive provisions also apply to the conditions:

- (a) If a condition specifies a time by which something must be done, an Approver may vary that time, if requested to do so by a person to whom the condition applies.



- (b) Unless otherwise agreed by an Approver, a Plan Owner should submit a plan, or a variation to a plan, for approval at least three months before it wishes to have the plan or variation approved.
- (c) Other terms used in the conditions have the meanings given by Appendix A of the Airport Plan.

### 3.10.2. Construction conditions

#### 1. Construction plan

- (1) The Site Occupier must not commence Main Construction Works until a Construction Plan for the Airport Site and Associated Sites has been prepared and approved in accordance with this condition.
- (2) The Site Occupier must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;a Construction Plan in relation to the carrying out of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Construction Plan are that an Approver is satisfied that the Construction Plan:
  - (a) sets out:
    - (i) the program and timetable for carrying out the Stage 1 Development;
    - (ii) details of the construction methodology to be used for carrying out the Stage 1 Development;
    - (iii) any proposal to phase commencement of Main Construction Works in different parts of the Airport Site or Associated Sites at different times; and
    - (iv) details, not inconsistent with the Land Use Plan in Part 2 of the Airport Plan, of the size and location of the parts of the Airport Site or an Associated Site on which Main Construction Works are planned to occur;
  - (b) seeks to avoid or minimise, to the extent reasonably practicable, impacts on parts of the Airport Site that have important biodiversity values that are outside of the indicative Construction Impact Zone shown in Figure 2 in Part 2 of the Airport Plan; and
  - (c) is otherwise appropriate.
- (4) The Site Occupier must ensure that no CEMP is inconsistent with the approved Construction Plan.

*Note: Once the Construction Plan is approved, the details it sets out of the size and location of the part or parts of the Airport Site or an Associated Site on which Main Construction Works are planned to occur will be the Construction Impact Zone: see the definition of 'Construction Impact Zone'. The details will form part of the Environmental Management Framework and be reflected in the other CEMPs required to be produced.*



- (5) The approved Construction Plan may provide for Main Construction Works to be carried out in phases that commence at different times for different parts of the Airport Site or an Associated Site. If it does, the Site Occupier may prepare a CEMP in relation to one or more phases, and the criteria for approval of such a CEMP are taken to exclude any matter irrelevant to the phases for which approval is sought. A variation of the CEMP must be submitted for approval in accordance with condition 41 (Variation of Approved Plans) prior to commencement of any new phase.

## 2. Design of Stage 1 Development

- (1) The ALC must establish consultation arrangements with Commonwealth agencies that perform regulatory or aviation related functions at the Airport for the purpose of ensuring that the design and construction of the Stage 1 Development takes account of regulatory requirements and maximises the aeronautical capacity of the Airport.
- (2) From time to time, and when requested by an Approver, the ALC must publish information (excluding any confidential information) about the proposed layout and design of the Airport.
- (3) Where an aspect of the design of the Stage 1 Development or the methodology for carrying out the developments described in Part 3 of the Airport Plan will be relevant to a plan that is not required to be approved until a later time, the Site Occupier may, by agreement of an Approver, submit a preliminary plan to enable that aspect of the design or the methodology to be approved by an Approver in advance of the full plan being submitted.

*Note: An example of where such a preliminary plan may be required is in relation to specific aspects of the Ground Transport OEMP that may need to be approved well in advance of Airport Operations to enable the layout of the airport to be finalised.*

- (4) The Site Occupier should take into consideration opportunities to minimise noise impacts on Sensitive Receptors in the design of the Stage 1 Development.

## 3. Disinterment of human remains

- (1) The Site Occupier must not disinter any of the human remains located in grave sites identified in the European and other heritage technical report in volume 4 of the EIS:
  - (a) until a Cemeteries Relocation Management Plan has been prepared and approved in accordance with this condition; or
  - (b) inconsistently with the approved Cemeteries Relocation Management Plan.
- (2) The Infrastructure Department must prepare and submit to an Approver for approval a Cemeteries Relocation Management Plan, dealing with:
  - (a) Preparatory Activities to assist with determining the scope of the process involved in relocating the human remains located in grave sites identified in the European and other heritage technical report in volume 4 of the EIS;
  - (b) the disinterment of the remains; and
  - (c) the reinterment of the remains at another cemetery or other cemeteries.
- (3) In preparing the Cemeteries Relocation Management Plan, the Infrastructure Department

must take into account the following principles:

- (a) consultation with relatives and stakeholders;
- (b) reasonable public notice prior to the commencement of exhumation activities;
- (c) reasonable endeavours to contact surviving relatives;
- (d) consideration of public health and heritage matters; and
- (e) carrying out activities sensitively with due respect and reverence.

#### 4. TransGrid Relocation Works

- (1) The Site Occupier must not permit TransGrid Relocation Works (other than Preparatory Activities) to commence until a TransGrid Relocation Plan has been prepared and approved in accordance with this condition.
- (2) TransGrid must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;a TransGrid Relocation Plan in respect of the TransGrid Relocation Works.
- (3) TransGrid must not carry out TransGrid Relocation Works inconsistently with the approved TransGrid Relocation Plan.
- (4) The criteria for approval of the TransGrid Relocation Plan are that an Approver is satisfied that:
  - (a) an environmental assessment which would substantially satisfy the requirements for the assessment of environmental impacts under the laws which would apply to the TransGrid Relocation Works if the Act did not apply to the TransGrid Relocation Works has been completed in respect of any impacts of the TransGrid Relocation Works which were not assessed as part of the EIS;
  - (b) the plan includes appropriate management and mitigation measures to avoid, minimise or manage, the identified environmental impacts of the TransGrid Relocation Works;
  - (c) the plan identifies the persons responsible for implementing the plan; and
  - (d) the plan is otherwise appropriate.

#### 5. Preparatory Activities

- (1) If the Site Occupier proposes to commence the Aboriginal survey and salvage programmes described in Table 28–13 in Chapter 28 of the EIS before there is an approved Aboriginal Cultural Heritage CEMP, the Site Occupier must prepare a plan addressing those programmes and submit it for approval by an Approver before commencing the survey and salvage programmes.
  - (2) If an Approver determines that an activity is a Preparatory Activity for paragraph (e) of the definition of 'Preparatory Activities', the Approver may require the Site Occupier to prepare and submit for approval a plan in relation to the carrying out of that Preparatory Activity.
-

- (3) In carrying out a Preparatory Activity, the Site Occupier must:
  - (a) implement any plan approved in accordance with subcondition (1) or (2), except to the extent that the plan is inconsistent with any subsequently approved CEMP or the approved Construction Plan; and
  - (b) not act inconsistently with any approved CEMP or the approved Construction Plan.

*Note: Preparatory Activities can generally commence before all CEMPs are approved. If a CEMP has been approved, however, Preparatory Activities must not be carried out inconsistently with the approved CEMP. Some conditions require a specific plan for the preparatory activity to be approved prior to the activity occurring (for example a plan required under subcondition (1) or the Cemeteries Relocation Management Plan required under condition 3).*

#### 6. Noise and vibration management

- (1) The Site Occupier must not:
  - (a) commence Main Construction Works until a Noise and Vibration CEMP has been prepared and approved in accordance with this condition; or
  - (b) carry out any development described in Part 3 of the Airport Plan inconsistently with the approved Noise and Vibration CEMP.
- (2) The Site Occupier must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;a Noise and Vibration CEMP in relation to the carrying out of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Noise and Vibration CEMP are that an Approver is satisfied that:
  - (a) in preparing the Noise and Vibration CEMP, the Site Occupier has taken into account Table 28–2 in Chapter 28 of the EIS; and
  - (b) the Noise and Vibration CEMP complies with Table 28–3 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) The Noise and Vibration CEMP must:
  - (a) provide for respite periods for Sensitive Receptors from noise and vibration associated with construction activities; and
  - (b) not permit blasting activity during the hours of 5 pm to 9 am on weekdays, on weekends (other than 9 am to 1 pm Saturdays) and on public holidays.

#### 7. Biodiversity management

- (1) The Site Occupier must not:
  - (a) commence Main Construction Works until a Biodiversity CEMP has been prepared and approved in accordance with this condition; or





- (b) carry out any development described in Part 3 of the Airport Plan inconsistently with the approved Biodiversity CEMP.
- (2) The Site Occupier must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;a Biodiversity CEMP in relation to the carrying out of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Biodiversity CEMP are that an Approver is satisfied that:
  - (a) in preparing the Biodiversity CEMP, the site Occupier has taken into account Table 28-4 in Chapter 28 of the EIS; and
  - (b) the Biodiversity CEMP complies with Table 28-5 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) The Biodiversity CEMP must be based on and informed by a Biodiversity Assessment Report that:
  - (a) includes the results of an updated ecological survey that has applied the field survey methodology of the FBA for areas outside the Construction Impact Zone (but within the Airport Site);
  - (b) has had regard to the key diagnostic characteristics and condition thresholds specified in the *Commonwealth Listing Advice on Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest* (Threatened Species Scientific Committee 2008), particularly regarding patch size and contiguous native vegetation; and
  - (c) has been independently verified by a person accredited in accordance with section 142B(1)(c) of the *Threatened Species Conservation Act 1995 (NSW)*, appointed following consultation with OEH.
- (5) The Biodiversity CEMP must contain measures to protect and manage the areas in the environmental conservation zone shown in the Land Use Plan (EC1) along the Badgerys Creek riparian corridor including to:
  - (a) replace exotic grasslands with suitable native vegetation;
  - (b) rehabilitate existing remnant and native vegetation; and
  - (c) provide ongoing protection of the biodiversity and environmental values.

#### 8. Soil and water management

- (1) The Site Occupier must not:
  - (a) commence Main Construction Works until a Soil and Water CEMP has been prepared and approved in accordance with this condition; or
  - (b) carry out any development described in Part 3 of the Airport Plan inconsistently with the approved Soil and Water CEMP.
- (2) The Site Occupier must:





- (a) prepare; and
- (b) submit to an Approver for approval;

a Soil and Water CEMP in relation to the carrying out of the developments described in Part 3 of the Airport Plan.

- (3) The criteria for approval of the Soil and Water CEMP are that an Approver is satisfied that:
  - (a) in preparing the Soil and Water CEMP, the Site Occupier has taken into account Table 28-6 in Chapter 28 of the EIS; and
  - (b) the Soil and Water CEMP complies with Table 28-7 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) The groundwater monitoring to be undertaken for the Soil and Water CEMP must include groundwater monitoring points adjacent to woodlands in areas outside the Construction Impact Zone (but within the Airport Site).

*Note: This measure is intended to implement a groundwater monitoring network in relation to likely groundwater dependent vegetation.*

- (5) The Soil and Water CEMP must include the following trigger-action-response measures in relation to groundwater levels in areas outside the Construction Impact Zone (but within the Airport Site):
  - (a) target criteria, set with reference to relevant standards and site specific parameters;
  - (b) trigger values and corresponding corrective actions to prevent recurring or long-term exceedence of the target criteria described in (a); and
  - (c) corrective actions to compensate for any recurring or long-term exceedence of the target criteria described in (a).

*Note: Exceedence in this context should be understood to mean either elevated or depressed groundwater levels, with reference to an acceptable bandwidth.*

- (6) The Soil and Water CEMP must include soil, groundwater and surface water PFAS contamination monitoring requirements, testing and disposal procedures appropriate to the risk posed by any contamination, and consistent with relevant Commonwealth environmental management guidance on PFOS and PFOA as prepared by the Environment Department.

#### 9. Traffic and access management

- (1) The Site Occupier must not:
  - (a) commence Main Construction Works until a Traffic and Access CEMP has been prepared and approved in accordance with this condition; or
  - (b) carry out any development described in Part 3 of the Airport Plan inconsistently with the approved Traffic and Access CEMP.
- (2) The Site Occupier must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;

a Traffic and Access CEMP in relation to the carrying out of the developments described in Part 3 of the Airport Plan.

- (3) The criteria for approval of the Traffic and Access CEMP are that an Approver is satisfied that:
  - (a) in preparing the Traffic and Access CEMP, the site Occupier has taken into account Table 28-8 in Chapter 28 of the EIS; and
  - (b) the Traffic and Access CEMP complies with Table 28-9 in Chapter 28 of the EIS, and is otherwise appropriate.

#### 10. Air quality management

- (1) The Site Occupier must not:
  - (a) commence Main Construction Works until an Air Quality CEMP has been prepared and approved in accordance with this condition; or
  - (b) carry out any development described in Part 3 of the Airport Plan inconsistently with the approved Air Quality CEMP.
- (2) The Site Occupier must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;

an Air Quality CEMP in relation to the carrying out of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Air Quality CEMP are that an Approver is satisfied that:
  - (a) in preparing the Air Quality CEMP, the Site Occupier has taken into account Table 28-10 in Chapter 28 of the EIS; and
  - (b) the Air Quality CEMP complies with Table 28-11 in Chapter 28 of the EIS, and is otherwise appropriate.

#### 11. Aboriginal cultural heritage management

- (1) The Site Occupier must not:
  - (a) commence Main Construction Works, until an Aboriginal Cultural Heritage CEMP has been prepared and approved in accordance with this condition;
  - (b) carry out any Preparatory Activities inconsistently with Table 28-13 in Chapter 28 of the EIS; or
  - (c) carry out any development described in Part 3 of the Airport Plan inconsistently with the approved Aboriginal Cultural Heritage CEMP.
- (2) The Site Occupier must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;

an Aboriginal Cultural Heritage CEMP in relation to the carrying out of the

developments described in Part 3 of the Airport Plan.

- (3) The criteria for approval of the Aboriginal Cultural Heritage CEMP are that an Approver is satisfied that:
  - (a) in preparing the Aboriginal Cultural Heritage CEMP, the Site Occupier has taken into account Table 28–12 in Chapter 28 of the EIS; and
  - (b) the Aboriginal Cultural Heritage CEMP complies with Table 28–13 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) The Infrastructure Department must consult with relevant Aboriginal stakeholders and relevant government agencies with the aim of establishing, with the support and collaborative action of governments and other stakeholders, an Aboriginal cultural heritage ‘keeping place’ that would provide secure, above ground storage of artefacts and enable future access for cultural purposes, interpretation, education or research.

#### 12. European and other heritage management

- (1) The Site Occupier must not:
  - (a) commence Main Construction Works until a European and Other Heritage CEMP has been prepared and approved in accordance with this condition; or
  - (b) carry out any Preparatory Activities inconsistently with Table 28–15 in Chapter 28 of the EIS; or
  - (c) carry out any development described in Part 3 of the Airport Plan inconsistently with the approved European and Other Heritage CEMP.
- (2) The Site Occupier must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;a European and Other Heritage CEMP in relation to the carrying out of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the European and Other Heritage CEMP are that an Approver is satisfied that:
  - (a) in preparing the European and Other Heritage CEMP, the Site Occupier has taken into account Table 28–14 in Chapter 28 of the EIS; and
  - (b) the European and Other Heritage CEMP complies with Table 28–15 in Chapter 28 of the EIS, and is otherwise appropriate.

#### 13. Waste and resources management

- (1) The Site Occupier must not:
  - (a) commence Main Construction Works until a Water and Resources CEMP has been prepared and approved in accordance with this condition; or
  - (b) carry out any development described in Part 3 of the Airport Plan inconsistently with the



approved Water and Resources CEMP.

(2) The Site Occupier must:

- (a) prepare; and
- (b) submit to an Approver for approval;

a Water and Resources CEMP in relation to the carrying out of the developments described in Part 3 of the Airport Plan.

(3) The criteria for approval of the Water and Resources CEMP are that an Approver is satisfied that:

- (a) in preparing the Water and Resources CEMP, the Site Occupier has taken into account Table 28-16 in Chapter 28 of the EIS; and
- (b) the Water and Resources CEMP complies with Table 28-17 in Chapter 28 of the EIS, and is otherwise appropriate.

#### 14. Visual and landscape management

(1) The Site Occupier must not:

- (a) commence Main Construction Works until a Visual and Landscape CEMP has been prepared and approved in accordance with this condition; or
- (b) carry out any development described in Part 3 of the Airport Plan inconsistently with the approved Visual and Landscape CEMP.

(2) The Site Occupier must:

- (a) prepare; and
- (b) submit to an Approver for approval;

a Visual and Landscape CEMP in relation to the carrying out of the developments described in Part 3 of the Airport Plan.

(3) The criteria for approval of the Visual and Landscape CEMP are that an Approver is satisfied that:

- (a) in preparing the Visual and Landscape CEMP, the Site Occupier has taken into account Table 28-18 in Chapter 28 of the EIS; and
- (b) the Visual and Landscape CEMP complies with Table 28-19 in Chapter 28 of the EIS, and is otherwise appropriate.

#### 15. Community and stakeholder engagement (construction)

(1) The Site Occupier must not:

- (a) commence Main Construction Works until a Community and Stakeholder Engagement Plan has been prepared and approved in accordance with this condition; or
- (b) carry out any development described in Part 3 of the Airport Plan inconsistently with the approved Community and Stakeholder Engagement Plan.



- (2) The Site Occupier must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;  
a Community and Stakeholder Engagement Plan in relation to the carrying out of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Community and Stakeholder Engagement Plan are that an Approver is satisfied that:
  - (a) in preparing the Community and Stakeholder Engagement Plan, the Site Occupier has taken into account Table 28–20 in Chapter 28 of the EIS; and
  - (b) the Community and Stakeholder Engagement Plan complies with Table 28–21 in Chapter 28 of the EIS, and is otherwise appropriate.

### 3.10.3. Airspace design process

#### 16. Airspace design process

- (1) The ALC must not permit regular aircraft operations to commence at the Airport unless the requirements of this condition have been satisfied.
- (2) The airspace and flight path design are to be developed by a steering group led by the Infrastructure Department and involving Airservices Australia and the Civil Aviation Safety Authority. After an Airport Lease is granted the ALC will also be invited to participate in the steering group. The Infrastructure Department must establish a community and stakeholder reference group (Forum on Western Sydney Airport) which will operate until the end of the detailed design stage identified in Table 10 in Part 2 of the Airport Plan.
- (3) In developing the airspace and flight path design, the steering group must conduct public consultation with stakeholders who include the aviation industry, the community and state and local government authorities.
- (4) The airspace and flight path design, once developed, is to be referred as a plan for aviation airspace management, to the Environment Minister under section 161 of the EPBC Act.
- (5) The airspace and flight path design must take account of the following principles, in addition to the principles in section 2.2.5 of the Airport Plan:
  - (a) airspace and flight path design must explicitly consider the Aircraft Overflight Noise mitigation options presented in chapters 7 and 10 of the EIS;
  - (b) airspace and flight path design must have regard to the social and economic impacts on existing airspace users in the Sydney basin;
  - (c) airspace and flight path design must explicitly consider whether arrangements are required for managing Aircraft Overflight Noise at night; and
  - (d) airspace and flight path design must minimise to the extent practicable the impact of Aircraft Overflight Noise on the following:
    - (i) residential areas;

- (ii) Sensitive Receptors;
  - (iii) the Greater Blue Mountains World Heritage Area – particularly areas of scenic or tourism value; and
  - (iv) Wilderness Areas.
- (6) The airspace and flight path design for the Airport, once developed, must include or be accompanied by noise modelling of a range of realistic airport capacity and meteorological scenarios.
- (7) The Infrastructure Department must develop a noise insulation and property acquisition policy in relation to Aircraft Overflight Noise for buildings outside the Airport Site, having regard to the 24-hour nature of operations at the Airport.
- (8) Any referral(s) of a plan for aviation airspace management, in accordance with section 161 of the EPBC Act, must explain how all matters in this condition 16 have been addressed in developing the plan.

#### 3.10.4. Operational conditions

##### 17. Environmental Management System

Before Airport Operations commence, the ALC must develop and adopt a comprehensive environmental management system for the Airport that maintains consistency with relevant Australian and international standards.

##### 18. Noise management

- (1) The ALC must not:
- (a) commence Airport Operations until a Noise OEMP has been prepared and approved in accordance with this condition; or
  - (b) operate any development described in Part 3 of the Airport Plan inconsistently with the approved Noise OEMP.
- (2) The ALC must:
- (a) prepare; and
  - (b) submit to an Approver for approval;
- a Noise OEMP in relation to the operation of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Noise OEMP are that an Approver is satisfied that:
- (a) in preparing the Noise OEMP, the ALC has taken into account Table 28–23 in Chapter 28 of the EIS; and
  - (b) the Noise OEMP complies with Table 28–24 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) This condition ceases to have effect once there is a Master plan for the Airport.

#### 19. Air quality management

- (1) The ALC must not:
  - (a) commence Airport Operations until an Air Quality OEMP has been prepared and approved in accordance with this condition; or
  - (b) operate any development described in Part 3 of the Airport Plan inconsistently with the approved Air Quality OEMP.
- (2) The ALC must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;

an Air Quality OEMP in relation to the operation of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Air Quality OEMP are that an Approver is satisfied that:
  - (a) in preparing the Air Quality OEMP, the ALC has taken into account Table 28-25 in Chapter 28 of the EIS; and
  - (b) the Air Quality OEMP complies with Table 28-26 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) This condition ceases to have effect once there is a Master plan for the Airport.

#### 20. Ground transport management

- (1) The ALC must not:
    - (a) commence Airport Operations until a Ground Transport OEMP has been prepared and approved in accordance with this condition; or
    - (b) operate any development described in Part 3 of the Airport Plan inconsistently with the approved Ground Transport OEMP.
  - (2) The ALC must:
    - (a) prepare; and
    - (b) submit to an Approver for approval;

a Ground Transport OEMP in relation to the operation of the developments described in Part 3 of the Airport Plan.
  - (3) The criteria for approval of the Ground Transport OEMP are that an Approver is satisfied that:
    - (a) in preparing the Ground Transport OEMP, the ALC has taken into account Table 28-27 in Chapter 28 of the EIS; and
    - (b) the Ground Transport OEMP complies with Table 28-28 in Chapter 28 of the EIS, and is otherwise appropriate.
  - (4) The Ground Transport OEMP must explain how the Stage 1 Development has been designed to optimise connections to surrounding regional and local ground transport networks.
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- (5) This condition ceases to have effect once there is a Master plan for the Airport.

#### 21. Soil and water management

- (1) The ALC must not:
- (a) commence Airport Operations until a Soil and Water OEMP has been prepared and approved in accordance with this condition; or
  - (b) operate any development described in Part 3 of the Airport Plan inconsistently with the approved Soil and Water OEMP.

- (2) The ALC must:

- (a) prepare; and
- (b) submit to an Approver for approval;

a Soil and Water OEMP in relation to the operation of the developments described in Part 3 of the Airport Plan.

- (3) The criteria for approval of the Soil and Water OEMP are that an Approver is satisfied that:

- (a) in preparing the Soil and Water OEMP, the ALC has taken into account Table 28–29 in Chapter 28 of the EIS; and
- (b) the Soil and Water OEMP complies with Table 28–30 in Chapter 28 of the EIS, and is otherwise appropriate.

- (4) The Soil and Water OEMP must include the following trigger-action-response measures in relation to the quality of water discharged from the Airport Site:

- (a) target criteria, set with reference to relevant standards and site specific parameters;
- (b) trigger values and corresponding corrective actions to prevent recurring or long-term exceedence of the target criteria described in (a); and
- (c) corrective actions to compensate for any recurring or long-term exceedence of the target criteria described in (a).

*Note: Exceedence in this context should be understood to mean either elevated or depressed groundwater levels, with reference to an acceptable bandwidth.*

- (5) The Soil and Water OEMP must include soil, groundwater and surface water PFAS contamination monitoring requirements, testing and disposal procedures appropriate to the risk posed by any contamination, and consistent with relevant Commonwealth environmental management guidance on PFOS and PFOA as prepared by the Environment Department.

- (6) This condition ceases to have effect once there is a Master plan for the Airport.

#### 22. Waste and resources management

- (1) The ALC must not:

- (a) commence Airport Operations until a Waste and Resources OEMP has been prepared and approved in accordance with this condition; or



- (b) operate any development described in Part 3 of the Airport Plan inconsistently with the approved Waste and Resources OEMP.
- (2) The ALC must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;a Waste and Resources OEMP in relation to the operation of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Waste and Resources OEMP are that an Approver is satisfied that:
  - (a) in preparing the Waste and Resources OEMP, the ALC has taken into account Table 28–31 in Chapter 28 of the EIS; and
  - (b) the Waste and Resources OEMP complies with Table 28–32 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) This condition ceases to have effect once there is a Master plan for the Airport.

#### 23. Biodiversity, land and safety management

- (1) The ALC must not:
  - (a) commence Airport Operations until a Biodiversity, Land and Safety OEMP has been prepared and approved in accordance with this condition; or
  - (b) operate any development described in Part 3 of the Airport Plan inconsistently with the approved Biodiversity, Land and Safety OEMP.
- (2) The ALC must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;a Biodiversity, Land and Safety OEMP in relation to the operation of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Biodiversity, Land and Safety OEMP are that an Approver is satisfied that:
  - (a) in preparing the Biodiversity, Land and Safety OEMP, the ALC has taken into account Table 28–33 in Chapter 28 of the EIS; and
  - (b) the Biodiversity, Land and Safety OEMP complies with Table 28–34 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) The Biodiversity, Land and Safety OEMP must contain measures to protect and manage the areas in the environmental conservation zone shown in the Land Use Plan (EC1) along the Badgerys Creek riparian corridor including to:
  - (a) replace exotic grasslands with suitable native vegetation;
  - (b) rehabilitate existing remnant and native vegetation; and
  - (c) provide ongoing protection of the biodiversity and environmental values.

- (5) This condition ceases to have effect once there is a Master plan for the Airport.

#### 24. Establishment of Operational Consultation forums

- (1) The ALC must establish a community aviation consultation group in accordance with guidelines issued by the Infrastructure Department to operate following the detailed design stage for the flight paths (as shown in Table 10 in Part 2 of the Airport Plan) and before Airport Operations commence.
- (2) The ALC must establish a planning coordination forum in accordance with guidelines issued by the Infrastructure Department before Airport Operations commence.

#### 25. Community and stakeholder engagement (operations)

- (1) The ALC must not:
  - (a) commence Airport Operations until a Community and Stakeholder Engagement Plan has been prepared and approved in accordance with this condition; or
  - (b) operate any development described in Part 3 of the Airport Plan inconsistently with the approved Community and Stakeholder Engagement Plan.
- (2) The ALC must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;a Community and Stakeholder Engagement Plan in relation to the operation of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Community and Stakeholder Engagement Plan are that an Approver is satisfied that:
  - (a) in preparing the Community and Stakeholder Engagement Plan, the ALC has taken into account Table 28–35 in Chapter 28 of the EIS; and
  - (b) the Community and Stakeholder Engagement Plan complies with Table 28–36 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) This condition ceases to have effect once there is a Master plan for the Airport.

#### 26. Aviation fuel supply corridor options report

By 31 December 2017, the Infrastructure Department must, in consultation with any NSW Government agencies specified by the NSW Department of Premier and Cabinet and any other relevant stakeholders, consider, analyse and report on options for a corridor for a pipeline to supply aviation fuel to the Airport Site.

#### 27. Statutory compliance – aviation fuels

- (1) The Site Occupier must ensure that contracts which it enters into in relation to the supply, transport, storage or disposal of aviation fuels for the Stage 1 Development of the airport
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include provisions requiring compliance with all applicable Commonwealth, state and local laws relating to the protection of the environment.

- (2) This condition ceases to have effect if and when a contract has been entered into for the construction of a fuel supply pipeline.

#### 28. Aviation fuel supply periodic cost benefit reviews

- (1) The ALC must, within two years of the grant of an Airport Lease, and at least once every five years thereafter, prepare and publish a review of aviation fuel supply options comparing the social, economic and environmental costs, savings and benefits of fuel supplied to the Airport by road with other alternatives including a fuel pipeline. The reviews must be undertaken in consultation with any New South Wales Government agencies specified by the New South Wales Department of Premier and Cabinet.
- (2) This condition ceases to have effect if and when a contract has been entered into for the construction of a fuel supply pipeline.

#### 3.10.5. General conditions

#### 29. Sustainability

- (1) The ALC must not design, carry out or operate any development described in Part 3 of the Airport Plan inconsistently with:
  - (a) Table 28–38 in Chapter 28 of the EIS; or
  - (b) a Sustainability Plan prepared and approved in accordance with this condition.
- (2) Within six months of the grant of an Airport Lease, the ALC must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;a Sustainability Plan in relation to the design, carrying out and operation of the developments described in Part 3 of the Airport Plan.
- (3) The criteria for approval of the Sustainability Plan are that an Approver is satisfied that:
  - (a) in preparing the Sustainability Plan, the ALC has taken into account Table 28–37 in Chapter 28 of the EIS; and
  - (b) the Sustainability Plan complies with Table 28–38 in Chapter 28 of the EIS, and is otherwise appropriate.
- (4) This condition ceases to have effect once there is a Master plan for the Airport.

#### 30. Biodiversity Offset Delivery Plan


- (1) The Infrastructure Department must:
  - (a) prepare; and
  - (b) submit to an Approver for approval;



a Biodiversity Offset Delivery Plan in relation to the carrying out of the developments described in Part 3 of the Airport Plan.

- (2) The criteria for approval of the Biodiversity Offset Delivery Plan are that an Approver is satisfied that the Biodiversity Offset Delivery Plan:
  - (a) takes into account:
    - (i) sections 28.5.3.3 – 28.5.3.5 in Chapter 28 of the EIS; and
    - (ii) the Biodiversity Offset Package in volume 4 of the EIS; and
    - (iii) the EPBC Act Environmental Offsets Policy issued by the Environment Department in October 2012; and
  - (b) is otherwise appropriate.
- (3) The Site Occupier must not commence Main Construction Works until the Biodiversity Offset Delivery Plan has been approved in accordance with this condition.
- (4) The Biodiversity Offset Delivery Plan must be based on and informed by a Biodiversity Assessment Report that:
  - (a) includes the results of an updated ecological survey that has applied the field survey methodology of the FBA for areas within the Construction Impact Zone;
  - (b) has had regard to the key diagnostic characteristics and condition thresholds specified in the *Commonwealth Listing Advice on Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest* (Threatened Species Scientific Committee 2008), particularly regarding patch size and contiguous native vegetation; and
  - (c) has been independently verified by a person accredited in accordance with section 142B(1)(c) of the *Threatened Species Conservation Act 1995* (NSW), appointed following consultation with OEH.
- (5) The Biodiversity Offset Delivery Plan must be prepared by a Suitably Qualified Expert.
- (6) The Biodiversity Offset Delivery Plan must:
  - (a) be consistent with the EPBC Act Environmental Offsets Policy (2012) to the satisfaction of the Approver, including in particular:
    - (i) offsets must deliver an overall conservation outcome that improves or maintains the viability of the protected matter;
    - (ii) offsets must be built around Direct Offsets but may include Other Compensatory Measures (including that the offsets must be 'like-for-like');
    - (iii) offsets must be additional to what is already required, determined by law or planning regulations, or agreed to under other schemes or programs; and
    - (iv) the identification of offsets must be informed by scientifically robust information and incorporate the precautionary principle in the absence of scientific certainty;
  - (b) include measures to offset impacts on foraging habitat for the Swift Parrot (*Lathamus discolor*) in addition to those species and ecological communities listed in the Biodiversity Offset Strategy provided as part of the EIS;
  - (c) identify biodiversity credits (or other measure as appropriate) required to offset the total



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- impacts of the Stage 1 Development on biodiversity, determined in accordance with the relevant policies;
- (d) provide evidence that the required biodiversity credits (or other measure as appropriate) can be secured in accordance with the relevant policies;
  - (e) provide evidence that the arrangements for managing the Direct Offsets will be provided through mechanisms that are enduring, enforceable and auditable; and
  - (f) if any Other Compensatory Measures are proposed, provide details of those measures along with a justification of why they should be considered acceptable.
- (7) The Biodiversity Offset Delivery Plan should capitalise wherever possible on opportunities to improve connectivity or contribute to Commonwealth, state or local government initiatives to secure offsets with strategic value.
  - (8) In preparing the Biodiversity Offset Delivery Plan, the Infrastructure Department must consult with Local Aboriginal Land Councils and Aboriginal groups in Western Sydney, to identify complementary outcomes for biodiversity conservation and Aboriginal cultural heritage on the Cumberland Plain.
  - (9) The Infrastructure Department must provide the Environment Department with Shapefiles identifying the location and boundaries of each Direct Offset site within three months of legally securing and establishing management arrangements for the site, unless otherwise approved by an Approver.
  - (10) The Infrastructure Department must implement the approved Biodiversity Offset Delivery Plan on behalf of the Commonwealth.
  - (11) The Infrastructure Department must:
    - (a) ensure that an independent audit of its compliance with condition 30(10) is conducted in respect of:
      - (i) the 12-month period commencing with the approval of the Biodiversity Offset Delivery Plan; and
      - (ii) each subsequent 18-month period until all biodiversity offsets required by the Biodiversity Offset Delivery Plan have been secured or implemented; and
    - (b) submit a report of each audit that is carried out to the Environment Department within six months of the end of the period in respect of which the audit was conducted.
  - (12) For each audit, the independent auditor must be approved by an Approver prior to the commencement of the audit. Audit criteria must be agreed to by an Approver and the audit report must address the criteria to the satisfaction of an Approver.
  - (13) If there is a change to the Construction Impact Zone after the Biodiversity Offset Delivery Plan is approved, a variation of the Biodiversity Offset Delivery Plan in relation to that change must be prepared by the Infrastructure Department and submitted for approval in accordance with condition 41 (Variation of Approved Plans), unless an Approver decides that the change is not material to biodiversity offset requirements.
  - (14) The Infrastructure Department must review the Biodiversity Offset Delivery Plan every five years to ensure that the Biodiversity Offset Delivery Plan continues to meet the approval
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criteria for that plan. The Infrastructure Department must provide a report on the review to the Environment Minister. If the plan does not continue to meet the approval criteria, within three months of the provision of the report, the Infrastructure Department must prepare and submit for approval under condition 41(1), a variation to the Approved Plan to ensure it continues to meet the approval criteria.

(15) The Environment Minister may:

- (a) vary an approved Biodiversity Offset Delivery Plan; or
- (b) request in writing that the Infrastructure Department prepare and seek approval for a specified variation of an approved Biodiversity Offset Delivery Plan in accordance with condition 41(1),

if the Environment Minister believes on reasonable grounds that:

- (c) this condition 30 has been contravened; and
- (d) the variation or the request for a specified variation (as the case may be) will address the contravention.

### 31. Biodiversity Experts Group

- (1) The Infrastructure Department must establish an expert group consisting of appropriately qualified and experienced experts in fields relevant to the Biodiversity Offset Delivery Plan.
- (2) The expert group will be consulted on the development of the Biodiversity Offset Delivery Plan and any proposed biodiversity offsets and other compensatory measures that are secured or implemented before the approval of the Biodiversity Offset Delivery Plan.
- (3) Prior to a person being appointed to the Biodiversity Experts Group, the Infrastructure Minister, or SES employee within the Infrastructure Department, must consult with an Approver, about the proposed appointment.
- (4) The preparation of the Biodiversity Offset Delivery Plan must be informed by the advice of the Biodiversity Experts Group. In particular, the advice of the Biodiversity Experts Group must be sought on whether and how conservation outcomes improve or maintain the viability of the biodiversity values to be offset.
- (5) When published, the Biodiversity Offset Delivery Plan must include or be accompanied by the advice of the Biodiversity Experts Group.

### 32. Reliable supply of native seed

- (1) The Infrastructure Department must enter into an agreement with Greening Australia Ltd to contribute funds to the organisation's Native Seed Production Area (SPA) program in Western Sydney.
  - (2) The agreement must ensure that the funded elements of the SPA program:
    - (a) have the objective of producing a reliable source of native seed for ecological restoration work in Western Sydney's Cumberland Plain; and
    - (b) are specific to the threatened vegetation communities found on the Cumberland
-

Plain, with the primary focus on species associated with the Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest ecological community listed as critically endangered under the EPBC Act.

- (3) The agreement cannot limit Greening Australia Ltd's rights to:
  - (a) own or sell native seed produced from the SPA program; and
  - (b) retain the proceeds of the sale of those seeds to support the purposes of the SPA program.
- (4) The agreement must, for a minimum of five years, provide a funding contribution from the Infrastructure Department to the SPA program of at least \$2 million annually, subject to the terms of the agreement.
- (5) The agreement must be executed by both parties within six months of the determination of the Airport Plan, or by 1 May 2017 at the latest, and the first year's funding must be provided within 10 business days of the date of the agreement.
- (6) The agreement must include provisions for Greening Australia Ltd to access the Airport Site (to the greatest possible extent) for the purpose of native seed collection.
- (7) The contribution of funds by the Infrastructure Department delivered under the agreement may be included as an Other Compensatory Measure in the Biodiversity Offset Delivery Plan.
- (8) The Environment Department and the Infrastructure Department will facilitate, where possible, access for Greening Australia Ltd to other Commonwealth lands for the purpose of native seed collection in relation to the SPA program as it relates to Western Sydney's Cumberland Plain.

### 33. Threatened Flora Propagation

As soon as possible after the Airport Plan has been determined, the Infrastructure Department must, in consultation with the Environment Department, OEH and the Mount Annan Botanic Garden, arrange for:

- (a) the collection of seed or other propagules from the Airport Site as biologically appropriate for *Marsdenia viridiflora* subsp. *viridiflora* and *Pultenaea parviflora* at the earliest seasonal opportunity; and
- (b) propagation trials, and field planting trials if possible, for *Marsdenia viridiflora* subsp. *viridiflora* and *Pultenaea parviflora*.

### 34. PFOS/PFOA

A person carrying out or operating an aspect of the Stage 1 Development must not act inconsistently with:

- (a) *National Environment Protection (Assessment of Site Contamination) Measure 1999* (as amended);
  - (b) *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (under the National Water Quality Management Strategy) including the draft default guideline values
-



for perfluorooctanoic acid (PFOS) and perfluorooctane sulfonic acid (PFOA) in freshwater as applied by the state government; and

- (c) relevant Commonwealth environmental management guidance on PFOS and PFOA.

### 35. Consultation on plans

An Approver must not approve a plan referred to in Chapter 28 of the EIS unless he or she is satisfied that the Plan Owner:

- (a) in preparing the plan, has:
  - (i) consulted with any New South Wales Government agencies specified by the New South Wales Department of Premier and Cabinet; and
  - (ii) in the case of the Biodiversity CEMP, Biodiversity, Land and Safety OEMP, Soil and Water CEMP and Soil and Water OEMP, also consulted the Environment Department and OEH; and
- (b) has provided:
  - (i) the Approver; and
  - (ii) each consulted agency,with an explanation of how any responses have been addressed.

### 36. Transition to Master plan

In preparing its first Master plan for the Airport, the ALC must address the substance of the matters set out in conditions 17 to 25 and condition 29 (to the extent they remain relevant) along with any Approved Plans under those conditions, to the satisfaction of the Infrastructure Minister.

*Note: Conditions relating to OEMP's cease to have effect once a Master Plan for the Airport is in place.*

### 3.10.6. Other conditions

#### 37. Informing others of conditions

- (1) The Site Occupier must take reasonable steps to ensure that:
  - (a) each person involved in carrying out a development described in Part 3 of the Airport Plan:
    - (i) is informed of the conditions that are relevant to the carrying out of the development; and
    - (ii) in carrying out the development, complies with those conditions as if they applied to the person in the same way as they apply to the Site Occupier; and
  - (b) each person involved in operating a development described in Part 3 of the Airport Plan:



- (i) is informed of the conditions that are relevant to the operation of the development; and
  - (ii) in operating the development, complies with those conditions as if they applied to the person in the same way as they apply to the Site Occupier.
- (2) TransGrid must take reasonable steps to ensure that each person involved in carrying out TransGrid Relocation Works is informed of, and complies with, the approved TransGrid Relocation Plan.

38. Site Occupier and Plan Owner to maintain records about compliance with conditions

Each Site Occupier and each Plan Owner must maintain accurate records which demonstrate its compliance with the conditions, including measures taken to implement the Approved Plans, and must make the records available upon request to the Infrastructure Department.

39. Site Occupier to prepare and publish reports about its compliance with construction conditions

- (1) Unless otherwise agreed in writing by an Approver, the Site Occupier must prepare a report addressing its compliance with each condition set out in section 3.10.2 and condition 29 (Sustainability), including implementation of any Approved Plan, in respect of:
  - (a) the 12-month period commencing with the commencement of Main Construction Works; and
  - (b) each subsequent 12-month period until the end of the Construction Period; and
  - (c) any period between the commencement of Main Construction Works and the end of the Construction Period that is not covered by paragraph (a) or (b).
- (2) Unless otherwise agreed in writing by an Approver, the Site Occupier must publish each report prepared under subcondition (1) on its website within three months of the end of the period in respect of which the report was prepared. Documentary evidence providing proof of the date of publication must be provided to the Infrastructure Department at the same time as each report is published (with a copy to be provided to the Environment Department). Each report must remain on the Site Occupier's website for a minimum of 12 months (beginning on the date of publication).
- (3) Following approval of the Biodiversity Offset Delivery Plan, the Infrastructure Department must report to the Environment Department every 12 months on its implementation until all biodiversity offsets and other compensatory measures under the Biodiversity Offset Delivery Plan have been secured or implemented. The Infrastructure Department must publish the report on its website.

#### 40. Independent audits about the ALC's compliance with conditions

- (1) The ALC must ensure that an independent audit of its compliance with the conditions set out in section 3.10.2 is conducted in respect of the 12-month period commencing with the grant of an Airport Lease.
- (2) The ALC must ensure that an independent audit of its compliance with the conditions set out in section 3.10.4 is conducted in respect of the 12-month period from commencement of Airport Operations.
- (3) The ALC must submit the report of each audit conducted under subcondition (1) or (2) to an Approver (with a copy to the Environment Department) within six months of the end of the period in respect of which the audit was conducted. For each audit, the independent auditor must be approved by an Approver prior to the commencement of the audit. Audit criteria must be agreed by an Approver and the report of the audit report must address the criteria to the satisfaction of an Approver.

#### 41. Variation of Approved Plans

- (1) The Plan Owner may seek approval for a variation of an Approved Plan by submitting to an Approver a version of the plan with the proposed variation clearly marked in it (*varied plan*).
- (2) The criteria for approval of the varied plan are the same as those in the Approval Condition, but only to the extent that they are relevant to the proposed variation.
- (3) If an Approver approves a varied plan prepared under subcondition (1) or paragraph (5)(b), or the Infrastructure Minister varies an Approved Plan under paragraph (5)(a), then, from the date when it is approved or varied (as the case may be), the plan as varied is taken to be the Approved Plan for the purposes of the conditions.
- (4) The ALC must review each Approved Plan for which it is the Plan Owner every five years to ensure that the Approved Plan continues to meet the approval criteria for that plan. The ALC must provide a report on the review (which may be included in an annual report required under condition 39). If the plan does not continue to meet the approval criteria, within three months of the provision of the report, the ALC must prepare and submit for approval under subcondition (1) a variation to the Approved Plan to ensure it continues to meet the approval criteria.
- (5) The Infrastructure Minister may:
  - (a) vary an Approved Plan; or
  - (b) request in writing that the Plan Owner prepare and seek approval for a specified variation of an Approved Plan in accordance with subcondition (1),if the Infrastructure Minister believes on reasonable grounds that:
  - (c) a condition has been contravened and the nature of the contravention is relevant to the subject matter of the Approved Plan; and
  - (d) the variation or the request for a specified variation (as the case may be) will address the contravention.



- (6) The Plan Owner must comply with a request made by the Infrastructure Minister in accordance with subcondition (5) within three months of the date of the request.
- (7) Subconditions (5) and (6) do not apply in relation to the Biodiversity Offset Delivery Plan.
- (8) Within two months of the grant of an Airport Lease, the ALC must prepare and submit for approval, in accordance with subcondition (1), a variation of each plan that was approved under a condition before the lease was granted, and for which the ALC is the Plan Owner, to reflect the change in Site Occupier resulting from the grant of the Airport Lease.

#### 42. Publication of Approved Plans

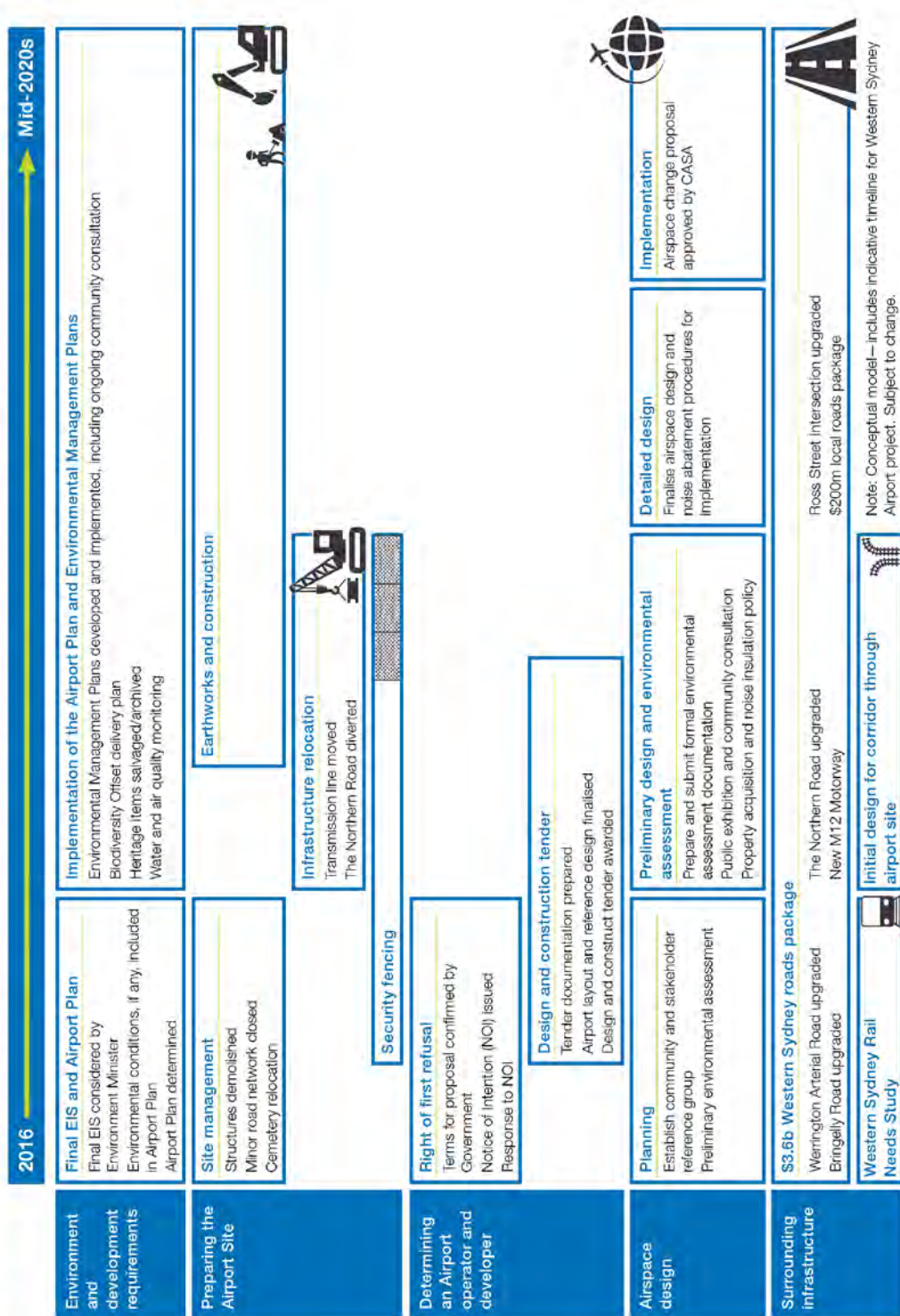
- (1) Unless otherwise agreed in writing by an Approver, the Plan Owner must publish all Approved Plans on its website.
- (2) Each Approved Plan must be published on the Plan Owner's website within one month of being approved and remain so published:
  - (a) for CEMPs – until the end of the Construction Period;
  - (b) for the Biodiversity Offset Delivery Plan – until all biodiversity offsets and other compensatory measures required by the plan have been secured or implemented; and
  - (c) for all other plans – until there is a Master plan for the Airport.



## ATTACHMENT 5

### An airport for Western Sydney: next steps

Developing a greenfield airport is a complex project, and the proposed Western Sydney Airport will be one of the largest infrastructure projects Australia has seen in decades. A range of work is being undertaken across all aspects of the project towards delivering an operational Western Sydney Airport in the mid-2020s.





## **8.26 Annual Code of Conduct Complaints report for the period 1 September 2015 to 31 August 2016**

### **Division**

City Governance

### **Reporting Officer**

Director City Governance

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### **Attachments**

Code of Conduct Complaints Report for the Period 1 September 2015 to 31 August 2016  
(contained within this report)

### **Purpose**

This report provides annual Code of Conduct complaints statistics for the period 1 September 2015 to 31 August 2016, in accordance with reporting requirements within the Model Code of Conduct for Local Councils in NSW.

### **Report**

In accordance with the Model Code of Conduct for Local Councils in NSW procedures, each Council's complaints coordinator must, within three months of the end of September each year, report complaints statistics to their Council and to the Office of Local Government.

The statistics that are to be reported are included in attachment 1.

### **Officer's Recommendation**

That the information be noted.

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## ATTACHMENT 1

Model Code of Conduct Complaints Statistics Campbelltown City Council		
Number of Complaints		
1	a The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct	1
	b The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct	0
Overview of Complaints and Cost		
2	a The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor	0
	b The number of complaints <b>referred to the Office of Local Government</b> under a special complaints management arrangement	0
	c The number of code of conduct complaints <b>referred to a conduct reviewer</b>	0
	d The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer	0
	e The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer	0
	f The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>	0
	g The number of finalised code of conduct complaints <b>investigated by a conduct review committee</b>	0

## 8.26 Annual Code Of Conduct Complaints Report For The Period 1 September 2015 To 31 August 2016

h	The number of finalised complaints investigated where there was found to be <b>no breach</b>	0
i	The number of finalised complaints investigated where there was found to be <b>a breach</b>	1
j	The number of complaints referred by the GM or Mayor <b>to another agency</b> or body such as the ICAC, the NSW Ombudsman, the Office or the Police	1
k	The number of complaints being investigated that are <b>not yet finalised</b>	1
l	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	0

## Preliminary Assessment Statistics

3	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
a	To take no action	0
b	To resolve the complaint by alternative and appropriate strategies	0
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies	0
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police	0
e	To investigate the matter	0
f	To recommend that the complaints coordinator convene a conduct review committee to investigate the matter	0

## Investigation Statistics

4 The number of investigated complaints resulting in a determination that there was **no breach**, in which the following recommendations were made:

a That the council revise its policies or procedures

0

b That a person or persons undertake training or other education

0

5 The number of investigated complaints resulting in a determination that there **was a breach** in which the following recommendations were made:

a That the council revise any of its policies or procedures

0

b That the subject person undertake any training or other education relevant to the conduct giving rise to the breach

0

c That the subject person be counselled for their conduct

0

d That the subject person apologise to any person or organisation affected by the breach

0

e That findings of inappropriate conduct be made public

0

f In the case of a breach by the GM, that action be taken under the GM's contract for the breach

0

g In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993

0

h In the case of a breach by a councillor, that the matter be referred to the Office for further action

0



6	Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures	0
Categories of misconduct		
7	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:	
a	General conduct (Part 3)	0
b	Conflict of interest (Part 4)	0
c	Personal benefit (Part 5)	0
d	Relationship between council officials (Part 6)	0
e	Access to information and resources (Part 7)	0
Outcome of determinations		
8	The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	0
9	The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office	0

## **9. QUESTIONS WITH NOTICE**

Nil at time of print.

## **10. RESCISSION MOTION**

**No rescission motion this round**

## **11. NOTICE OF MOTION**

### **11.1 Domestic Violence Framework**

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Councillor Chivers has given Notice in writing of her intention to move the following Motion at the next meeting of Council on 13 December 2016.

#### **Background**

It is of grave concern to Council that in 2015 at least one woman per week was killed by a partner or ex-partner in Australia (Australian Institute of Criminology 2015).

It is important that Council builds on White Ribbon Day, and implements further initiatives to strengthen our stance against domestic violence.

#### **Motion**

That Council reflect its strong stance against any form of domestic violence in developing a framework including, but not limited to, the development of an authorised statement that reflects council's commitment to supporting any staff and their families that may have been impacted by domestic violence.

## **12. URGENT GENERAL BUSINESS**

**No reports this round**

## **13. PRESENTATIONS BY COUNCILLORS**

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## **14. CONFIDENTIAL REPORTS FROM OFFICERS**

### **14.1 Directors of Companies - City Development**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

### **14.2 Director of Companies - City Delivery**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
-

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**TITLE     2016     COMMUNITY     BUILDING     PARTNERSHIP     FUNDING  
PROGRAM**

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**Attachments**

2016 Community Building Partnership Projects in Campbelltown Table (attached within this report)

I am pleased to advise that last week; Campbelltown MP Greg Warren and I were able to announce the joint funding of four projects under the NSW Government's 2016 Community Building Partnership (CBP) program.

The CBP program supports the improvement of community infrastructure by funding projects that encourage community participation, inclusion and cohesion with \$300,000 being allocated this year for the Campbelltown electoral area. A total of 15 well deserving community organisations were funded for projects after a highly competitive round.

Through working in partnership and contributing funds already allocated in the 2016-2017 budget, we have been able to leverage even greater benefits for our community, raising the value of projects delivered from \$300,000 to \$385,668.

Projects jointly funded by Council include:

- a water main connection for Lynwood Park Rural Fire Service
- installation of irrigation system upgrades at the home of Campbelltown Ghosts Baseball Club in St Helens Park
- replacement of the playground soft-fall surface at Campbelltown Community Preschool; and
- an extensive upgrade of the electricity supply to Campbelltown Town Hall Theatre.

This is a demonstrated commitment to working in partnership and providing both improved and new facilities for our community.

While we achieve much as a Council, working together with other levels of Government allows us to leverage existing funds to deliver even better outcomes for our growing community.

It is these partnerships that will be vital in shaping our City of the future, and I know that I speak for all Councillors when I say that we are committed to seeking and facilitating opportunities for similar collaborations into the future.

I would like to formally express the gratitude of Campbelltown City to MP Greg Warren for his staunch advocacy of our region and the role that he has played in securing this funding for our City of Campbelltown.

I look forward to seeing the many projects come to fruition over the coming year, and I have no doubt that the improvements will be embraced by the wider Campbelltown community.



## **Recommendation**

That Council commend and thank the State Member for Campbelltown MP Greg Warren for his staunch advocacy of our region and partnership approach.

## ATTACHMENT 1

Organisation and Project	CBP funding	Council funding	Total funding
1. Town Hall Theatre – renovations & electrical/lighting upgrades	\$34,166	\$34,166	\$68,332
2. Campbelltown Ghosts Baseball – irrigation upgrades	\$43,834	\$31,666	\$75,500
3. Campbelltown Community Preschool – playground upgrade	\$15,164	\$14,836	\$30,000
4. Lynwood Park RFS – connection to water main	\$9,515	\$5,000	\$14,515
5. St David's Presbyterian Church – fencing upgrades	\$21,731		\$21,731
6. Macarthur Football Association – new scoreboard at Lynwood Park	\$10,000		\$10,000
7. Ruse Football Club – footpath installation	\$12,000		\$12,000
8. Campbelltown Rotary Club – purchase of BBQ trailer	\$6,000		\$6,000
9. Campbelltown Caspers Baseball – landscaping and lighting	\$11,176		\$11,176
10. NARRA Co-Operative – renovations of Philippine-Australian arts, centre and innovation centre	\$16,900		\$16,900
11. Airds-Bradbury Men's Shed – purchase of ute	\$15,000		\$15,000
12. Ambarvale PS – playground upgrade	\$40,000		\$40,000
13. Campbelltown PS – playground upgrade	\$20,035		\$20,035
14. Macarthur Baseball League – installation of all-weather batting cages	\$17,125		\$17,125
15. John Warby PS – installation of LED school sign	\$27,354		\$27,354
<b>TOTAL</b>	<b>\$300,000</b>	<b>\$85,668</b>	<b>\$385,668</b>

## **8.27 Sport and Health Centre of Excellence Proposal**

### **Division**

City Lifestyles

### **Reporting Officer**

Director City Lifestyles

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### **Attachments**

Deloitte Campbelltown Sports and Health Centre of Excellence Business Case (distributed under separate cover due to confidentiality)

### **Purpose**

To provide an update to Council on the Sport and Health Centre of Excellence proposal, including advice on receipt of funding from the Federal Government, Department of Infrastructure and Regional Development and its requirements.

Further, the report provides options for Council's consideration in light of recently received revised cost estimates for the delivery of the project which indicate a significant increase in cost to successfully deliver the originally envisaged project.

### **History**

Council at its meeting held 9 June 2015 resolved:

1. That Council commit to contributing up to \$5m towards the development of a Regional Sport Centre of Excellence in the Campbelltown Local Government Area conditional upon:
  - i. a successful application to the Federal Government for funds towards the development of a regional sport centre of excellence in the Campbelltown Local Government Area (LGA)
  - ii. presentation to Council of funding options for Council's commitment of up to \$5m as part of the 2016-2017 budget process.
2. That Council negotiate with other key partners including the State Government to contribute to the project.

## **Report**

### **Background**

On 24 February 2015 and 4 August 2015, Council was briefed on an opportunity to develop a Sport and Health Centre of Excellence in the Campbelltown LGA.

Council then considered a report on the proposal at its meeting held on 9 June 2015, at which time Council resolved to commit up to \$5m in funding towards the project. The project at this time was estimated to be \$17.26m for the 7,665m<sup>2</sup> facility.

Council subsequently submitted a grant application to the Federal Government under the Stronger Regions Fund in late 2015 and then a further application in a later round in early 2016 for \$8.63m, on the basis of 50/50 funding between the Federal Government Grant Program and the balance of the costs to deliver the project. The balance of project costs was to be met through a combination of Council funds of \$5m and then financial partners.

Funding under this partnership arrangement was secured from UrbanGrowthNSW through a Voluntary Planning Agreement (VPA) (\$1.58m) and the Western Sydney University (\$1.4m). Other potential partners provided letters of support for the application with conditional and unconfirmed financial contributions, totalling approximately \$600,000.

To support this application a business case was developed in conjunction with Deloitte Access Economics that focussed the case for change in the strategic context, analysis of the proposal and options for implementation.

Council received advice early September 2016 from the Minister for Regional Development, that under the Coalition Governments election commitment, \$7.2m would be provided for the Campbelltown Centre of Sport and Health Excellence.

To formally accept this offer of funding Council is required to respond to the Federal Government to confirm the project and to formally enter into a Deed of Agreement. Council is required to provide this notification within three months from the date of notification, however Council sought an extension and this has been approved until 31 January 2017.

A Councillor briefing was held on 6 December 2016 to provide an update on the project; advise of the Federal Government commitment of funding and its requirements; advise of the revised cost estimates and to seek direction on options going forward.

### **Strategic Context**

Campbelltown City is recognised as a regional city in South Western Sydney and is one of the fastest growing areas of NSW. The current population of 158,000 is expected to increase to approximately 300,000 in the next 15 years. In this context Council is repositioning Campbelltown and in particular the precinct around the University, TAFE and Hospitals as an educational and medical hub.



The draft Sport and Recreation Strategy identifies the Centre of Excellence as a short term strategy to address future land needs for sporting facilities (2.2.3): ensure community access to sport and recreation facilities at the Western Sydney University Sports Centre of Excellence.

The business case developed in March 2016 highlights that through the proposal the community's access to a collaborative education, health and wellbeing community hub that is modern and flexible, will help unlock a broad range of health, social and economic benefits; which will support the regional development efforts underway at Commonwealth and State Government levels.

The business case states that the proposal will:

- lead to improved physical and mental health and mental wellbeing through greater participation in physical recreation and exercise across the community, especially among those not previously engaged, as well as rehabilitation facilities. This aligns strongly with the goals of the Australian Sports Commission, such as addressing community sport infrastructure
- provide secure facility access to sports organisations such as the Western Suburbs District Junior Rugby League, South West Sydney Academy of Sport and the Australian Football League, while providing capacity for emerging sports such as badminton and martial arts, as well as supporting the community need for recreation in South West Sydney
- form the node of a future training and sports science precinct within South West Sydney, attracting elite athletes from the wider Sydney area as well as retaining local sporting talent. Such a precinct would provide pathways for junior athletes to the elite level, and being co-located with WSU, build on excellence in sports science research
- improve quality of life and amenity through access to high quality sporting facilities and specialist rehabilitative and sport science facilities such as hydrotherapy, and Western Sydney University clinic reducing the time they need to travel across Sydney to access facilities that meet their needs. The facility will also serve as a valuable resource in youth outreach activities, seeking to improve engagement with disaffected groups and address rising issues such as youth suicide, depression and drug use
- help build social capital by creating a more inclusive community. The facility will serve as a vehicle for fostering greater social connections; building a collective community identity and growing trust across community groups. As a community hub, the facility will promote cultural and social expression providing greater connectedness between cultural groups
- represent a significant boost to and enabler of economic development in the region. Initially this represents new investment and employment opportunities during the construction phase, while the ongoing multiplier related to elite training and sports science research will create inbound opportunities for the broader community along a knowledge jobs framework

- further with the development of a second airport, the facility has the opportunity to become a world renowned elite sporting facility for the region, which will trigger associated investments in accommodation, hospitality and retail to attract and retain this business activity. This aligns strongly with the goals of A Plan for Growing Sydney.

The proposed Centre of Excellence brings these elements together and supports the broader strategic directions.

### **Key Project Objectives and Components**

The proposed Sports and Health Centre of Excellence combines elite sports training facilities, administration and operational spaces with community spaces and programs as well as a fully functional Community Health Centre. These facilities are proposed to be used under a collaborative and shared arrangement to promote sporting participation, education and health and wellbeing in a community hub model.

The proposed Centre of Excellence aims to:

1. remedy the social infrastructure deficiency affecting high schools and other community and sporting groups by increasing access to contemporary sports and recreation facilities
2. support activities for disabled, disaffected and disadvantaged members of the community
3. promote excellence in professional sports and increase elite athlete activity in the region
4. Improve the community's overall health and wellbeing through increased participation in sporting and recreational activities
5. provide a facility with the capacity and flexibility to accommodate current and expected future community demands
6. develop a self-sustaining community facility that does not require ongoing Government support
7. develop regional infrastructure that contributes to future economic growth and prosperity.

Outcomes to be delivered to the community through such a facility include:

- increased levels of community cohesion and engagement, leading to the formation of formal and informal networks between different groups in the community
- regular participation in sporting and cultural activities that previously had no, or minimal presence in the region
- added research potential particularly around sports science and sports medicine for elite athletes
- a facility that can maintain a high-level of service and capabilities due to its financial self-sufficiency
- increased viability of the region as a location for business and residence, and the associated decrease in the number of individuals that are forced to commute to work from the region
- greater social connectedness for marginalized sections of society such as the elderly, the disabled and disenfranchised youth.

- attraction of elite athletes and practitioners of sports excellence to the region including support services around the identification of talent, professional training and rehabilitation and further pathways
- enlarging the footprint of volunteers and sporting and community groups, and increasing their capacity to promote sport through education and collaboration.

## **Components**

The Sport and Health Centre of Excellence has the following key elements:

- community facilities and programs
- community health centre and clinician rooms
- elite sports training facilities
- shared meeting and education facilities
- commercial opportunities (e.g. cafés, fitness centre).

Although sport would be a strong focus of the facility at all levels of ability, community development and access is imperative. The provision of rehabilitation facilities for people with disabilities and senior residents was included as part of the facility as was learn to swim for all age groups in a specialised hydrotherapy pool.

Community meeting rooms, education classrooms, rehabilitation facilities (including hydrotherapy) open space; indoor sports facilities, public gymnasium, informal meeting spaces and a cafe are also included in the scope and concepts for the facility.

## **Current Situation**

### **Federal Government Funding Offer**

Council is required to provide advice to the Federal Government by the end of January 2017, in line with the extension of time provided. In preparation for this, further advice was sought from Architects Scott Carver and their quantity surveyors WT Partnership to confirm costs as well as further discussion with key partners.

## **Partnerships**

As advised in February 2015 and subsequent presentations, a key element to the success of the Centre of Excellence is the contribution of various partners both in the capital phase as well as in the ongoing management arrangements.

The two key and confirmed partners are Western Sydney University (WSU) and UrbanGrowthNSW.

WSU are seeking to have an innovative and significant footprint within the facility. In this model they aim to bridge the gap between future practical workforce training, industry engagement, research translation and community service.

UrbanGrowthNSW is acting as the developer in the Macarthur Heights precinct, where the proposed facility is located. This development is being delivered by WSU and UrbanGrowthNSW.

The site proposed is on land which will ultimately be transferred to Council under an associated VPA. Under this VPA, UrbanGrowthNSW will be delivering two playing fields and car parking as well as funds towards the Centre of Excellence.

Initial planning and business case development has been based on the Centre of Excellence building being delivered separately to the adjacent playfields. UrbanGrowthNSW has advised that they will commence design work early 2017 for these works and are keen to work with Council to ensure integration with any facility delivered. There are opportunities, if the proposal proceeds, to strengthen and leverage off a stronger partnership with UrbanGrowthNSW.

A range of State sporting codes as well as local sporting organisations have also expressed interest in the Centre of Excellence. At this stage these have been only expression of interest and are subject to further discussions and negotiation, subject to the outcome of Council's consideration of this report.

Set out below is a table of the current situation in relation to partners and their contributions:

<b>Name</b>	<b>Confirmation</b>	<b>Funding</b>
Federal Government	Confirmed	\$7.2m
Councils Commitment	Confirmed	\$5m
UrbanGrowthNSW – VPA * +\$5.5M playing fields	Confirmed	\$1.58m
WSU	Confirmed	\$1.4m
<b>Secured funding</b>		<b>\$15.18m</b>
Cricket NSW	Conditional	\$100k +
AFL NSW/ACT	Conditional	\$250k
West's Tigers	Conditional	\$250k +
<b>Total</b>		<b>\$15.78m</b>

### **Revised Costs Estimates**

Council had submitted the grant application to the Stronger Regions Fund based on a building size for stage 1 for 7,665 square metres with a cost estimate of \$17.26m. Council had in principal partnerships and funding commitments of \$8.63m, and was seeking dollar for dollar matched funding in the application to the Federal Government.

Council has been notified of a \$7.2m funding commitment from the Federal Government, and is required to confirm the final scope and financial partners in order to accept and enter into a Deed of Agreement with the Government to release the funds.

Following advice of the Federal Government funding offer, a review of estimated costs was undertaken in light of building escalation costs and also to ensure that the full project costs were considered. That is, from the time of formally committing to the project via the Deed of Funding through to becoming operational with all tenants in place.



To assist in this Scott Carver Architects, who prepared the original concepts and WT Partnership who prepared the original QS report were re engaged to provide advice. WT Partnership has significant experience in facility costing, and previously provided advice to Council on the Campbelltown Sports Stadium upgrade in 2009-2010.

WT Partnership subsequently provided a revised cost estimate for the project, which indicates that the Centre, originally estimated at a cost of \$17.26m will be in the order of \$26.22m to deliver, based on construction commencing mid next year.

This revised cost estimate is based on the original floor space of 7,665m<sup>2</sup>. The cost estimate escalation is due to applying:

- construction escalation costs between March 2016 and now
- cost escalation (including contingency) through to the estimated completion date of late 2019
- furniture, fittings and equipment (FFE) costs. This represents a significant portion of the increased cost, i.e. an estimated \$3.366m. This was not included in the original construction costing, but integrated as an option in the management model
- project delivery costs associated with operationalising the site
- a conservative approach given the lack of detail design and timeframes being unknown.

The funding application within the business management model relied on organisations renting the facility to enter into agreements with it unfurnished and therefore they would be responsible for organising their own furniture. Other forms of fit out were costed as an operational lease expense. As the management model is not finalised with Council, it is important to include these cost as a potential risk to Council if organisations require a fully furnished facility.

The reviewed project cost is estimated to increase to \$26.22m.

The increased cost estimate, combined with a lower than anticipated Federal Government grant has resulted in a significant funding gap of approximately \$10.4m to deliver the project as originally intended.

In considering the implications of this for the project, it is also important to be mindful of the constraints and commitments made by WSU and UrbanGrowthNSW towards the project.

In summary:

- WSU committed \$1.4m on the basis that it would be matched dollar for dollar to provide a community health centre and clinician space (1,000m<sup>2</sup>)
- UrbanGrowthNSW contribution of \$1.58m is a cash contribution in the provision of sports courts, change facilities for the fields, children's playground, and additional car parking to the sports precinct
- Federal Government committed \$7.2m based on providing elite sports training, administration and operational spaces, as well as sports and recreational areas for the community and special-use programs for the elderly and people with a disability.

### **Options for consideration**

Four options are provided to Council for consideration. These are set out below:

### **Option 1: Scale down the project to minimum requirements to match available funding**

Project Cost: \$15.83m, Total Council Commitment: \$5m, no additional funding required

In considering this option, to achieve the required \$15.83m, including all construction, fit out costs, as well as additional escalation costs, approximately 2,500 square metres would be reduced from the building.

In order to achieve this reduction, a significant decrease to the community office space, indoor sports hall, gym, and potentially hydrotherapy pool would need to be made.

As a third of the facility would be reduced, Council would be required to redesign the building and provide evidence that the community health centre and sport clinician space could still progress to the scale and programs to meet the funding requirements of both WSU and the Federal Government.

In this option there is significant risk that the reduction in these operational spaces will impact on partnership funding, in addition to decreasing revenues that were designed to operate the facility at operational neutrality.

A full redesign of the concept plans would be required to be resubmitted to the Federal Government including a revised project viability, sustainability and proponent viability including confirmation of funding partners.

A redesign and business case is in the order of \$120,000 in order to provide the necessary detail to the Federal Government to accept the funding.

### **Option 2 - Partial modification to size and scope, but still require additional funds to complete**

Project Cost: \$20m. Total Council Commitment: \$10m, an additional \$5m will be required

This option is designed to still reduce the size of the facility and therefore the construction costs, while maintaining the operation desired outcomes, by maintaining most of the funding partners and some of the main revenue streams.

This option still has inherent risks as a full redesign would be required to reassess anticipated efficiencies and the corresponding business case and management plan.

A desk top analysis utilising the figures provided from WT Partnership, indicates that a \$20m construction and furnished facility would provide the two indoor sports courts. However the indoor cricket and multipurpose court would need to be removed as well as a reduction of 1,000m<sup>2</sup> of space associated with the community rooms, café, and gym facilities.

Operational revenue would be affected and it is unlikely the facility would operate at cost neutrality. Council would therefore be subsidising the operational costs over the lifetime of the facility.

### **Option 3 - Deliver project with current size and scope**

Project Cost: \$26.22m. Total Council Commitment: \$15m, an additional \$10m will be required

This option maintains the 7,665m<sup>2</sup> facility, fully inclusive of the community health centre, indoor sport facility, education rooms, and community office space as well as all the commercial spaces.

It provides the holistic service provision to the community and range of sport organisations and expected users.

Council Officers can continue to actively pursue additional funding opportunities and partnerships to reduce the cost to Council, this can include:

- working with both State members to seek their support to secure State Government funding, as to date no State Government grant funds have been received
- exploring further partnerships and negotiating greater contributions
- considering project delivery opportunities in conjunction with UrbanGrowthNSW to achieve economies of scale in the delivery of the Centre of Excellence in conjunction with the adjacent sporting fields and ancillary facilities
- mitigating some of costs through the terms of lease/license agreements there is still significant cost to consider.

However, if additional funding and/or costs cannot be achieved the shortfall would be the responsibility of Council.

### **Option 4 - Not to proceed with the Centre of Excellence project**

Project Cost: \$N/A. Total Council Commitment: \$N/A

Council may decline the Federal Government funding offer of \$7.2m and advise partners that the project will not proceed as envisaged.

As part of the Voluntary Planning Agreement and construction works at the WSU site, the playing fields, a playground and some minor community infrastructure (e.g. toilets, change rooms) would be provided as part of that development to support the playing fields.

### **Director City Governance Comment:**

In developing a Finance and Governance framework for both funding and probity there are a number of factors that Council should take into consideration.

It is important for Council to be presented with modelling that ensures that the financial sustainability indicators relating to the Fit for the Future are maintained if Council were to proceed with any proposal. Modelling has been developed for funding options, including accessing both internal and external borrowing facilities. It should be noted that the interest rate in both cases is consistent whichever facility is taken up at the time of borrowing.

Assumptions are based on Option 3 which would appear to be the largest funding exposure to Council. The two key performance indicators that Council need to consider relate to the debt service ratio and operating ratio. Both of these indicators reflect Council's ability to service debt as well as Council operating at a net surplus on an ongoing basis.

Current projections reflect that Council will need to borrow \$15m as identified under Option 3. It needs to be highlighted that these assumptions as to the total cost of the project and borrowing are a worst case scenario and that Council will not need to allocate any further funds. It should also be highlighted that depending on the potential business partners, Council may not need to borrow the total amount of \$15m.

Financial modelling reflects that the debt service ratio will be maintained at an acceptable level between 3-4 per cent which is well within an acceptable benchmark. Modelling has been based on interest rates between 2.5 per cent and 4.5 per cent. Total debt service costs equate to between \$1.7m and \$1.9m per annum depending on the interest rate available at the time of borrowing.

It should be noted, that being assessed as Fit for the Future, Council can access the Treasury borrowing facility that currently stands at 2.5 per cent. In terms of Council's financial position, this is an acceptable benchmark.

Council will need to consider the effects on the operating performance ratio which caused a difficulty in Council's original submission under the Fit for the Future program, where Council was assessed as not fit. Modelling has taken into consideration an interest component of approximately \$360,000 per annum at the commencement of the term of borrowing. Interest over the term of the project totals approximately \$2m which will be funded from the net operating costs of the facility. On current estimates, it would appear that the operating ratio will not be compromised by the proposal given the projected revenue streams.

The Deloitte Business Case of March 2016 reflects an income stream over a ten year period in excess of \$14m. It is recommended that, if Council adopts a proposal a KPI should be developed that would cater for the interest component of the loan as well as depreciation being covered by the net operation costs of the facility.

This would reflect to the community that Council in accepting the proposal to move forward with a Centre of Excellence will not compromise Council's sustainability in being 'Fit for the Future'.

The development of any proposal other than Option 4 will require a comprehensive governance framework. Under current guidelines from the Office of Local Government and depending on the relationship of the business partners this may trigger the requirements of a Public Private Partnership (PPP) which are quite extensive and would reflect best practice. This may be a model that will be adopted even if the partnerships do not trigger a PPP. If the project is not considered to be a PPP then a Capital Expenditure Review will be required to be submitted to the Office of Local Government.

In conclusion given the current proposal and business case as developed by Deloitte in March 2016, and as reflected under current modelling, the proposal would not compromise Council's Fit for the Future position. Council will need to implement a rigorous governance and probity regime to ensure that the project complies with all requirements of the Office of Local Government.

Pending the option adopted by Council, further development of the business case and revenue streams must be developed for Council's consideration. KPI's should be adopted as indicated in the body of this report to ensure that the Centre maximises its potential and ensures Council's ongoing sustainability.



## **Conclusion**

There are a range of potential benefits to be realised through the delivery of the Sports and Health Centre of Excellence. The proposal supports a range of strategic objectives for Council in terms of repositioning Campbelltown to reflect its status as a regional city, strengthening the health and medical precinct and growing knowledge based jobs in the region.

Further the proposed Centre will deliver a range of sporting and recreation outcomes for community based groups, through to elite sports people; provide a facility to a new and growing community and meet the current shortage of indoor courts and provide for additional outdoor fields.

However the revised cost estimates for the original proposal to be delivered are significant. If Council supports the delivery of the project as originally intended in Option 3, there is an additional financial commitment of \$10m on top of the original \$5m to bring the total commitment by Council to \$15m.

In considering the various options Council needs to balance the strategic and community benefit with the financial investment in such a facility.

As a growing and changing LGA there are many demands on Council's resources. This includes the provision of a range of infrastructure to support community needs, in particular around the Campbelltown CBD as well as other transport/connectivity related infrastructure.

## **Officer's Recommendation**

That Council determine which option it wishes to pursue.

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## **Minutes Summary 13 December 2016**

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 13 December 2016**

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

**Acknowledgement of Land**

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

**Council Prayer**

The Council Prayer was presented by the General Manager.

**1. ACKNOWLEDGEMENT OF LAND**

**2. APOLOGIES**

**2.1 Request for Leave - Councillor Bob Thompson**

It was **Moved** Councillor Rowell, **Seconded** Councillor Lound that Councillor Bob Thompson be granted leave of absence from Council incorporating all Council meetings from Tuesday 13 December 2016 to Tuesday 28 February 2017.

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

It was **Moved** Councillor Lound, **Seconded** Councillor Rowell that the **APOLOGIES** from Councillor Borg and Councillor George be received and accepted.

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

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

#### **3.1 Minutes of the Ordinary Meeting of Council held 22 November 2016**

It was **Moved** Councillor Lound, **Seconded** Councillor Hunt that the Minutes of the Ordinary Meeting of Council held 22 November 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

### **4. DECLARATIONS OF INTEREST**

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

#### **Pecuniary Interests - Nil**

#### **Non Pecuniary – Significant Interests - Nil**

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

Councillor Brticevic - Item 8.27 - Councillor Brticevic advised that he may have a potential interest in a property in Macarthur Heights and left the Chamber during discussion on this item.

Councillor Lound - Item 8.13 - Current Conditions of Bensley Reserve Soccer Complex - Councillor Lound advised that he is the President of the Macarthur Rams.

#### **Other Disclosures - Nil**

### **5. MAYORAL MINUTE**

#### **5.1 2016 Community Building Partnership Funding Program**

It was **Moved** Councillor Brticevic, **Seconded** Councillor Oates that Council commend and thank the State Member for Campbelltown MP Greg Warren for his staunch advocacy of our region and partnership approach.

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

### **6. PETITIONS**

#### **No Petitions this round**

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## **7. CORRESPONDENCE**

### **7.1 The Hon Catherine Cusack MLC - Street Lighting Reform**

It was **Moved** Councillor Lake, **Seconded** Councillor Lound that the letter be received and the information be noted.

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

### **7.2 Department of Planning and Environment**

It was **Moved** Councillor Lound, **Seconded** Councillor Chowdhury that the letter be received and the information be noted.

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

### **7.3 Bronto Telescopic Platform**

It was **Moved** Councillor Lound, **Seconded** Councillor Manoto that the letter be received and the information be noted.

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

### **7.4 Greater Sydney Commission - Scenic Hills**

It was **Moved** Councillor Rowell, **Seconded** Councillor Lound that the letter be received and the information be noted.

An **Amendment** was **Moved** Councillor Oates **Seconded** Councillor Moroney:

1. That Council write to the District Commissioner South West, Greater Sydney Commission, to seek further clarification regarding the Commissions position on the intrinsic value of Scenic Hills to the identity of the South West District.
2. That Council request a meeting with the Director Sydney Region West, Department of Planning and Environment to discuss the matter of the lawn cemetery at Varroville.

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

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## 7.5 Member for Campbelltown - Mr Greg Warren MP

It was **Moved** Councillor Lound, **Seconded** Councillor Hunt that the letter be received and the information be noted.

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

## 8. REPORTS FROM OFFICERS

### 8.1 Draft Menangle Park Planning Proposal - Outcome of Public Exhibition

**Meeting Note:** Ms M Kolnar and Mr M Brown addressed the meeting.

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

1. That Council endorse the amended draft Menangle Park Planning Proposal generally in accordance with attachment 2, and forward to the Department of Planning and Infrastructure (noting that Council has received an objection to the draft planning proposal from the Mine Subsidence Board and Transport for NSW and Roads and Maritime Services) for approval by the Minister for Planning.
  2. That Council approve the amended draft Menangle Park Development Control Plan being an amendment to Campbelltown (Sustainable City) Development Control Plan, generally in accordance with attachment 3.
  3. That notice of Council's approval of the draft Menangle Park Development Control Plan (DCP) be published in the local newspaper in accordance with clause 21(2) Environmental Planning and Assessment Regulation 2000. Such notice will advise that the DCP will come into effect on the date that notification of the rezoning of the Menangle Park Urban Release Area is published on the NSW Legislation website.
  4. That all those who provided a submission to the public exhibition of the draft Menangle Park Planning Proposal/draft Local Environmental Plan and the draft Menangle Park Development Control Plan be advised of Council's decision.
  5. That Council request further information from the NSW Heritage Council to support the proposal to include the railway viaduct at Glenlee as a local heritage item within Campbelltown LEP 2015.
  6. That Council consult with Transport for NSW and Roads and Maritime Services to identify land for the future construction of southbound ramps from the proposed Spring Farm Parkway to the M31.
  7. That the following additional matters be investigated for inclusion in the Campbelltown Local Environmental Plan 2015:
    - rezoning of the land of the proposed electricity substation to Zone SP2 Infrastructure
-



## 8.2 Outcome Of The Public Exhibition Of The Draft Planning Proposal For The Glenfield Waste Site

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- rezoning of the land which contains Elderslie Banksia Scrub Forest to ensure its preservation into the future
  - removal of the land identified within the Menangle Park Urban Release Area as Development on Steep Land (Scenic Hills) and Escarpment Preservation Area from the Environmental Constraints Map
  - include provisions to prohibit the development of habitable buildings within land identified within the southern precinct of the subject site which is either flood affected or visually prominent
  - possible zoning of the land located between the M31 freeway and Menangle Road to provide for future broad acre tourist uses.
8. That Council consult with UrbanGrowth NSW with regard to providing a vegetated link from the Nepean River to the Australian Botanic Garden, as part of the preparation of the Glenlee Planning Proposal.
9. That Council write to the Minister for Transport requesting the provision of a bus service from Menangle Park to and from the Campbelltown CBD from day one of the first occupancy.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Morrison, Oates and Rowell.

Voting against the Council Resolution was Councillor: Moroney.

## 8.2 Outcome of the Public Exhibition of the draft Planning Proposal for the Glenfield Waste Site

**Meeting Note:** Ms E DeCean and Ms G Kennett addressed the meeting.

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

1. That Council endorse the revised draft Planning Proposal generally as shown under attachment 2 and forward it to the Department of Planning and Environment for gazettal.
2. That Council advise the residents who made a submission and the applicant of Council's decision.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Council Resolution were: Nil.

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8.3 Modification Of Development Consent For The Demolition Of Existing Dwellings And The Construction Of 22 Multi Dwellings With Basement Car Parking - Nos. 7-9 Ruzac Street And Nos. 88 And 92 Broughton Street, Campbelltown

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**8.3 Modification of Development Consent for the Demolition of existing dwellings and the construction of 22 multi dwellings with basement car parking - Nos. 7-9 Ruzac Street and Nos. 88 and 92 Broughton Street, Campbelltown**

**Meeting Note:** Mr W Petsalis and Mr K Crawford addressed the meeting.

It was **Moved** Councillor Lound, **Seconded** Councillor Chowdhury that development application 872/2004/DA-M/C for the modification of the existing development for the construction of 22 multi dwellings with basement car parking be approved subject to conditions contained in attachment 1 of this report.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto and Rowell.

Voting against the Council Resolution were Councillors: Oates, Moroney and Morrison.

**8.4 Construction of a new warehouse building and use for the storage and distribution of fibreglass insulation products at No. 55 Stennett Road, Ingleburn**

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

1. That the objection to the development standard that requires the building to the building be setback 30 metres to Williamson Road be allowed.
2. That subject to recommendation 1, development application 3241/2015/DA-I for the construction of a new warehouse building and use for the storage and distribution of fibreglass insulation products at No. 55 Stennett Road, Ingleburn be approved, subject to the conditions detailed in attachment 1 of this report.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Council Resolution were: Nil.

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8.5 Outcome Of The Public Exhibition Of The Draft Campbelltown Comprehensive Koala Plan Of Management

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## 8.5 Outcome of the Public Exhibition of the draft Campbelltown Comprehensive Koala Plan of Management

**Meeting Note:** Mr W Dillow and Mr R Lonza addressed the meeting.

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

1. That Council endorse the revised draft Campbelltown Comprehensive Koala Plan of Management for submission to the Director of the NSW Department of Planning and Environment for approval in accordance with SEPP44.
2. The Council write to all persons who made a submission on the draft Campbelltown Comprehensive Koala Plan of Management, advising of Council's decision.
3. That a report be provided investigating the use of a drone with heat detecting cameras to track and monitor Koala movement in the Local Government Area.

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

Voting for the Council Resolution were Councillors: Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Council Resolution were: Nil.

## 8.6 Bardia Heritage Precinct

It was **Moved** Councillor Lound, **Seconded** Councillor Oates that the information be noted.

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

## 8.7 Development Services Statistics October 2016

It was **Moved** Councillor Lake, **Seconded** Councillor Moroney that the information be noted.

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

## 8.8 Legal Status Report

It was **Moved** Councillor Greiss, **Seconded** Councillor Rowell that the information be noted.

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

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## 8.9 Sydney South West Planning Panel Representatives

It was **Moved** Councillor Hunt, **Seconded** Councillor Moroney that Councillor Lound and Councillor Greiss and alternate member Councillor Oates be appointed as the delegates to the Sydney South West Planning Panel.

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

## 8.10 Draft Open Space Strategic Plan 2016

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

1. That Council agree to publicly exhibit the Draft Open Space Strategic Plan 2016 for a period of at least 42 days.
2. That a further report be tabled on the Draft Open Space Strategic Plan 2016 for Council's consideration following the public exhibition, highlighting any changes to the draft.
3. That subject to any Council amendments, the Campbelltown Open Space Strategic Plan, that is able to deliver on the open space needs of the community, be adopted.

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

## 8.11 T16/17 Heating Ventilation and Air Conditioning System at Campbelltown Arts Centre

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

1. That Council accept the offer of Ultimate 1 Air Conditioning Pty Ltd to undertake the upgrade of the Heating Ventilation and Air Conditioning system at the Campbelltown Arts Centre.
2. That the contract documents be executed under the General Manager's delegation.
3. That the unsuccessful organisation be notified of the results of the negotiation process.

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

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## 8.12 Development of a Library Strategic Plan

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

1. That Council endorse the development of a Strategic Plan for the Campbelltown City Council Library Service.
2. That the Mayor, or his delegate and Councillor Chivers be the Councillor Representatives on the Community Advisory Group.

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

## 8.13 Current conditions of Bensley Reserve Soccer Complex

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

1. That Council provide land owners consent for the drainage and fields work, fencing, floodlight to mini field and irrigation to field 2, the Community Development Programme.
2. That Council note the works that will be completed in 2016-2017 and the funding program for Bensley.

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

## 8.14 Installation of ancillary facilities at Macquarie Fields Skate Park

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

1. That Council note the advice of the unsuitability of foam pits at Council's outdoor skate parks.
2. That Council consider \$30,000 towards seating and shade facilities as part of the 2017-2018 budgeting process.
3. That Council include provision of access to drinking water facilities at St Helens Park and Macquarie Fields Skate Parks.

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

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**8.15 Investigating the feasibility of multipurpose courts at Rosemeadow**

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

1. That the information be noted.
2. That Council consider allocating funds of \$150,000 for the redevelopment of the existing tennis courts at Rosemeadow to multipurpose courts, along the lines of the conversion at Macquarie Fields in the draft 2017-2018 budget.
3. That Council write to NSW Department of Housing notifying of Council's intent to change the use of the courts, and if no objection is provided, Council proceed with construction subject to funding in 2017-2018.

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

**8.16 Draft Sport and Recreation Strategy for public exhibition**

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

1. That Council endorse the Draft Sport and Recreation Strategy for public exhibition from 9 January 2017 to 17 February 2017.
2. That a further report be presented to Council at the conclusion of the exhibition period, to consider any submissions with a view to adopt the strategy.

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

**8.17 Feasibility study of a summer basketball competition at the Glenquarie multipurpose courts**

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

1. That Council support Option Two to provide a competition for an eight week trial summer basketball competition be undertaken between 7 January 2017 and 25 February 2017.
2. That Council partner with Macarthur Basketball Association to deliver the trial program.
3. That Council allocate funds of \$5,000 to trial the program.
4. That following the trial competition, a further report be provided to Council to inform future programs.

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

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### **8.18 Hiring of bicycles and helmets at the Bicycle Education Centre**

It was **Moved** Councillor Lound, **Seconded** Councillor Chivers that Council maintain the current systems for Open Days where customers bring their own Bicycles and Helmets.

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

### **8.19 Draft - The State of Play, Strategic Planning and Management of Playspaces in the City of Campbelltown 2016-2036**

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

1. That Council endorse the Draft Playspace Strategy: Strategic Planning and Management of Playspaces in the City of Campbelltown 2016-2036 for public exhibition from 9 January to 17 February 2017.
2. That a further report be presented to Council at the conclusion of the exhibition period, to consider any submissions with a view to adopt the Strategy.

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

### **8.20 Draft Meeting Calendar for 2017**

It was **Moved** Councillor Lound, **Seconded** Councillor Oates that the draft meeting calendar for 2017 as outlined in the attachment be adopted.

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

### **8.21 Reports and Letters Requested**

It was **Moved** Councillor Lound, **Seconded** Councillor Lake that the information be noted.

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

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## 8.22 External Audit of Financial Statements

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

1. That the information be noted.
2. That Council write to its existing contractor, Intentus Chartered Accountants advising them on the new audit arrangements.

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

## 8.23 Delegation of Authority - Christmas/New Year Recess

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

1. That Council delegate authority to the Mayor and General Manager or their nominees of development applications and cases of necessity, during the period 14 December 2016 to 14 February 2017 as provided under sections 226 and 377 of the *Local Government Act 1993*.
2. That Council be informed as to the use of the Mayor and Deputy Mayor's delegated authority during the period 14 December 2016 to 14 February 2017 by report to the Ordinary Council Meeting of 14 February 2017.

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

A **Division** was called in regard to the Resolution for Item 8.23 - Delegation of Authority - Christmas/New Year Recess with those voting for the Motion being Councillors Brticevic, Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Morrison, Oates and Rowell.

Voting against the Resolution was Councillor Moroney.

## 8.24 Community Engagement Policy

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

1. That the Community Engagement Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 November 2019.

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

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## **8.25 Western Sydney Airport - Final Environmental Impact Statement**

It was **Moved** Councillor Greiss, **Seconded** Councillor Morrison that the information be noted.

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

## **8.26 Annual Code of Conduct Complaints report for the period 1 September 2015 to 31 August 2016**

It was **Moved** Councillor Lound, **Seconded** Councillor Oates that the information be noted.

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

## **8.27 Sport and Health Centre of Excellence Proposal**

Having declared an interest in regard to Item 8.27, Councillor Brticevic left the Chamber and did not take part in debate nor vote on this item. Deputy Mayor, Councillor Oates assumed the Chair.

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

1. That Council adopt Option 3, that is, deliver project with current size and scope.
2. That Council allocates an additional \$10m to the project, to bring its contribution to a total of up to \$15m towards the delivery of the Centre of Excellence.
3. That Council write to confirmed partners to advise of its decision.
4. That Council pursues additional funding avenues in partnership with UrbanGrowthNSW and State Government to meet the shortfall.
5. That Council authorises the General Manager to enter into the Deed of Agreement with Federal Department of Infrastructure and Regional Development for the provision of \$7.2m as part of the Coalition election commitment.
6. That a further briefing be presented to Council detailing the project in the first quarter of 2017.
7. That the General Manager and the Mayor or his delegate, arrange a meeting with the NSW Sports Minister as soon as possible.

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

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A **Division** was called in regard to the Resolution for Item 8.27 - Sport and Health Centre of Excellence Proposal with those voting for the Motion being Councillors Chivers, Chowdhury, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Morrison, Oates and Rowell.

Voting against the Resolution: Nil

**Carried Unanimously**

At the conclusion of the discussion regarding Item 8.27, Councillor Bricevic returned to the Chamber for the remainder of the meeting and reassumed the Chair.

## **9. QUESTIONS WITH NOTICE**

Nil at time of print.

## **10. RESCISSION MOTION**

**No rescission motion this round**

## **11. NOTICE OF MOTION**

### **11.1 Domestic Violence Framework**

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

1. That Council reflect its strong stance against any form of domestic violence in developing a framework including, but not limited to, the development of an authorised statement that reflects council's commitment to supporting any staff and their families that may have been impacted by domestic violence.
2. That an authorised statement be developed to incorporate the provision for Domestic Violence leave and be forwarded to Councillors as part of the Councillors Weekly Bulletin.

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

## **12. URGENT GENERAL BUSINESS**

**No reports this round**

## **13. PRESENTATIONS BY COUNCILLORS**

### **13.1 Presentations by Councillors**

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1. Councillor Oates advised that she has represented the Mayor at a number of school events and noted that our Local Government Area has such a diverse range of amazing teachers and a rich environment in terms of education.
  2. Councillor Chowdhury advised that he represented that Mayor at Al-Faisal College, Broughton Anglican College and The Grange Public School.
  3. Councillor Hunt advised that she has represented the Mayor at a number of events recently and gave a special mention to her attendance at the Special Olympics Annual Presentation. Councillor Hunt noted that there was so much energy in the room and advised that a total of 16 personal bests were achieved in 2016.
  4. Councillor Hunt advised that she recently attended the conclusion event of the White Ribbon Day Convoy, noting that it was amazing to see so many young people in attendance and also congratulated Sarah Redfern High School students for declaring they will speak out against domestic violence.
  5. Councillor Lound advised that he represented the Mayor at the Minto Go Carols, where a number of local primary schools come together to sign carols for the community. Councillor Lound advised it was a marvellous event.
  6. Councillor Lound wished everyone a Merry Christmas and a Happy and Safe New Year. Councillor Lound also congratulated the Mayor on his leadership.
  7. Councillor Greiss advised that he recently represented the Mayor at the SES Annual Presentation and noted that the SES are celebrating their 60th year and asked the Mayor if he would consider writing a letter of congratulations to the SES.
  8. Councillor Greiss wished all Council employees, media, fellow Councillors and the community a Merry Christmas and a Happy New Year.
  9. Councillor Rowell advised that he represented the Mayor at the Thomas Reddall High School presentation which was a great night and noted that the Principal, Deputy Principal and staff have done an amazing job.
  10. Councillor Rowell wished staff, fellow Councillors, media and the people of our community a Merry Christmas and a Happy New Year.
  11. Councillor Brticevic acknowledged and thanked fellow Councillors for representing him at a number of events and noted that he will be attending Beverley Park School tomorrow where he will be presented with art work by students.
  12. Councillor Brticevic congratulated staff involved in the annual Christmas Carols event held at Campbelltown Stadium. The event was well received by the community.
  13. Councillor Brticevic thanked all Councillors for their cohesion and good spirits over the past three months and noted that together they can move Campbelltown forward.
  14. Councillor Brticevic wished all staff and Merry Christmas and Happy and Safe New Year. Councillor Brticevic thanked the General Manager for her efforts with regards to the smooth transition of the new Council.

## **Confidentiality Recommendation**

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It was **Moved** Councillor Greiss, **Seconded** Councillor Lake that the Council in accordance with Section 10A of the *Local Government Act 1993*, resolve to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Council's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

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

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The Ordinary Meeting of Council was adjourned at 8.38pm and reconvened as a meeting of the Confidential Committee at 8.39pm.

## **14. CONFIDENTIAL REPORTS FROM OFFICERS**

### **14.1 Directors of Companies - City Development**

It was **Moved** Councillor Lake, **Seconded** Councillor Lound that the information be noted.

**CARRIED**

### **14.2 Director of Companies - City Delivery**

It was **Moved** Councillor Lake, **Seconded** Councillor Lound that the information be noted.

**CARRIED**

### **Motion**

It was **Moved** Councillor Hunt, **Seconded** Councillor Chowdhury that the Council in accordance with Section 10 of the *Local Government Act 1993*, move to re-open the meeting to the public.

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

**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.40pm.**

It was **Moved** Councillor Rowell, **Seconded** Councillor Morrison that the reports of the Confidential Committee and the recommendations contained therein be adopted.

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

There being no further business the meeting closed at 8.41pm.

Confirmed by Council on

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

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## **CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES**

**At the Council Meeting held 14 February 2017 the following Council minutes were adopted:**

There being no further business at the meeting of 13 December 2016, the meeting closed at 8.41pm.

Confirmed by the Chairperson:

A handwritten signature in black ink, appearing to read 'G. Anticic', is written over a faint, large, light-grey watermark of the same signature.