



# Camden Council

## Business Paper

**Ordinary Council Meeting**  
**23 April 2013**

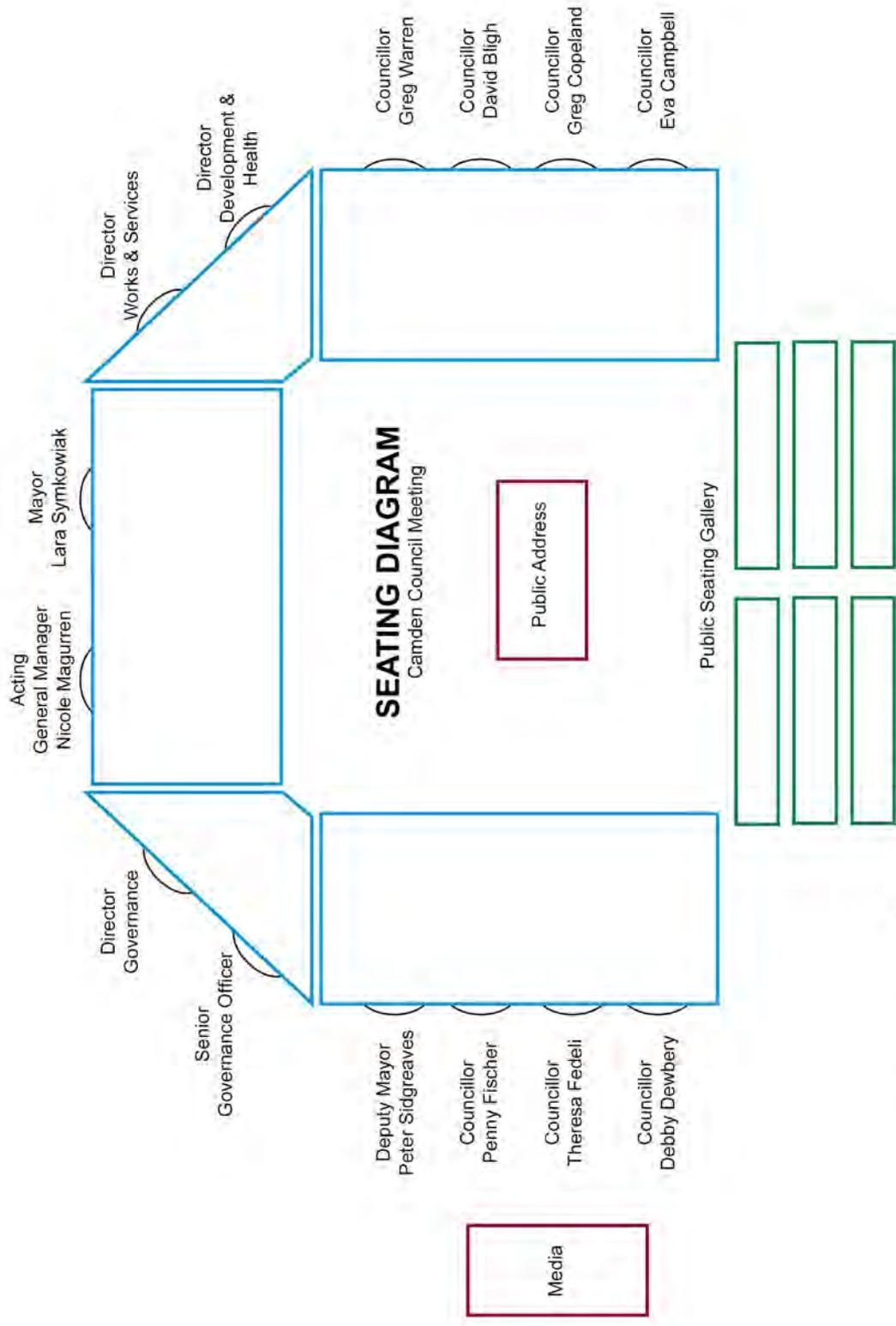
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**Camden Civic Centre**  
**Oxley Street**  
**Camden**



## COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DECCW	Department of Environment, Climate Change & Water
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DPI	Department of Planning & Infrastructure
DLG	Division of Local Government, Department of Premier & Cabinet
DWE	Department of Water and Energy
DoH	Department of Housing
DoT	NSW Department of Transport
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GCC	Growth Centres Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
MACROC	Macarthur Regional Organisation of Councils
OSD	Onsite Detention
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
RMS	Roads & Maritime Services (incorporating previous Roads & Traffic Authority)
SECTION 149 CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603 CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SRA	State Rail Authority
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils



*Please do not talk during Council Meeting proceedings.  
Recording of the Council Meeting is not permitted by members of the public at any time.*



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# ORDINARY COUNCIL

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## ORDINARY COUNCIL

**SUBJECT: PRAYER**

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### PRAYER

Almighty God, bless all who are engaged in the work of Local Government. Make us of one heart and mind, in thy service, and in the true welfare of the people we serve: We ask this through Christ our Lord.

Amen

\*\*\*\*\*

Almighty God, give thy blessing to all our undertakings. Enlighten us to know what is right, and help us to do what is good: We ask this through Christ our Lord.

Amen

\*\*\*\*\*

Almighty God, we pause to seek your help. Guide and direct our thinking. May your will be done in us, and through us, in the Local Government area we seek to serve: We ask this through Christ our Lord.

Amen

\*\*\*\*\*

### AFFIRMATION

We affirm our hope and dedication to the good Government of Camden and the well being of all Camden's residents, no matter their race, gender or creed.

We affirm our hope for the sound decision making by Council which can improve the quality of life in Camden.

*Either – "So help me God" or "I so affirm" (at the option of councillors)*

\*\*\*\*\*

We pledge ourselves, as elected members of Camden Council, to work for the provision of the best possible services and facilities for the enjoyment and welfare of the people of Camden.

*Either – "So help me God" or "I so affirm" (at the option of councillors)*

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## **ORDINARY COUNCIL**

**SUBJECT: ACKNOWLEDGMENT OF COUNTRY**

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I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.



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## **ORDINARY COUNCIL**

**SUBJECT: RECORDING OF COUNCIL MEETINGS**

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In accordance with Camden Council's Code of Meeting Practice and as permitted under the Local Government Act this meeting is being audio recorded by Council staff for minute taking purposes.

## **ORDINARY COUNCIL**

**SUBJECT: APOLOGIES**

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Leave of absence tendered on behalf of Councillors from this meeting.

### **RECOMMENDED**

**That leave of absence be granted.**

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## ORDINARY COUNCIL

**SUBJECT: DECLARATION OF INTEREST**

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NSW legislation provides strict guidelines for the disclosure of pecuniary and non-pecuniary Conflicts of Interest and Political Donations.

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 7.5 -7.27).

Councillors should be familiar with the disclosure provisions contained in the Local Government Act 1993, Environmental Planning and Assessment Act, 1979 and the Council's Code of Conduct.

This report provides an opportunity for Councillors to disclose any interest that they may have or Political Donation they may have received relating to a Report contained in the Council Business Paper and to declare the nature of that interest.

### **RECOMMENDED**

**That the declarations be noted.**

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## ORDINARY COUNCIL

**SUBJECT: PUBLIC ADDRESSES**

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The Public Address segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction.

Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' and should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address segment, a response will be provided where Councillors or staff have the necessary information at hand; if not a reply will be provided at a later time. There is a limit of one (1) question per speaker per meeting.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing.

Public Addresses are recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments.

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

### **RECOMMENDED**

**That the public addresses be noted.**

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## ORDINARY COUNCIL

**SUBJECT: CONFIRMATION OF MINUTES**

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Confirm and adopt Minutes of the Ordinary Council Meeting held 9 April 2013.

**RECOMMENDED**

**That the Minutes of the Ordinary Council Meeting held 9 April 2013, copies of which have been circulated, be confirmed and adopted.**

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## ORDINARY COUNCIL

ORD01

ORD01

**SUBJECT: PETITION - COMMUNITY SAFETY CONCERNS AT CURRANS HILL**  
**FROM:** Director Works & Services  
**BINDER:** Community Safety

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### PURPOSE OF THE REPORT

To advise Council of a petition received from residents at Currans Hill, raising community safety concerns at various locations and provide information on actions proposed to be undertaken to improve community safety and resident amenity.

### BACKGROUND

Council received a letter and petition signed by 49 residents of Currans Hill on 25 March 2013 raising concerns regarding community safety at various locations within Currans Hill. A copy of the letter and petition are included in the **Supporting Documents**. There have been a number of other complaints regarding anti social behaviour around the Iando Way shops over the past twelve months.

### MAIN REPORT

The letter raised concerns about community safety and anti social behaviour at the following locations within Currans Hill:

- Currans Hill Park – William Mannix Avenue;
- Iando Way;
- Sedgewick Reserve – Currans Hill Drive; and
- Boyd Reserve – Spring Hill Circle.

Council Officers conducted site inspections at all of the above locations in conjunction with the Crime Prevention Officer at Camden Local Area Command. The results of these assessments are detailed below.

#### **Currans Hill Park – William Mannix Avenue**

The letter from residents raised concerns regarding drug use, litter and anti social behaviour. A request was made for the installation of flood lighting and waste bins.

Following the site inspection, both Council Officers and Police do not support lighting at this location as a crime prevention mechanism.

While lighting can be a deterrent for anti social behaviour, this needs to be assessed on a case by case basis. Lighting an area where there is little or no natural surveillance can exacerbate an existing problem and encourage people to congregate. Lighting is an effective crime prevention tool where there is a high level of natural surveillance and highlights the problem that is occurring in the area. This is not the case at this location.

With regards to the installation of a bin at this reserve, Council Officers were consulted and advised that a bin would not be appropriate at this location as it would attract further vandalism and arson. A review of Councils rubbish removal schedule is currently underway with a view to increasing the frequency of rubbish removal in this and other locations within Currans Hill.

## lando Way

The letter from residents raises concerns regarding litter, young people congregating in the gazebo and anti social behaviour.

Council Officers have been investigating and working on issues of community safety and anti social behaviour at this location for a number of months, as communicated to Councillors in a memo sent on 14 February 2013. A copy of the memo is included in the **Supporting Documents**.

Council received a request in September 2012 from Camden Local Area Command that the gazebo at lando Way be removed. A copy of the request is included in the **Supporting Documents**.

This request was made as a result of ongoing community safety issues in and around the gazebo and car park area behind the lando Way shopping area and Community Centre and is supported by Police crime statistics. The issue predominantly involves groups of young people congregating in the car park and gazebo area, consuming alcohol, littering, causing malicious damage and driving dangerously in the car park.

Following numerous site inspections by Council Officers, consultation with Camden Local Area Command and residents, the following actions will be taken at this location:

- removal of the gazebo and some minor landscaping works. These works have commenced. The gazebo is to be relocated to the dog off leash area in Elderslie to provide shade for residents wishing to utilise the park. This request was made by residents previously and this provides a good alternate use for the gazebo;
- installation of speed humps in the car park to reduce reckless driver behaviour. The location of the speed humps was assessed by Council officers and a report with recommendations went to the Local Traffic Committee meeting on 16 April 2013 ;
- establishment of an Alcohol Free Zone, subject to endorsement by Council. An assessment for the establishment of an Alcohol Free Zone at this location is currently underway; and
- removal or relocation of the charity bin. This is currently attracting further littering in the area with items that are not appropriate for the charity bin being dumped in its vicinity. These items are then being thrown around the car park area adding to the general mess.

The conditions of consent for operation of the IGA Liquor outlet require this business to collect and dispose of all litter in the surrounding carparking areas on a daily basis. Council will continue to monitor compliance with this requirement.

There are currently two charity bins located at lando Way. Both the charity bins are operated by the Leukaemia Youth Foundation. The Leukaemia Youth Foundation (LYF) is a not for profit, charitable organisation established in 1992. It operates in New South Wales, Australia under Charitable Fundraising No. 13515 and is based in Moorebank.

Discussions have been held between Council and LYF with regards to the removal or relocation of the charity bins. LYF have been given the opportunity to provide Council

with a list of alternate sites for placement of the charity bins for Council's assessment however at the time of this report no alternate site where provided. Council will assess any proposed alternate sites for suitability to ensure that the site is appropriate and that the problem is not relocated to another area.

LYF have objected to removing the charity bins, however due to the dumping of material in the area of the bin and the subsequent problems associated with this, Council Officers recommend that the lando Way site is not appropriate and that the bins be removed or relocated.

With regards to the establishment of an Alcohol Free Zone, this is currently under assessment in accordance with Council's adopted policy and procedure. Once the assessment is complete it will form a separate report to Council with the appropriate recommendation.

The letter from residents also requests that Police regularly patrol the area. While this falls out of the area of Council's control, Council Officers have been working extensively with Camden Local Area Command with regards to this issue and Police have advised that they are aware of the problems at this location, and that it is being regularly patrolled.

The residents have also requested that flood lighting be installed at this location and that rubbish is regularly removed. A lighting assessment was conducted with Police and both Council and Police do not support lighting at this location as a crime prevention mechanism, for the reasons previously mentioned at Currans Hill Park.

#### **Sedgewick Reserve**

The letter requests that flood lighting be installed at this reserve. An assessment of this location found minimal litter and malicious damage. The reserve is in good condition with no graffiti or malicious damage to play equipment at the time of inspection. Police and Council do not support lighting at this location for the same reasons previously mentioned.

#### **Boyd Reserve**

Flood lighting has also been requested at this reserve. An assessment at this site found some litter but minimal graffiti or malicious damage to equipment at the time of inspection. The reserve is located some distance from the road and its play area is obscured by trees and bushes. Accordingly, due to the limited natural surveillance, Police and Council do not support lighting at this location.

#### **Speeding issues on William Mannix Avenue**

The letter raises issues with regards to speeding along William Mannix Avenue, stating that vehicles are losing control at high speeds. Crash statistics at this location do not support this, however Council are conducting speed assessments at William Mannix Avenue to determine the nature of the problem. Council will then address any issues as appropriate.

#### **FINANCIAL IMPLICATIONS**

Removal of the gazebo and installation of speed humps can be funded through existing budgets. Speed assessments on William Mannix Avenue will be undertaken directly by Council Officers.

## CONCLUSION

Following the site assessments, both Council Officers and Police do not support lighting at any of the proposed locations.

A review of Councils rubbish removal schedule is currently underway with a view to increasing the frequency of rubbish removal in Currans Hill.

It is recommended that the Leukaemia Youth Foundation charity bin be removed or relocated. Councils Officers will continue to process the application for the establishment of an Alcohol Free Zone at Iando Way, in accordance with Council's adopted policy and procedure.

Council Officers will continue to monitor the locations and work with Camden Local Area Command to enable a cooperative approach between Council and Police.

## RECOMMENDED

**That Council:**

- i. endorse the recommendation of Police and Council Officers to not install lighting at Iando Way, Currans Hill Park, Sedgewick Reserve or Boyd Reserve as it is not appropriate at these locations;**
- ii. endorse the removal of the charity bins operated by Leukaemia Youth Foundation at Iando Way; and**
- iii write a letter of response to residents, advising them of actions being undertaken at Currans Hill, including the proposal to establish an Alcohol Free Zone, increase rubbish collection services in the reserves and undertake speed assessments at William Mannix Avenue.**

## ATTACHMENTS

1. Letter and petition from residents of Currans Hill - *Supporting Document*
2. Memo to Councillors - Iando Way - *Supporting Document*
3. Police Request - Removal of Gazebo in Currans Hill - *Supporting Document*



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## ORDINARY COUNCIL

ORD02

ORD02

**SUBJECT: PROPOSED ROAD NAMING - NEW ROADS IN CAMDEN SOUTH**  
**FROM:** Acting Director, Development & Health  
**BINDER:** Naming of Roads

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### PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement for public exhibition of a list of proposed road names to be assigned to new roads in Camden South.

### BACKGROUND

At the Ordinary Council meeting of 14 August 2012 Council resolved to approve Development Applications 443/2012 and 444/2012 for the residential subdivision of 46 Crookston Drive, Camden South. These applications proposed the creation of 49 new residential lots and the dedication of three new public roads.

The developer of this subdivision has put forward a list of proposed road names to be assigned to the three new roads within this subdivision. **A copy of the letter is provided as attachment 1 at the end of this report.**

The list of proposed road names has been considered by the Geographical Names Board (GNB) in accordance with their guidelines for the naming of roads. The GNB has raised no objections to the proposed names.

The list of proposed road names is:

Road Names	Road Type	Meaning
Birch	Place	Plant
Jacaranda	Drive	Plant
Jasmine	Place	Plant

## AERIAL PHOTO



## MAIN REPORT

The GNB has advised Council of the process to be followed by the roads authority in respect to the naming of new roads in accordance with the *Roads Act 1993*. In this instance, Council is the roads authority.

The process to be followed includes:

1. new road names are provided to Council;
2. the names are checked by Council staff in accordance with the guidelines published by the GNB;
3. if the names meet the guidelines they are referred to the GNB for comment;
4. following comment from the GNB, a report is prepared by Council staff and forwarded to Council seeking endorsement of the names;
5. the proposed names are published in a notice in a local newspaper, ensuring that the notice states that written submissions on the proposed road names may be made to Council;
6. Council concurrently serves notice of the road naming proposal on Australia Post, the Registrar General, the Surveyor General and in the case of a classified road, the Roads and Maritime Services (RMS);
7. all submissions are compiled and the proposed road names are reviewed again by Council staff;

8. the results of the public exhibition period are reported back to Council with any recommendation for approval;
9. the approved names are published in the NSW Government Gazette and in local newspapers; and
10. Council informs Australia Post, the Registrar General, the Surveyor General and the RMS of the new road names and gives sufficient particulars for them to be identified.

Steps 1 to 3 of the process have been undertaken and this report has been prepared in accordance with step 4.

### **FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

### **CONCLUSION**

The proposed road names have been assessed by Council staff in accordance with the GNB criteria. The names satisfy the GNB's guidelines for the naming of roads.

If Council endorses the list, a 30 day exhibition period will be commenced and a further report provided to Council with the results of the exhibition.

### **RECOMMENDED**

**That Council:**

- i. endorse the list of proposed road names for the approved subdivisions at 46 Crookston Drive, Camden South for a 30 day exhibition period; and**
- ii. be provided with a further report detailing the results of the 30 day public exhibition period.**

### **ATTACHMENTS**

1. Applicant's letter of road names

ORD02

Attachment 1

**R. S. CANCERI PTY LTD**

A.B.N. 38 002 303 031

**Consultants in Surveying, Land Development  
& Sydney Water Accredited Designer**

B.Surv. (Hons.) U.N.S.W

Member of Institute of Surveyors (Aust.)

53 Campbell Street  
Liverpool NSW 2170**All correspondence to:**P.O. Box 3070  
Liverpool Westfield NSW 2170

Phone: 9602 6294

Fax: 9601 1418

Email: survey@rcanceri.com.au

18 March 2013

My Ref: 20872/ Stage 1 and Stage 2

Your Ref: DA 443/2012 &amp; DA 444/2012

The Council of Camden  
P O Box 183  
CAMDEN NSW 2570

Attention: Angie Juvanshu

Dear Madam

**Re: DA443/2012 and DA444/2013  
Lot 1 DP1155727, 46 Crookston Drive Camden South**

I write to Council on behalf of the developers of the above referred development, formerly requesting endorsement of the three proposed road names being:

- Jacaranda Drive
- Jasmine Place
- Birch Place

Formalising of these names at your earliest convenience would be greatly appreciated as the linen plan of subdivision will be forwarded to Council for subdivision certificate at some stage during the month of April.

For any further information, please do not hesitate to contact the undersigned.

Yours faithfully

**R S CANCERI**A handwritten signature in black ink, appearing to be 'R S Canceri', written over a dotted line.

(Registered Surveyor)

# ORDINARY COUNCIL

**ORD03**

**ORD03**

**SUBJECT: LOCAL DEVELOPMENT PERFORMANCE MONITORING REPORT  
2011-2012**

**FROM:** Acting Director, Development & Health

**BINDER:** Development & Building Controls/Statistics

## PURPOSE OF REPORT

To inform Council that the 2011/2012 Local Development Performance Monitoring report has been released, and to provide a snapshot of the data published relevant to Camden. The full report is available on the Department of Planning and Infrastructure's website at [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

## BACKGROUND

On 30 March 2013, the Department of Planning and Infrastructure released the Local Development Performance Monitoring report for 2011-2012.

The report provides comprehensive statistics about development in NSW, including annual information on the volume, value and type of development and Council processing times. The report is compiled by the Department and based on the Department's analysis of data supplied by local councils.

## MAIN REPORT

In 2011/2012, Council determined 1,361 DA's excluding Tree Applications and approved \$417.4 million worth of development within Camden. The mean DA determination time with 'stop the clock' was 31 days and the median DA determination time with 'stop the clock' was 20 days.

Compared with 2010/2011, the number of DA's determined decreased by 4% and the value of development approved in Camden increased by 16%.

Year	DA's determined	CC's issued	Value of DA's approved (million)
2011/2012	1,361(ex Tree App) 1,518(incl Tree App)	1,014	\$417.4
2010/2011	1,582	1,154	\$348.7
2009/2010	1,454	1,148	\$417.6
2008/2009	1,220	675	\$193.6

**No. of DA's and CC's and value of DA's approved in Camden**

The table below provides a comparison on the value of development approved within the North West and South West growth centre councils during 2011-2012.

North West Growth Centre	Value of DA's approved (million)	No. staff allocated to DA's
Blacktown Council	\$537.7	21
Hawkesbury Council	\$50.4	2
The Hills Council	\$858.7	19



Total	\$1.44 Billion	42
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South West Growth Centre	Value of DA's approved (million)	No. staff allocated to DA's
Camden Council	\$417.4	15
Campbelltown Council	\$180.3	6.7
Liverpool Council	\$404.9	14
Total	\$1 Billion	

**Value of DA's approved in various growth councils (2010/2011)**

Of the DA's determined in Camden, 43% were for single dwellings. In 2011/2012, Council approved 592 new single dwellings, compared with 1,035 in Blacktown, 178 in Campbelltown, 617 in Liverpool and 404 in Penrith.

North West Growth Centre	Alterations & additions	Single Dwellings	Commercial/retail/office	Subdivision DA
Blacktown Council	616	1035	107	58
Hawkesbury Council	58	24	17	14
The Hills Council	489	368	161	98
Total	1163	1427	285	178

South West Growth Centre	Alterations & additions	Single Dwellings	Commercial/retail/office	Subdivision DA
Camden Council	261	592	62	44
Campbelltown Council	151	178	63	27
Liverpool Council	223	617	80	54
Total	635	1387	205	125

**No. of DAs by type in various growth councils (2010/2011)**

In 2010/2011, Council's mean gross determination time was 33 days for single dwellings, 30 days for alterations and additions and 89 days for commercial, retail and offices DA's.

Mean gross determination time means the average time taken by Council to determine a DA when time is measured from the day the application is lodged to the day the application is determined and no days are excluded.

North West Growth Centre	Alterations & additions	Single Dwellings	Commercial/retail/office
Blacktown Council	56 days	42 days	79 days
Hawkesbury Council	155 days	135 days	192 days
The Hills Council	63 days	77 days	61 days

South West Growth Centre	Alterations & additions	Single Dwellings	Commercial/retail/office
Camden Council	30 days	33 days	89 days
Campbelltown Council	63 days	97 days	88 days
Liverpool Council	45 days	69 days	134 days

**Mean gross DA determination times by DA type in various growth councils (2010/2011)**

Since this reporting period Council staff have implemented a number of measures to further reduce DA determination times. These have included the introduction of a pre-lodgement DA checking system to ensure that only complete DAs are lodged with Council. Council staff are also regularly following up with applicants to ensure that any

required additional information is submitted in a timely fashion. Changes to Council staff delegations would assist in reducing these DA determination times further.

During 2011/2012, Council issued 45 subdivision certificates. This compares with 107 in Blacktown, 32 in Campbelltown, 64 in Liverpool and 47 in Penrith.

North West Growth Centre	No. Subdivision Certificates Issued
Blacktown Council	107
Hawkesbury Council	29
The Hills Council	77
Total	213

South West Growth Centre	No. Subdivision Certificates Issued
Camden Council	45
Campbelltown Council	32
Liverpool Council	64
Total	141

No. of Subdivision Certificates issued in various growth councils (2010/2011)

### **FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

### **CONCLUSION**

The Department's Performance Monitoring Report provides comprehensive statistics about Council's performance, including information on the volume, value and type of development occurring and processing times. For Camden, the data released reflects the ongoing growth in development and allows for analysis against other councils. Based on the data provided in the 2010/2011 report, Council is continuing to perform well.

### **RECOMMENDED**

**That Council note the information.**

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## ORDINARY COUNCIL

**ORD04****SUBJECT: COAL SEAM GAS - POLICY POSITION AND PROPOSED STATE ENVIRONMENTAL PLANNING POLICY AMENDMENTS****FROM:** Director Governance**BINDER:** Coal Seam Gas**PREVIOUS ITEMS:** ORD02 - Coal Seam Gas - Ordinary Council - 12 February 2013

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### PURPOSE OF REPORT

The purpose of this report is to:

1. advise Council of the outcome of the public exhibition of the draft Position Paper on Coal Seam Gas in the Camden Local Government Area;
2. endorse the Position Paper on Coal Seam Gas in the Camden Local Government Area; and
3. advise Council on the NSW Governments draft amendment to the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) (Coal Seam Gas Exclusion Zones) 2013.

### BACKGROUND

Council, at its meeting on the 12 February 2013, resolved to publicly exhibit a draft Position Paper on Coal Seam Gas in the Camden Local Government Area.

The Position Paper outlines a number of key issues of concern to both Council and the community including the Camden Gas Project history, energy security, regulation and legislation, risk management, environmental impacts, public health issues, scientific knowledge and Government responses to the project.

The draft Position Paper calls for a moratorium in relation to further Coal Seam Gas exploration and production in the Camden Local Government Area until such time as the abovementioned issues are addressed.

### MAIN REPORT

#### *Draft Position Paper*

The draft Position Paper on Coal Seam Gas in the Camden Local Government Area was placed on public exhibition for a total of 28 days from 20 February 2013 until 20 March 2013. This provided the community an opportunity to comment on Council's proposed submission, with one (1) submission received. A copy of the submission is provided as a **Supporting Document to this report**.

The comprehensive assessment of issues raised in the submission is provided as **Attachment 1 to this report**, together with officer comments and recommendations.

Key issues raised within the submission primarily mirror the key headings of the draft Policy Position on Coal Seam Gas in the Camden Local Government Area. The key points considered in the draft Position Paper include:

- Camden Gas Project History

- Energy Security
- Environmental Impacts
- Scientific Knowledge
- Government responses
- Public Health

From the discussion carried out within the Position Paper, it is concluded that there is a lack of scientific evidence on the matters of concern. The Position Paper calls for a moratorium on further CSG exploration and production in the Camden LGA until such time as the required research is carried out.

With due consideration given to issues raised within the submission, Council Officers are satisfied that the Position Paper reiterates community concern. The Position Paper remains as advertised and the next step is to adopt the Policy Position on Coal Seam Gas in the Camden Local Government Area. An advertisement will be placed in the local newspaper should Council resolve to adopt the Policy Position. With minor grammatical amendments, the Policy Position on Coal Seam Gas in the Camden Local Government Area is provided as **Attachment 2 to this report**.

#### Amendments to the SEPP

On 19 February 2013, Premier Barry O'Farrell announced new measures to further strengthen the regulation of the Coal Seam Gas (CSG) industry in NSW.

The State Environmental Planning Policy (Mining Petroleum Production and Extractive Industries) 2007, known as the Mining SEPP, proposes amendments which aim to protect residential areas and certain critical agricultural industries by prohibiting new CSG activities within or close to these areas.

With particular focus on the Camden LGA, the proposed amendments seek to implement a two kilometre exclusion zone from any of the following zones:

- R1 – General Residential
- R2 – Low Density Residential
- R3 – Medium Density Residential
- R4 – High Density Residential
- RU5 – Village

The release of future South West Growth Centre precincts, whilst not currently zoned for residential purposes, is also protected as the amendment extends the prohibition over future residential growth centres.

The intentions of the proposed amendments to the Mining SEPP are consistent with the intent of Council's draft Policy Position in that it seeks to protect residential and sensitive land uses within the LGA. In this regard, support is given to the intent of the proposed Mining SEPP amendments. However, the proposed exclusion zones do not cease CSG operations. Council's Position Paper instead calls for a moratorium, which is considered to be a more appropriate course of action until further scientific research is undertaken.

As part of the process of amending the SEPP, the proposed amendments have been placed on public exhibition, which closes on 12 April 2013. Any submissions to the proposed amendments to the Mining SEPP are to be lodged prior to this date. Due to the timing of Council meetings in relation to the close date of the exhibition period, an

extension was sought and given by the Department of Planning and Infrastructure which allowed Council to lodge a final submission by 26 April 2013. As requested by the DPI, a draft submission was lodged with the DPI and is provided as **Attachment 3 to this report**.

A final submission, including any recommendations of Council as a result of this report, will be forwarded to the DPI by 26 April 2013. The final submission to this effect has been prepared and is provided as **Attachment 4 to this report**.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications on Council.

### **CONCLUSION**

Council has publically exhibited its draft Policy Position on Coal Seam Gas in the Camden Local Government Area, which attracted one (1) submission. The submission raised concerns, comments and issues, which primarily mirror the key headings of the draft Policy Position on Coal Seam Gas in the Camden Local Government Area and have been comprehensively addressed in the Assessment of Submissions. The next step is to adopt the Policy Position on Coal Seam Gas in the Camden Local Government Area and place an advertisement in the local newspaper notifying the community of its decision.

In addition, the NSW Government proposes amendments to the Mining SEPP to protect residential areas and future residential growth areas from new CSG activities within or close to these areas. Support is afforded to the intent of the proposed Mining SEPP amendments, while continuing to call for a moratorium. It is proposed to lodge a submission to this effect.

### **RECOMMENDED**

**That Council:**

- i. adopt the Policy Position on Coal Seam Gas in the Camden Local Government Area;**
- ii. place a notification in the local newspaper advising the community of Council's decision to adopt the Policy Position;**
- iii. lodge a final submission to the NSW Government's proposed amendments to the State Environmental Planning Policy (Mining Petroleum Production and Extractive Industries) 2007; and**
- iv. notify the submitter of Council's decision.**

### **ATTACHMENTS**

1. Assessment of Submission
2. Position Paper on Coal Seam Gas in the Camden Local Government Area
3. Draft Submission to the SEPP
4. Final Submission to the SEPP
5. Public Submission - *Supporting Document*

**Assessment of Submission**

***For Council's draft Policy Position on Coal Seam Gas in the Camden Area***

<b>Concern/Comment/Issue</b>	<b>Officer Comment</b>	<b>Recommendation</b>
<p>Council's call, or recommendation for a moratorium on any further production or exploration in the Camden LGA, does not go far enough. Prohibit would be a more appropriate word.</p>	<p>Since Council are not the Responsible Planning Authority (RPA), for both development applications and the amendments of applicable legislation, Council cannot prohibit the development. Council can only call for and support any moratorium on the future Coal Seam Gas operations within the LGA.</p>	<p>No Action.</p>
<p>Our comments to the State Government Mining and Industry Projects – Dept of Planning include our general support for your submission.</p>	<p>Council's current position is considered as the most appropriate course of action. Support for the draft Position Paper is appreciated and acknowledged that this is prepared in the best interests of the community of the Camden LGA.</p>	<p>No Action.</p>
<p>We totally agree with your aquifer comments; however we comment that the testing should be to recognised sampling, testing to national requirements and made public.</p>	<p>Collection and analysis of samples is undertaken in accordance with EPA licence requirements, which require compliance with sampling protocols and analysis by NATA accredited laboratories. All reporting and studies derived from this are assessed and reviewed by the EPA. Due to recent amendments to pollution legislation, this type of data is publicly available.</p>	<p>No Action</p>

Assessment of Submission - draft Policy Position on Coal Seam Gas in the Camden Area

8 April 2013

<b>Concern/Comment/Issue</b>	<b>Officer Comment</b>	<b>Recommendation</b>
<p>All gas projects leak methane, in the drilling, extraction, pipes to pumping stations, storage and distribution, and AGL should regularly test for methane leakage and also determine the background methane figure.</p>	<p>AGL, as part of Development Consent, requires ongoing monitoring and testing of potential methane leakages, commonly known as fugitive gas emissions. It is acknowledged, within Council's draft Position Paper on Coal Seam Gas in the Camden LGA, that minimal research has been done to calculate the amount of fugitive gas emissions and its true impacts on the greenhouse.</p>	No Action.
<p>Methane, should it leak into enclosed areas will eventually reach critical explosive concentration.</p>	<p>It should be noted that AGL are seeking to create a fugitive gas emissions monitoring program, which goes above and beyond the requirements of the existing Development Consents. This is currently in the preliminary consultation stages and is expected to be in place in the coming months.</p>	
<p>It should be mandatory that any CSG company adequately identify where the wells are to be located, on a map produced by Council for permanent display.</p>	<p>Comments in relation to 'critical explosive concentration' are noted and agreed. The risk assessment for any CSG application assesses the consequence and likelihood to determine the impacts. This matter is considered by the relevant planning authority when the application is assessed.</p>	
<p>There should be an exclusion zone clearly marked on maps on permanent display in Council showing and the exclusion zone should be at least 2 kilometres from the nearest dwelling in the present growth centres... and boundary of all the development (in the South West Growth Centres)... covering development over the life of the growth centre for the next 30 years.</p>	<p>Council is advised of the well locations within the LGA for internal use. Public documents are made available to the community on the AGL and DPI websites.</p>	No Action.
<p>As your report comments, the scientific information is scant, and should be completed and fully understood by the community before further progress can be made.</p>	<p>The draft Position Paper acknowledges that CSG development proposals must consider the existing future residential development throughout the South West Sydney. Since the submission was lodged, the DPI has release new measures for the location of CSG wells by way of a draft amendment to the Mining SEPP. The draft amendment seeks to achieve an exclusion zone within 2km of existing and future residential areas.</p>	No Action.
	<p>Noted and agree, Council are continuing to call for a moratorium on all CSG activities until such time that appropriate scientific research is undertaken.</p>	No Action.

8 April 2013

Assessment of Submission - draft Policy Position on Coal Seam Gas in the Camden Area

<b>Concern/Comment/Issue</b>	<b>Officer Comment</b>	<b>Recommendation</b>
Ground water extraction, its processing and disposal should be fully understood as your comment under Groundwater extraction.	Noted and agree, Council are continuing to call for a moratorium on all CSG activities until such time that appropriate scientific research is undertaken.	No Action.
Fracking should be prohibited.	Concerns are noted. Whilst Council cannot prohibit hydraulic fracturing, concerns have been raised and outlined within the draft Policy Position on Coal Seam Gas in the Camden Local Government Area.	No Action.
Council should prepare for permanent consultation for the community maps showing where the gas fields are, where the proposed drilling is, including land which it is proposed to develop over the next 30 years. This should only consider land outside the 2km exclusion zone, and any LEP/DCP should also include such markings. These maps should be forwarded to the Valuer Generals Dept. and the Insurance Council for consideration.	Future well locations, and associated infrastructure are subject to application and approval by the DPI. It is impossible for Council to project these locations and map them as a public document. Should an application be made, this will be notified to the public in accordance with the Environmental Planning and Assessment Act 1979.	No Action.
CSG exploration should be prohibited on flood plains, river and tributary systems that feed rivers, land used for farming or future farming of all types of farming, dams, and catchment areas, sewerage plants, universities involved in animal and bird breeding	Since Council are not the RPA, for both development applications and the amendments of applicable legislation, Council cannot prohibit the development. Council can only call for and support any moratorium on the future Coal Seam Gas operations within the LGA.	No Action.
	Council's current position is considered as the most appropriate course of action.	

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Attachment 2



# Camden Council

## Position Paper on Coal Seam Gas in the Camden Local Government Area

April 2013





## Background

Coal Seam Gas (CSG) has been defined in the recently published NSW Upper House Inquiry. The Report produced by the Inquiry states that CSG *"is an unconventional natural gas that occurs naturally within the pores or fractures of coal seams"*. CSG is typically found at a depth of 800m in the Camden Area. CSG is used for industrial and domestic uses, as well as in gas turbines to generate electricity. CSG consists largely of methane with a concentration of approximately 95% but may also contain small amounts of carbon dioxide and nitrogen.

In order to extract the CSG, a well is drilled into the coal strata and the water pressure is lowered by removing the water from the coal. This process of depressurisation allows the flow of gas out of the fractures in the coal seam and then to the surface. Once the well is established and operational, a CSG well may produce gas for between 10 to 20 years.

Each well site can contain up to 6 individual wells. Each individual horizontal well can take up to four weeks to set up, drill and complete. New technologies in horizontal drilling broaden the CSG catchment area to approximately a 2km radius from the surface location at depths specified above. Each well is lined with two layers of steel casing with cement pumped between each of the layers. All wells are designed to seal and isolate aquifers to prevent water and gas from interacting between each sub-strata.

With pressure on existing gas and energy reserves, there has been a move towards the extraction and use of CSG, including in the Camden Local Government Area and surrounding district. With the increase in production and experience there has been increased exposure in the public realm of CSG and the Camden Gas Project in particular. With this exposure there has been ongoing concerns expressed by the residents of the Camden LGA.

Historically, Council has approached matters relating to CSG on a project basis, considering specific projects or applications within the Camden Gas Project Area. As a result of the need to meet timeframes for submissions, the focus of these reports has been on the individual project and matters such as locations of wells and individual impacts like noise.

As an evolution of the historic approach towards a broader policy approach, this paper focuses on the key points surrounding CSG in an attempt to determine a position for Council in relation to the exploration, leasing and production of CSG wells within the LGA.

Any large organisation, be it a council or private company, is under an obligation to provide evidence for its actions. No large enterprise ought to be undertaken without due diligence being observed, irrespective of the results of any scientific studies – good or bad. Camden Council is answerable to its community. At the



very least, if there were to be any adverse consequences, an organisation should inform itself so it can weigh up the cost benefit and take mitigating action, if any were required.

## Council's Current Role

Council's current role and response to CSG is predominantly focussed on participation in the Development Approval process. Development proposals identified as State Significant Development under Part 4 of the *Environmental Planning Assessment Act 1979 (EPA Act 1979)*, are managed by the Department of Planning and Infrastructure (DPI), with the Minister being the consent authority. However, in accordance with the EPA Act 1979, the application is required to be placed on public exhibition for a minimum period of 30 days.

Since Council is not the Consent Authority, it is at this point that Council has the opportunity for input into the proposal and offer comments to voice its concerns. Any submission that Council makes is taken into consideration and must be addressed prior to the determination of the State Significant Development Application.

## Gas in the Camden Area

The Camden Gas Project has been producing CSG since 2001 with the project originally being carried out by Sydney Gas Limited. Since AGL's takeover of Sydney Gas Limited in 2009, the wells have continued operation and expanded to include a network currently consisting of:

- 86 producing CSG wells;
- 100 km of gas gathering lines and associated infrastructure; and
- The Rosalind Park Gas Plant, located in the Menangle area, for gas treatment and sales.

The Camden Gas project is operating under Petroleum Production Licences PPL 1, 2, 4, 5 and 6 issued by the state government (which are explained later in this report). Currently, AGL has eight CSG producing wells within the Camden LGA, which are located within Stage 2 of development (Spring Farm and Glenlee). An application for production of Stage 3 is currently being considered by the DPI.

Within the Camden LGA CSG extraction is currently focussed in the Stage 2 area at Spring Farm. CSG extraction in Stage 2 utilises the horizontal drilling method to access and recover the resource. No fracking methods are used in CSG mining at this point in time. CSG well collection points are located, in parts, approximately 100 metres from the closest residential development.

Stage 3 is known as the Camden Gas Project Northern Expansion and is located in an area from Gregory Hills to the north.



This position paper only applies to future developments of CSG in the Camden LGA and not existing wells.

## Policy Issues

### **Energy Security**

A major reason for the recent spike in activity has resulted from the need to secure the State's energy supply. It has been documented that more than 95% of the State's gas requirements are met by importing gas from other states and offshore. In this regard, NSW is not in a position of strength when it comes to the security of gas supply, consequently inflating the prices of natural gas and electricity supply in NSW.

As a result of population and housing growth and industry needs, the demand for natural gas and electricity in NSW will proportionately increase. Meanwhile, gas supply is decreasing due to the expiration of contracts and the lack of mining local resources. Camden LGA has significant resources of CSG.

Although the constraints on energy supply are recognised and of significant importance, this should not be the only consideration in approaching the CSG debate within the Camden LGA,

### **Regulation and Legislation**

The exploration and production of CSG is regulated by a number of legislative instruments at both the state and federal level. Applications and approvals for a CSG operation are a state responsibility and in NSW are dealt with by the DPI. The application process involves consultation and concurrent approvals from other governmental and public agencies. Applications for projects are considered after the process of granting Petroleum Exploration and then production Licences. The construction and operation of a CSG project is primarily regulated by the following legislation:

- *NSW Petroleum (Onshore) Act 1991;*
- *NSW Environmental Planning and Assessment (EP&A) Act 1979;*
- *Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999;*
- *NSW Protection of the Environment Operations (POEO) Act 1997; and*
- *NSW Water Management Act 2000.*



The Regulation of the Industry is trailing the rollout of CSG projects and needs to be widened to consider all of the impacts of CSG mining, particularly near urban areas.

#### ***Land Owner Consultation***

In accordance with Clause 8F the Environmental Planning and Assessment Regulation 2000, owners consent is not required for applications relating to mining or petroleum production projects. This is reiterated further within Clause 64 of the *Petroleum (On shore) Act 1991*, whereby any application 'accompanied by the consent of the owner of the land has no effect'.

Notwithstanding the above, owners of the land are notified under Clause 8F of the regulations where the 'proponent is required to give notice of the application... to the public by advertisement published in a newspaper circulating in the area of the project before the end of the period of 14 days after the application is made.'

Similar to the situation that Council is notified of the project, land owners are given a second opportunity for comment during the public participation period.

Public concern was exacerbated by the realisation that possession of an exploration permit for CSG entitled the holder of that permit to have access to land even without the consent of the landowner. There are very few examples of a company seeking to enforce that legal right, but it nonetheless adds to community anxiety about the industry.

#### ***Government Strategies in relation to CSG***

In April 2010, the NSW Government called for input into its strategy for the CSG industry. AGL has called for greater community consultation requirements, stronger water management regulations and a code of conduct to set minimum industry standards for CSG projects in New South Wales.

In May 2012, the NSW Upper House Inquiry into CSG produced its findings and recommendations. Some of the key recommendations arising from that Inquiry included:

- Tightening the Draft Code of Practice for CSG production
- Maintaining the moratorium on the fracking technique in CSG production until a national assessment of the toxicity of fracking chemicals as been undertaken
- Monitoring and measurement the amount of water produced by CSG mining
- Notify local councils of Petroleum Exploration Licence applications once received.



In September 2012, following the "Strategic Land Use Review" and the resultant "Code of Practice for Coal Seam Gas Explorers", the NSW Government lifted the ban on the use of the fracking technique in CSG exploration and production.

The Federal Government has produced the Draft National Harmonised Regulatory Framework – Coal Seam Gas. This Draft Report and Framework was produced in December 2012. The main intent of the document is to create a national framework for the regulation of CSG production rather than impose further requirements on the industry.

All of the recommendations of the NSW Upper House Inquiry should be put in place as a minimum response, in the attempt to have the regulation of the industry catch up with the rollout of production.

### ***Population Growth***

In line with the NSW Government's policy, there is to be significant population growth in the Camden LGA. Most of the growth is concentrated in the South West Growth Centre. The State Government is encouraging a significant amount of residential investment and development in the South West Growth Centre area for the provision of much needed housing. Camden's population is predicted to increase dramatically from 57,000 to approximately 250,000 due to its inclusion in the South West Growth Centre area.

Policies such as State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and the State Government's recent collaborations with private land holders for releases of private land for residential subdivision will increase the potential for conflict between CSG production and residential expansion. This is already becoming apparent in the Stage 3 of the Camden Gas Project (The Northern Expansion).

## **Environmental Issues**

### ***Current Scientific Knowledge/Evidence***

The current knowledge of groundwater resources for the existing Camden Gas Project production areas has been based on desktop studies only. No groundwater monitoring network has been installed. A baseline groundwater study has recently commenced for the northern expansion, but limited work has been done so far.

It is known that there is interconnectivity between aquifers, but the extent of that interconnectivity is not certain. However, data obtained in recent years is showing that there is more connectivity than first thought. When a coal seam is



depressurised to allow gas to flow, there is the potential for water to leak from overlying and underlying aquifers.

Currently there is a real absence of scientific knowledge or evidence on the cumulative impacts of CSG on aquifers. Geoscience Australia states in a report for the Federal Government that the "overriding issue in CSG development is the uncertainty surrounding the potential cumulative, regional scale impacts of multiple developments". The NSW Parliamentary Inquiry report states at point 3.45 that "...we need more data on specific water systems, and the interconnectivity of aquifers, if any, in these systems and the potential cumulative impacts of multiple CSG projects."

CSG mining in the Camden LGA should have a moratorium placed on any further expansion unless and until the scientific research and evidence is provided to address these knowledge gaps.

#### ***Groundwater Extraction***

For the Camden Gas Project the depressurisation required to allow gas to flow, results in the extraction of approximately 795,000 litres per well of coal seam water on average in the first 12 months. The ongoing water extraction from each of the 86 wells within the Camden Gas Project can vary from nil to approximately 3 million litres.

CSG water extracted is on general terms, moderate to high salinity which is approximately 1/3 as salty as seawater. Whilst this water is stated to be reused, it is generally highly processed in a treatment plant before its re-use for industrial purposes.

It is established that there is some amount of connectivity between coal seams and overlying, and underlying aquifers. However, the extent of this connection is unknown. Upon the decommissioning of the wells, the time taken for water levels in coal seams to re-establish may be many decades to centuries. In the event that a small amount of inter-connectivity or leakage between aquifers is identified, the extent of impact can be substantial over the timeframe to re-establish the water content. This is identified in the Upper House Inquiry as it notes in Point 3.45 of the report "...we need more data on specific water systems, and the interconnectivity of aquifers, if any, in these systems and the potential cumulative impacts of multiple CSG projects."

Camden Council calls for this research to be undertaken before any further rollout of CSG.

#### ***Risk Management***

The CSG mining impacts, being a relatively new form of resource recovery, are not necessarily established in a way to provide a reliable indicator of *future*



environmental impacts. Due to the timeframes to re-establish water content within the de-watered strata, impacts may not become apparent for many decades.

This situation is unacceptable and must be addressed by the Industry and Government regulators.

### ***Hydraulic Fracturing***

Whilst the CSG industry has publicly disclosed the chemical additives used during the hydraulic fracturing process (commonly referred to as 'fracking'), very little is known about the effect of these chemicals, when combined on the environment and its ecosystems. The CSG industry refute claims that the chemicals used in fracking are hazardous or harmful to the environment stating that the chemicals used are found in common household products and food stuffs. It is noted that some of these chemicals may be harmless in isolation, however, further the environmental impact once these chemicals are combined is unknown and of concern. This has created concern amongst the public and environmentalists fearing that the CSG industry is not revealing the environmental effects 'for a reason'.

Furthermore, the rate of recovery of fracking fluids is unknown. Due to the volumes of fracking fluids used in each frac, even 1% of un-recovered fluid is considered a significant volume with potential to contaminate the coal seam water.

Throughout the public exhibition of the Camden Gas Project Northern Expansion, AGL has repeatedly stated that it does not intend to utilise the fracking technique to recover the resource. However, consistent with the documents placed on public exhibition, AGL have recently stated that they may use the technique in circumstances where this is required. The documents on exhibition state that this technique may be needed to be used in approximately 10-20% of production well sites.

A recently released report by the NSW Chief Scientist appears to state that the fracking method will be used out of necessity in particular areas of the state, including the Sydney Region and Camden LGA.

The use of fracking is not supported by Camden Council.

### ***Greenhouse Impacts and Fugitive Emissions***

Methane gas (the main component of CSG) is a very strong greenhouse gas with a greenhouse warming potential about 25 times greater than Carbon Dioxide. The CSG industry claims that the electricity generation from CSG produces around 50% less greenhouse emissions than conventional coal-fired electricity generation. Fugitive emissions (i.e. leaks) of CSG from the various components

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of a CSG project question the notions of whether CSG has lower greenhouse gas emissions compared with coal burning.

Minimal research has been done to conclude how much CSG is lost due to fugitive emissions and therefore what the true greenhouse impact of CSG production. Further research of the potential impacts must be carried out.

### Health Issues

There is little independent scientific evidence as to the impact of CSG on the community within which it is undertaken. The South West Sydney Local Health District has raised this as a concern in relation to the Camden Gas Project. There needs to be such research carried out and the precautionary principle applied.

### Summary

Camden Council supports the use of the precautionary principle in relation to the formulation of policy. Based on the significant knowledge gaps and community concerns that exist in relation to CSG production in Camden, as outlined in this paper:

**Council calls for a moratorium on any further CSG production or exploration in the Camden LGA. The moratorium should only be lifted once all of the gaps identified in this report have been appropriately considered and addressed by independent scientific research and evidence.**

Attachment 2

Binder: Coal Seam Gas

Department of Planning and Infrastructure  
Strategic Regional Policy  
GPO Box 39  
Sydney NSW 2001

9 April 2013

Dear Sir/Madam,

**RE: DRAFT AMENDMENT TO THE STATE ENVIRONMENTAL PLANNING POLICY (MINING, PETROLEUM PRODUCTION AND EXTRACTIVE INDUSTRIES) (COAL SEAM GAS EXCLUSION ZONES) 2013**

This submission is made in reference to the draft amendments to the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

Due to the timing of Council meetings in relation to the close date of this exhibition period, an extension was sought and granted by the Department of Planning and Infrastructure which allowed Council to lodge a final submission by 26 April 2013. As requested by the DPI, this draft submission has been prepared and lodged pending Council endorsement of the final submission. Council will consider the final submission at its meeting on 23 April 2013, with this being submitted to the DPI for consideration by 26 April 2013.

Council has reviewed the proposed amendments and supports the intent of new measures being introduced to further strengthen the regulation of the Coal Seam Gas (CSG) industry in NSW. Council offers comment in relation to the proposed draft amendments to the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 throughout this submission.

Council, at its meeting on the 12 February 2013, considered and resolved to publicly exhibit a draft Position Paper on Coal Seam Gas in the Camden Local Government Area. The Position Paper outlines a number of key issues of concern to both Council and the community including:

- energy security;
- regulation and legislation;
- risk management;
- environmental impacts;
- public health issues; and
- scientific knowledge.

### ***Energy Security***

It is documented that more than 95% of the State's gas requirements are met by importing gas from other states and off-shore. In this regard, NSW is not in a position of strength when it comes to the security of gas supply, consequently inflating the prices of natural gas and electricity supply in NSW.

As a result of population and housing growth and industry needs, the demand for natural gas and electricity in NSW will proportionately increase. Meanwhile, gas supply is decreasing due to the expiration of contracts and the lack of mining local resources. Camden LGA has significant resources of CSG.

Although the constraints on energy supply are recognised and of significant importance, this should not be the only consideration in approaching the CSG debate within the Camden LGA,

### ***Regulation and Legislation***

The exploration and production of CSG is regulated by a number of legislative instruments at both the state and federal level. Applications and approvals for a CSG operation are a state responsibility and in NSW are dealt with by the DPI. The application process involves consultation and concurrent approvals from other governmental and public agencies. Applications for projects are considered after the process of granting Petroleum Exploration and then Production Licences by the Department of Trade and Investment. The construction and operation application of a CSG project is dealt with by the Department of Planning and Infrastructure and is primarily regulated by the following legislation:

- NSW Petroleum (Onshore) Act 1991;
- NSW Environmental Planning and Assessment (EP&A) Act 1979;
- Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999;
- NSW Protection of the Environment Operations (POEO) Act 1997; and
- NSW Water Management Act 2000.

It is viewed that there is no synergy between the Department of Trade and Investment and the DPI in the early stages of issuing exploration and production licences. The Regulation of the Industry is trailing the rollout of CSG projects and needs to be widened to consider all of the impacts of CSG mining, particularly near urban areas in its earlier stages.

### ***Land Owner Consultation***

In accordance with Clause 8F the Environmental Planning and Assessment Regulation 2000, owners consent is not required for applications relating to mining or petroleum production projects. This is reiterated further within Clause 64 of the Petroleum (On shore) Act 1991, whereby any application 'accompanied by the consent of the owner of the land has no effect'.

Notwithstanding the above, owners of the land are notified under Clause 8F of the regulations where the 'proponent is required to give notice of the application... to the public by advertisement published in a newspaper circulating in the area of the project before the end of the period of 14 days after the application is made.'

Similar to the situation that Council is notified of the project, land owners are given a second opportunity for comment during the public participation period.

Public concern is exacerbated by the realisation that possession of an exploration permit for CSG entitles the holder of that permit to have access to land even without the consent of the landowner. There are very few examples of a company seeking to enforce that legal right, but it nonetheless adds to community anxiety about the industry.

#### *Government Strategies in relation to CSG*

In April 2010, the NSW Government called for input into its strategy for the CSG industry. AGL has called for greater community consultation requirements, stronger water management regulations and a code of conduct to set minimum industry standards for CSG projects in New South Wales.

In May 2012, the NSW Upper House Inquiry into CSG produced its findings and recommendations. Some of the key recommendations arising from that Inquiry included:

- Tightening the Draft Code of Practice for CSG production;
- Maintaining the moratorium on the fracking technique in CSG production until a national assessment of the toxicity of fracking chemicals as been undertaken;
- Monitoring and measurement the amount of water produced by CSG mining; and
- Notify local councils of Petroleum Exploration Licence applications once received.

In September 2012, following the "Strategic Land Use Review" and the resultant "Code of Practice for Coal Seam Gas Explorers", the NSW Government lifted the ban on the use of the fracking technique in CSG exploration and production.

The Federal Government has produced the Draft National Harmonised Regulatory Framework – Coal Seam Gas. This Draft Report and Framework was produced in December 2012. The main intent of the document is to create a national framework for the regulation of CSG production rather than impose further requirements on the industry.

All of the recommendations of the NSW Upper House Inquiry should be put in place as a minimum response.

#### *Population Growth*

In line with the NSW Government's policy, there is to be significant population growth in the Camden LGA. Most of the growth is concentrated in the South West Growth Centre. The State Government is encouraging a significant amount of residential investment and development in the South West Growth Centre area for the provision of much needed

housing. Camden's population is predicted to increase dramatically from 57,000 to approximately 250,000 due to its inclusion in the South West Growth Centre area.

Policies such as State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and the State Government's recent collaborations with private land holders for releases of private land for residential subdivision will increase the potential for conflict between CSG production and residential expansion. This became apparent in the Stage 3 of the Camden Gas Project (The Northern Expansion).

#### ***Risk Management***

The CSG mining impacts, being a relatively new form of resource recovery, are not necessarily established in a way to provide a reliable indicator of future environmental impacts. Due to the timeframes to re-establish water content within the de-watered strata, impacts may not become apparent for many decades.

This situation is unacceptable and must be addressed by the Industry and Government regulators.

#### ***Environmental Issues***

##### *Groundwater Extraction*

For the Camden Gas Project the depressurisation required to allow gas to flow, results in the extraction of approximately 795,000 litres per well of coal seam water on average in the first 12 months. The ongoing water extraction from each of the 86 wells within the Camden Gas Project can vary from nil to approximately 3 million litres in the lifecycle of the existing wells.

CSG water extracted is on general terms, moderate to high salinity which is approximately 1/3 as salty as seawater. Whilst this water is stated to be reused, it is generally highly processed in a treatment plant before its re-use for industrial purposes.

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Camden Council calls for this research to be undertaken before any further rollout of CSG.

##### *Hydraulic Fracturing*

Whilst the CSG industry has publicly disclosed the chemical additives used during the hydraulic fracturing process (commonly referred to as 'fracking'), very little is known about

the effect of these chemicals, when combined' on the environment and its ecosystems. The CSG industry refute claims that the chemicals used in fracking are hazardous or harmful to the environment stating that the chemicals used are found in common household products and food stuffs. It is noted that some of these chemicals may be harmless in isolation, however, further the environmental impact once these chemicals are combined is unknown and of concern. This has created concern amongst the public and environmentalists fearing that the CSG industry is not revealing the environmental effects 'for a reason'.

Furthermore, the rate of recovery of fracking fluids is unknown. Due to the volumes of fracking fluids used in each fracture, even 1% of un-recovered fluid is considered a significant volume with potential to contaminate the coal seam water.

AGL has repeatedly stated that it does not intend to utilise the fracking technique to recover the CSG resource. However, consistent with the documents placed on public exhibition, AGL have recently stated that they may use the technique in circumstances where this is required. The documents on exhibition state that this technique may be needed to be used in approximately 10-20% of production well sites.

A recently released report by the NSW Chief Scientist appears to state that the fracking method will be used out of necessity in particular areas of the state, including the Sydney Region and Camden LGA.

The use of fracking is not supported by Camden Council.

#### *Greenhouse Impacts and Fugitive Emissions*

Methane gas (the main component of CSG) is a very strong greenhouse gas with a greenhouse warming potential about 25 times greater than Carbon Dioxide. The CSG industry claims that the electricity generation from CSG produces around 50% less greenhouse emissions than conventional coal-fired electricity generation. Fugitive emissions (i.e. leaks) of CSG from the various components of a CSG project question the notions of whether CSG has lower greenhouse gas emissions compared with coal burning.

Minimal research has been done to conclude how much CSG is lost due to fugitive emissions and therefore what the true greenhouse impact of CSG production. Further research of the potential impacts must be carried out.

#### **Health Issues**

There is little independent scientific evidence as to the impact of CSG on the community within which it is undertaken. The South West Sydney Local Health District has raised this as a concern in relation to the Camden Gas Project. There needs to be such research carried out and the precautionary principle applied.

#### **Current Scientific Knowledge/Evidence**

The current knowledge of groundwater resources for the existing Camden Gas Project production areas has been based on desktop studies only. No groundwater monitoring

ORD04

Attachment 3

network has been installed. A baseline groundwater study has recently commenced for the northern expansion, but limited work has been done so far.

It is known that there is interconnectivity between aquifers, but the extent of that interconnectivity is not certain. However, data obtained in recent years is showing that there is more connectivity than first thought. When a coal seam is depressurised to allow gas to flow, there is the potential for water to leak from overlying and underlying aquifers.

Currently there is a real absence of scientific knowledge or evidence on the cumulative impacts of CSG on aquifers. Geoscience Australia states in a report for the Federal Government that the "overriding issue in CSG development is the uncertainty surrounding the potential cumulative, regional scale impacts of multiple developments". The NSW Parliamentary Inquiry report states at point 3.45 that "...we need more data on specific water systems, and the interconnectivity of aquifers, if any, in these systems and the potential cumulative impacts of multiple CSG projects."

CSG mining in the Camden LGA should have a moratorium placed on any further expansion unless and until the scientific research and evidence is provided to address these knowledge gaps.

#### **Summary**

Council's draft Position Paper calls for a moratorium in relation to further Coal Seam Gas exploration and production in the Camden Local Government Area until such time as these issues are addressed.

Whilst Council supports the intent to restrict further CSG operations in the vicinity of existing and future residential areas and sensitive land uses, question are raised on the effectiveness of the exclusion zone. Council notes that significant scientific research is required to understand and assess the true environmental impact. The exclusion zone will still permit CSG operations to proceed without outstanding environmental issues being addressed. Rather, it is suggested that a moratorium is a more appropriate course of action until further scientific research is undertaken into these research shortfalls.

If you have any questions in relation to the contents of this submission, do not hesitate to contact Chris Lalor, Team Leader – Land Use and Planning on 4654 7802.

Regards,

**Kylie Powell**  
Manager – Strategic Planning

Binder: Coal Seam Gas

Department of Planning and Infrastructure  
Strategic Regional Policy  
GPO Box 39  
Sydney NSW 2001

23 April 2013

Dear Sir/Madam,

**RE: DRAFT AMENDMENT TO THE STATE ENVIRONMENTAL PLANNING POLICY  
(MINING, PETROLEUM PRODUCTION AND EXTRACTIVE INDUSTRIES) (COAL  
SEAM GAS EXCLUSION ZONES) 2013**

This submission is made in reference to the draft amendments to the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

Council has reviewed the proposed amendments and supports the intent of new measures being introduced to further strengthen the regulation of the Coal Seam Gas (CSG) industry in NSW. Council offers comment in relation to the proposed draft amendments to the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 throughout this submission.

Due to the timing of Council meetings in relation to the close date of this exhibition period, an extension was sought and granted by the Department of Planning and Infrastructure which allowed Council to lodge a final submission by 26 April 2013. As requested by the DPI, a draft submission was lodged on 11 April 2012.

Council, at its meeting on the 23 April 2013, resolved to endorse this submission, along with the adoption of a Position Paper on Coal Seam Gas in the Camden Local Government Area. The Position Paper outlines a number of key issues of concern to both Council and the community including:

- energy security;
- regulation and legislation;
- risk management;
- environmental impacts;
- public health issues; and
- scientific knowledge.

### ***Energy Security***

It is documented that more than 95% of the State's gas requirements are met by importing gas from other states and off-shore. In this regard, NSW is not in a position of strength when it comes to the security of gas supply, consequently inflating the prices of natural gas and electricity supply in NSW.

As a result of population and housing growth and industry needs, the demand for natural gas and electricity in NSW will proportionately increase. Meanwhile, gas supply is decreasing due to the expiration of contracts and the lack of mining local resources. Camden LGA has significant resources of CSG.

Although the constraints on energy supply are recognised and of significant importance, this should not be the only consideration in approaching the CSG debate within the Camden LGA,

### ***Regulation and Legislation***

The exploration and production of CSG is regulated by a number of legislative instruments at both the state and federal level. Applications and approvals for a CSG operation are a state responsibility and in NSW are dealt with by the DPI. The application process involves consultation and concurrent approvals from other governmental and public agencies. Applications for projects are considered after the process of granting Petroleum Exploration and then Production Licences by the Department of Trade and Investment. The construction and operation application of a CSG project is dealt with by the Department of Planning and Infrastructure and is primarily regulated by the following legislation:

- NSW Petroleum (Onshore) Act 1991;
- NSW Environmental Planning and Assessment (EP&A) Act 1979;
- Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999;
- NSW Protection of the Environment Operations (POEO) Act 1997; and
- NSW Water Management Act 2000.

It is viewed that there is no synergy between the Department of Trade and Investment and the DPI in the early stages of issuing exploration and production licences. The Regulation of the Industry is trailing the rollout of CSG projects and needs to be widened to consider all of the impacts of CSG mining, particularly near urban areas in its earlier stages.

### ***Land Owner Consultation***

In accordance with Clause 8F the Environmental Planning and Assessment Regulation 2000, owners consent is not required for applications relating to mining or petroleum production projects. This is reiterated further within Clause 64 of the Petroleum (On shore) Act 1991, whereby any application 'accompanied by the consent of the owner of the land has no effect'.

Notwithstanding the above, owners of the land are notified under Clause 8F of the regulations where the 'proponent is required to give notice of the application... to the public by advertisement published in a newspaper circulating in the area of the project before the end of the period of 14 days after the application is made.'

Similar to the situation that Council is notified of the project, land owners are given a second opportunity for comment during the public participation period.

Public concern is exacerbated by the realisation that possession of an exploration permit for CSG entitles the holder of that permit to have access to land even without the consent of the landowner. There are very few examples of a company seeking to enforce that legal right, but it nonetheless adds to community anxiety about the industry.

#### *Government Strategies in relation to CSG*

In April 2010, the NSW Government called for input into its strategy for the CSG industry. AGL has called for greater community consultation requirements, stronger water management regulations and a code of conduct to set minimum industry standards for CSG projects in New South Wales.

In May 2012, the NSW Upper House Inquiry into CSG produced its findings and recommendations. Some of the key recommendations arising from that Inquiry included:

- Tightening the Draft Code of Practice for CSG production;
- Maintaining the moratorium on the fracking technique in CSG production until a national assessment of the toxicity of fracking chemicals has been undertaken;
- Monitoring and measurement the amount of water produced by CSG mining; and
- Notify local councils of Petroleum Exploration Licence applications once received.

In September 2012, following the "Strategic Land Use Review" and the resultant "Code of Practice for Coal Seam Gas Explorers", the NSW Government lifted the ban on the use of the fracking technique in CSG exploration and production.

The Federal Government has produced the Draft National Harmonised Regulatory Framework – Coal Seam Gas. This Draft Report and Framework was produced in December 2012. The main intent of the document is to create a national framework for the regulation of CSG production rather than impose further requirements on the industry.

All of the recommendations of the NSW Upper House Inquiry should be put in place as a minimum response.

#### *Population Growth*

In line with the NSW Government's policy, there is to be significant population growth in the Camden LGA. Most of the growth is concentrated in the South West Growth Centre. The State Government is encouraging a significant amount of residential investment and development in the South West Growth Centre area for the provision of much needed

housing. Camden's population is predicted to increase dramatically from 57,000 to approximately 250,000 due to its inclusion in the South West Growth Centre area.

Policies such as State Environmental Planning Policy (Sydney Region Growth Centres) 2006 and the State Government's recent collaborations with private land holders for releases of private land for residential subdivision will increase the potential for conflict between CSG production and residential expansion. This became apparent in the Stage 3 of the Camden Gas Project (The Northern Expansion).

#### ***Risk Management***

The CSG mining impacts, being a relatively new form of resource recovery, are not necessarily established in a way to provide a reliable indicator of future environmental impacts. Due to the timeframes to re-establish water content within the de-watered strata, impacts may not become apparent for many decades.

This situation is unacceptable and must be addressed by the Industry and Government regulators.

#### ***Environmental Issues***

##### *Groundwater Extraction*

For the Camden Gas Project the depressurisation required to allow gas to flow, results in the extraction of approximately 795,000 litres per well of coal seam water on average in the first 12 months. The ongoing water extraction from each of the 86 wells within the Camden Gas Project can vary from nil to approximately 3 million litres in the lifecycle of the existing wells.

CSG water extracted is on general terms, moderate to high salinity which is approximately 1/3 as salty as seawater. Whilst this water is stated to be reused, it is generally highly processed in a treatment plant before its re-use for industrial purposes.

It is established that there is some amount of connectivity between coal seams and overlying, and underlying aquifers. However, the extent of this connection is unknown. Upon the decommissioning of the wells, the time taken for water levels in coal seams to re-establish may be many decades to centuries. In the event that a small amount of inter-connectivity or leakage between aquifers is identified, the extent of impact can be substantial over the timeframe to re-establish the water content. This is identified in the Upper House Inquiry as it notes in Point 3.45 of the report "...we need more data on specific water systems, and the interconnectivity of aquifers, if any, in these systems and the potential cumulative impacts of multiple CSG projects."

Camden Council calls for this research to be undertaken before any further rollout of CSG.

##### *Hydraulic Fracturing*

Whilst the CSG industry has publicly disclosed the chemical additives used during the hydraulic fracturing process (commonly referred to as 'fracking'), very little is known about

the effect of these chemicals, when combined' on the environment and its ecosystems. The CSG industry refute claims that the chemicals used in fracking are hazardous or harmful to the environment stating that the chemicals used are found in common household products and food stuffs. It is noted that some of these chemicals may be harmless in isolation, however, further the environmental impact once these chemicals are combined is unknown and of concern. This has created concern amongst the public and environmentalists fearing that the CSG industry is not revealing the environmental effects 'for a reason'.

Furthermore, the rate of recovery of fracking fluids is unknown. Due to the volumes of fracking fluids used in each frac, even 1% of un-recovered fluid is considered a significant volume with potential to contaminate the coal seam water.

AGL has repeatedly stated that it does not intend to utilise the fracking technique to recover the CSG resource. However, consistent with the documents placed on public exhibition, AGL have recently stated that they may use the technique in circumstances where this is required. The documents on exhibition state that this technique may be needed to be used in approximately 10-20% of production well sites.

A recently released report by the NSW Chief Scientist appears to state that the fracking method will be used out of necessity in particular areas of the state, including the Sydney Region and Camden LGA.

The use of fracking is not supported by Camden Council.

#### *Greenhouse Impacts and Fugitive Emissions*

Methane gas (the main component of CSG) is a very strong greenhouse gas with a greenhouse warming potential about 25 times greater than Carbon Dioxide. The CSG industry claims that the electricity generation from CSG produces around 50% less greenhouse emissions than conventional coal-fired electricity generation. Fugitive emissions (i.e. leaks) of CSG from the various components of a CSG project question the notions of whether CSG has lower greenhouse gas emissions compared with coal burning.

Minimal research has been done to conclude how much CSG is lost due to fugitive emissions and therefore what the true greenhouse impact of CSG production. Further research of the potential impacts must be carried out.

#### **Health Issues**

There is little independent scientific evidence as to the impact of CSG on the community within which it is undertaken. The South West Sydney Local Health District has raised this as a concern in relation to the Camden Gas Project. There needs to be such research carried out and the precautionary principle applied.

#### **Current Scientific Knowledge/Evidence**

The current knowledge of groundwater resources for the existing Camden Gas Project production areas has been based on desktop studies only. No groundwater monitoring

network has been installed. A baseline groundwater study has recently commenced for the northern expansion, but limited work has been done so far.

It is known that there is interconnectivity between aquifers, but the extent of that interconnectivity is not certain. However, data obtained in recent years is showing that there is more connectivity than first thought. When a coal seam is depressurised to allow gas to flow, there is the potential for water to leak from overlying and underlying aquifers.

Currently there is a real absence of scientific knowledge or evidence on the cumulative impacts of CSG on aquifers. Geoscience Australia states in a report for the Federal Government that the "overriding issue in CSG development is the uncertainty surrounding the potential cumulative, regional scale impacts of multiple developments". The NSW Parliamentary Inquiry report states at point 3.45 that "...we need more data on specific water systems, and the interconnectivity of aquifers, if any, in these systems and the potential cumulative impacts of multiple CSG projects."

CSG mining in the Camden LGA should have a moratorium placed on any further expansion unless and until the scientific research and evidence is provided to address these knowledge gaps.

#### **Summary**

Council's Position Paper calls for a moratorium in relation to further Coal Seam Gas exploration and production in the Camden local Government Area until such time as these issues are addressed.

Whilst Council supports the intent to restrict further CSG operations in the vicinity of existing and future residential areas and sensitive land uses, question are raised on the effectiveness of the exclusion zone. Council notes that significant scientific research is required to understand and assess the true environmental impact. The exclusion zone will still permit CSG operations to proceed without outstanding environmental issues being addressed. Rather, it is suggested that a moratorium is a more appropriate course of action until further scientific research is undertaken into these research shortfalls.

If you have any questions in relation to the contents of this submission, do not hesitate to contact Chris Lalor, Team Leader – Land Use and Planning on 4654 7802.

Regards,

**Kylie Powell**  
Manager – Strategic Planning



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## ORDINARY COUNCIL

ORD05

ORD05

**SUBJECT:** PLANNING PROPOSAL - GLENLEE  
**FROM:** Director Governance  
**BINDER:** Glenlee

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### PURPOSE OF REPORT

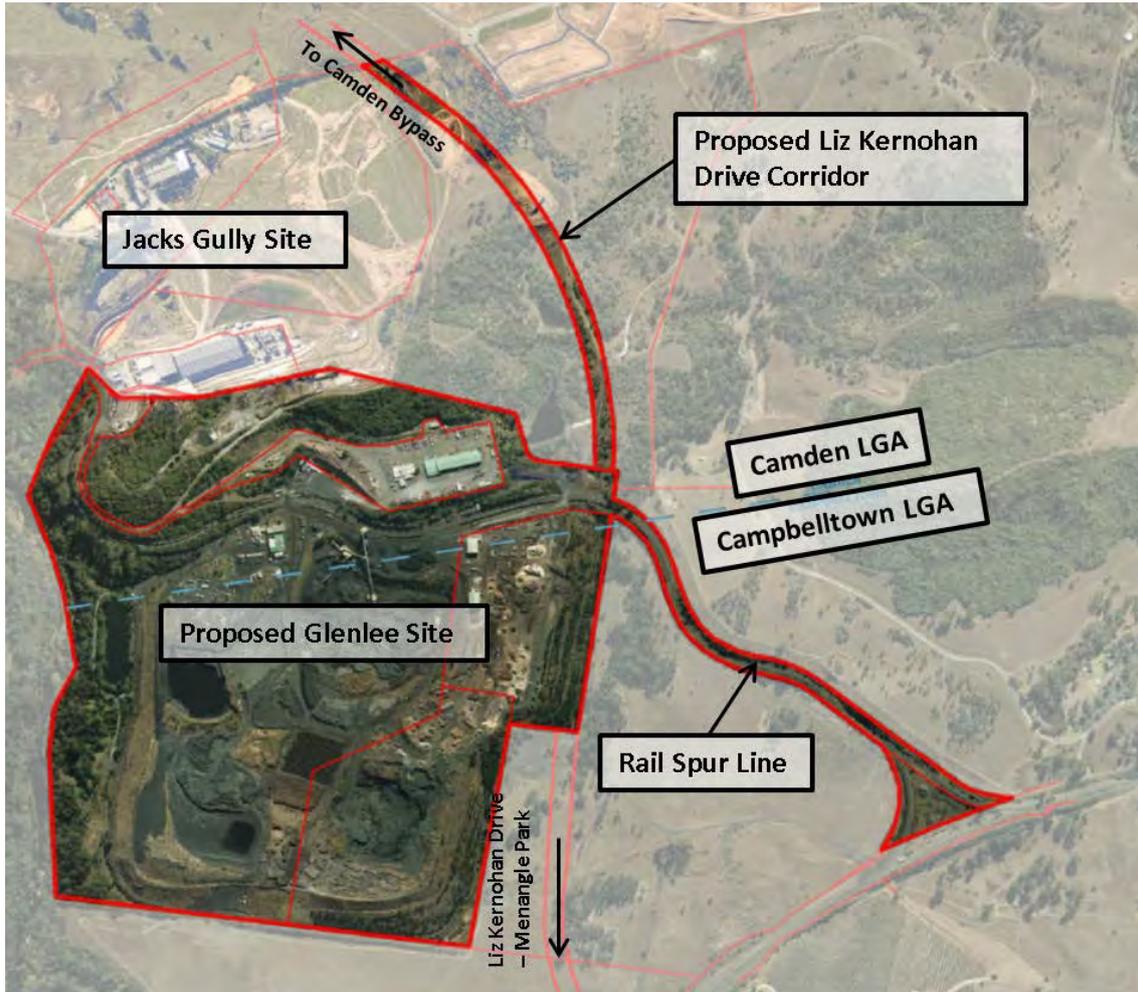
The purpose of this report is to seek Council's 'in-principle' endorsement to forward a Planning Proposal to the Department of Planning and Infrastructure (DPI) for the Glenlee site, seeking to rezone the land from a predominantly rural zone to an industrial zone.

### BACKGROUND

Glenlee has primarily been used for industrial related purposes for a number of years. The 107.6 hectare Glenlee site, traversed by the Camden and Campbelltown Local Government Areas, currently accommodates the industrial uses of the Sada Services landholding (truck maintenance and depot, coal washery and reject coal emplacement), Camden Soil Mix (truck maintenance and depot, greenwaste and recycling facility), and TRN (truck maintenance and depot). Campbelltown City Council, at its meeting on 28 February 2013, resolved to proceed with seeking a Gateway Determination for the rezoning of the Glenlee area.

It is to be noted that Campbelltown holds a majority share of the proposed rezoning, however access to the Glenlee area is via the Camden local road network.

The subject site and the Local Government Boundaries are depicted in the site plan on the following page.



In December 2006, Camden Council and Campbelltown City Council resolved to prepare a Local Environmental Study (LES) and Draft Local Environmental Plan (DLEP) for the rezoning of the site. A draft LES was submitted to both Councils in February 2009, which included a number of technical support studies. These studies included:

- Land Capability
- Ecology
- Noise
- Air Quality/Odour
- Water Cycle Management
- European and Aboriginal Heritage
- Transport/Traffic/Accessibility
- Landscape and Visual
- Bushfire
- Civil Infrastructure/Service
- Master planning/Urban Design
- Human Service

In addition to these studies, a draft Local Environmental Plan (LEP) and draft Development Control Plan (DCP) were prepared for each Council area, including an Infrastructure Strategy/Section 94 Contributions Plan. However, the draft LES, LEP and DCP were not placed on public exhibition due to a number of key significant issues

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arising from the technical studies. Whilst requiring additional information to be provided to the Councils, the most significant issues related to:

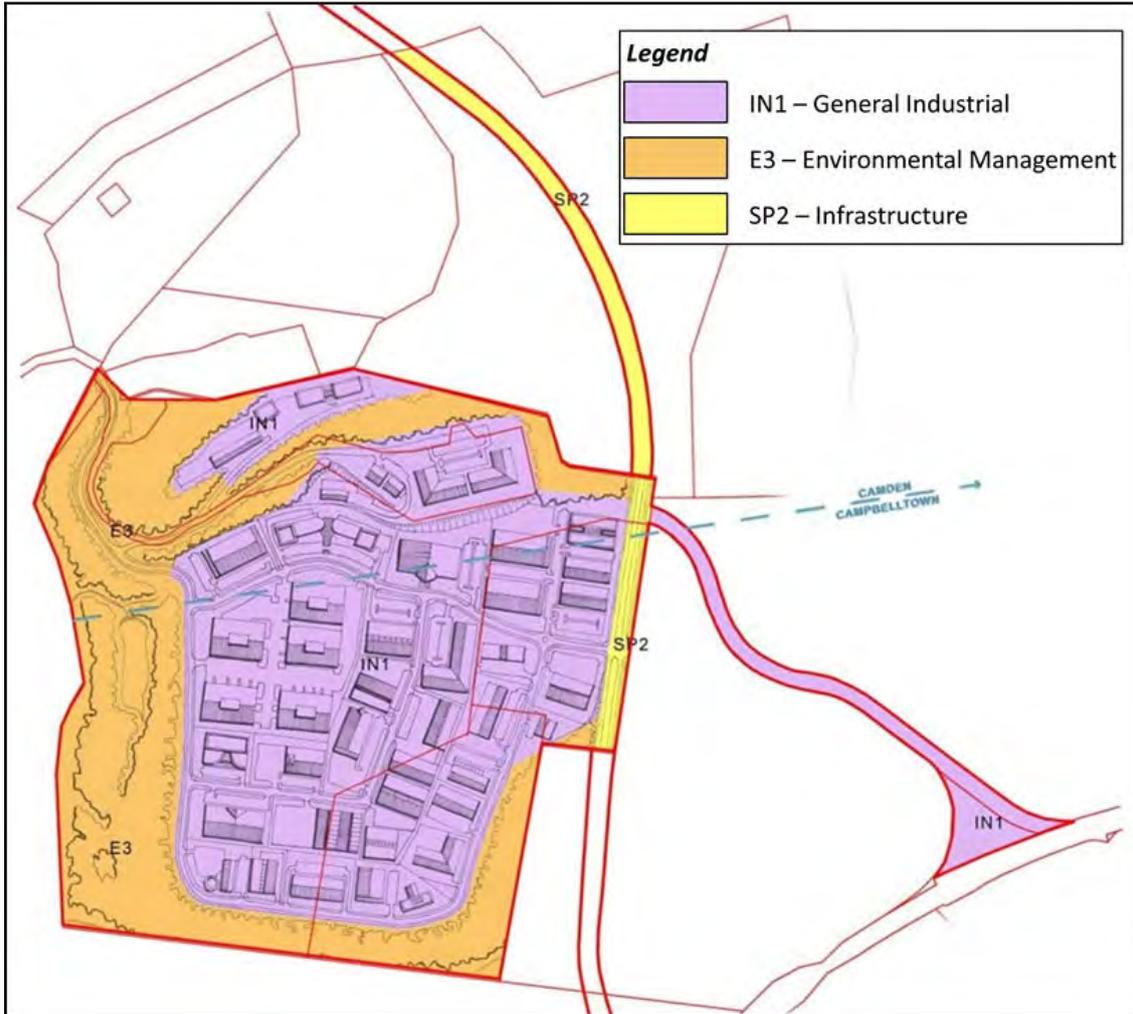
- Traffic and transport access
- Geotechnical and Contamination Constraints
- Non-indigenous Heritage, Visual, Acoustic and Air Quality Issues
- Water Cycle Management Strategy
- Indigenous Heritage and Environmental Protection Lands

Whilst a significant amount of work is still required, the key issues pertaining to the development have been progressively resolved to the extent which would satisfy the requirements of the Planning Proposal to proceed to a Gateway Determination. 'In principle' support is given to the intentions of the Planning Proposal, however, future Council support is subject to the resolution and response to the site constraints. Opportunities to resolve and respond to the site constraints will be undertaken following a Gateway Determination supported by technical studies to accompany the Planning Proposal.

### **MAIN REPORT**

The subject site is traversed by the Camden and Campbelltown Local Government Area boundary and is predominantly in the ownership of three major land owners. The total area of the site is approximately 107.6 hectares.

Using the studies of the LES to prepare an Indicative Layout Plan (ILP), it is considered that only 60 hectares is suitable for an industrial/employment use. The remaining land is considered to be suitable for a SP2 – Classified Road corridor and E3 – Environmental Conservation. A copy of the Planning Proposal is provided as **Attachment 1 to this report** and the proposed zonings are portrayed in the figure on the following page.



The site is located south of the Spring Farm Resource Recovery Park, south west of the Australian Botanic Garden at Mount Annan, and east of the Nepean River. A separate spur line (owned by Sada Services) connects with the Main Southern Railway. Currently Queensland Rail are the only users of the spur line for the transportation of coal, however, there may be capacity for alternate users to utilise the spur line pending on the final use of the Glenlee area.

Currently, vehicular access is solely by way of the Camden local road network, however, the ILP indicates an alternate connection of Liz Kernohan Drive to the Hume Highway at Menangle Park to service the site. Currently, the local road network has insufficient capacity to cater for the full development of the site, which is discussed in greater detail later in the report.

The subject site is currently zoned RU1 – Primary Production and SP2 – Infrastructure under Camden’s LEP. The coal washery/ reject coal emplacement site is currently operating under the existing use rights provisions of the *Environmental Planning and Assessment Act 1979*. The intention of the Planning Proposal is to rezone the site to the following zones:

- IN1 – General Industrial
- SP2 – Infrastructure

- E3 – Environmental Management

Campbelltown City Council is currently in the process of rezoning the Menangle Park Urban Release Area, which is located on the southern and eastern boundary of the subject site. Careful consideration must be given to this interface, however at the same time, it is essential to create a coordinated and responsive outcome to achieve the desired road infrastructure and linkages to the Hume Highway at Menangle Park.

The delivery of the Glenlee Planning Proposal seeks to achieve the following visions and intended outcomes for the subject site:

- A sustainable and coordinated extension to the Spring Farm and Menangle Park Urban Release Areas will be achieved in the form of employment areas close to residential areas.
- The natural systems will be conserved and enhanced. These natural systems will provide habitat linkages between the Nepean River, Bush Corridor in Spring Farm and the Australian Botanic Gardens.
- Water quality of the Nepean River will be maintained through the provision of sustainable systems having regard to Water Sensitive Urban Design (WSUD) principles that underpin an integrated Water Cycle Management Strategy.
- Improvements to the existing road network will be determined with ultimate linkage to the Hume Highway via Liz Kernohan Drive required.
- A framework will be established for comprehensive subdivision of the land generally in accordance with the ILP.

### ***Key Planning Issues***

A draft local environmental study and associated technical studies previously prepared indicate that the subject site can feasibly accommodate general industrial development. However, a number of issues came out of the studies which required further investigation and clarification. The key issues have been progressively resolved to the extent which would satisfy the requirements of the Planning Proposal. The most significant issues are detailed below.

#### **Transport and Access**

Vehicular access is provided by the Camden local road network (i.e. connecting to Liz Kernohan Drive). In the short term, access to the existing Glenlee area will be provided by the future Liz Kernohan Drive and Haul Road, which will replace the existing Springs Road access as a result of the Spring Farm East Village development. The proposed Liz Kernohan Drive extension to the Glenlee area will provide an alternative route to the Haul Road. The timing of construction will be determined following the Gateway Determination.

Notwithstanding this, an assessment of the proposal and the local road network revealed that, should the proposal be developed to the full extent of the rezoning, this could jeopardise the level of service of the local road network, including Narellan Road and Camden Valley Way, and in turn the surrounding residential amenity.

With regards to the projected traffic as a result of the urban release areas, the remaining capacity of the local road network could only provide a maximum development potential of 12,500m<sup>2</sup> gross floor area of warehousing or 10,000m<sup>2</sup> gross floor area of general industrial use (or a proportionate combination of both). In order to achieve the planned potential (i.e. 60 hectares of industrial lands), a connection through to the Hume Highway at Menangle Park is required. The provider and funding body is to be negotiated following a Gateway Determination.

In this regard, it is appropriate to consider the introduction of a cap on the provision of industrial gross floor area until such time as the completed construction of Liz Kernohan Drive from the Camden Bypass to the Hume Highway at Menangle Park. It is proposed to insert an Additional Local Provision into the LEP which gives effect to protection of the local road network and residential amenity by preventing development over and above 12,500m<sup>2</sup> gross floor area of warehousing or 10,000m<sup>2</sup> gross floor area of general industrial use until such time as this direct connection is provided from the Camden Bypass to the Hume Highway.

Campbelltown City Council concurs with the proposed cap on gross floor area and has made appropriate provisions within their planning proposal to the same effect. The property owners recognise this restriction and wish to continue with the proposed rezoning of the subject land.

#### Geotechnical and Contamination Constraints

Further investigation is required with regard to the stability of the coal emplacement site and subsequent recommended industrial land uses. Clarification is also required to ensure that all contamination matters can be satisfactorily addressed. Whilst being an outstanding issue, it is considered that this is an engineering challenge and would not preclude the site from seeking a rezoning subject to further investigation.

#### Non-indigenous Heritage, Visual, Acoustic and Air Quality Issues

Whilst situated within the Campbelltown LGA, Glenlee House is located on the South East boundary of the subject site. It is unlikely that the proposal poses significant impact on the item, however, further studies are required to develop a responsive proposal to the curtilage and significance of the item.

Furthermore, the precinct is located adjacent to the Spring Farm and Menangle Park Urban Release Areas, Camden Park Estate, Glenlee House and the Australian Botanic Garden. Following a favourable Gateway Determination, additional studies and investigations are required in recognition of the visual, acoustic and air quality impacts of such uses resulting from an IN1 – General Industrial zone.

#### Water Cycle Management Strategy

The principles of Water Sensitive Urban Design are intended to form the basis of the Water Cycle Management Strategy. Following a favourable Gateway Determination, detailed investigation is required to inform the Strategy and provide a water treatment solution which achieves an environmentally responsive design.

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### Indigenous Heritage and Environmental Protection Lands

The proposal includes land to be zoned for environmental protection, which link the critical habitats and significant vegetation from the Botanic Gardens through to the Nepean River. However, these areas are inundated with many exotic plants and weeds. In this regard, a Vegetation Management Strategy is required following a favourable Gateway Determination, which will be formulated to achieve the rehabilitation and revegetation of these lands. These works will be required to be undertaken by the proponent and secured by way of an appropriate agreement.

While the subject site has been heavily disturbed, the Indigenous Heritage Study prepared for the LES recorded some archaeological sites particularly within the riparian lands. Careful consideration must be given to the identified areas, which will inform the Vegetation Management Strategy.

### **Funding for Infrastructure**

It is proposed that the construction of the Liz Kernohan Drive link will be constructed and funded by the proponent through contributions to the States' Special Infrastructure Contribution (SIC Levy).

Furthermore, the funding and rehabilitation of the bush corridors will be borne by the proponent. Since the ownership will remain with the proponent, ongoing maintenance and control will also remain with the proponent, which will be covered by way of an appropriate agreement.

Notwithstanding the above, it is envisaged that a Section 94 plan will be required to cover the likes of public facilities and infrastructure. Further investigations will take place following a Gateway Determination.

### **Where to from here**

Given the uncertainty at this stage regarding whether the Planning Proposal will proceed beyond a gateway determination, it is not desirable for the applicant to incur the cost of planning studies addressing these issues at this time. Instead it is proposed that should Council be willing to provide 'in principle' support for the rezoning, detailed investigations will be undertaken following a Gateway Determination.

Should Council endorse the Planning Proposal, it will be forwarded to the DPI for a Gateway Determination. Should a favourable Gateway Determination be made, planning studies will then be undertaken to address the planning issues relevant to the site. The cost of preparing planning studies is to be borne by the applicant.

Furthermore, it is envisaged that considerable consultation is required with the following public authorities and other interested parties:

- Federal Department of Sustainability, Environment, Water, Population and Communities
- NSW Rural Fire Service
- NSW Office of Water
- NSW Department of Environment and Climate Change



- 
- NSW Office of Environment and Heritage (Heritage Branch)
  - NSW Office of Environment and Heritage (Environmental Branch)
  - Transport for NSW
  - Roads and Maritime Services
  - Department of Industry and Investment
  - Department of Health
  - Mines Subsidence Board
  - Sydney Water
  - Endeavour Energy
  - Telstra
  - AGL

Consultation will occur with the above public agencies and a report furnished to Council prior to placing the Planning Proposal on public exhibition.

In addition to the above, it is envisaged that the Planning Proposal will be referred to the local Aboriginal Land Councils, adjoining LGAs and the Australian Botanic Gardens for comment during the public exhibition period. The Planning Proposal will then be reported back to Council with details of any submissions received and a recommendation as to whether or not the plan is to be forwarded to the DPI for the plan to be made.

### **FINANCIAL IMPLICATIONS**

The proposal does not present any financial implications for Council's current budget.

### **CONCLUSION**

The 107.6 hectare Glenlee site, traversed by the Camden and Campbelltown Local Government Areas, is proposed to be rezoned from an existing rural zoning to approximately 60 hectares of an industrial zoning, with the remaining land being rezoned to Classified Road corridor and Environmental Conservation zones.

It is identified that the Planning Proposal is presented with a variety of significant key issues. Whilst a significant amount of work is still required, the key issues pertaining to the development have been progressively resolved to the extent which would satisfy the requirements of the Planning Proposal to proceed to a Gateway Determination. 'In principle' support is given to the intentions of the Planning Proposal, however, future Council support is subject to the resolution and response to the site constraints. Upon the completion of the technical studies and a response to the site constraints is satisfied, a further report will be furnished to Council prior to proceeding to public exhibition.

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The draft Planning Proposal has been prepared to address the planning intent and range of issues raised in this report, including, the maximum amount of industrial floor space that could be developed prior to the link of Liz Kernohan Drive to the Hume Highway at Menangle Park.

### **RECOMMENDED**

#### **That Council:**

- i. endorse in principle, the draft Planning Proposal which seeks to rezone Glenlee from RU1 – Primary Production and SP2 – Infrastructure to IN1 – General Industrial, SP2 – Infrastructure, and E3 – Environmental Management;**
- ii. include within the Planning Proposal an Additional Local Provision to prevent development over 12,500m<sup>2</sup> gross floor area of warehousing or 10,000m<sup>2</sup> gross floor area of general industrial use (or a proportionate combination of both) until such time that a connection through to the Hume Highway at Menangle Park is established;**
- iii. lodge the Planning Proposal with the Department of Planning and Infrastructure seeking a determination by the Gateway Panel;**
- iv. submit a further report to Council following the satisfactory completion of technical studies to seek endorsement of the Planning Proposal prior to the public exhibition period; and**
- v. advise the proponent of Council's decision.**

#### **ATTACHMENTS**

- 1. Planning Proposal**

ORD05

Attachment 1



## **CAMDEN COUNCIL**

# **PLANNING PROPOSAL**

### **Amendment No. 20 – Glenlee**

April 2013  
(Version 1 – 11 April 2013)

## Amendment No. 20 – Glenlee

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## Amendment No. 20 – Glenlee

ORD05

Attachment 1

**BACKGROUND**

At the 23 April 2013 Ordinary Council Meeting, Council resolved to proceed with seeking a Gateway Determination for the rezoning of the Glenlee area to a predominantly Industrial type setting. This Council Report and resolution is included as **Attachment A** to this Planning Proposal. The site subject to this rezoning shares two local government area jurisdictions being Camden Council and Campbelltown City Council. Campbelltown City Council, at its meeting on 28 February 2013, have also resolved to proceed with seeking a Gateway Determination for the rezoning of the Glenlee area.

The subject lands are currently zoned RU1 – Primary Production and SP2 – Infrastructure in the Camden LGA, however, the land has to a greater extent has been used for industrial related purposes for a number of years. These industrial uses include the SADA Services landholding (truck maintenance and depot, coal washery and reject coal emplacement), Camden Soil Mix (truck maintenance and depot, greenwaste and recycling facility), and TRN (truck maintenance and depot). The land subject to the rezoning is depicted in Figure 1 and the site ownership detailed within Table 1 below.

Figure 1 - Subject Site



## Amendment No. 20 – Glenlee

Table 1 - Land Ownership

OWNER	PROPERTY DESCRIPTION	SIZE
SADA SERVICES	LOT 38 DP 1098588	71.04 HA
	LOT 1 DP 250033	3071M <sup>2</sup>
	PART LOT 1 DP 405624	2800M <sup>2</sup>
J & W TRIPODI HOLDINGS PTY LTD (CAMDEN SOIL Mix)	LOT 1102 DP 883495	27.16 HA
GLENLEE PROPERTIES PTY LTD (TRN GROUP)	LOT 54 DP 864754	8.836 HA

In December 2006, Camden Council and Campbelltown City Council resolved to prepare a Local Environmental Study (LES) and Draft Local Environmental Plan (LEP) for the Site. A draft LES was submitted to both Councils in February 2009, which included a number of technical support studies. These studies included:

- Land Capability – Aecom
- Ecology – Hayes Environmental Services
- Noise – Aecom
- Air Quality/Odour - Aecom
- Water Cycle Management – Aecom
- European and Aboriginal Heritage – Historyworks and Cultural Heritage Connections
- Transport/Traffic/Accessibility – Aecom
- Landscape and Visual – Musecape
- Bushfire – Eco Logical
- Civil Infrastructure/Serviceing – Aecom
- Masterplanning/Urban Design – Inspire Urban Design & Planning
- Human Service – BBC Consulting

In addition to these studies, a draft Local Environmental Plan, draft Development Control Plan, was prepared for each Council area, including an Infrastructure Strategy/Section 94 Contributions Plan. However, the draft LES was not placed on public exhibition due to a number of issues arising from the technical studies, which required additional information to be provided to Councils. The LES is provided as **Attachment B** to this Planning Proposal.

The subject site benefits from a privately owned rail siding, which is approximately 4.2km in length and connects to the Main Southern Railway Line. It is currently used by Queensland Rail Freight. Maintenance of the siding is undertaken by Sada Services. Whilst at this stage, there is no plans to upgrade the siding, this may change pending further investigation on future landuses of the Site.

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## **PART 1 – OBJECTIVES OR INTENDED OUTCOMES**

The objective of this Planning Proposal is to rezone the subject lands from RU1 – Primary Production and SP2 – Infrastructure to the following zones:

- IN1 – General Industrial
- SP2 – Infrastructure
- E3 – Environmental Management

Please refer to Figure 5 located in Part 4 of this Planning Proposal for the Indicative zoning of the subject site.

The total site area accumulates to approximately 107.6 hectares. Currently, it is estimated that 60 hectares is considered suitable for IN1 – General Industrial purposes with the remaining lands suitable for a SP2 – Classified Road corridor and E3 – Environmental Conservation. The final Indicative Layout Plan (ILP) is subject of detailed investigation following a Gateway Determination.

The delivery of the abovementioned objectives are supported by the following visions and intended outcomes for the subject site:

- A sustainable and coordinated extension to the Spring Farm and Menangle Park Urban Release Areas will be achieved in the form of employment areas close to residential areas.
- The natural systems will be conserved and enhanced. These natural systems will provide habitat linkages between the Nepean River, Bush Corridor in Spring Farm and the Australian Botanic Gardens.
- Water quality of the Nepean River will be maintained through the provision of sustainable systems having regard to Water Sensitive Urban Design (WSUD) principles that underpin an integrated Water Cycle Management Strategy.
- Improvements to existing road network will be undertaken, with ultimate linkage prospects to the M5 Freeway via Liz Kernohan Drive.
- A framework will be established for comprehensive subdivision of the land generally in accordance with the ILP.

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## **PART 2 – EXPLANATION OF PROVISIONS**

The Camden Local Environmental Plan 2010 will be amended in the following way:

- Land Zoning Map – from RU1 – Primary Production and SP2 – Infrastructure (Waste or Resource Management Facility) to:
  - IN1 – General Industrial;
  - SP2 – Infrastructure; and
  - E3 – Environmental Conservation.
- Lot Size Map – for the land subject to IN1 – General Industrial from 100 hectares to 2000m2. Minimum lot size will be removed from the land subject to SP2 – Infrastructure and E3 – Environmental Conservation.
- Heights of Buildings Map – for the land subject to IN1 – General Industrial from 9.5 metres to 11 metres. Height of building limits will be removed from the land subject to SP2 – Infrastructure and E3 – Environmental Conservation.
- Floor Space Ratio Map – for the land subject to IN1 – General Industrial an FSR of 1:1 will be given. FSR limits will be removed from the land subject to SP2 – Infrastructure and E3 – Environmental Conservation.
- Land Reservation Acquisition Map – for the land subject to SP2 – Infrastructure acquisition maps will amended to identify Liz Kernohan Drive.

It is anticipated that LEP Sheet Sets 13, 14, 17 and 18 will be amended to reflect the above.

The only vehicular access is provided by the Camden local road network (i.e. connecting to Liz Kernohan Drive). An assessment of the proposal and the local road network revealed that the remaining capacity could only provide a maximum potential of 12,500m2 gross floor area of warehousing or 10,000m2 gross floor area of general industrial use (or a proportionate combination of both), until a direct connection from the Camden Bypass to the Hume Highway is established. This is discussed in more detail later in this Planning Proposal.

In this regard, it is proposed to insert an Additional Local Provision into the LEP which gives effect to protection of the local road network and residential amenity by preventing development over and above 12,500m2 gross floor area of warehousing or 10,000m2 gross floor area of general industrial use until such time as a direct connection is provided from the Camden Bypass to the Hume Highway.

**PART 3 – JUSTIFICATION**

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

**1. Is the planning proposal a result of any strategic study or report?**

The planning proposal is not prepared as a result of any specific strategic study or report. However, the subject site is identified as a proposed employment lands within the following strategic plans:

- The Metropolitan Strategy 2036;
- Draft South West Regional Strategy.

The Glenlee area is identified by the above plans as provided by Figure 2 below:



Figure 2 - Glenlee identified in the Metropolitan Strategy

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

It is considered that the planning proposal provides the best way of achieving the intended outcome. The current zoning permits agricultural use in addition to the current range of industrial land uses undertaken on the site. The only means of achieving uses of an industrial nature would be a planning proposal to rezone the lands to a complimentary zone.

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**3. Is there a net community benefit?**

The Draft Centres Policy 2009 and Department of Planning and Infrastructure 'Guidelines for preparing a Planning Proposal' require a Net Community Benefits Test to be undertaken new centres. The evaluation criteria for conducting a "net community benefit test" is provided in Table 2 below.

**Table 2 - Net Community Benefits Test**

Evaluation Criteria	Determination Y/N	Comment
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Y	The proposed rezoning is compatible with the Metropolitan Plan 2036, the Draft South West Subregional Strategy (refer to Section B – Question 4 below). The land has been identified as employment lands within a number of strategic documents referred to in this report. The rezoning of the Site will realise the objectives of such documents.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Y	The subject Site is identified within a key strategic employment precinct referred to in the PP.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landowners?	N	The proposed rezoning is unlikely to create a precedent within the locality or change the expectations in respect of the Site as it has constantly been considered to have future potential referred to in these documents. Indeed, the adjoining lands to the east and west are either zoned for urban purposes (Spring Farm) or under investigation for urban purposes (Menangle Park). The subject Site is therefore considered to be an area in between two major release areas, including the existing Mount Annan Estate.  Importantly, the land will integrate with the Menangle Park Urban

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Evaluation Criteria	Determination Y/N	Comment
		Release Area and Landcom's employment aspirations.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Y	All other spot rezonings before Council in the Camden Local Government Area generally comply with Council's strategic direction. This proposal also complies with the higher level Government Strategies and Council's strategic direction.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Y	The Site when rezoned will facilitate permanent employment close to residential areas. The proposal will also create employment through the construction jobs to install the infrastructure, construct industrial buildings therefore delivering an economic benefit to the community. The PP will not result in the loss of employment lands.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	Y	N/A
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Y	The existing public infrastructure is adequate to meet the needs of the proposal. The site is fully serviced and is on the fringe of an established urban area. However, the studies undertaken indicate that there will be a need to upgrade access roads, with details provided in Section C – Question 9 below.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	Y	The proposal will result in less travel distances with employment being located near residential areas, which lack adjacent employment lands. The proposal will integrate with the Macarthur Regional Cycleway/Trail to link Camden and Campbelltown areas.

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Evaluation Criteria	Determination Y/N	Comment
		From the traffic and transport study undertaken, for the earlier rezoning application, it was indicated that the proposal would reduce greenhouse gas emissions due to the location of the Site by reducing the journey to work trips.
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	N	The proposal does require significant investment in public infrastructure, but it will utilise the existing infrastructure and services. The developer will extend and upgrade Infrastructure to service the development at no cost to government, as detailed in the technical studies underpinning the previous rezoning proposal and identified in Section C – Question 9 below.
Will the proposal impact on land that the Government has identified a need to protect (e.g. and with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	N	<p>The site has not been identified for conservation purposes, although the proposal will provide linkages to existing and proposed flora and fauna corridors. Conservation initiatives will be focused on the remnant land identified in the rezoning proposal.</p> <p>Modelling of the nearby watercourse has been undertaken as discussed above. The land identified for industrial purposes is not mapped as flood affected.</p>
<p>Will the LEP be compatible or complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community?</p> <p>Will the public domain improve?</p>	Y	<p>The proposal is compatible with the Mount Annan and Spring Farm estates. The Site is not isolated from these estates and is well serviced by existing infrastructure.</p> <p>The remaining lands will 'acknowledge' the existing industrial activities that have been undertaken on the Site for a</p>

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Evaluation Criteria	Determination Y/N	Comment
		number of years. The public domain will be improved through road connections and increased accessibility.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	N	The development will contribute in a modest way to the improved trade of nearby facilities/centres. However, the PP will not compete against existing centres, but will provide a support role.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N	There are employment opportunities for the future workforce of industrially zoned land.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	Y	<p>The development of the Site would not be realised for employment purposes, as incremental urban development occurs to the east and west and the need for employment lands, as identified by a number of planning documents is not realised.</p> <p>The PP would result in the land being remediated, employment generation would occur, ecological land would be rehabilitated and improved water quality would result.</p> <p>Additional, the lands would remain being used for industrial purposes, but without the required zoning in place. If the rezoning is not realised, then the potential employment opportunities that emanate will not occur and the Site will remain in its current state. It is clear that the development of the Site for industrial purposes will create employment opportunities for the LGA and the region.</p>

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Evaluation Criteria	Determination Y/N	Comment
Will the public domain improve?	Y	Section 94 Contributions or Voluntary Planning Agreement commitments will be required in respect of a number of matters identified in the Studies. A State Infrastructure Contribution will form part of these agreements in terms of: <ul style="list-style-type: none"> <li>• Infrastructure provision.</li> <li>• Interface with adjoining lands.</li> <li>• Link Road connection.</li> <li>• Cycleway connection.</li> </ul>

Overall, the proposal will provide a net community benefit for the following reasons:

- It constitutes a balanced and appropriate use of land and is in keeping with the adjoining residential character and that of development planned for lands immediately adjoining, although somewhat removed given the topography of the Site.
- Significant employment job opportunities will be realised.
- Flora and fauna corridors will be progressively rehabilitated in correlation with the progression of development.
- The proposal will not result in any significant adverse environmental impacts.
- It will create local employment opportunities through the construction jobs associated with the civil and building works to the benefit of the local economy.
- Site remediation and interface with adjoining lands.

#### Section B – Relationship to strategic planning framework.

#### 4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

*Metropolitan Plan for Sydney 2036*

*“The Metropolitan Strategy seeks to strategically locate employment, ensure good management of existing land resources, ensure there is sufficient supply of suitable commercial sites and employment lands and efficiently utilising existing infrastructure”.*

In December 2010, the NSW Government released Metropolitan Plan for Sydney 2036, updating The Metropolitan Strategy City of Cities: A Plan for Sydney's Future, which set the overall strategic vision for the Sydney Metropolitan Area. As a 25 year planning strategy, the aims and objectives focused on the delivery of new or upgraded communities in the Sydney Metropolitan Area, particularly noting:

- More jobs are expected to be located in the regional cities and specialised centres of Western Sydney, including areas that will have direct access to and from the Growth Centres.
- Improved suburban towns, villages and neighbourhoods will provide healthier environments and access to high quality and suitable housing, jobs, transport choices and open space.
- The Sydney Metropolitan region's transport network will be expanded and improved to provide access to jobs and services. Investment in the rail network and strategic bus corridors will provide faster and direct public transport linking towns, villages and neighbourhoods to areas where jobs are concentrated.
- Subregional planning will incorporate the plans for the Growth Centres in the wider North West and South West subregions. Planning for new jobs and population growth in the Growth Centres will be considered alongside Sydney-wide objectives.

Strategic Direction E – Growing Sydney's economy provides the following relevant aims which directly relate to this Planning Proposal:

- Ensure adequate land for economic activity, investment and jobs in the right locations using new subregional employment capacity targets.
- Promote employment in Western Sydney by facilitating growth in Strategic Centres and developing greenfield employment lands with detailed land use and infrastructure plans.
- Prepare and implement measures to assist development of low cost space for creative industries and business start-ups.
- Strengthen existing and emerging freight and industry clusters.
- Build the capacity of Sydney's rail freight network.

The Planning Proposal is consistent with the above aims of Strategic Direction E and in this regard the following is provided:

- 1) The subject site has been identified in a number of planning documents for employment lands. The Site is located close to the residential areas of Spring Farm, Mount Annan and Narellan Vale, including the future Menangle Park Release Area. The development of the site will provide a boost to the local economy, making provision for local jobs and investment. The rezoning of the land is consistent with this Strategy and provides such land close to where people live, thereby reducing the number of employment trips outside the region, increasing productivity and reducing environmental impacts.

The subject site is a 'Brownfield' site, currently being used for 'industrial' uses for a number of years, however it is currently zoned for rural purposes. The site will promote further employment opportunities when fully developed. Currently the Site is under-utilised with a majority of the Site used for low-key uses, mainly to due to the fact that emplacement of coal reject operation is currently being undertaken. When complete there will be a level platform to enable the land to be developed for industrial related uses. Infrastructure has been addressed in a number of technical reports.

- 2) An opportunity exists for start-up businesses to occur on the site during at the same time as the emplacement operations or when the land is ready for development.

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- 3) The Site has an existing rail spur into the Site. In addition, the Site will be connected to major road networks, such as the Hume Highway when Liz Kernohan Drive is constructed from the Camden Bypass to the Hume Highway. On and off ramps are proposed as part of the regional road network and the Menangle Park Release Area. The connection of these roads will strengthen freight services in the region and beyond.
- 4) As stated above, the Site has an existing rail siding, which connects to the Main Southern Rail Network. This siding provides for opportunities for freight related businesses to establish on the Site, once developed for industrial purposes. The presence of the existing siding presents specific site characteristics that could be enhanced to promote freight and logistics-type industries to locate at Glenlee.

*Draft South West Sub-regional Strategy*

The draft South West Sub-regional Strategy builds from the principles of the Metropolitan Plan for Sydney 2036, which provides planning aims and directions at a detailed local level. The aims and directions of the Sub-regional Strategy are:

- To provide a forum for councils to allocate the local distribution of housing and employment capacity targets based on the principles of the Metropolitan Strategy, and to work together on complementary future directions especially in centres crossing LGA boundaries.
- To provide for balanced growth among LGAs to build upon regional strengths and bolster opportunities.
- To identify the future role of Strategic Centres and Corridors, as well as Towns, Villages and Neighbourhood Centres in relation to the overall metropolitan structure.
- To focus coordinated State agency involvement and asset management with respect to Strategic Centres and corridors including providing a basis for the prioritisation of investment.
- To assist planning for regional facilities, within and between sub-regions.

The Strategy has several areas of matters for consideration in local planning matters; namely:

- Economy and Employment
- Centres and Corridors
- Housing
- Transport
- Environment, Heritage and Resources
- Parks, Public Places and culture
- Implementation and Governance

The subject land provides opportunities to be consistent with a number of the above in terms of employment, with the land being identified for transport and logistics. Therefore the PP is consistent with this Draft Strategy document.

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**5. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?**

The planning proposal is consistent with Camden Council's Strategic Plan Camden 2040.

**6. Is the planning proposal consistent with applicable state environmental planning policies?**

The proposal is subject to the provisions of a range of State Environmental Planning Policies. The subject policies are noted below in Table 3 and importantly do not prohibit and/or significantly constrain the Planning Proposal.

**Table 3 - Consistency with State Environmental Planning Policies**

SEPP	Comment
State Environmental Planning Policy No 1 – Development Standards	Not applicable. (As referenced in Camden LEP 2010. Clause 4.6 of LEP makes provision for variations to development standards)
State Environmental Planning Policy No 4 – Development without Consent and Miscellaneous Exempt and Complying Development	Not inconsistent (As referenced in Camden LEP 2010. Clause 6 and Parts 3 and 4 do not apply)
State Environmental Planning Policy No 6 – Number of Storeys in a Building	Not inconsistent (Maximum building height will be subject to maximum height expressed in metres)
State Environmental Planning Policy No 15 – Rural Landsharing Communities	Not applicable (Camden is not included in the land applicable schedule)
State Environmental Planning Policy No 19 – Bushland in Urban Areas	Not applicable (Camden is not included in the land applicable schedule)
State Environmental Planning Policy No 21 – Caravan Parks	Not applicable (Caravan Parks are prohibited under the proposed zones as currently prevailing in Camden LEP 2010)
State Environmental Planning Policy No 22 – Shops and Commercial Premises	Not inconsistent
State Environmental Planning Policy No 26 – Littoral Rainforests	Not applicable
State Environmental Planning Policy No 29 – Western Sydney Recreational Area	Not inconsistent
State Environmental Planning Policy No 30 – Intensive Agriculture	Not applicable
State Environmental Planning Policy No 32 – Urban Consolidation (Redevelopment of Urban Land)	Not applicable
State Environmental Planning Policy No 33 – Hazardous and Offensive Development	Not inconsistent for land zone IN1.
State Environmental Planning Policy No 36 – Manufactured Home Estates	Not applicable (Camden is in the Sydney Region which is excluded from the Policy's application)
State Environmental Planning Policy No 44 – Koala Habitat Protection	Not inconsistent

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SEPP	Comment
State Environmental Planning Policy No 50 – Canal Estate Development	Not applicable
State Environmental Planning Policy No 52 – Farm Dams and Other Works in Land and Water Management Plan areas	Not applicable
State Environmental Planning Policy No 53 – Metropolitan Residential Development	Not applicable
State Environmental Planning Policy No 55 – Remediation of Land	Applicable (refer to technical studies, which indicates that there are some AECs but would not restrict development)
State Environmental Planning Policy No 59 – Central Western Sydney Regional Open Space	Not applicable (Land not located in Central Western Sydney)
State Environmental Planning Policy No 60 – Exempt and Complying Development	Not inconsistent (Will be relevant to industrial development)
State Environmental Planning Policy No 62 – Sustainable Aquaculture	Not permitted in the proposed zones
State Environmental Planning Policy No 64 – Advertising and Signage	Not inconsistent
State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development	Not applicable
State Environmental Planning Policy No 70 – Affordable Housing (revised schemes)	Not applicable
State Environmental Planning Policy No 71 – Coastal Protection	Not applicable
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	Not applicable
State Environmental Planning Policy (Exempt and Complying Codes) 2008	Not inconsistent
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Not applicable
State Environmental Planning Policy (Infrastructure) 2007	Not inconsistent
State Environmental Planning Policy (Major Development) 2005	Not inconsistent
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Not inconsistent – Coal Seam Gas operation are located in the area and the ILP will be developed to reflect requirements of all legislative, regulatory and best practice guidelines.
State Environmental Planning Policy (Rural Lands) 2008	Not applicable

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SEPP	Comment
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	Not applicable
State Environmental Planning Policy (Temporary Structures) 2007	Not applicable
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not applicable
State Environmental Planning Policy (Western Sydney Parklands) 2009	Not applicable
Sydney Regional Environmental Plan No 20 (SREP 20)	Not inconsistent
Sydney Regional Environmental Plan No. 9 (No.2) (Extractive Industries)	Not applicable

The subject SEPP's do not prohibit and/or significantly constrain the PP.

**7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

Yes. Section 117 Directions are provided as **Attachment C** to this Planning Proposal, which justifies its consistency in addressing the applicable Ministerial Directions.

**Section C – Environmental, social and economic impact.**

**8. 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?**

It is unlikely that this proposal will have adverse impacts on critical habitat or threatened species, populations or ecological communities, or their habitats. Previously, Flora and fauna aspects of this proposal have been addressed in the technical studies. The Planning Proposal will create linkages to important corridors within the immediate area and region to sustain its ongoing viability.

It will, however, likely be a requirement of Gateway, that an assessment of significance in accordance with Section 5A of the EP&A Act and the "Threatened Species Assessment Guidelines" is undertaken, given the presence of the existing habitat. The following summarises the study undertaken:

- Areas of Cumberland Plain Woodland (CPW) within the Site are of high ecological value, and should be retained as much as practicable.
- The Nepean River riparian corridor is of high ecological value on a regional scale, and should be protected through careful management of site water and runoff.
- There are extensive areas of very poor quality vegetation, and of exotic shrub land vegetation dominated by Olive that should be regenerated/revegetated as part of the proposed rezoning, to compensate for the loss of any areas of CPW.

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- Further, there is also opportunity to potentially improve the existing poor quality links through the central part of the Study Area, creating habitat links.

The current ILP responds to the existing critical habitats and threatened species.

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

A draft LES and associated technical studies previously prepared indicate that the subject site can feasibly accommodate general industrial development. However, a number of issues came out of the studies which required further investigation and clarification. The key issues have been progressively resolved to the extent which would satisfy the requirements of the Planning Proposal, however, detailed investigations are required following a gateway determination. The most prevalent key issues are detailed below:

Transport and Access

The only vehicular access is provided by the Camden local road network (i.e. connecting to Liz Kernohan Drive). An assessment of the proposal and the local road network revealed that the remaining capacity could only provide a maximum potential of 12,500m<sup>2</sup> gross floor area of warehousing or 10,000m<sup>2</sup> gross floor area of general industrial use (or a proportionate combination of both). In order to achieve the planned potential (i.e. 60 hectares of industrial lands), a connection through to the Hume Highway at Menangle Park is required. The provider and funding body is to be negotiated following a Gateway Determination.

To combat this issue, it would seem appropriate to consider the introduction on the cap on the provision of industrial gross floor area until such time as the construction of the extension of Liz Kernohan Drive through to the Hume Highway at Menangle Park.

The property owners recognise this restriction and wish to continue with the proposed rezoning of the subject land.

In this regard it is considered that the rezoning for the Glenlee site could proceed, but only if:

- the connection of the Spring Farm Link Road through to the F5 Freeway is secured;
- the land is zoned for light and/or general industrial purposes only; and
- all of the issues and concerns previously raised by the Councils in response to the draft local environmental study are addressed to the satisfaction of both Councils.

These issues could be overcome following a Gateway Determination and negotiations with the appropriate state government departments.

Geotechnical and Contamination Constraints

Further investigation is required with regard to the stability of the emplacement site and subsequent recommended industrial land uses. Clarification is also required to ensure that all contaminations matters have been satisfactorily addressed. Whilst being an

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outstanding issue, it is considered that this is an engineering challenge, however would not preclude the site from seeking a rezoning subject to further investigation.

*Non-indigenous Heritage, Visual, Acoustic and Air Quality Issues*

Whilst situated within the Campbelltown LGA, Glenlee House is located on the South East boundary of the subject site. It is unlikely that the proposal pose significant impact on the item, however, further studies are required to develop a responsive proposal to the curtilage and significance of the item.

Furthermore, the precinct is located adjacent to the Spring Farm and Menangle Park Urban Release Areas, Camden Park Estate, Glenlee House and the Australian Botanic Garden. Following a favourable Gateway Determination, additional studies and investigations are required in recognition of the visual, acoustic and air quality impacts of such uses resulting from an IN1 – General Industrial zone.

*Water Cycle Management Strategy*

The principles of Water Sensitive Urban Design are intended to form the basis of the Water Cycle Management Strategy. Following a favourable Gateway Determination, detailed investigation is required to inform the Strategy and provide a water treatment solution achieving an environmentally responsive design.

*Indigenous Heritage and Environmental Protection Lands*

The proposal contains lands to be zoned for environmental protection, which link the critical habitats and significant vegetation from the Botanic Gardens through to the Nepean River. However, it is noted that these areas are plagued with many exotic plants and weeds. In this regard, a Vegetation Management Strategy is likely following a favourable Gateway Determination, which will be formulated to achieve the rehabilitation and revegetation of these lands.

While the subject site has been heavily disturbed, the Indigenous Heritage Study prepared for the LES recorded some archaeological sites particularly within the riparian lands. Careful consideration must be given to the identified areas, which will inform the Vegetation Management Strategy.

**10. How has the planning proposal adequately addressed any social and economic affects?**

It is likely that the proposal will provide a positive social and economic benefit to the South West Region. The proposal will contribution and provide additional diversity in the supply of an identified need for employment generating uses.

The Net Community Benefits Test demonstrates a positive outcome for the region, however, given the evolving nature in developing the ILP, a social needs analysis will be required following a Gateway Determination.

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**Section D – State and Commonwealth interests.****11. Is there adequate public infrastructure for the planning proposal?**

Currently, additional infrastructure is required to accommodate the proposal.

Utility and service infrastructure are readily available to the site however, may require upgrade to accommodate the higher demand. Consultation with the relevant utility providers is required to appropriately plan the required upgrades to service the proposal.

Preliminary assessments of the existing road networks reveal that the capacity can provide a maximum potential of 12,500m<sup>2</sup> gross floor area of warehousing or 10,000m<sup>2</sup> gross floor area of general industrial use (or a proportionate combination of both). In order to achieve the planned potential (i.e. 60 hectares of industrial lands), a connection through to the Hume Highway is required. The provider and funding body is to be negotiated following a Gateway Determination.

Following the provision of a connection through to the Hume Highway, the preliminary traffic and transport study identified a number of transport infrastructure upgrades that will be required to mitigate the impacts of the development proposal. These include:

- A roundabout at the intersection of proposed Liz Kernohan Drive and northern Glenlee access;
- A signalised intersection of proposed Liz Kernohan Drive and eastern Glenlee/Landcom access;
- Local upgrades to intersections of Liz Kernohan Drive/Camden Bypass and Liz Kernohan Drive/Richardson Road;
- Pedestrian footpaths on all major local roads;
- Pedestrian facilities (dropped kerbs, refuges) at roundabouts;
- Cycle lanes on all collector roads;
- A perimeter road suitable for a public transport service operating around the Study Area (in the long term when the Study Area is fully developed); and
- Frequent bus service between Glenlee and Macarthur Interchange/Campbelltown Interchange by extension of current bus services in the locality during peak hours.

**12. What are the views of state and Commonwealth public authorities consulted in accordance with the gateway determination?**

The Gateway determination will identify any consultation required with State or Commonwealth Public Authorities. This will include:

- Consultation required under section 34A of the EP&A Act where the Responsible Planning Authority (RPA) is of the opinion that critical habitat or threatened species populations, ecological communities or their habitats will or may be adversely affected by the planning proposal;
- Consultation required in accordance with a Ministerial Direction under section 117 of the EP&A Act: and

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- Consultation that is required because in the opinion of the Minister (or delegate), a State or Commonwealth public authority will or may be adversely affected by the proposed LEP.

It is envisaged that the State and Commonwealth public authorities listed below would be consulted pending the outcome of a Gateway Determination. Council would be responsible for carrying out this consultation in accordance with Section 57 of the EP&A Act. In this regard it is considered that the following authorities will need to be consulted as part of the Planning Proposal:

- Federal Department of Sustainability, Environment, Water, Population and Communities
- NSW Rural Fire Service
- NSW Office of Water
- NSW Department of Environment and Climate Change
- NSW Office of Environment and Heritage (Heritage Branch)
- NSW Office of Environment and Heritage (Environmental Branch)
- Transport for NSW
- Roads and Maritime Services
- Department of Industry and Investment
- Department of Health
- Mines Subsidence Board
- Sydney Water
- Endeavour Energy
- Telstra
- AGL
- Local Aboriginal Land Councils
- Adjoining LGAs
- Australian Botanic Gardens

Attachment 1

**PART 4 - MAPS**

Based on the previous studies of the LES, an ILP has been prepared over the subject lands. Maps for the site are provided below:



**Figure 3 - Subject Site**

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Figure 4 - Indicative Layout Plan

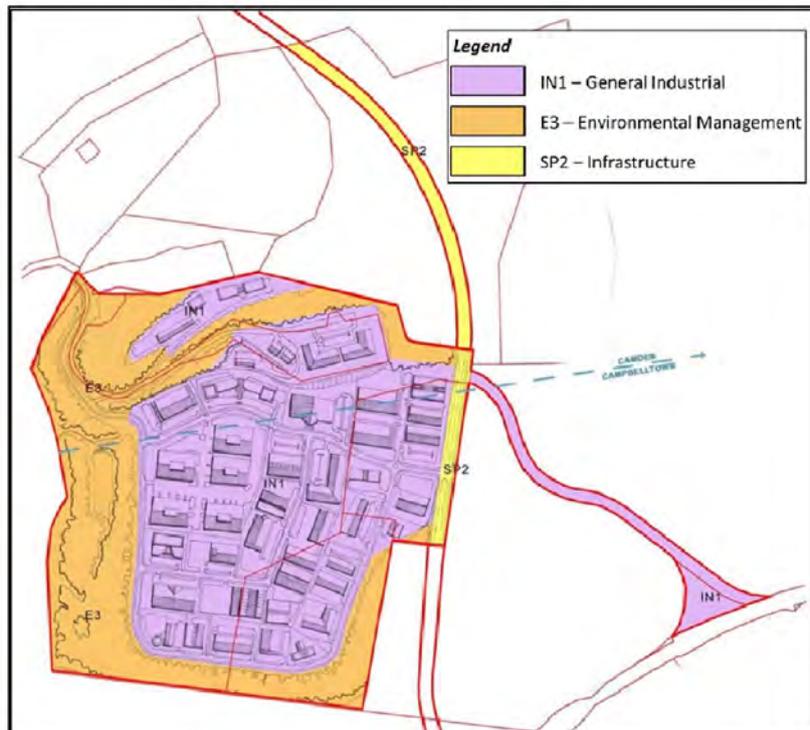


Figure 5 - Proposed Zoning Map

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Taking into consideration the above, the following LEP maps require amendment and/or creation:

- Land Zoning Map
  - 1450\_COM\_LZN\_013\_010\_20120919
  - 1450\_COM\_LZN\_014\_010\_20121206
  - 1450\_COM\_LZN\_017\_020\_20121206
  - 1450\_COM\_LZN\_018\_010\_20120202
- Lot Size Map
  - 1450\_COM\_LSZ\_013\_010\_20120919
  - 1450\_COM\_LSZ\_014\_010\_20121211
  - 1450\_COM\_LSZ\_017\_020\_20121211
  - 1450\_COM\_LSZ\_018\_010\_20110916
- Heights of Buildings Map
  - 1450\_COM\_HOB\_013\_010\_20120202
  - 1450\_COM\_HOB\_014\_010\_20121121
  - 1450\_COM\_HOB\_017\_020\_20100705
  - 1450\_COM\_HOB\_018\_010\_20100705
- Floor Space Ratio Map
  - 1450\_COM\_FSR\_013\_010\_YYYYMMDD
  - 1450\_COM\_FSR\_014\_010\_YYYYMMDD
  - 1450\_COM\_FSR\_017\_020\_20100705
  - 1450\_COM\_FSR\_018\_010\_YYYYMMDD
- Land Reservation Acquisition Map
  - 1450\_COM\_LRA\_013\_010\_20120202
  - 1450\_COM\_LRA\_014\_010\_YYYYMMDD
  - 1450\_COM\_LRA\_017\_020\_20100705
  - 1450\_COM\_LRA\_018\_010\_YYYYMMDD

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#### **PART 5 – COMMUNITY CONSULTATION**

It is expected that the Planning Proposal will be advertised in accordance with the requirements of the Gateway Determination. It is anticipated that the Planning Proposal will be placed on public exhibition for a total period of 28 days.

#### **PART 6 – PROJECT TIMELINE**

The Planning Proposal is yet to receive a Gateway Determination and as such project timeframes and expected completion dates cannot be determined. The estimated timeframe for the finalisation of the Planning Proposal is 18 months from when the Gateway Determination is issued.

#### **SCHEDULE OF ATTACHMENTS**

<b>Attachment A -</b>	<b>Council Report and Resolution</b>
<b>Attachment B -</b>	<b>Local Environment Study</b>
<b>Attachment C -</b>	<b>Section 117 Directions</b>

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**Attachment A – Council Report and Resolution**

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**Attachment B – Local Environmental Study**

*Local Environmental Study Provided electronically on the enclosed Compact Disc*

Attachment 1

**Attachment C – Section 117 Directions**

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
1 Employment and Resources			
1.1 Business and Industrial Zones	<p>(4) A Planning Proposal must:</p> <ul style="list-style-type: none"> <li>(a) give effect to the objectives of this direction,</li> <li>(b) retain the areas and locations of existing business and industrial zones.</li> <li>(c) not reduce the total potential floor space area for employment uses and related public services in business zones.</li> <li>(d) not reduce the total potential floor space area for industrial uses in industrial zones, and</li> <li>(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.</li> </ul>	<p>(5) 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 the provisions of the Planning Proposal that are inconsistent are:</p> <ul style="list-style-type: none"> <li>(a) justified by a strategy which:                             <ul style="list-style-type: none"> <li>(i) gives consideration to the objective of this direction, and</li> <li>(ii) identifies the land which is the subject of the Planning Proposal (if the Planning Proposal relates to a particular site or sites), and</li> <li>(iii) is approved by the Director-General of the Department of Planning, or</li> </ul> </li> <li>(b) justified by a study (prepared in support of the Planning Proposal) which gives consideration to the objective of this direction, or</li> <li>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</li> <li>(d) of minor significance.</li> </ul>	<p>Essentially, the proposal is industrial in nature and not inconsistent with the permissible landuses under the Standard Template adopted by Council in LEP 2010. The PP adopts the objectives within the proposed zones.</p> <p>The PP increases the amount of industrial floor space available for the region.</p> <p>It is also importantly consistent with the above mentioned strategies that nominate the Site as a candidate area for employment.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>1.2 Rural Zones</b></p>	<p>(4) A Planning Proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</p>	<p>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 the provisions of the Planning Proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <ul style="list-style-type: none"> <li>(i) gives consideration to the objectives of this direction,</li> <li>(ii) identifies the land which is the subject of the Planning Proposal (if the Planning Proposal relates to a particular site or sites), and</li> <li>(iii) is approved by the Director-General of the Department of Planning, or</li> </ul> <p>(b) justified by a study prepared in support of the Planning Proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>	<p>The Site is currently used for industrial related uses and the current rural zone does not reflect these uses.</p> <p>Furthermore, the land is not classified as high class agricultural land on the Land Classification Map.</p> <p>In this regard, approval is sought for the rezoning of this land from rural to an industrial zoning.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>1.3 Mining, Petroleum Production and Extractive Industries</b></p>	<p>(4) In the preparation of a Planning Proposal affected by this direction, the relevant planning authority must:</p> <p>(a) consult the Director-General (DPI) to identify any:</p> <ul style="list-style-type: none"> <li>(i) resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and</li> <li>(ii) existing mines, petroleum production operations or extractive industries occurring in the area subject to the Planning Proposal, and</li> </ul> <p>(b) seek advice from the Director-General of DPI on the development potential of resources identified under (4)(a)(i), and</p> <p>(c) identify and take into consideration issues likely to lead to land use conflict between other land uses and:</p> <ul style="list-style-type: none"> <li>(i) development of resources identified under (4)(a)(i), or</li> <li>(ii) existing development identified under (4)(a)(ii).</li> </ul> <p>(5) Where a Planning Proposal prohibits or restricts development of resources identified under (4)(a)(i), or proposes land uses that may create land use conflicts identified under (4)(c), the relevant planning authority must: provide the Director-General of DPI with a copy of the Planning Proposal</p>	<p>(6) 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 the provisions of the Planning Proposal that are inconsistent are of minor significance.</p>	<p>Subsurface mining to be proposed is permissible.</p> <p>Consultation with authorities was undertaken as part of the previous rezoning application.</p> <p>Mine Subsidence parameters can be complied with following consultation with the Mine Subsidence Board.</p> <p>Coal Seam Gas operations are located within the Glenlee area. The ILP will be developed to comply with all legislative, regulatory and best practice guidelines.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>1.5 Rural Lands</b></p>	<p>and notification of the relevant provisions, allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the Planning Proposal, and include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) before undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(4) A Planning Proposal to which clauses 3(a) or 3(b) apply must be consistent with the Rural Planning Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p> <p>(5) A Planning Proposal to which clause 3(b) applies must be consistent with the Rural Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p> <p><b>Note:</b> <i>State Environmental Planning Policy (Rural Lands) 2008</i> does not require a relevant planning authority to review or change its minimum lot size(s) in an existing LEP. A relevant planning authority can transfer the existing minimum lot size(s) into a new LEP. However, where a relevant planning</p>	<p>(6) 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 the provisions of the Planning Proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <ol style="list-style-type: none"> <li>i. gives consideration to the objectives of this direction,</li> <li>ii. identifies the land which is the subject of the Planning Proposal (if the Planning Proposal relates to a particular site or sites, and</li> <li>iii. is approved by the</li> </ol>	<p>The PP proposes to rezone the land from rural to employment related uses.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	<p>authority seeks to vary an existing minimum lot size in an LEP, it must do so in accordance with the Rural Subdivision Principles listed in <i>State Environmental Planning Policy (Rural Lands) 2008</i>.</p>	<p>Director-General of the Department of Planning and is in force, or (b) is of minor significance.</p>	
<p><b>2 Environment and Heritage</b> <b>2.1 Environmental Protection Zones</b></p>	<p>(4) A Planning Proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (5) A Planning Proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".</p>	<p>(6) 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 the provisions of the Planning Proposal that are inconsistent are: (a) justified by a strategy which: iv. gives consideration to the objectives of this direction, v. identifies the land which is the subject of the Planning Proposal (if the Planning Proposal relates to a particular site or sites), and vi. is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the Planning Proposal which gives consideration to the objectives of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional</p>	<p>Yes. Flora and fauna corridors proposed by the rezoning.  Proposed conservation provisions in zoning of land. The PP will provide habitat corridor linkages with the Spring Farm Bush Corridor, the Nepean River and ABG.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>2.3 Heritage Conservation</b></p>	<p>(4) A Planning Proposal must contain provisions that facilitate the conservation of:</p> <ul style="list-style-type: none"> <li>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and</li> <li>Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</li> </ul>	<p>Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>	
		<p>(5) 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> <ul style="list-style-type: none"> <li>(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</li> <li>(b) the provisions of the Planning Proposal that are inconsistent are of minor significance</li> </ul>	<p>Yes. Glenlee House has been identified in the technical studies, but is not located within the amended PP. Nonetheless, an amended heritage study will accompany the Planning Proposal following a gateway determination.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>3 Housing, Infrastructure and Urban Development</b></p> <p><b>3.4 Integrating Land Use and Transport</b></p>	<p>(4) 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> <p><i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</p> <p><i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p>	<p>(5) 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 the provisions of the Planning Proposal that are inconsistent are:</p> <p>justified by a strategy which:</p> <p>(a) gives consideration to the objective of this direction, and</p> <p>(b) identifies the land which is the subject of the Planning Proposal (if the Planning Proposal relates to a particular site or sites), and</p> <p>(c) is approved by the Director-General of the Department of Planning, or</p> <p>(d) justified by a study prepared in support of the Planning Proposal which gives consideration to the objective of this direction, or</p> <p>(e) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(f) of minor significance.</p>	<p>Yes. Integration of landuse and transport is fundamental to the PP. The Liz Kernohan Drive and rail access are important components of the PP.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>4 Hazard and Risk</b></p> <p><b>4.1 Acid Sulfate Soils</b></p>	<p>(4) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a Planning Proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(5) When a relevant planning authority is preparing a Planning Proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <ul style="list-style-type: none"> <li>the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or</li> <li>such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.</li> </ul> <p>(6) A relevant planning authority must not prepare a Planning Proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy</p>	<p>(8) 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 the provisions of the Planning Proposal that are inconsistent are:</p> <ul style="list-style-type: none"> <li>justified by a study prepared in support of the Planning Proposal which gives consideration to the objective of this direction, or</li> <li>of minor significance.</li> </ul>	<p>N/A. The property is not known to be affected by acid sulfate soils according to Council's map. This has been addressed in the technical reports.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	<p>of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(7) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a Planning Proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the Planning Proposal must contain provisions consistent with paragraph (5).</p>		
<p><b>4.2 Mines Subsidence and Unstable Land</b></p>	<p>When preparing a Planning Proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must:</p> <p>consult the Mine Subsidence Board to ascertain:</p> <p>(i) if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and</p> <p>(ii) the scale, density and type of development that is appropriate for the potential level of subsidence, and incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and</p> <p>(c) include a copy of any information received from the Mine Subsidence Board with the statement to the</p>	<p>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 the provisions of the Planning Proposal that are inconsistent are: justified by a strategy which: gives consideration to the objective of this direction, and identifies the land which is the subject of the Planning Proposal (if the Planning Proposal relates to a particular site or sites), and is approved by the Director-General of the Department of Planning, or justified by a study prepared in support of the Planning Proposal which gives consideration to the</p>	<p>Yes. The Site is located within a Mines Subsidence area and this has been identified in the technical studies.</p> <p>Development can be undertaken in a manner consistent with relevant mine subsidence parameters.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>4.3 Flood Prone Land</b></p>	<p>Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.                      A Planning Proposal must not permit development on unstable land referred to in paragraph 3(b).</p> <p>(4) A Planning Proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i> (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>).</p> <p>A Planning Proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.                      A Planning Proposal must not contain provisions that apply to the flood planning areas which:                      (a) permit development in floodway areas, significant flood impacts to other properties, permit a significant increase in the development of that land, are likely to result in a substantially increased requirement for government spending on flood mitigation measures.</p>	<p>objective of this direction, or in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or of minor significance.</p> <p>(9) A Planning Proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:                      the Planning Proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or the provisions of the Planning Proposal that are inconsistent are of minor significance.</p>	<p>Flooding aspects have been addressed in the technical studies. Flooding is contained within the creek systems of Caley's Creek and other riparian corridors, such as the toe of the emplacement batter and therefore located around the perimeter of the Site and doesn't affect the proposed industrial zones.</p> <p>A series of water quality and drainage systems have been designed to convey water through controlled systems.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>4.4 Planning for Bushfire Protection</b></p>	<p>infrastructure or services, or permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.                      A Planning Proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).                      For the purposes of a Planning Proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>(4) In the preparation of a Planning Proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following</p>	<p>A Planning Proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-</p>	<p>Yes. Addressed in the bushfire assessment report. The required APZs can be managed on site</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	<p>receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made.</p> <p>A Planning Proposal must:                      have regard to <i>Planning for Bushfire Protection 2006</i>,                      introduce controls that avoid placing inappropriate developments in hazardous areas, and                      ensure that bushfire hazard reduction is not prohibited within the APZ.</p> <p>A Planning Proposal must, where development is proposed, comply with the following provisions, as appropriate:                      provide an Asset Protection Zone (APZ) incorporating at a minimum:                      an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and                      an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,                      for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation</p>	<p>General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service, to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the Planning Proposal.</p>	<p>and buildings can be designed and constructed to meet standards.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	<p>with the NSW Rural Fire Service. If the provisions of the Planning Proposal permit Special Fire Protection Purposes (as defined under section 100B of the <i>Rural Fires Act 1997</i>), the APZ provisions must be compiled with, contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, contain provisions for adequate water supply for firefighting purposes, minimise the perimeter of the area of land interfacing the hazard which may be developed, introduce controls on the placement of combustible materials in the Inner Protection Area.</p>		
<p><b>5 Regional Planning</b> <b>5.1 Implementation of Regional Strategies</b></p>	<p>(4) Planning Proposals must be consistent with a regional strategy released by the Minister for Planning.</p>	<p>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 the extent of inconsistency with the regional strategy:                      is of minor significance, and                      the Planning Proposal achieves the overall intent of the regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.</p>	<p>Yes. The Planning Proposal is consistent with regional strategies. Refer to comments within the Planning Proposal. The Site has been identified as a 'candidate' site for employment for the region.  The Site can create a number of employment opportunities as envisioned by these strategies.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>6 Local Plan Making</b></p> <p><b>6.1 Approval and Referral Requirements</b></p>	<p>(4) A Planning Proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General). When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a Planning Proposal and the land would be required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1997</i>, the relevant planning authority must:</p> <p>(a) reserve the land in accordance with the request, and</p> <p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>(5) When a Minister or public authority requests a relevant planning authority to include provisions in a Planning Proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: include the requested provisions, or take such other action as advised</p>	<p>(5) A Planning Proposal must be substantially consistent with the terms of this direction.</p> <p>Note: In this direction "public authority" has the same meaning as section 4 of the Environmental Planning and Assessment Act 1979.</p>	<p>N/A. The subject land is zoned mainly rural under Camden LEP 2010 and it is proposed to be rezoned in accordance with the ILP to industrial, environmental management and road reserve.</p> <p>In respect of the road reservation, the road is a continuation of the Liz Kernohan Drive identified within the Spring Farm Release Area. The relevant authority for acquiring the land is the Roads and Maritime Service (RMS).</p> <p>There was consultation with relevant government agencies over several years in respect of the earlier rezoning request. Pre-Section 62 discussions had been held with key agencies.</p>

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Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>6.2 Reserving Land for Public Purpose</b></p>	<p>by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.</p> <p>(6) When a Minister or public authority requests a relevant planning authority to include provisions in a Planning Proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p> <p>(4) A Planning Proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).</p> <p>(5) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a Planning Proposal and the land would be required to be acquired under Division 3 of Part 2 of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>, the relevant planning authority must:</p> <p>(a) reserve the land in</p>	<p>(8) 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> <p>with respect to a request referred to in paragraph (7), that further information is required before appropriate planning controls for the land can be determined, or the provisions of the Planning Proposal that are inconsistent with the terms of this direction are of minor significance.</p> <p><b>Note:</b> Clause 12 of the EP&amp;A Reg 2000 provides that a Planning Proposal for a proposed local environmental plan:</p>	<p>Yes. It is proposed to reserve land for the purposes of classified road.</p> <p>In particular, the Liz Kernohan Drive corridor will be considered for dedication or acquisition to the RMS. An acquisition clause will need to be included in the draft LEP.</p>

Amendment No. 20 – Glenlee

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
	<p>accordance with the request, and</p> <p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>(6) When a Minister or public authority requests a relevant planning authority to include provisions in a Planning Proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must: include the requested provisions, or take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.</p> <p>(7) When a Minister or public authority requests a relevant planning authority to include provisions in a Planning Proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant</p>	<p>(a) may not contain a provision reserving land for a purpose referred to in section 26 (1) (c) of the EP&amp;A Act, and</p> <p>(b) may not contain a provision in respect of that reservation as required by section 27 of the EP&amp;A Act, unless the public authority responsible for the acquisition of the land has notified the relevant planning authority of its concurrence to the inclusion of such a provision in the Planning Proposal.</p> <p>In this direction: "public authority" has the same meaning as section 4 of the EP&amp;A Act. The use or reservation of land for a public purpose has the same meaning as in section 26(1)(c) of the EP&amp;A Act.</p>	

Amendment No. 20 – Glenlee

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
<p><b>6.3 Site Specific Provisions</b></p>	<p>reservation in accordance with the request.</p> <p>(4) A Planning Proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <ul style="list-style-type: none"> <li>allow that land use to be carried out in the zone the land is situated on, or</li> <li>rezone the Site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</li> <li>allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in that zone, or</li> <li>allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</li> </ul> <p>(5) A Planning Proposal must not contain or refer to drawings that show details of the development proposal.</p>	<p>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 the provisions of the Planning Proposal that are inconsistent are of minor significance.</p>	<p>It is proposed to insert an additional local provision into the LEP which will serve for the protection of the local road network and residential amenity. This is discussed and justified in depth in the Planning Proposal.</p>
<p><b>7 Metropolitan Planning</b></p> <p><b>7.1 Implementation of the Metropolitan Strategy</b></p>	<p>Planning Proposals shall be consistent with:</p> <ul style="list-style-type: none"> <li>the NSW Government's Metropolitan Strategy: <i>City of Cities, A Plan for Sydney's Future</i>, published in December 2005 (the Metropolitan Strategy).</li> </ul>	<p>(5) 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</p>	<p>Yes. The subject land is identified in the Metropolitan Strategy as employment land. The proposal is consistent with the Strategy.</p>

**Attachment 1** **ORD05**

Amendment No. 20 – Glenlee

Direction	What the relevant planning authority must do if this direction applies	Consistency	Comments (Y, N, N/A)
		Director-General), that the extent of inconsistency with the Metropolitan Strategy: (a) is of minor significance, and (b) the Planning Proposal achieves the overall intent of the Strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	



# ORDINARY COUNCIL

ORD06

ORD06

**SUBJECT: PLANNING PROPOSAL - MAPPING ANOMALIES**

**FROM:** Director Governance

**BINDER:** Amendment No 26 - Mapping Anomalies

## PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to amend Camden Local Environmental Plan 2010 (Camden LEP 2010) to rectify minor mapping anomalies which have occurred during the finalisation of the maps prior to their publication.

## BACKGROUND

During the finalisation of two LEP amendments, minor mapping anomalies were identified. The minor mapping anomalies occurred as a consequence of the following two LEP amendments:

- Amendment No 3 – El Caballo Blanco/Gledswood, published on 22 March 2013; and
- Consolidated Amendment No 5 which incorporated the following planning proposals Mater Dei Boundary Anomalies (Amendment No 5), Spring Farm South and West (Amendment No 7), Harrington Grove (Amendment No 8) and Elyard Gardens (Amendment No 11), published on 18 January 2013.

Following this resolution of Council, the Council report, Planning Proposal and associated maps will be sent to the Department of Planning and Infrastructure (DPI) so that the matter may proceed to Gateway determination. The Planning Proposal forms an **Attachment to this report**.

## MAIN REPORT

The Planning Proposal seeks to amend three Camden LEP 2010 maps to correct mapping anomalies which occurred prior to the gazettal of 2 LEP amendments. Correcting the identified mapping anomalies within Camden LEP 2010 will improve the operation of the document and ensure it is legally correct.

The following table contains a summary of the mapping anomalies within the Camden LEP 2010.

Reference	Action
<b>Land Zoning Map</b>	
Sheet LZN_012	<ul style="list-style-type: none"><li>• Land in Kirkham previously blank, coloured to indicate RU1 Primary Production.</li></ul>
Sheet LZN_016	<ul style="list-style-type: none"><li>• 'E2' notation inserted in legend to read E2 Environmental Conservation.</li></ul>
	<ul style="list-style-type: none"><li>• Line inserted indicating 'Classified Road SP2'</li></ul>

	<ul style="list-style-type: none"> <li>• Colour of RU1 land amended to match legend.</li> </ul>
--	---

Lot Size Map	
Sheet LSZ_016	<ul style="list-style-type: none"> <li>• Incorrect colour allocated to land highlighted 'W - 4000sqm' amended to match legend.</li> </ul>
	<ul style="list-style-type: none"> <li>• Incorrect colour allocated to land highlighted 'V-2000sqm' amended to 'Q-700sqm'.</li> </ul>

Given the amendments are minor and of administrative nature, Council intends to use its delegation pursuant to Section 23 of the EP&A Act 1979 as the matter is considered to be of only local significance. The delegation will be sub-delegated to the Acting General Manager.

As public exhibition has previously occurred with regards to the proposed changes, it is recommended the Planning Proposal bypass public exhibition and proceed directly to publication once Gateway determination has been received.

Once the matter has received a Gateway determination, Council will then be responsible for the advancement of the Planning Proposal.

**FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

**CONCLUSION**

The Planning Proposal is to amend three Camden LEP 2010 maps to rectify minor mapping anomalies which occurred during the finalisation of maps prior to their publication. Public exhibition of the amendment is not recommended as exhibition has previously occurred and gazettal of the amendment will be sufficient notification.

**RECOMMENDED**

**That Council:**

- i. forward the Planning Proposal to the DPI for Gateway determination and advise that;**
  - a. the matter not be placed on public exhibition; and**
  - b. Council advises that it will be using its delegation, and sub-delegate to the Acting General Manager, pursuant to Section 23 of the EP&A Act 1979; and**
- ii. pending a favourable response from DPI, proceed directly to Parliamentary Counsel for the plan to be made.**

**ATTACHMENTS**

- 1. Planning Proposal



## **CAMDEN COUNCIL**

# **PLANNING PROPOSAL**

### **Amendment No. 26 – Mapping Anomalies**

April 2013

ORD06

Attachment 1

Amendment No. 26 – Mapping Anomalies

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## Amendment No. 26 – Mapping Anomalies

**BACKGROUND**

This Planning Proposal seeks to amend Camden Local Environmental Plan 2010 to fix mapping anomalies which have occurred during the finalisation of the maps prior to their publication.

The mapping anomalies have occurred during the finalisation of the following two LEP amendments:

- Amendment No 3 – El Caballo Blanco/Gledswood, gazetted on 22 March 2013; and
- Consolidated Amendment No 5 which incorporated the following planning proposals Mater Dei Boundary Anomalies (Amendment No 5), Spring Farm South and West (Amendment No 7), Harrington Grove (Amendment No 8) and Elyard Gardens (Amendment No 11), gazetted on 18 January 2013.

Following the resolution of Council, this Planning Proposal and associated maps will be sent to the Department of Planning and Infrastructure so that the matter may proceed to Gateway Determination.

**PART 1 – OBJECTIVES OR INTENDED OUTCOMES**

The objective of this Planning Proposal is to amend three Camden LEP 2010 maps. This will ensure that the Camden LEP 2010 is legally correct.

**PART 2 – EXPLANATION OF PROVISIONS**

The following table contains a summary of the mapping anomalies within Camden LEP 2010.

Reference	Action
<b>Land Zoning Map</b>	
Sheet LZN_012	<ul style="list-style-type: none"> <li>• Land in Kirkham previously blank, coloured to indicate RU1 Primary Production.</li> </ul>
Sheet LZN_016	<ul style="list-style-type: none"> <li>• 'E2' notation inserted in legend to read <span style="border: 1px solid black; padding: 0 2px;">E2</span> Environmental Conservation.</li> </ul>
	<ul style="list-style-type: none"> <li>• Line inserted indicating 'Classified Road SP2'</li> </ul>
	<ul style="list-style-type: none"> <li>• Colour of RU1 land amended to match legend.</li> </ul>

## Amendment No. 26 – Mapping Anomalies

Lot Size Map	
Sheet LSZ_016	<ul style="list-style-type: none"> <li>• Colour of land highlighted 'W - 4000sqm' amended to match legend.</li> </ul>
	<ul style="list-style-type: none"> <li>• Incorrect colour allocated to land highlighted 'V-2000sqm' amended to 'Q-700sqm'.</li> </ul>

**PART 3 – JUSTIFICATION****Section A – Need for the Planning Proposal****1. Is the planning proposal a result of any strategic study or report?**

This planning proposal is not the result of any strategic study or report.

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

It is considered that the planning proposal provides the best way of achieving the intended outcome as it seeks to address the minor amendment in a relatively prompt and efficient manner.

**3. Is there a net community benefit?**

Given the minor nature of the matter contained within this planning proposal, it is not considered that a Net Community Benefit Test need be undertaken.

Correcting the identified mapping anomalies within CLEP 2010 will improve the operation of the document, which will be of benefit to the wider community.

**Section B – Relationship to strategic planning framework.****4. Is the planning proposal consistent with the objectives and actions contained within 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 actions of the Sydney Metropolitan Strategy and Draft west sub regional Strategy.

**5. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?**

The planning proposal is consistent with Camden Council's Strategic Plan Camden 2040. However, the planning proposal is not connected to a particular action area of the Camden Council Strategic Plan 2040.

**6. Is the planning proposal consistent with applicable state environmental planning policies?**

## Amendment No. 26 – Mapping Anomalies

State Environmental Planning Policy	Applicable	Comment	Consistent
Standard Instrument (Local Environmental Plans) Order 2006	✓	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	✓
Standard Instrument—Principal Local Environmental Plan	✓	The Planning Proposal intends to amend Council's LEP conforming to the standard instrument.	✓
State Environmental Planning Policy No 1—Development Standards	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 6—Number of Storeys in a Building	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 14—Coastal Wetlands	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 15—Rural Landsharing Communities	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 19—Bushland in Urban Areas	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 21—Caravan Parks	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 22—Shops and Commercial Premises	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 26—Littoral Rainforests	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 29—Western Sydney Recreation Area	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 30—Intensive Agriculture	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 33—Hazardous and Offensive Development	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 36—Manufactured Home Estates	<input checked="" type="checkbox"/>		

ORD06

Attachment 1

## Amendment No. 26 – Mapping Anomalies

State Environmental Planning Policy No 39—Spit Island Bird Habitat	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 44—Koala Habitat Protection	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 47—Moore Park Showground	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 50—Canal Estate Development	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 55—Remediation of Land	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 60—Exempt and Complying Development	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 62—Sustainable Aquaculture	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 64—Advertising and Signage	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 70—Affordable Housing (Revised Schemes)	<input checked="" type="checkbox"/>		
State Environmental Planning Policy No 71—Coastal Protection	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Affordable Rental Housing) 2009	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Infrastructure) 2007	<input checked="" type="checkbox"/>		

## Amendment No. 26 – Mapping Anomalies

State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Kurnell Peninsula) 1989	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Major Development) 2005	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Rural Lands) 2008	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (State and Regional Development) 2011	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Temporary Structures) 2007	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Urban Renewal) 2010	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Western Sydney Employment Area) 2009	<input checked="" type="checkbox"/>		
State Environmental Planning Policy (Western Sydney Parklands) 2009	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 16—Walsh Bay	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 18—Public Transport Corridors	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 19—Rouse Hill Development Area	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	<input checked="" type="checkbox"/>		

## Amendment No. 26 – Mapping Anomalies

Sydney Regional Environmental Plan No 24—Homebush Bay Area	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 25—Orchard Hills	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 26—City West	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 28—Parramatta	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 30—St Marys	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan No 33—Cooks Cove	<input checked="" type="checkbox"/>		
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	<input checked="" type="checkbox"/>		

7. **Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

The following table provides an assessment of the planning proposal with the relevant S117 Directions:

s.117 Direction	Objective	Response
<b>3.1 Residential Zones</b>	<p>The objective of this direction are:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource land.</p>	The planning proposal will amend the zoning and lot size maps to address errors and reflect the true zoning and minimum lot size.
<b>6.1 – Approval and Referral Requirements</b>	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The requested planning proposal does not include provisions that require the concurrence, consultation and referral of development applications to a minister or

Amendment No. 26 – Mapping Anomalies

		public authority.
<b>7.1 – Implementation of the Metropolitan Plan for Sydney 2036</b>	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	The proposal is consistent with this direction and the Metropolitan Plan for Sydney.

**Section C – Environmental, social and economic impact.**

- 8. 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?**

There is no likelihood of any adverse affect on any critical habitat or threatened species, populations or ecological communities, or their habitats, as a result of this proposal.

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

There will not be any other likely environmental effects as the planning proposal.

- 10. How has the planning proposal adequately addressed any social and economic affects?**

The purpose of this planning proposal is to address identified mapping anomalies presented within CLEP 2010. This will improve the operation of CLEP 2010 and provide social and economic outcomes for the whole community.

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

- 11. Is there adequate public infrastructure for the planning proposal?**

N/A

- 12. What are the views of state and Commonwealth public authorities consulted in accordance with the gateway determination?**

Given the minor nature of the planning proposal, no state or commonwealth public agencies are proposed to be consulted.

**PART 4 – MAPS**

The following Camden LEP 2010 maps will need to be amended and are included in the list of map amendments in **Attachment A**.

- 1450\_COM\_LZN\_012\_010\_20121206
- 1450\_COM\_LZN\_016\_020\_20121221

ORD06

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Amendment No. 26 – Mapping Anomalies

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- 1450\_COM\_LSZ\_016\_020\_20121221

#### **PART 5 – COMMUNITY CONSULTATION**

Public exhibition is not warranted given the planning proposal simply seeks to maintain status quo.

#### **PART 6 – PROJECT TIMELINE**

The Planning Proposal is yet to receive a Gateway determination and as such project timeframes and expected completion dates cannot be determined. The benchmark timeframe for the finalisation of the Planning Proposal is 6 months from when the Gateway determination is issued.

Schedule of Attachments

**Attachment A - Proposed Map changes**

Attachment 1

Amendment No. 26 – Mapping Anomalies

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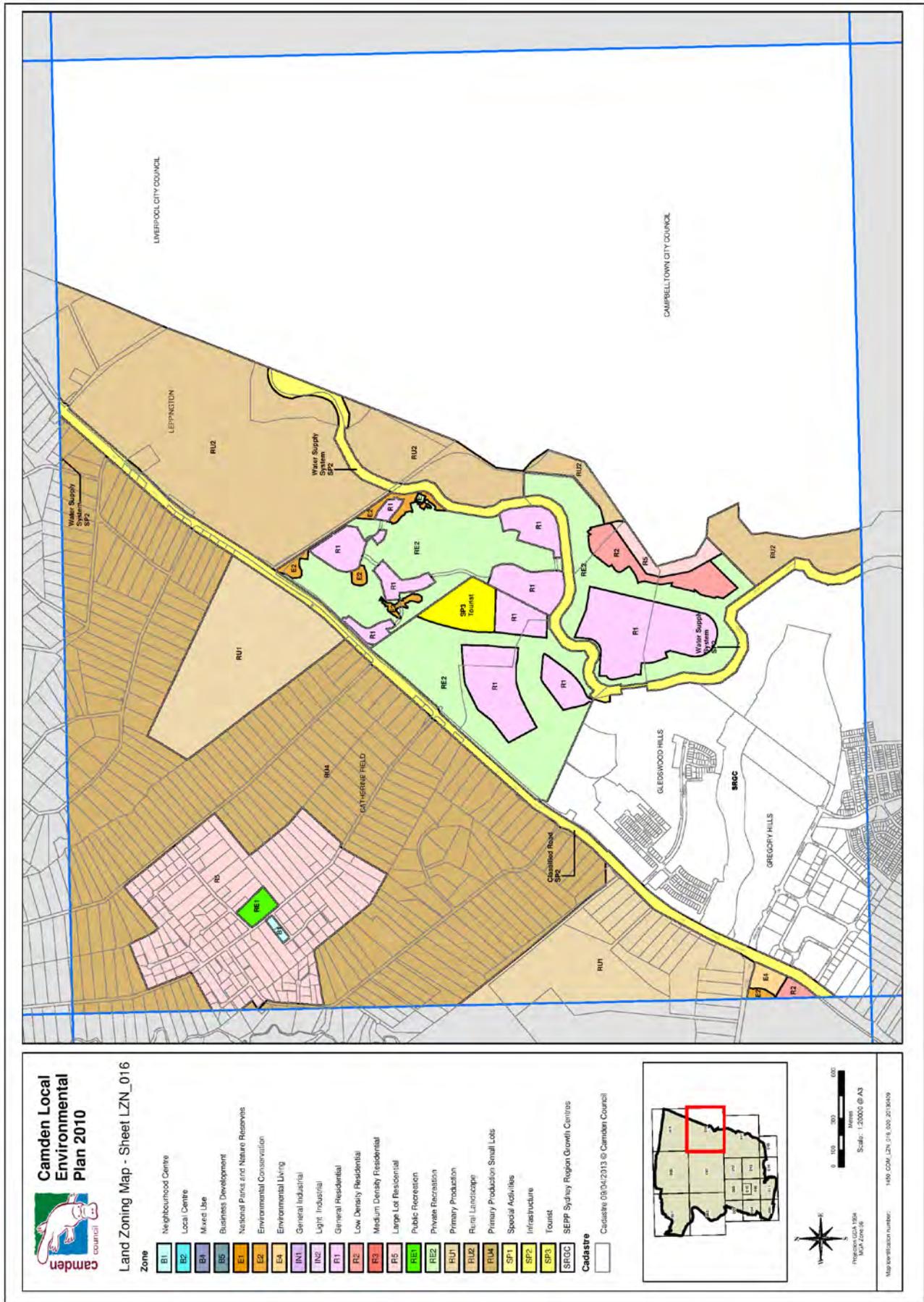
**Attachment A – Proposed Map Changes**

**ORD06**

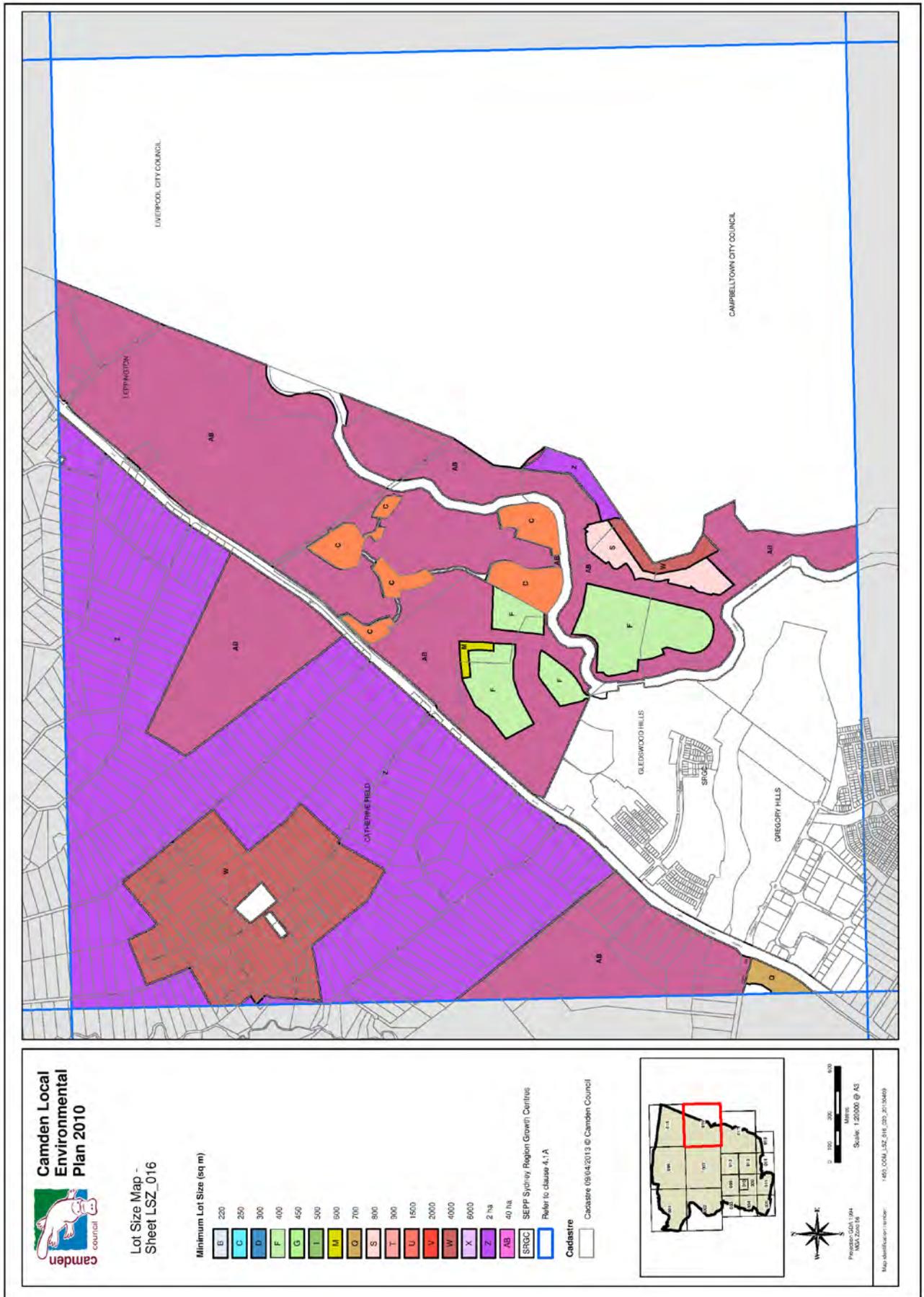
**Attachment 1**

Attachment 1  
ORD06





Attachment 1  
ORD06



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## ORDINARY COUNCIL

ORD07

ORD07

**SUBJECT: DELEGATION OF AUTHORITY - GENERAL MANAGER**  
**FROM:** Director Governance  
**BINDER:** Delegations

---

### PURPOSE OF REPORT

An administrative report to Council to ensure delegated authority to the newly appointed General Manager as required by the *Local Government Act 1993* ("the Act").

### MAIN REPORT

Section 377 of the Act allows Council "to delegate, by resolution, to the General Manager any of the functions of the Council" with the exception of specific items listed below:

- the appointment of a General Manager;
- the making of a rate;
- a determination under section 549 as to the levying of a rate;
- the making of a charge;
- the fixing of a fee;
- the borrowing of money;
- the voting of money for expenditure works, services or operations;
- the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment);
- the acceptance of tenders which are required under the Act to be invited by Council;
- the adoption of an operational plan under section 405;
- the adoption of a financial statement included in an annual financial report;
- a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6 of the Act;
- the fixing of an amount or rate for the carrying out by Council of work on private land;
- the decision to carry out work on private land for an amount that is less than the amount or rate fixed by Council for the carrying out of any such work;
- the review of a determination made by Council, and not by a delegate of Council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*;
- the power of Council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194;
- a decision under section 356 to contribute money or otherwise grant financial assistance to persons;
- a decision under section 234 to grant leave of absence to the holder of a civic office;
- the making of an application, or the giving of a notice, to the Governor or Minister;
- this power of delegation; and
- any function under this or any other Act that is expressly required to be exercised by resolution of Council.

The General Manager has previously been granted an all-encompassing delegation by Council as permitted under the Act, which has considerably streamlined the delegation process throughout Council. This allows the General Manager to then sub-delegate any of the functions of the General Manager to any person or body including another employee of the Council. In this way, the General Manager is able to react promptly to legislative changes or delegation issues as they occur in order to enable staff to enact the function without delay and put in place the necessary administrative changes.

### **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

### **CONCLUSION**

The newly appointed General Manager, Ronald James Moore is to commence employment with Camden Council on 6 May 2013 and as such, it is timely to affirm the delegations to the incoming General Manager.

### **RECOMMENDED**

**That Council delegate, pursuant to section 377 of the *Local Government Act 1993* to Ronald James Moore as General Manager and to the person holding the position of General Manager in an acting capacity, the exercise of Council's powers, functions, duties and authorities contained in the legislation and matters specified in Schedule 1, subject to the limitations specified in Schedule 2 below. This delegation shall commence from the date Ronald James Moore commences employment with Camden Council and shall remain in force until specifically altered or revoked in writing.**

#### **Schedule 1**

1. **The functions of the Council as specified in:**
  - (i) **the *Local Government Act 1993* and related Acts; and**
  - (ii) **other Acts under which Council has powers, authorities, duties and functions.**

#### **Schedule 2**

1. **Subject to the provisions of the *Local Government Act 1993* and any other legislation relevant to the delegations;**
2. **Council may by resolution direct the General Manager in the exercise of any function herein delegated;**
3. **The General Manager shall exercise the functions herein delegated in accordance with and subject to:**
  - (i) **the provisions of the *Local Government Act 1993* as amended;**
  - (ii) **All and every policy of the Council adopted by resolution and current at the time of the exercise of the functions herein delegated.**



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## ORDINARY COUNCIL

ORD08

ORD08

**SUBJECT: INVESTMENT MONIES - MARCH 2013**  
**FROM:** Director Governance  
**BINDER:** Investment Monies Report

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### PURPOSE OF REPORT

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 31 March 2013 is provided.

### MAIN REPORT

The weighted average return on all investments was 4.63% p.a. for the month of March 2013.

It is certified that all investments have been made in accordance with Section 625 of the *Local Government Act 1993*, the relevant Regulations and Council's Investment Policy.

The Principal Accounting Officer is the Manager Corporate Services.

Council's Investment Report is an **attachment to this report**

### FINANCIAL IMPLICATIONS

Council's investments portfolio continues to perform above the industry benchmark and the projected interest received is above the original budget estimates. Further performance information can be found in the attached investment report for March 2013.

### RECOMMENDED

**That Council:**

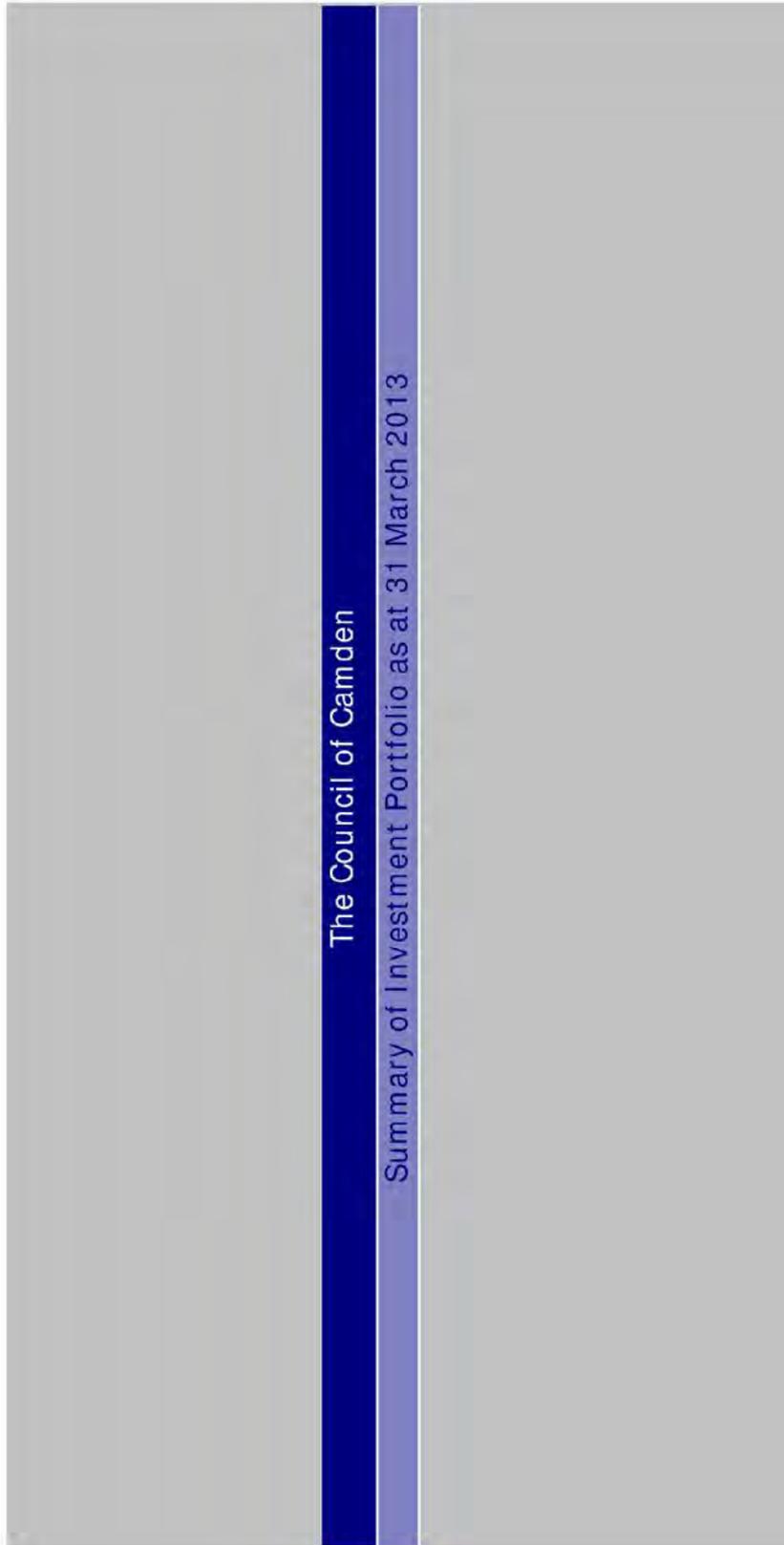
- i. **note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the *Local Government Act*, Regulations, and Council's Investment Policy;**
- ii. **note the list of investments for March 2013; and**
- iii. **note the weighted average interest rate return of 4.63% p.a. for the month of March 2013.**

### ATTACHMENTS

1. Investment Monies - March 2013

ORD08

Attachment 1



The Council of Camden

Summary of Investment Portfolio as at 31 March 2013





The Council of Camden  
Investment Summary

Purchase Date	Institution	Rating	Purchase Price	Face Value	Type	Term	Maturity	Interest Rate	Accrued Interest	Reference
3-Nov-12	Credit Union Australia	BBB-	\$1,000,000	\$1,000,000	Term Deposit	728 days	1-Nov-14	5.35%	\$61,358.96	2518
10-May-12	Credit Union Australia	BBB-	\$1,000,000	\$1,000,000	Term Deposit	728 days	5-May-14	5.35%	\$59,142.17	2519
27-Jul-12	Saveroz Money	A-	\$1,000,000	\$1,000,000	Term Deposit	734 days	31-Jul-14	5.16%	\$54,650.83	2520
1-Oct-12	Memoria Equity Bank	A1+	\$1,000,000	\$1,000,000	Term Deposit	775 days	04-Nov-13	4.80%	\$52,910.18	2521
12-Oct-12	National Australia Bank Limited	A1+	\$1,500,000	\$1,500,000	Term Deposit	81 days	11-Apr-13	4.88%	\$52,259.75	2522
23-Oct-12	NAC Bank (Australia) Limited	A1+	\$1,500,000	\$1,500,000	Term Deposit	82 days	19-Apr-13	4.88%	\$51,992.93	2523
23-Oct-12	National Australia Bank Limited	A1+	\$1,500,000	\$1,500,000	Term Deposit	82 days	02-May-13	4.50%	\$52,148.97	2524
7-Nov-12	Bank of Queensland	A1+	\$1,500,000	\$1,500,000	Term Deposit	189 days	02-May-13	4.50%	\$57,185.75	2525
7-Nov-12	National Australia Bank Limited	A1+	\$1,500,000	\$1,500,000	Term Deposit	189 days	02-May-13	4.50%	\$57,185.75	2526
8-Nov-12	Bank of Queensland	A1+	\$2,000,000	\$2,000,000	Term Deposit	189 days	02-May-13	4.75%	\$57,439.41	2527
15-Nov-12	National Australia Bank Limited	A1+	\$2,000,000	\$2,000,000	Term Deposit	189 days	02-May-13	4.68%	\$55,132.08	2528
22-Nov-12	National Australia Bank Limited	A1+	\$1,500,000	\$1,500,000	Term Deposit	189 days	31-May-13	4.67%	\$54,948.32	2529
29-Nov-12	Bank of Queensland	A1+	\$1,500,000	\$1,500,000	Term Deposit	191 days	06-Jun-13	4.75%	\$54,400.89	2530
29-Nov-12	National Australia Bank Limited	A1+	\$1,500,000	\$1,500,000	Term Deposit	189 days	06-Jun-13	4.69%	\$53,728.98	2531
30-Nov-12	Commonwealth Bank of Australia	A1+	\$1,000,000	\$1,000,000	Term Deposit	151 days	30-Apr-13	4.70%	\$52,155.34	2532
30-Nov-12	Commonwealth Bank of Australia	A1+	\$1,000,000	\$1,000,000	Term Deposit	151 days	30-Apr-13	4.70%	\$51,709.59	2532b
6-Dec-12	Commonwealth Bank of Australia	A1+	\$1,998,999	\$1,998,999	Term Deposit	151 days	05-May-13	4.60%	\$50,098.57	2533
6-Dec-12	Westpac Banking Corporation	A1+	\$1,500,000	\$1,500,000	Term Deposit	182 days	06-Jun-13	4.45%	\$51,213.70	2534
13-Dec-12	Westpac Banking Corporation	A1+	\$1,500,000	\$1,500,000	Term Deposit	182 days	13-Jun-13	4.60%	\$50,695.48	2535
20-Dec-12	National Australia Bank Limited	A1+	\$1,500,000	\$1,500,000	Term Deposit	182 days	20-Jun-13	4.54%	\$50,000.88	2536
9-Jan-13	National Australia Bank Limited	A1+	\$1,000,000	\$1,000,000	Term Deposit	181 days	13-Jun-13	4.50%	\$50,840.32	2537
9-Jan-13	Members Equity Bank	A1+	\$1,000,000	\$1,000,000	Term Deposit	181 days	04-Jul-13	4.60%	\$51,060.41	2538
10-Jan-13	Commonwealth Bank of Australia	A1+	\$1,500,000	\$1,500,000	Term Deposit	151 days	10-Jun-13	4.70%	\$51,645.20	2539
17-Jan-13	Saveroz Money	A1+	\$1,500,000	\$1,500,000	Term Deposit	151 days	17-Jun-13	4.36%	\$43,320.00	2570
24-Jan-13	Commonwealth Bank of Australia	A1+	\$1,500,000	\$1,500,000	Term Deposit	371 days	30-Jan-14	4.40%	\$52,115.07	2571
24-Jan-13	Commonwealth Bank of Australia	A1+	\$1,000,000	\$1,000,000	Term Deposit	371 days	30-Jan-14	4.40%	\$50,076.71	2572
31-Jan-13	Saveroz Money	A1+	\$1,000,000	\$1,000,000	Term Deposit	147 days	27-Jun-13	4.35%	\$7,150.89	2573
7-Feb-13	Commonwealth Bank of Australia	A1+	\$1,000,000	\$1,000,000	Term Deposit	354 days	05-Feb-14	4.40%	\$6,339.04	2575
7-Feb-13	National Australia Bank Limited	AA	\$500,000	\$500,000	Term Deposit	728 days	5-Feb-15	4.50%	\$3,267.12	2576
8-Feb-13	National Australia Bank Limited	AA	\$1,000,000	\$1,000,000	Term Deposit	181 days	08-Aug-13	4.30%	\$6,128.03	2574
14-Feb-13	Banking and Adelaide Bank Limited	A1+	\$1,000,000	\$1,000,000	Term Deposit	147 days	11-Jul-13	4.27%	\$5,381.37	2577
21-Feb-13	Saveroz Money	A1+	\$750,000	\$750,000	Term Deposit	147 days	19-Jul-13	4.20%	\$3,995.75	2578
21-Feb-13	Saveroz Money	A1+	\$750,000	\$750,000	Term Deposit	154 days	25-Jul-13	4.20%	\$3,365.75	2579
28-Feb-13	Westpac Banking Corporation	A1+	\$1,000,000	\$1,000,000	Term Deposit	192 days	28-Aug-13	4.15%	\$3,638.36	2580
28-Feb-13	Westpac Banking Corporation	A1+	\$1,000,000	\$1,000,000	Term Deposit	192 days	05-Sep-13	4.15%	\$3,638.36	2581
1-Mar-13	Westpac Banking Corporation	A1+	\$1,000,000	\$1,000,000	Term Deposit	195 days	12-Sep-13	4.15%	\$3,524.95	2582
8-Mar-13	Macquarie Bank Limited	A1+	\$1,000,000	\$1,000,000	Term Deposit	125 days	11-Jul-13	4.30%	\$2,761.64	2584
8-Mar-13	Commonwealth Bank of Australia	A1+	\$500,000	\$500,000	Term Deposit	814 days	05-Oct-13	4.30%	\$1,410.70	2583
14-Mar-13	Commonwealth Bank of Australia	A1+	\$1,000,000	\$1,000,000	Term Deposit	193 days	25-Jul-13	4.30%	\$5,120.55	2585
21-Mar-13	Members Equity Bank	A2	\$750,000	\$750,000	Term Deposit	126 days	25-Jul-13	4.35%	\$393.22	2585b
28-Mar-13	Heritage Bank Ltd	A2	\$500,000	\$500,000	Term Deposit	84 days	20-Jun-13	4.45%	\$243.84	2587
31-Mar-13	Commonwealth Bank of Australia	A1+	\$1,400,000	\$1,400,000	Term Deposit	214 days	31-Oct-13	4.50%	\$600.41	2588
Totals			\$50,749,999	\$50,749,999	Call Account			3.30%	\$717,724.99	At Call
without			\$1,130,000	\$1,130,000						
Totals			\$51,879,999	\$51,879,999						

\* Heritage Bank have requested S&P no longer provide a credit rating in relation to the bank. However, Heritage is still rated by Moody's (A3 long term, P2 short term) and by Fitch (BBB- long term, P2 short term). Council's investment in Heritage continues to fully comply with the current investment Policy.

As at 31 March 2013



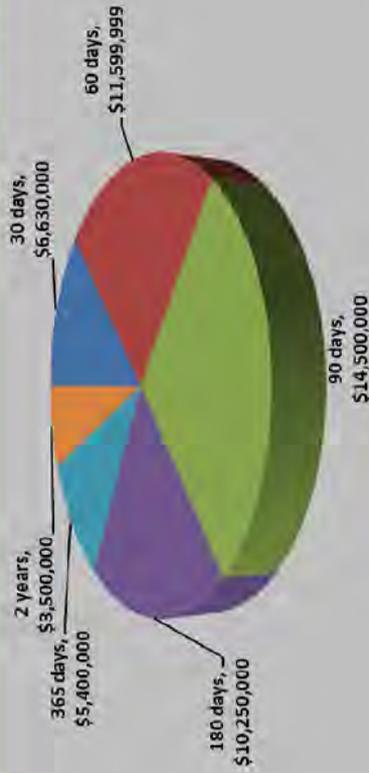
The Council of Camden  
Investment Summary

Compliance with Council's adopted investment policy						
Distribution of Funds by Financial Institution						
Financial Institution	Investment Balance	Current Weighting	Investment Policy Limit	Investment Policy Compliance	Short/Long Term Rating	
Commonwealth Bank of Australia	\$12,629,999	24.34%	25%	Yes	A1+	AA-
National Australia Bank	\$12,500,000	24.09%	25%	Yes	A1+	AA-
Westpac Banking Corporation	\$4,500,000	8.67%	25%	Yes	A1+	AA-
Suncorp Bank	\$6,000,000	11.56%	15%	Yes	A1	A+
ING Bank (Australia) Limited	\$1,500,000	2.89%	5%**	Yes	A1	A
Macquarie Bank Limited	\$1,000,000	1.93%	15%	Yes	A1	A
Bank of Queensland	\$5,000,000	9.64%	10%	Yes	A2	BBB-
Bendigo and Adelaide Bank	\$1,000,000	1.93%	10%	Yes	A2	A-
Credit Union Australia	\$2,000,000	3.86%	5%*	Yes	A2	BBB-
Members Equity Bank	\$5,000,000	9.64%	10%	Yes	A2	BBB
Heritage Bank	\$750,000	1.45%	5%	Yes	A3	BBB-
<b>Total Investment</b>	<b>\$51,879,999</b>	<b>100.00%</b>				
Exposure to Rating Categories						
AAA / A1+ Category	\$29,129,999	56.13%	100%	Yes		
AA / A1 Category	\$8,000,000	15.42%	75%	Yes		
A / A2 Category	\$12,000,000	23.13%	30%	Yes		
BBB / A3 Category	\$2,750,000	5.30%	10%	Yes		
Other						
NSW T-Corp Cash Facilities (unrated)	\$0	0.00%	30%	Yes		
<b>Total Investment</b>	<b>\$51,879,999</b>	<b>100.00%</b>				
Term to Maturity Limits						
Portfolio % < 1 yr	\$48,379,999	93.25%	min 40%	Yes		
Portfolio % > 1 yr < 3 yrs	\$3,500,000	6.75%	60%	Yes		
Portfolio % > 3 yrs < 5 yrs	\$0	0.00%	30%	Yes		
* Credit Union Australia (CUA) has a 5% investment policy limit as all investments with CUA are long term investments.						
** ING Bank (Australia) has a 5% investment policy limit as it is an authorised depository institution that is a foreign subsidiary bank.						

As at 31 March 2013

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The Council of Camden  
Investment Summary



Maturity Profile	Investment	Percentage
Less than 30 days	\$6,630,000	12.77%
Between 30 days and 60 days	\$11,599,999	22.36%
Between 60 days and 90 days	\$14,500,000	27.95%
Between 90 days and 180 days	\$10,250,000	19.76%
Between 180 days and 365 days	\$5,400,000	10.41%
Between 365 days and 2 years	\$3,500,000	6.75%
<b>Total Investment</b>	<b>\$51,879,999</b>	<b>100.00%</b>

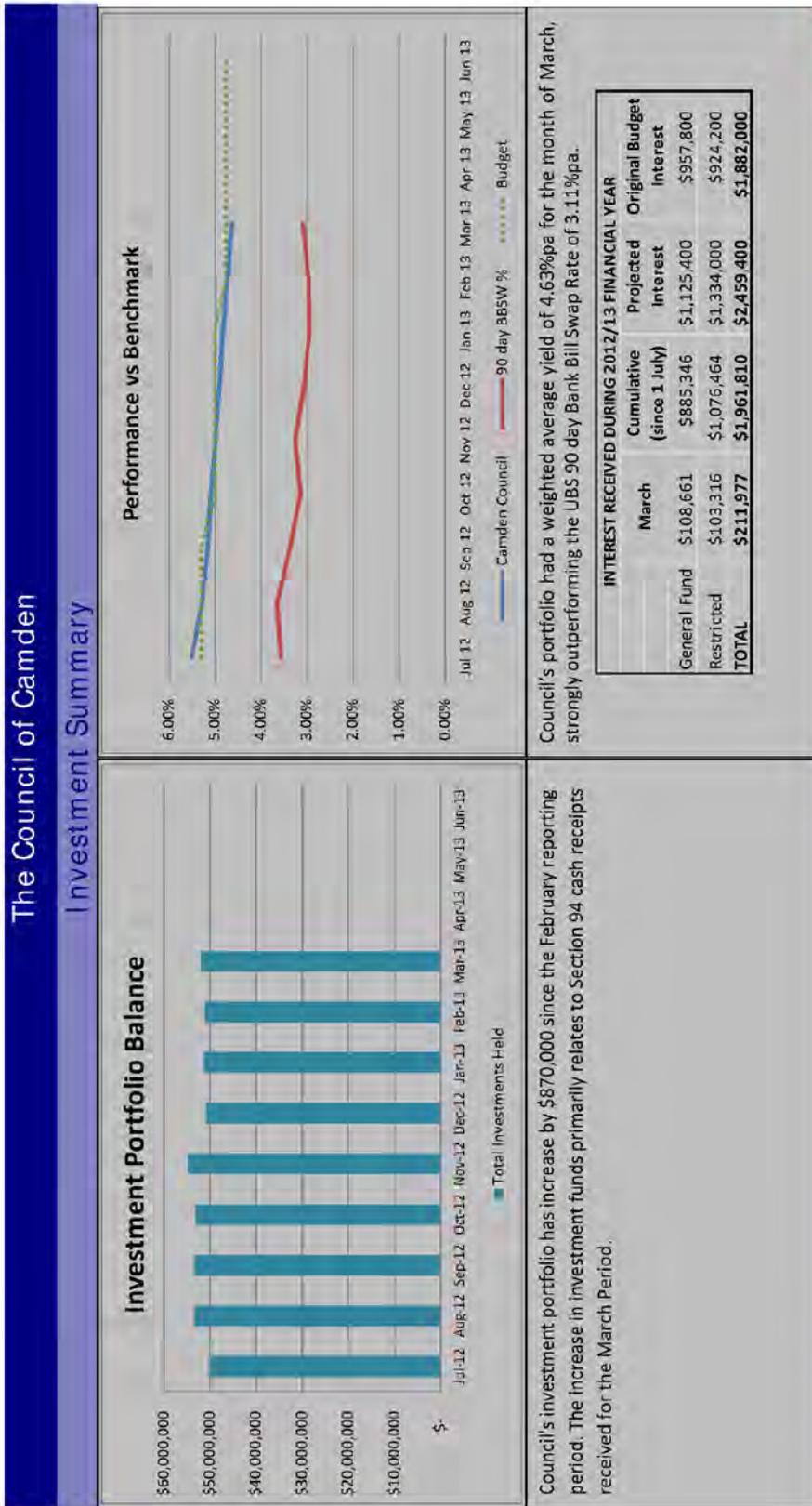
NUMBER OF INVESTMENTS	42
AVERAGE DAYS HELD	237
AVERAGE PERCENTAGE	4.57%
WEIGHTED PORTFOLIO RETURN	4.63%
CBA CALL ACCOUNT	3.30%
HIGHEST RATE	5.95%
LOWEST RATE	4.15%
BUDGET RATE	4.75%
OFFICIAL CASH RATE	3.00%
AVERAGE BBSW (30 Day)	3.03%
AVERAGE BBSW (90 Day)	3.10%
AVERAGE BBSW (120 Day)	3.11%

SOURCE OF FUNDS INVESTED	
SEC 94 DEVELOPER CONTRIBUTIONS	\$21,050,764
RESTRICTED GRANT INCOME	\$820,840
EXTERNALLY RESTRICTED RESERVES	\$8,333,163
INTERNALLY RESTRICTED RESERVES	\$19,094,077
GENERAL FUND	\$2,581,155
<b>TOTAL</b>	<b>\$51,879,999</b>

As at 31 March 2013

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The Council of Camden  
Investment Summary

<p><b>Standard &amp; Poor's Ratings Description</b></p> <p>Standard &amp; Poor's (S&amp;P) is a professional organisation that provides analytical services. An S&amp;P rating is an opinion of the general creditworthiness of an obligor with respect to particular debt security or other financial obligation — based on relevant risk factors.</p> <p>Credit ratings are based, in varying degrees, on the following considerations:</p> <ul style="list-style-type: none"> <li>• Likelihood of payment.</li> <li>• Nature and provisions of the obligation.</li> <li>• Protection afforded by, and relative position of, the obligation in the event of bankruptcy, reorganisation or other laws affecting creditors' rights.</li> </ul> <p>The issue rating definitions are expressed in terms of default risk.</p> <p><b>S&amp;P Short-Term Obligation Ratings are:</b></p> <p><b>A-1:</b> This is the highest short-term category used by S&amp;P. The obligor's capacity to meet its financial commitment on the obligation is strong. Within this category, certain obligations are designated with a plus sign (+). This indicates that the obligor's capacity to meet its financial commitment on these obligations is extremely strong.</p> <p><b>A-2:</b> A short-term obligation rated A-2 is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations in higher rating categories. However, the obligor's capacity to meet its financial commitment on the obligation is satisfactory.</p> <p><b>A-3:</b> A short-term obligation rated A-3 exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity of the obligor to meet its financial commitment on the obligation.</p>	<p><b>S&amp;P Long-Term Obligations Ratings are:</b></p> <p><b>AAA:</b> An obligation/obligor rated AAA has the highest rating assigned by S&amp;P. The obligor's capacity to meet its financial commitment on the obligation is extremely strong.</p> <p><b>AA:</b> An obligation/obligor rated AA differs from the highest rated obligations only in a small degree. The obligor's capacity to meet its financial commitment on the obligations is very strong.</p> <p><b>A:</b> An obligation/obligor rated A is somewhat more susceptible to the adverse effects of changes in circumstances and economic conditions than obligations/obligor in higher rated categories. However, the obligors' capacity to meet its financial commitment on the obligation is still strong.</p> <p><b>BBB:</b> An obligation/obligor rated BBB exhibits adequate protection parameters. However, adverse economic conditions or changing circumstances are more likely to lead to a weakened capacity to the obligor to meet its financial commitment on the obligation.</p> <p><b>Unrated:</b> Financial institutions do not necessarily require a credit rating from the various ratings agencies such as Standard and Poor's and these institutions are classed as "Unrated". Most Credit Unions and Building Societies fall into this category. These institutions nonetheless must adhere to the capital maintenance requirements of the Australian Prudential Regulatory Authority (APRA) in line with all Authorised Deposit Taking Institutions (Banks, Building Societies and Credit Unions).</p> <p><b>Plus (+) or Minus (-):</b> The ratings from "AA" to "BBB" may be modified by the addition of a plus or minus sign to show relative standing within the major rating categories. Each new investment and investment recall requires two authorised signatories.</p>
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As at 31 March 2013

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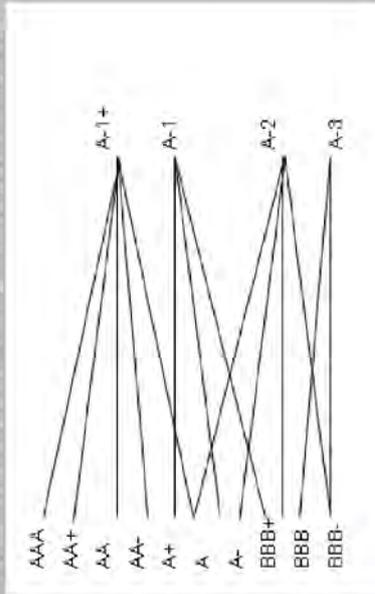
The Council of Camden  
Investment Summary

CreditWatch highlights an emerging situation, which may materially affect the profile of a rated corporation and can be designed as positive, developing or negative. Following a full review the rating may either be affirmed or changed in the direction indicated.

A Rating Outlook assesses the potential direction of an issuer's long-term debt rating over the intermediate-to-long term. In determining a Rating Outlook, consideration is given to possible changes in the economic and/or fundamental business conditions. An outlook is not necessarily a precursor of a ratings change or future CreditWatch action. A "Rating Outlook – Positive" indicates that rating may be raised. "Negative" means a rating may be lowered. "Stable" indicates that ratings are not likely to change. "Developing" means ratings may be raised or lowered.

**S&P Ratings Correlations**

The standard correlation of short-term ratings with long-term ratings is shown below.



**Profile of Recently Invested Institutions**

**Bank of Queensland:** (S&P: A2/BBB+) – Australia-wide bank with Queensland as its core market segment. BoQ is listed on the Australian stock exchange with around \$40b in assets. Deposits make up 59% of total funding, wholesale funds 28%, and securitisation 15%. Its latest profit was -\$17m (12 months to Aug 2012), however this included a \$401m impairment on loans and its Tier 1 Capital Adequacy Ratio was 9.4% (Nov 2012).

**Bendigo and Adelaide Bank:** (S&P: A2/A-) – Regional and community-focussed bank that operates nationwide. The bank is listed on the Australian stock exchange with around \$57b in assets. Deposits make up 80% of its total funding, 12% from securitisation, and 8% from wholesale funding. Its latest profit was \$189m (6 months to Dec 2012), and its Tier 1 Capital Adequacy Ratio was 9.3% (Dec 2012).

**CUA:** (S&P: A2/BBB+) – CUA is Australia's largest credit union with over \$9b in assets. CUA relies on customer deposits for about 70% of its funding, while securitisation makes up 25% of its funding requirements. Its latest profit was \$24m (6 months to Dec 2011) and its Tier 1 Capital Adequacy Ratio was 14.6% (Dec 2012).

**Heritage Bank:** (Moody's: P2/A3) – Queensland based bank that has over \$8b in assets. Heritage relies on customer deposits for about 50% of its funding, securitisation makes up 23% and wholesale funds around 20%. Its latest profit was \$19.6m (6 months to December 2012) and its Tier 1 Capital Adequacy Ratio was 10.2% (Dec 2012).

**ME Bank:** (S&P: A2/BBB) – ME Bank is owned by industry super funds and has assets of nearly \$12b. ME Bank has a heavy reliance on securitization (57% of funding as of Jun 2012) however it is planning to reduce this to 25% by increasing its customer deposits (which make up only 30% of its funding). Its latest profit was \$4.7m (12 months to June 2012) and its Tier 1 Capital Adequacy Ratio was 11.3% (Dec 2012).

As at 31 March 2013

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## ORDINARY COUNCIL

ORD09

ORD09

**SUBJECT: FLYING OF THE ABORIGINAL FLAG**  
**FROM:** Director Works & Services  
**BINDER:** Community Services

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### PURPOSE OF REPORT

The purpose of this report is to enable Council to consider community requests to fly the Aboriginal flag in Camden. Requests have been received from the Mygunyah Camden Aboriginal Residents Group and the Winga Myamly Reconciliation Group.

### BACKGROUND

Council has recently adopted the practice of including a traditional Acknowledgement of Country at Council meetings. This practice is in line with accepted practices across all spheres of government and throughout many non government agencies.

Council raises the Australian flag and the Camden flag each day outside the administration building in Camden. Each year, in acknowledgement of NAIDOC Week, and to commemorate the Appin Massacre of 1816, we fly the Australian flag and the Aboriginal flag.

The Mygunyah Camden Aboriginal Residents Group was formed after Camden NAIDOC celebrations in 2011, and works towards raising the profile of Aboriginal and Torres Strait Islander residents of Camden.

The Winga Myamly Reconciliation Group works to raise awareness of issues and promote partnerships to bring about change for Indigenous people. One of the main events that this group coordinates is the Appin Massacre Memorial Ceremony in April each year.

### MAIN REPORT

The two groups have requested that:

1. the Aboriginal flag fly outside the Camden Administration building, John St, Camden, to commemorate the Appin Massacre, April 17<sup>th</sup>;
2. the Aboriginal flag fly outside the Camden Administration building, John St, Camden, to celebrate NAIDOC Week 8-12 July;
3. the Aboriginal flag fly permanently outside the Camden Administration building, John St, Camden (there are currently two flag poles at this location); and
4. the Aboriginal flag fly on the roundabout in Camden (corner of John and Argyle Streets) to recognise NAIDOC Week 2013.

In community consultation undertaken recently, as part of reviewing Camden 2040, the request for the Aboriginal flag to be flown regularly was also made by residents. In past years, the first two requests have been granted. The Aboriginal flag was flown outside

the Camden Administration building to commemorate the Appin Massacre, April 17<sup>th</sup> this year.

In July 1995 both the Aboriginal flag and the Torres Strait Islander flag were proclaimed as official flags of Australia under Section 5 of the *Flags Act 1953*. It is accepted and common practice for many Councils to fly the Aboriginal flag alongside the Australian flag including our neighbouring Local Government Areas.

Federal flag protocol states that the Australian National Flag takes precedence over other flags and that after the Australian National Flag, the order of precedence (from left to right as viewed) of flags is: national flag of other nations, state and territory flags, other Australian flags prescribed by the *Flags Act 1953*, ensigns and pennants.

There are two existing flag poles outside the Camden Administration building, allowing for the Aboriginal flag to be flown alongside the Australian flag. One additional flagpole would accommodate the Australian flag, the Aboriginal flag and the Camden ensign. Two additional flagpoles would accommodate the Australian flag, the Aboriginal flag, the Torres Strait Islander flag and the Camden ensign.

More problematic is the roundabout at the intersection of John and Argyle Sts, Camden, where there is only one flag pole. There is no capacity to fly an additional flag other than the Australian flag. A solution to this may be the installation of a 'yard arm' style flag pole or an additional pole. Given that Council is currently undertaking a traffic study which may suggest changes to this intersection, it would be premature to recommend action until the future of this intersection is confirmed.

Simple measures such as the flying of the Aboriginal flag can have a significant impact on the development of strong relationships between Council and the local Aboriginal community, by demonstrating respect, acknowledgement and communication. Requests coming directly from the community such as these, carry the strong voice of community representation and are reasonable and considerate of Council's public image.

### **FINANCIAL IMPLICATIONS**

Costs of an additional flag pole for the Camden Administration and an additional or alternate flag pole at the roundabout will be considered after investigations are completed.

### **CONCLUSION**

The flying of the Aboriginal flag in addition to the Australian flag is a strong symbol of inclusiveness and respect which will give official recognition of Council's commitment to reconciliation.

The positive impacts for Council around such use of the Aboriginal flag are important in the development of strong relationships between Council and the Aboriginal community. The foreseeable issues in implementing these requests are due to the practical limitations of the current number of flagpoles available for Council to use.

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## **RECOMMENDED**

### **That Council:**

- i. continue to fly the Aboriginal flag annually outside the Camden Administration building during NAIDOC Week, and also to commemorate the Appin Massacre on the April 17<sup>th</sup> anniversary each year;**
- ii. investigate the installation of an additional flagpole outside the Camden administration building, to fly the Aboriginal flag permanently alongside the Australian and Camden flags;**
- iii. investigate the installation of an additional or alternate flagpole to be located in the Camden roundabout following the completion of the traffic study;**
- iv. include the provision of flagpoles as an item to be considered in planning for the new administration building; and**
- v. provide a response to the community groups who have made these requests.**

**ORD09**

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## ORDINARY COUNCIL

**ORD10****SUBJECT: EXPENDITURE APPROVAL REQUEST - CAMDEN BICENTENNIAL EQUESTRIAN PARK MANAGEMENT COMMITTEE****FROM:** Director Works & Services**BINDER:** BEP Committee

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### PURPOSE OF REPORT

This report seeks Council's approval for expenditure of \$15,000 by the Bicentennial Equestrian Park (BEP) Committee to undertake a feasibility study for the concept of an Equestrian Museum.

### BACKGROUND

A few years ago the BEP Committee proposed to investigate the establishment of Australia's only equestrian museum at the Camden BEP.

The primary objectives of this project are as follows:

- to capture the national importance and value of the 200 thoroughbred breeds of horse;
- to explore their unique contribution to our history as well as the diversity of the breeds from the pit donkeys of the early days of the industrial revolution to the beach pony rides and the Military Cavalry Horses, quarter horses and the rare breed such as the iconic short horses;
- to provide an educational experience for all ages; and
- to develop a world class tourist destination to augment the natural charm of Camden and the beautiful surrounding countryside.

A proposal of this size and scope would require wide support from other levels of government and potentially the private sector. The BEP committee, especially the Chairperson, have been working to generate support and enthusiasm for the concept from a wide range of government and non government entities. The next step in the project development is to undertake a feasibility study. It is planned that the feasibility study would be carried out in three phases, with the potential for grant assistance to undertake the latter phases.

### MAIN REPORT

For stage one, quotes were received from three planning firms to:

- prepare a scoping study to ensure all elements are clearly understood and to include objectives, scale, style, inclusions, broad funding and costs along with a general assessment of ownership and operational options;
- prepare a description of the parameters to be taken into account such as, form, bulk and structure in general terms; and
- provide some basic sketch plans and options to address space, form and approximate floor space requirements.

The BEP Committee has recommended that Complete Urban be engaged to undertake the work at a cost of \$15,000, which is to be funded within the existing BEP budget.

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Council has set a cap of \$10,000 on expenditure by the BEP Committee and as this contract exceeds this amount, Council approval is sought for this expenditure.

A copy of the submissions is provided in the Supporting Documents, as this information is Commercial in Confidence.

### **FINANCIAL IMPLICATIONS**

The funds required are available within the existing BEP Committee budget.

### **CONCLUSION**

The BEP Committee's operating guidelines set by Council, require Council approval to expend funds in excess of \$10,000. As the quotation recommended by the Committee exceeds this amount Councils approval is sought.

### **RECOMMENDED**

**That Council approve the expenditure of \$15,000 by the BEP Committee to engage Complete Urban to undertake a phase one scoping study to investigate the establishment of an equine museum.**

### ATTACHMENTS

1. BEP - Complete Urban Submission - *Supporting Document*
2. BEP - GHD Submission. - *Supporting Document*
3. BEP - TCG Planning Submission - *Supporting Document*

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## ORDINARY COUNCIL

**ORD11**

**SUBJECT: FEES AND CHARGES - HARRINGTON PARK COMMUNITY CENTRE**  
**FROM:** Director Works & Services  
**BINDER:** Community Services

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### PURPOSE OF REPORT

To provide feedback to Council on the public exhibition in relation to proposed changes in hire arrangements at Harrington Park Community Centre and to recommend changes to usage fees.

### BACKGROUND

Following a review of usage and consultation with community organisations, an hourly rate for use was proposed and exhibited. Previously only day rates for hire on weekends were available. This arrangement prevented many groups from utilising the facility due to the cost and the need to pay for hours of hire not required.

The usage patterns for this facility have changed significantly following changes made by Council to address long standing issues and concerns regarding late night behaviour adjacent to the centre. These were introduced following a trial period of changed conditions which include an earlier finishing time for all hire and an alcohol ban for functions on weekends.

### MAIN REPORT

At the meeting of 11 December 2012, Council resolved to exhibit a new fee for regular hire use of the Harrington Park Hall 1 on Saturdays from 8am to 10pm at \$20 per hour for not for profit groups and \$40 per hour for profit groups, and Hall 2 on Saturdays at \$15 per hour for not for profit groups, and \$30 per hour for profit groups.

A notice was placed in the Council section of the Camden-Narellan Advertiser from 30 January 2013 to 27 February 2013, advising of these fee changes and inviting public submissions to be made to Council by 5pm on 27 February 2013.

No submissions were received from the public.

### FINANCIAL IMPLICATIONS

The introduction of an hourly fee will increase affordability for community groups and increase occupancy of the facility on weekends. Usage has decreased following a change in the conditions of hire in an effort to address ongoing resident concerns around the use of the centre.

### CONCLUSION

An hourly fee available for hire on weekends will improve access for community groups to the facility and increase occupancy. The new fee has been exhibited and no submissions were received.

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**RECOMMENDED**

**That Council adopt a new fee for regular hire use of the Harrington Park Hall 1 on Saturdays from 8am to 10pm at \$20 per hour for not for profit groups and \$40 per hour for profit groups, and Hall 2 on Saturdays at \$15 per hour for not for profit groups, and \$30 per hour for profit groups.**

**ORD11**