



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

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

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

### **Refinement/Delay**

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

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

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

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

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

### **Council Ordinary Meeting Support**

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

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

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

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



### **Heritage Council Approvals Committee**

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

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

### **Gateway Alteration**

- The DPE “rescinded” the GD on 9 March 2022 in response to Heritage NSW’s concern with the Proposal in the form submitted and the likely timeframe to satisfactorily resolve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

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

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

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

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

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

### **Advancement Strategy**

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



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

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

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

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

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

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

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

**ATTACHMENT 2-A**

Local Planning Panel Meeting

28/04/2021

adequately addressed in the application.

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

**Decision of the Panel**

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

**Voting**

The Local Planning Panel voted 4/0

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

- Premise (Australia Pty Ltd) has submitted a Planning Proposal Request (attachment 3) that applies to land known as Lots 1,2 and 3 DP 713646, Property No. 60 Menangle Road Menangle Park (Glenlee Estate).
- The Planning Proposal Request seeks to rezone the land from RU2 Rural Landscape to part E2 Environmental Conservation, part E3 Environmental Management, part E4 Environmental Living and part RE1 Public Recreation, and reduce the existing building height of 8.5 m to 5.0 m in respect of the proposed development precincts and establish minimum lot sizes ranging from 600 m<sup>2</sup> to 2,000 m<sup>2</sup> and residue minimum lot sizes of 2 ha and 5 ha for elements of the revised curtilage.
- The proposal demonstrates strategic and site specific merit, by providing for under supplied housing type in a manner that fulfils the draft Campbelltown Housing Strategy and objectives and principles of the Local Strategic Planning Statement, in a manner that respects the environmental sensitivities of the site including its unique heritage.
- The proposed zoning and dedication of the significant ridge for public open space and ongoing conservation strategy of the important heritage elements and setting of the State Significant holding are a key public benefit.



## ATTACHMENT 2-A

Local Planning Panel Meeting

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- As the site forms part of the Menangle Park Urban Release Area, future subdivision would be dependent upon development of adjoining lands to provide the necessary lead-in services.
- The Campbelltown Local Planning Panel (the Panel) is requested to provide its advice and commentary as to whether it deems the Planning Proposal Request to have sufficient planning merit to allow it to progress further through the Gateway process.
- That the Campbelltown Local Planning Panel provide its advice and commentary as to whether the Planning Proposal Request should be advanced through the Gateway process.

**Panel Consideration and Advice**

1. The Panel received a briefing from the applicant and heritage specialist upon making a request in accordance with the Operational Guideline, held at 3:45 pm to 4:10 pm after closure of the Ordinary meeting. The briefing covered the following issues:
  - The history and significance of the State Heritage Item
  - Existing and future use of the homestead
  - Significance of the curtilage in respect of areas 4 (Northern Bowl) and 5 (Southern Corner)
  - How future development would be controlled
  - How the proposed benefits of the voluntary planning agreement would be delivered for the Homestead
1. That Campbelltown City Council Local Planning Panel considers that the proposal has sufficient strategic and site specific merit in regard to the values of the Glenlee House (State Heritage Item), natural environment, dwelling diversity, open space provisions and consistency with relevant requirements of the Regional and District Plans to warrant progressing to the Gateway stage and advises the Council that it supports the Planning Proposal Request to amend the Campbelltown Local Environmental Plan 2015 as outlined in the Officer's report proceeding to Gateway provided that:
  - a. The proposal includes an appropriate mechanism or control to limit dwelling size and provide for an adequate landscape setting for dwellings and ancillary development;
  - b. A development control plan is prepared prior to exhibition of the planning proposal which reflects the recommendations for precinct based development controls as outlined in the Heritage Impact Statement for area 4 (Northern Bowl) and area 5 (Southern Corner). In addition, further controls should be included in relation to building footprints, clustering of buildings and maximum number of buildings on lots within area 5 (Southern Corner).
  - c. The homestead and southern pastures grouping be consolidated into a single E3 Environmental Management zone with an associated amendment to the minimum lot size map to support consolidation into a single holding.
2. The Panel noted the planning proposal request is not supported by a formal offer to enter into a voluntary planning agreement, and consider the applicant should commit to

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

**Voting**

4/0

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The next meeting of the Local Planning Panel is scheduled for 26 May 2021.

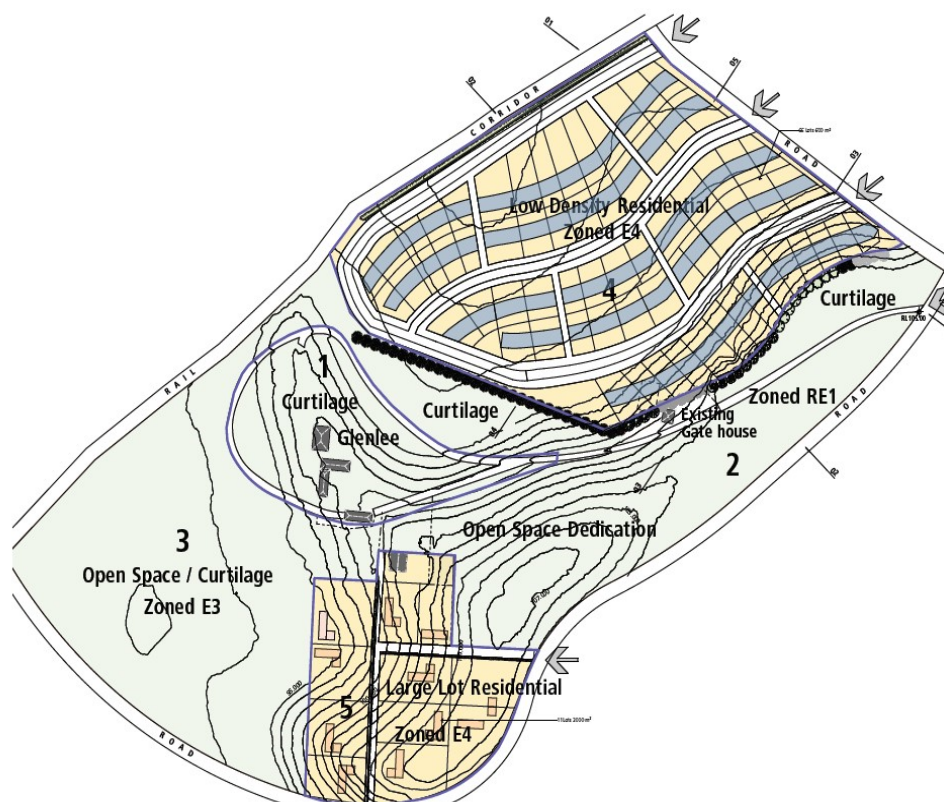
**Chairperson**

Meeting Concluded: 3.43pm

ATTACHMENT 2-B



**Concept Plan Supported By Council**  
**(referred to in LPP and Council reports)**





Planning,  
Industry &  
Environment

ATTACHMENT 2-C

## Gateway Determination

**Planning proposal (Department Ref: PP-2021-4123):** *Glenlee House, 60 Menangle Road, Menangle Park*

I, the Acting Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) (2015) for Glenlee House should proceed subject to the following conditions:

1. Prior to public exhibition, consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of the relevant Section 9.1 Directions:
  - (a) Heritage NSW; and
  - (b) NSW Rural Fire Service.
2. Prior to public exhibition, the planning proposal is to be updated to:
  - (a) Provide clear and accurate mapping for exhibition purposes;
  - (b) Identify an acquisition authority for the proposed RE1 Open Space zoning;
  - (c) Clarify the existing and proposed building height;
  - (d) Outline an additional local provision to introduce a site coverage for land proposed to be zoned E4 Environmental Living; and
  - (e) Outline additional local provisions to strengthen the heritage controls for the proposed future development surrounding Glenlee House. The controls should include, but not be limited to:
    - i. Implementing a Conservation Management Plan
    - ii. Managing visual or physical qualities of the site
    - iii. Complementing the landscape and scenic quality of the site.
3. Once the planning proposal is revised in accordance with condition 1 and 2, this must be submitted to the Department for approval prior to public exhibition.
4. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).

## ATTACHMENT 2-C

5. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- Heritage NSW
- Transport for NSW
- Sydney Water
- Subsidence Advisory NSW
- Department of Primary Industries
- Rural Fire Service

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 28 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
8. The planning proposal must be exhibited within **4 months** following the date of the Gateway determination.
9. The planning proposal must be reported to council for final recommendation within **9 months** following the date of the Gateway determination.
10. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 28<sup>th</sup> day of July 2021.

**Melissa Rassack**  
**Acting Director**  
**Central River City and Western**  
**Parkland City**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**

PP-2021-3982; IRF21/2781

## ATTACHMENT 2-D

11. The Applicant shall nominate an Excavation Director suitable to satisfy the Excavation Director Criteria of the Heritage council of NSW for the proposed activity and significance level with the s60 application.

12. An Archaeological Work Method Statement including any relevant Research Questions shall be submitted as part of the S60 Application. Following the receipt of that documentation the Heritage Council of NSW reserves the right to issue Archaeological Conditions as part of the Section 60 Approval to manage the archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis, final reporting may be included as part of those archaeological conditions.

**ABORIGINAL OBJECTS**

13. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974*. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

**COMPLIANCE**

14. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

*Reason: To ensure that the proposed works are completed as approved.*

**SECTION 60 APPLICATION**

15. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

*Reason: To meet legislative requirements.*

Moved by Nicholas Brunton and seconded by Ian Clarke

**3. Heritage NSW presentations****3.1 Planning Proposal – Glenlee House, Menangle Park**

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## ATTACHMENT 2-D

The Committee received a presentation and paper from Mr James Sellwood, Heritage NSW.

*Key points:*

- The Committee discussed whether or not gateway requirements for the planning proposal had been met. It was noted that there remain significant heritage impacts which have yet to be resolved.
- The Committee discussed negative impacts to properties within the Cumberland Plains/Sydney Basin area resulting from previous Heritage Council policies with outdated heritage philosophies that prioritised architectural values over the cultural landscape; and the need to move to a more current view of heritage that embraces cultural landscape and treats associated colonial properties with better justice than previously.
- The planning proposal does not adequately address the cultural value of the landscape which is identified in the statement of significance.
- A much more detailed assessment of the site's Aboriginal cultural heritage (ACH) is needed. The archaeological approach to the ACH assessment thus far is problematic given that the site's primary values are attached to its landscape.
- Ongoing mapping of the Appin Massacre landscape may assist in ACH assessment, noting its proximity to Glenlee and the likely relationship between the two sites. The Committee noted that a cultural strategy for the Greater MacArthur region is currently being developed by an Aboriginal planner and should offer guidance on how to approach this landscape and its values.
- Subdivision of such an important landscape would have permanent detrimental impacts; however, the information provided is not sufficient to determine the level of impact nor justify any rezoning.
- The Committee discussed planning and approval pathways and how best to engage with the proponent moving forward, including the need for a site visit to properly identify the issues at hand, followed by a subcommittee workshop.

### 3.1 Planning Proposal – Glenlee House, Menangle Park

Resolution 2021-56

The Heritage Council Approvals Committee:

1. **Notes** the information in this report
2. **Does not support** the planning proposal (PP-2021-4123) in its current form as it is likely to have a permanent detrimental impact to the overall significance of Glenlee, outbuildings, garden & gatelodge (SHR 00009), including the landscape of the estate. In addition, the proponent has provided insufficient information to assess the application.
3. **Resolves** to form a subcommittee to workshop the above heritage matters with Council and the proponent, to:

## ATTACHMENT 2-D

1.	Test the relevance of the existing State Heritage Register (SHR) curtilage and the opportunity for it to be revised.
2.	Identify whether there are subdivision and development solutions for the site which take into consideration the landscape value of the property, including Aboriginal cultural heritage values, and the policies in the Conservation Management Plan – Glenlee outbuildings, garden & gatelodge, prepared by Tropman & Tropman Architects (March 2021).
4.	<b>Requests</b> that Heritage NSW write to the Department of Planning, Industry and Environment noting the above and that adequate consideration of the heritage impacts will not be possible to achieve within the current gateway timframes.
Moved by Bruce Pettman and seconded by Ian Clarke	

## 4. Heritage NSW presentations 2

### 4.1 IDA – Callan Park Foreshore

The Committee received a presentation and paper from Mr David Nix, Heritage NSW.

Julie Marler left the meeting for the duration of this item due to a conflict of interest declared at item 1.1.

*Key points:*

- The Committee support the landscape structure plan.
- Callan Park's existing and modified historical topography is an important aspect of the Place.
- The Committee note strong community opposition to the headland mound and agree that it would significantly compromise the landscape character and setting, create visual disruption and safety and security issues – encroachments on the open space should be avoided.
- Briefly discussed opportunities to reinstate landforms with fill that is created on site, where possible.

#### 4.1 IDA – Callan Park Foreshore

Resolution 2021-57

In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the Heritage Council of NSW (the Heritage Council) grants the following **General Terms of Approval** for the integrated development application:

**EXCEPT AS AMENDED** by the conditions of this approval:

**APPROVED DEVELOPMENT**

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ATTACHMENT 2-E

Department of Planning and Environment

## Alteration of Gateway Determination

### *Planning proposal (Department Ref: PP-2021-4123)*

I, Executive Director, Western Parkland City at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 28 July 2021 for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Change the description of the planning proposal from:  
"I, the Acting Director, Central River City and Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) (2015) for Glenlee House should proceed subject to the following conditions:"

to:

"I, the Executive Director, Western Parkland City at the Department of Planning, and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) (2015) for Glenlee House should not proceed"

2. Delete conditions 1-10.

Dated 9<sup>th</sup> day of March 2022.

**Catherine Van Laeren**  
**Executive Director**  
**Western Parkland City**  
**Strategic Land Use Planning**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning**

[PP-2021-4123] (IRF22/622)

ATTACHMENT 2-F



Final Draft Concept Plan

# REVISED PROPOSAL



## ATTACHMENT 2-G

**Revised Indicative Layout Plan - Underlying Principles - Glenlee Estate**Development Opportunities

- Retention of dwelling as residential premise
- Possible adaptive reuse of outbuildings
- Opportunities to interpret prior rural heritage

(All with sensitive support infrastructure including parking provision)

Siting of Development Opportunities/Respecting the Curtilage and Site Sensitivities

- Development sensitively located on extremities of the site, affording greater “openness” in respect of the immediate curtilage and its interpretation as an open rural landscape
- Distance of “southern foot slope” proposed lots increased and screened by existing interpretative barn reconstruction
- “Northern bowl” left “vacant”
- “Northern bowl” opportunity moved to northern extremity and modified to include townhouse component
- Known Aboriginal archaeological remains are not adversely impacted.

Controlling Development

- The development parameters for Macquarie Fields House and rural landscape setting shall generally inform the principal planning controls for low density residential lots.  
(Minimum Lot size: 1200sq.m/Site coverage 30%)
- Medium density town house module to adopt surrounding medium density minimum lot size
- A site specific DCP is to be compiled (and exhibited concurrently with the Planning Proposal) to control the character of new development, including materials, height, planting, roads, lighting, views etc.

Landscape Context

- The ILP seeks to respect the key landscape qualities of the site.
- Screen plantings are to be minimised in response to sensitive development precinct siting.

ATTACHMENT 2-G

- Formal hedging minimised
- Screening opportunities for the railway and Glenlee container terminal should be explored.
- Judicious plantings seek to assist interpretation of former heritage markers such as the Parish Boundary.
- Reinstatement of carriage loop.
- Street tree framework and landscape area requirement to minimise build form impacts (Landscape Masterplan required prior to public exhibition)
- Interpretation of previous rural uses including current intact outbuildings.
- The southern precinct is to exhibit a laneway character.
- Gatehouse setting not compromised

#### Integration with Surrounding Masterplan

- Multi focus development proposed that does not “turn its back” on surrounding proposed development
- Alignment of road connections/intersections
- Sensitive interface opportunities capitalised on (including townhouse orientation to proposed off-site park and “screening” of contemporary urban development)

#### Finance/Funding/Economics

- Establishment of a Conservation Fund/Heritage Agreement to facilitate sustainable conservation outcomes (Financed by development outcomes)
- Dedication of open space aligning with the knoll.
- Medium density (town house) proposal seeks to leverage off locational advantage and “compensate” for significant reduction of northern bowl.

#### **Overview of Proposal and LEP Amendments (As modified)**

- Reduction in residential yield from 77 Environmental Living lots to approximately 27 Environmental Living lots and 24 small lot houses (Approximate Total 51 lots)
- Environmental living lots to be zoned C4 (with minimum lot size 1,200 sq. m and site coverage maximum of 30%)
- Small lot housing to be zoned R3 Medium Density Residential ( with a 200 sq. m minimum lot size)
- Ridgetop Park to be zoned RE1 Public Recreation and dedicated
- Balance of site (including heritage item and outbuildings ,gardens and curtilage) to be zoned C3 Environmental Management

ATTACHMENT 2-G

- Building height in C4 zone to be reduced to 5.0 m
- Building height in C3 zone to be retained at 8.5m
- New Gateway Determination required in the event of Heritage Council support.





ATTACHMENT 2-H

**Photo Montages Final Draft Concept Plan**





## ATTACHMENT 2-I

## HERITAGE COUNCIL OF NSW

## RESOLUTIONS ONLY – Approvals Committee

Tuesday, 1 November 2022 | 09:00 AM – 12:40 PM

Via Teleconference

**1.1 Conflict of Interest Declarations**

Resolution 2022-48

The Heritage Council Approvals Committee:

1. Noted David Burdon's standing perceived conflict of interest relating to *item 2.1 2A Gregory Place, Harris Park*. Mr Burdon is Director of Conservation at the NSW National Trust, which has objected to the proposal. **The Approvals Committee agreed that no action needed to be taken.**
2. Noted Vanessa Holtham's previous conflict of interest declaration relating to the Registrar General's Building, Macquarie Street East Precinct, to be discussed at *item 1.2 Out of Session Activity*. Ms Holtham has ongoing involvement in a Heritage Floor Space application for the building on behalf of the City of Sydney. **The Approvals Committee agreed that no action needed to be taken.**

**1.2 Out of Session Activity**

The Heritage Council Approvals Committee:

- Convened on 14 September 2022 to finalise determination of the Minerva/Metro Theatre integrated development application (presented to the Committee on 6 September 2022); and
- Attended a briefing from Property and Development NSW on the Registrar General's Building, Macquarie Street East Precinct, on 12 October 2022. Vanessa Holtham did not attend due to a standing conflict of interest with this item.

**1.3 Minutes from Previous Meeting – 6 September 2022**

Resolution 2022-49

The Heritage Council Approvals Committee:

1. **Confirmed** the minutes of the previous ordinary meeting (Tuesday, 6 September 2022), as amended, as a complete and accurate record of that meeting.

**1.4 Action report**

## ATTACHMENT 2-I

The Approvals Committee noted the action report.
<b>2.1 SSD – 2A Gregory Place, Harris Park – Built to Rent / Affordable Housing</b>
Resolution 2022-50
The Heritage Council Approvals Committee:
<ol style="list-style-type: none"> <li>1. <b>Notes</b> the presentation from the City of Parramatta.</li> <li>2. <b>Reconfirms</b> the comments provided in its resolution of 6 September 2022.</li> </ol>
<b>2.2 Planning Proposal – Glenlee, Menangle Park Rezoning</b>
Resolution 2022-51
<p>The Heritage Council Approvals Committee:</p> <ol style="list-style-type: none"> <li>1. <b>Thanks</b> the proponent and Campbelltown City Council for the revised proposal in response to the comments provided by the Approval Committee and its sub-committee.</li> <li>2. <b>Supports</b> the underlying planning principles for the revised subdivision;</li> <li>3. <b>Notes</b> that the realignment of the subdivision boundaries and smaller size of the developable areas have reduced the potential heritage impacts on the State heritage values of the Glenlee Estate;</li> <li>4. <b>Supports</b> the use of planning provisions including a DCP to control development within the northern and southern residential subdivisions, to minimise impacts on the heritage values of the Glenlee Estate including its rural character and setting.</li> <li>5. <b>Supports</b> a mechanism to ensure that sufficient funds are available for the ongoing heritage conservation and maintenance of the Glenlee Estate;</li> <li>6. <b>Requests</b> the Council and proponent: <ol style="list-style-type: none"> <li>a. Provide HNSW with of a copy of the draft Voluntary Planning Agreement (VPA) so that the Approvals Committee can be satisfied of the funding mechanism for the long-term maintenance and conservation of Glenlee.</li> <li>b. Provide further information as to how the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 will not apply to the C4 and R3 zoned land, given the SEPP itself prevails over all LEPs and itself provides that it applies to the whole of the State.</li> <li>c. Provide further advice on whether the proposed amendment to the LEP will constitute a prohibition on the future subdivision of the residue land comprising Glenlee or merely constitute a development standard capable of variation through clause 4.6 of the LEP.</li> <li>d. Provide to HNSW with a copy of the current draft of the Development Control Plan (DCP) that will apply to the C4 and R3 zoned land.</li> <li>e. Refine the layout of the proposed new lots closer to the heritage listed buildings on the southern slopes to ensure no built form is visible above the ridgeline.</li> </ol> </li> </ol>



## ATTACHMENT 2-I

7. **Agrees** that following the provision of the information requested in item 6, the Approvals Committee may convene an expedited out of session meeting, if required to finalise a decision to support the provision of the planning proposal to DPE for a gateway determination.
8. **Recommends** to Campbelltown City Council and the proponent that detailed design for the future subdivision and development of the site be informed by:
  - a. Further visual analysis
  - b. A revised Heritage Impact Statement
  - c. Detailed Landscape Masterplan
9. **Advises** Campbelltown City Council and the proponent that redefining the curtilage is a separate process under the Heritage Act. As there has been no formal request for redefining the SHR curtilage under the Heritage Act, the proposed reduction in the SHR curtilage is not considered as part of this planning proposal and would be subject to the controls provided by item 2.
10. **Agrees** that any future comments on the publicly exhibited planning proposal (provided it is substantially in line with the Approvals Committee's comments above), be provided by Heritage NSW under delegation.
11. **Thanks** Approvals Committee members, Caitlin Allen and Julie Marler, for their input into the proponent's revised and improved planning proposal.

**3.1 Forward agenda**

The Approvals Committee noted the forward agenda.

**3.2 Approvals Committee Membership Skills and Future Meetings**

The Approvals Committee briefly discussed the format of future meetings and membership skills in relation to filling any future vacancies.

**Secretariat**

**Heritage NSW**

## ATTACHMENT 2-J

8 December 2022



The Secretariat  
Heritage NSW  
Department of Planning and Environment  
Locked Bag 5020  
PARRAMATTA NSW 2150

Attention: Mr Rajeev Maini

Dear Mr Rajeev,

**Re: Advancement Strategy – draft Planning Proposal Glenlee Estate (No. 60) Menangle Road, Menangle Park**

I refer to recent communication in respect of the Heritage Approvals Committee Meeting minutes of 1 November 2022 and a Strategy for advancing the draft Planning Proposal, in the light of the same, and advise as follows:

**(1) Resolutions 1-5 & 11**

Statements (1) to (5) and (11) inclusive are initially noted and supported.

**(2) Resolutions 6-10**

It is further noted that a body of work entailing clarification and supporting information is required.

The provision of such information is most pragmatically advanced in stages that balance strategic progress with satisfactory confidence. To this end the following Advancement Strategy is proposed.

**(3) Advancement Strategy – Staged Provision of Information for Resolutions 6-10**

- (i) Short Term (Prior to Council report recommending application for a new Gateway Determination)
  - Finalise the Conservation Management Plan (CMP) as a foundation document.
  - Amend the Voluntary Planning Agreement (VPA) to include detail on ongoing maintenance /funding– Item 6(a).
  - It is noted that a Council Report in respect of application for a new Gateway Determination would include a recommendation that a Planning Agreement be entered into, the final details of which would be included concurrently with the DCP preparation referenced in (ii) below.
  - Provide clarification of application of SEPP (Exempt and Complying Development Codes) 2008 – Item 6(b)
  - Provide clarification that the proposed LEP amendment will prevent subdivision of the residue land – Item 6(c).

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**ATTACHMENT 2-J**

- Refine layout of proposed lots closest to heritage listed buildings on the southern slopes to ensure visual suppression relative to the ridge. – Item 6(e).
  - Summary, it is noted that Items (a), (b), (c) and (e) are proposed to occur in the short term.
- (ii) Medium Term (Post Gateway Determination)
- Prepare draft DCP and provide to HNSW. This should preferably occur post Gateway Determination and accompany the public exhibition/authority consultation phase – Items 6(d) and 10.
  - Further comment at public exhibition/authority consultation potentially via the Approvals Committee – Item 10.
  - It is noted that finalisation of the proposed LEP amendment would be accompanied by a recommendation to adopt the accompanying draft DCP and execute the draft Planning Agreement.
- (iii) Longer Term (A) (Prior to DA Determination)
- Further visual analysis, a revised heritage Impact Statement and detailed Landscape Masterplan – to accompany submission of a relevant Development Application (DA) – Item 8.
- (iv) Longer Term (B) (Post DA Determination)
- Review of State Heritage Register (SHR) curtilage – Item 9.

You will note the Advancement Strategy importantly does not provide for the “hold point” of further engagement with the Approvals Committee and endorsement of the draft Planning Proposal, as potentially modified/embellished, before proceeding to Gateway Determination – Item 7.

This is considered to be an excessive and unnecessary and questionable statutory step in the light of the engagement to date and opportunity (post-Gateway) for further comment at the public exhibition/authority engagement phase.

Finally, I thank you for the invitation to provide the abovementioned staged Advancement Strategy and look forward to your positive support of this pragmatic approach. In this regard it should be noted that Council remains readily available to clarify any aspect of this advice by initially contacting Council’s Senior Strategic Planner Mr Graham Pascoe on 4645 4666 or [graham.pascoe@campbelltown.nsw.gov.au](mailto:graham.pascoe@campbelltown.nsw.gov.au)

Yours sincerely,

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**Acting Executive Manager Urban  
Release and Engagement**



## ATTACHMENT 2-K

Our ref: DOC22/1138743-2

Acting Executive Manager  
Urban Release and Engagement  
Campbelltown City Council  
91 Queen Street  
Campbelltown NSW 2560

By email: [graham.pascoe@campbelltown.nsw.gov.au](mailto:graham.pascoe@campbelltown.nsw.gov.au)

Dear sir,

**Draft Planning Proposal – Glenlee Estate (No. 60) Menangle Road, Menangle Park**

Thank you for your letter dated 8 December 2022 responding to the Approvals Committee's resolutions dated 1 November 2022 regarding the abovementioned Planning Proposal.

The advancement strategy as outlined in your letter is noted and is generally consistent with the Approvals Committee resolutions. It is, therefore, considered that the Planning Proposal can proceed to the Gateway Determination stage.

Please note upon receiving additional information prior and during the Gateway Determination process as outlined by the advancement strategy, further comments are likely to be provided by the Approvals Committee.

Heritage NSW and Heritage Council of NSW are committed to work with the proponent and Campbelltown Council in achieving a good heritage outcome for Glenlee Estate listed on the State Heritage Register.

If you have any questions regarding the above advice, please contact me at Heritage NSW on 9873 8592 or [rajeev.maini@environment.nsw.gov.au](mailto:rajeev.maini@environment.nsw.gov.au).

Yours sincerely

**Rajeev Maini**  
Manager, South Assessments  
Heritage NSW  
Department of Environment and Heritage  
21 December 2022