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17

ORDINARY BUSINESS PAPER

CAMPBELLTOWN CITY COUNCIL



12 December



5 December 2017

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 12 December 2017 at 6.30pm.

Lindy Deitz  
General Manager

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## **1. ACKNOWLEDGEMENT OF LAND**

I would like to acknowledge the Traditional Custodians, the Dharawal people, whose Lands we are now meeting on. I would like to pay my respects to the Dharawal Elders, past and present and all other Aboriginal people who are here today.

## **2. APOLOGIES**

Nil at time of print.

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

#### **3.1 Minutes of the Ordinary Meeting of Council held 28 November 2017**

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

That the Minutes of the Ordinary Meeting of Council held 28 November 2017, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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##### **Report**

That the Minutes of the Ordinary Meeting of Council held 28 November 2017 are presented to Council for confirmation.

##### **Attachments**

1. Minutes of the Ordinary Meeting of Council held 28 November 2017 (contained within this report)

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 28 November 2017**

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**Present**           The Mayor, Councillor G Brticevic  
                  Councillor M Chivers  
                  Councillor M Chowdhury  
                  Councillor R George  
                  Councillor B Gilholme  
                  Councillor K Hunt  
                  Councillor R Manoto  
                  Councillor B Moroney  
                  Councillor M Oates

## **1.     ACKNOWLEDGEMENT OF LAND**

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

### **Council Prayer**

The Council Prayer was presented by the General Manager.

## **2.     APOLOGIES**

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

1.     That the apologies from Councillor D Lound, Councillor P Lake, Councillor W Morrison and Councillor G Greiss be received and accepted.
2.     That Councillor B Thompson be granted a leave of absence from Council for the meeting of 28 November 2017 in accordance with Section 234 of the *Local Government Act 1993* and clause 235A of the Local Government Regulations 2005.

**Note:** Councillor T Rowell has been granted a leave of absence from Council, incorporating all Council meetings until further notice.

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

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## **3.     CONFIRMATION OF MINUTES**

### **3.1   Minutes of the Ordinary Meeting of Council held 31 October 2017**

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

That the Minutes of the Ordinary Meeting held 31 October 2017 copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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#### 4. DECLARATIONS OF INTEREST

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

##### **Pecuniary Interests - Nil**

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

Councillor Brticevic - Item 8.2 - Maryfields Planning Proposal - Outcome of Public Exhibition - Councillor Brticevic advised that he resides in the area and that he will leave the Chamber during discussion of this item.

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

##### **Other Disclosures - Nil**

#### 5. MAYORAL MINUTE

##### 5.1 Vale Paul Tosi

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

That a letter of condolence be forwarded to the family.

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

Councillor Oates passed on her condolences to the Tosi Family and reflected on Paul's stature, his influence on the building of Campbelltown and shared special memories.

Councillor Brticevic noted that a number of long serving Councillors are absent this evening and that they would also like to express their condolences to the Tosi Family.

Councillor Brticevic read a letter of condolence from the Campbelltown District Netball Association.

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#### 6. PETITIONS

Nil

#### 7. CORRESPONDENCE

##### 7.1 Mr Mark Coure MP

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

That the letter be received and the information be noted.

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

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## 7.2 Bardia Public School

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

That the letter be received and the information be noted.

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

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## 7.3 Mr Greg Warren MP

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

That the letter be received and the information be noted.

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

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## 8. REPORTS FROM OFFICERS

### 8.1 86 and 102 Amundsen Street, Leumeah - Planning Proposal (Post Exhibition)

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

1. That Council endorse the revised draft planning proposal in accordance with attachment 2 and forward it to the Department of Planning and Environment for making of the plan.
2. That Council advise the resident who made a submission and the applicant of Council's decision.

A Division was recorded in regard to the Resolution for Item 8.1 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, B Moroney and R George.

Voting against the Resolution: Nil.

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

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Having declared an interest in regard to Item 8.2, Councillor Brticevic left the Chamber and did not take part in debate nor vote on this item. Deputy Mayor, Councillor Oates assumed the Chair for discussion on this item.

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## 8.2 Maryfields Planning Proposal - Outcome of Public Exhibition

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**Meeting Note:** Mr Fernando and Mr Camenzulli addressed the meeting.

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

1. That Council endorse the Maryfields Planning Proposal in accordance with attachment 2 and forward it to the Department of Planning and Environment for approval and referral to the Minister for Planning for making of the plan.
2. That all those who provided a submission to the public exhibition of the Maryfields Planning Proposal be advised of Council's decision.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers and R George.

Voting against the Resolution was Councillor B Moroney.

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

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At the conclusion of the discussion regarding Item 8.2, Councillor Brticevic returned to the Chamber for the remainder of the meeting and reassumed the Chair for the remainder of the meeting.

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## 8.3 Glenlee Planning Proposal - Revised Gateway Determination

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

1. That Council endorse the revised draft Glenlee Planning Proposal and associated documentation for public exhibition.
2. That Council forward a copy of the revised draft Glenlee Planning Proposal to the Department of Planning and Environment, prior to the commencement of the public exhibition.

A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, B Moroney and R George.

Voting against the Resolution: Nil.

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

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## 8.4 Proposed Natural Assets Corridors

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**Meeting Note:** Mr Durman and Mr Lonza addressed the meeting.

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

1. That Council endorse, in relation to South Campbelltown, the draft natural asset corridor maps and principles provided in attachment 1 and 2 for:
  - a. submission to the Department of Planning and Environment to inform the strategic biocertification process; and
  - b. continued engagement with key landholders and government authorities involved in developing plans for the area.
2. That a further report be presented to Council in relation to a draft Campbelltown Biodiversity Conservation Plan for public exhibition purposes, including an update of the status of the draft Western Sydney Priority Growth Areas, Strategic Biocertification Plan.
3. That the additional areas identified at the Council meeting held 28 November 2017, be studied further for future reference.

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

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## 8.5 Revised Policy - Pesticide Use Notification

---

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

1. That the revised Pesticide Use Notification Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 September 2020.

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

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## 8.6 NSW Government's Future Transport 2056 Strategy

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

That Council make a submission to the public exhibition of the draft Future Transport 2056 Strategy consistent with the concerns and issues raised in this report, inclusive of the following points:

- a. Council concurs with the principles and objectives of the NSW State Government's Future Transport 2056 strategy.
- b. Council requests that the NSW State Government:
  - (i) delivers the rail connection between the Leppington Spur and the Western Sydney Airport, prior to the opening of the airport.
  - (ii) at the same time provides a Y-link that connects the Leppington Spur directly to the T2 Southern Line north of Macquarie Fields rail station, such that a direct train service can operate between the Western Sydney Airport and the Campbelltown CBD.
  - (iii) provides greater consideration for the short-term need for the provision of strategic road and/or bus transit corridors for Campbelltown, the Greater Macarthur and Western Sydney.
  - (iv) expedites the extension of electrified rail network to Wilton/Picton (or at the very least, establishes the transport corridor to connect the Greater Macarthur urban land release areas of Menangle Park, Mt Gilead, Gilead, Appin and West Appin as well as Wilton New Town as the first stage in a more extensive public transport network for the Macarthur)
  - (v) investigate within the next five years, the need for east-west public transport connections (rapid bus transit or light rail) from Campbelltown CBD to the Strategic Centre of Narellan, and also for Campbelltown to Oran Park, Gregory Hills, Currans Hill and Gledswood Hills.
  - (vi) undertake a review of the positioning of Glenfield centre within the draft Greater Sydney Region Plan in light of its strategic location at the junction of multiple metropolitan rail lines and connectivity to the Western Sydney Airport, Liverpool, Parramatta, Kingsford Smith Airport and the Sydney CBD, and the potential that centre has for significant employment development
  - (vii) demand that there needs to be greater State Government commitment for immediate time-frames for the transport initiatives, actions and opportunities to be implemented in Campbelltown, the Macarthur Region and South West Sydney to support the growth that is occurring and that is set to occur, thus allowing for greater market and community certainty to help drive population, economic and jobs growth.

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

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## 8.7 Establishment of the Campbelltown Arts Centre Trust

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

1. That Council apply to the Office of Local Government for the approval of the Minister for Local Government under s358 of the *Local Government Act 1993* to Council's formation of, and involvement in, the Company to be known as Campbelltown Arts Centre Limited (Company) and the trust to be known as Campbelltown Arts Centre Trust.
2. That upon approval of the Minister for Local Government, the company be incorporated and the Trust be established on the terms set out in this report.
3. That Council be the sole member of the company.
4. That Council nominate the Mayor, Councillor Manoto and Councillor Chivers be the initial Directors of the company for the term of Council.
5. That Council advertise via an Expression of Interest process for up to five Directors to participate on the board of the Campbelltown Arts Centre Limited (Company).
6. That the General Manager be delegated authority to amend the draft Trust Deed and Constitution attached to this report in order to comply with the requirements of any Government Authority.

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

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## 8.8 Campbelltown Arts Centre Strategic Committee - Election of Chairperson and Deputy Chairperson

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

That Council elect Councillor Oates as Chairperson and Councillor Chowdhury as Deputy Chairperson to the Campbelltown Arts Centre Strategic Committee for the term of Council in accordance with the Campbelltown Arts Centre Strategic Committee Terms of Reference.

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

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## 8.9 Minutes of Campbelltown Arts Centre Strategic Committee Report

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

That the minutes be noted.

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

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### 8.10 Statement of Commitment to ending Violence Against Women

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

That the draft Statement of Commitment to Ending Violence Against Women be adopted.

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

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### 8.11 Revised Policy - Bicycle Education and Road Safety Centre

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

1. That the revised Family, Education and Community Services Policy as attached to this report be adopted and the title updated to Bicycle Education Centre Policy.
2. That the Bicycle Education Centre Policy review date be set at 14 December 2020.

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

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### 8.12 Campbelltown City Council Collection Policy

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

1. That the revised Campbelltown City Council Collection Policy as attached to this report be adopted.
2. That the Campbelltown City Council Collection Policy review date be set at 30 December 2020.
3. That the Deaccessioning and Disposal for the Art Centre's Collection Policy be rescinded.

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

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### 8.13 Investment and Revenue Report - September 2017

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

That the information be noted.

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

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### 8.14 Investment and Revenue Report - October 2017

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

That the information be noted.

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

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### 8.15 Procurement Policy

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

1. That the revised Procurement Policy, attached to this report, be adopted.
2. That the Procurement Policy review date be set at 30 October 2018.

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

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### 8.16 Refinance of Remaining Balance for Australia and New Zealand Banking Group Loan

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

1. That Council accept the initial quote from Australia and New Zealand Banking Corporation for the remaining loan balance of approximately \$1.645m for a five year fixed term, based on the indicative pricing provided, however final quotation be obtained on refinance of the funds.
2. That Council delegate the Mayor and General Manager to authorise the necessary documentation on the remaining loan balance.

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

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### 8.17 Quarterly Budget Review Statement as at 30 September 2017

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

That the adjustments recommended in the Quarterly Budget Review Statement be adopted.

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

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### 8.18 Reports and Letters Requested

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

That the information be noted.

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

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### 8.19 National Growth Areas Alliance Strategic Plan

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

That the information be noted.

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

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### 8.20 Health and Education Precinct Vision and Strategy

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

1. That Council endorse the Health and Education Precinct Vision and Strategy report and next steps included therein.
2. That Council endorse the final report on the project prepared by Deloitte Access Economics.
3. That Council report the need to plan for the retention of the four identified economic sub-precincts as key economic and sectorial drivers vital to achieve the reimagining of the Campbelltown-Macarthur Centre.

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

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### 8.21 Merging of the South West and West Districts to create the Western City District

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

That Council note the information provided regarding the NSW Government's recent decision to merge the South West and West Districts to create the Western City District.

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

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## 8.22 2016-2017 Annual Report

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

That Council endorse the 2016-2017 Annual Report.

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

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## 8.23 Easy to do Business

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

1. That the Council resolve to participate in Services NSW Easy to do Business initiative.
2. That the Council delegate the relevant customer service functions related to the administration of the Easy to do Business initiative to the Chief Executive Officer, Service NSW as required under the *Service NSW (One-stop Access to Government Services) Act 2013*.
3. That the Council delegate the General Manager to execute any partnership documents in relation to the Easy to do Business initiative.

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

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## 9. QUESTIONS WITH NOTICE

Nil

## 10. RESCISSION MOTION

Nil



## 11. NOTICE OF MOTION

### 11.1 Caring for the Koala Population in the Local Government Area

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**Meeting Note:** Mr Lonza addressed the meeting.

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

1. That Council is committed to maintaining the health and safety of our local koala population.
2. That local koala rescuers and carers currently face substantial effort and cost in procuring the necessary volumes of appropriate koala food foliage and disposing of unused or inappropriate foliage.
3. That a report be presented to Council investigating how Council can assist carers in obtaining and disposing of koala food, for example:
  - a. Council staff and contractors identifying and setting aside eucalyptus trees from worksites and tree-clearing activities for carers to access
  - b. Council providing a free green waste drop-off for registered koala carers to dispose of unused or inappropriate leaves.

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

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## 12. URGENT GENERAL BUSINESS

Nil

## 13. PRESENTATIONS BY COUNCILLORS

1. Councillor Gilholme advised that he recently represented the Mayor at the Western Sydney Writers Retreat, where the writers were presented with the opportunity to learn key skills that will assist them.
2. Councillor Gilholme advised that he recently attended the Remembrance Day Service at Ingleburn RSL Sub Branch.
3. Councillor Manoto advised that he recently represented the Mayor at the White Ribbon Convoy, where there were two convoys (North and South) that joined at Campbelltown Sports Stadium. The event was very well attended from various community groups.
4. Councillor Hunt advised that she recently represented the Mayor 30yr Anniversary for Macarthur Legal Centre noting that this facility provide vitals service and legal advice to our community.

5. Councillor Hunt advised that she recently attended the MG My Gateway Awards Night noting that Campbelltown City Council received a special award for being a 15yr sponsor.
  6. Councillor Hunt advised that she recently represented the Mayor at the Aboriginal Debutant Ball held at Ingleburn RSL and noted that it was a wonderful event.
  7. Councillor Oates advised that she recently represented the Mayor at the Victor Chang School Science Awards, and noted that it was wonderful to see so many young people being engaged in science and technology and being recognised for it.
  8. Councillor Moroney advised that he recently represented the Mayor at the Macarthur Nature Photography Presentation Evening, and noted that there is an increasing amount of quality entries being received from the Under 16's category which is outstanding.
  9. Councillor Brticevic advised that he recently attended the Campbelltown RSL Sub Branch Remembrance Day Service and noted that the Sub Branch was very complimentary about the Battle of Beersheba remembrance and many others in the Local Government Area.
  10. Councillor Brticevic advised that he recently attended the NRL Headquarters where it was announced that Campbelltown will host the Pacific Test Invitational at Campbelltown Sports Stadium in 2018, 2020 and 2022. Councillor Brticevic noted that Campbelltown is proud to host such high calibre sporting events and looks forward to welcoming international players to the Local Government Area.
- 

### **Confidentiality Recommendation**

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

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

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

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**The Ordinary Meeting of Council was adjourned at 8.03pm and reconvened as a meeting of the Confidential Committee at 8.04pm.**

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### 14.1 Directors of Companies - City Development

---

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

That the information be noted.

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

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#### Motion

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

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

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

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.05pm.**

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#### Motion

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

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

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

---

There being no further business the meeting closed at 8.06pm.

Confirmed by Council on

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

**4. DECLARATIONS OF INTEREST**

**Pecuniary Interests**

**Non Pecuniary – Significant Interests**

**Non Pecuniary – Less than Significant Interests**

**Other Disclosures**

**5. MAYORAL MINUTE**

Nil

**6. PETITIONS**

Nil

**7. CORRESPONDENCE**

Nil

## **8. REPORTS FROM OFFICERS**

### **8.1 Urban Development Industry of Australia National Congress - Melbourne 2018**

#### **Reporting Officer**

Director City Development  
City Development

#### **Community Strategic Plan**

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

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

That the General Manager or her nominee, the Director City Growth and Economy, the Director City Development, relevant staff and any interested Councillors be authorised to attend the 2018 UDIA Congress in Melbourne.

#### **Report**

The Urban Development Industry of Australia Congress (the congress) for 2018 will be held in Melbourne for the period 20-22 March 2018. The theme for the three day congress is See the Now. The program includes a number of informative speakers who will discuss the future of development in Australia. The program will include a number of tours of award winning urban developments in and around the Melbourne city and its wider suburban area.

As usual, the congress will bring together politicians from all levels of government, developers, academics, practitioners and professionals from around Australia and abroad to hear and discuss leading practices in the development industry. The congress will examine the challenges and opportunities facing Australia's land development sector and the wider property development industry as a whole. It provides a platform for industry to discuss the big issues and share best practice experiences.

This year's congress has been designed to highlight various disruptions occurring across many development related areas, causing a need to rethink how all those who have a role in the development industry, approach development in the future. In particular, the congress will explore how to best harness emerging technologies, solutions to affordable housing and clean energy solutions.

The speakers and plenary sessions will take hundreds of congress delegates on a thought-provoking journey into how technology, transportation, urban infrastructure and social trends are going to shape the way cities develop in the future. The expert speakers and interactive panel discussions will challenge our wider comfort zones with disruptive thinking around urban policy, social housing and security, affordable housing, population and immigration.

Infrastructure planning and funding, housing supply and affordability, integrated land use and transport planning, smart cities and growth will continue to be major issues that will be raised at the congress. These are all issues that are relevant and critical to the successful future of Campbelltown and in that regard, it is considered important that the Council representatives attend the National congress as it will provide important first hand insight into how all levels of Government and the private sector are planning for the future growth in housing and population, which directly relate to the future planning outcomes for the Local Government Sector.

Having regard to the above, it is considered appropriate and recommended that the General Manager or her nominee, the Director City Growth and Economy, the Director City Development, relevant staff and any interested Councillors be authorised to attend the 2018 UDIA Congress in Melbourne.

### **Attachments**

1. Program - UDIA National Congress 2018 (contained within this report)



a

The banner features a dark blue background with white, flowing, abstract lines. The word 'Program' is written in a large, white, sans-serif font. Below it, 'Melbourne, 20-22 March 2018' is written in a smaller, white, sans-serif font. In the bottom right corner, the nbn logo is displayed, consisting of a circular pattern of dots surrounding the letters 'nbn', with the text 'Australia's broadband network' to its right.

The logo for 'Be Curious' is displayed, featuring a stylized blue eye icon with a circular pupil and a blue outline.

## Be Curious

Our keynote speakers and city tours will spark your curiosity. Explore the position of your business in 2018, how to harness emerging technologies, solutions to affordable housing and clean energy solutions.



## Disrupt

Our expert speakers and interactive panel discussions will challenge your comfort zones with disruptive thinking around urban policy, social housing and security, affordable housing, population and immigration. Are you interested?



## Connect Together

The sponsors' exhibition, social events and UDIA Awards will energise your industry connections by showcasing new products and thinking, expanding your business networks and highlighting industry leading work.

Day 1 – Tuesday, 20 March 2018 – See the power of emerging technologies in property



Times	Program Items
8.00am - 10.00am	<b>Exhibition Opening &amp; Delegate Registration</b>
10.00am - 11.00am	<b>Welcome Morning Tea in Exhibition Space</b>
10.00am - 1.00pm	<b>Official Congress Opening</b> The Australian economy – where are we now and where are we heading? <input type="checkbox"/>
	<b>National President's Welcome Address</b>
	<b>Opening Keynote</b> Your property business in 2018 <input type="checkbox"/>
	<b>Insight Keynote and Panel Discussion</b> Harnessing the Power of Emerging Technologies in property <input type="checkbox"/>
1.00pm - 2.00pm	<b>Networking Lunch</b>
2.00pm - 3.30pm	<b>Interactive Panel Debate</b> Digital Disruption in the property market - Does it all come down to your business model? <input type="checkbox"/>
	<b>International Case Study</b> CLT and Dalston Lane - The building material of the future <input type="checkbox"/>
3.30pm - 4.00pm	<b>Afternoon Break</b>
4.00pm - 5.30pm	<b>Interactive Game Show</b> 'Tell me something I don't know' - Outsmarting the smart city experts <input type="checkbox"/>
5.30pm	<b>Day 1 Congress Close</b>
7.00pm - 9.00pm	<b>Oliver Hume Welcome Reception</b> The Great Hall, National Gallery of Victoria, Southbank

## Day 2 – Wednesday 21 March 2018 – See the development solutions

Times	Program Items
7.00am - 8.30am	<b>Leadership and diversity breakfast</b> Diversity in Australia's sporting capital <input type="checkbox"/>
8.30am - 9.00am	<b>Day 2 Registration</b>
9.00am - 10.30am	<b>Congress Opening</b>
	<b>State President's Address</b>
	<b>Insight Keynote</b> Creating healthy, productive and sustainable communities <input type="checkbox"/>
	<b>Insight Keynote and panel discussion</b> Practical Solutions - Innovative Construction Methodologies: Meeting demand and maximizing cash flow <input type="checkbox"/>
	<b>International Case Study</b> A city's Renaissance - How Cincinnati, Ohio, salvaged the Nation's most dangerous neighbourhood <input type="checkbox"/>
10.30am - 11.15am	<b>Morning Break</b>
11.15am - 12.45pm	<b>International Keynote</b> Beyond Home Ownership: Social housing, welfare and society <input type="checkbox"/>
	<b>Interactive Panel Debate</b> The relationship between population, property & income <input type="checkbox"/>

12.45pm - 1.30pm	<b>Networking Lunch</b>
1.30pm	<b>Site Tours – See the Now</b> <hr/> <b>Tour 1 Innovation in Greenfield</b> <hr/> <b>Tour 2 Small cities start small</b> Emerging technologies changing everyday interactions Deakin University Tour and Foy's Arcade Experience Centre, CBD <hr/> <b>Tour 3 Made in Melbourne</b> World class construction technology Hickory Built Systems Training Facility and Metricon's TownLiving project Point Cook <hr/> <b>Tour 4 Going Up and Going Down</b> Metro Tunnel and Melbourne Quarter <hr/> <b>Tour 5 Urban Tour</b> how cities can accommodate growth
7.30pm - 9.30pm	<b>Day 2 – Social Evening</b> The Forum Theatre, Corner Flinders St & Russel St, Melbourne.
9.30pm Onwards	<b>Laneway Bar Tours</b>

## Day 3 – Thursday 22 March 2018 – See the now

<b>Times</b>	<b>Program Items</b>
8.00am - 9.00am	<b>Exhibition Opening &amp; Delegate Registration</b>

9:00am - 10.45am	<b>Day 3 Congress Opening</b>
	<b>Victorian CEO Address</b>
	<b>Insight Keynote</b> The clean energy city solution - Can Australia lead the way? <input type="checkbox"/>
	<b>International Case Study</b> Urban Regeneration - The Central Mid-Levels Escalator Project, Hong Kong <input type="checkbox"/>
10.45am - 11.15am	<b>Morning Break</b>
11.15am - 12.30pm	<b>Market Research</b> Development Industry Activity - Supply and Performance <input type="checkbox"/>
12.30pm - 1.30pm	<b>Networking Lunch</b>
1.30pm - 3.30pm	<b>On The Couch Q&amp;A</b> Financing our future cities <input type="checkbox"/>
	<b>Interactive Industry Insights Keynote and Panel</b> Industry leading the way <input type="checkbox"/>
	<b>Closing Keynote – Be Bold</b> Technology and the urban cities of our future
3.30pm - 3.45pm	<b>Congress Official Close</b>
3.45pm - 4.00pm	<b>2019 Congress Launch</b>
4.00pm	<b>Close</b>
7.00pm	<b>2018 National UDIA Awards For Excellence Gala Dinner</b> Veris Proud Platinum Partner, Peninsula at Atlantic, Docklands



## **8.2 Review of bushwalking tracks and associated facilities within the Campbelltown Local Government Area**

### **Reporting Officer**

Director City Development  
City Development

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
2 Outcome Two: A Respected and Protected Natural Environment	2.1 - Implement and advocate for initiatives that conserve the city's natural environment

### **Officer's Recommendation**

That Council endorse the Review of Bushwalking Tracks and Associated Facilities within the Campbelltown Local Government Area to guide future works and funding strategies for activation of bushland areas within the Campbelltown Local Government Area.

### **Purpose**

To present the Review of Bushwalking Tracks and Associated Facilities within the Campbelltown Local Government Area report for Council's endorsement.

### **History**

There is a significant increase in urban expansion occurring across Western and South Western Sydney accompanying a rising population. Campbelltown alone has a population of over 160,000 people and is predicted to grow to 233,130 by 2036. Given the current trend of development including diminishing lot sizes and associated private open space, the importance of public open space and associated recreational opportunities cannot be understated.

Feedback from the community through the recent Community Strategic Plan development process has been overwhelmingly appreciative of Campbelltown's green space and environmental values. Approximately 17,840 hectares or 57 per cent of the Local Government Area (LGA) contains native vegetation. The majority of which lies within the Georges River Corridor in the eastern portion of the LGA.

Council staff recognises that there is an exciting opportunity to activate this space and connect the community to these assets, this has been acknowledged through strategic State government documents, including:

- Draft South West District Plan – identified the Georges River Corridor as an open space that can be utilised to increase visitation to the region

- A Plan for Growing Sydney – identifies the need to protect and provide environmental recreation and tourism opportunities within the Georges River corridor.

In addition Council's draft Open Space Strategic Plan and Macarthur Destination Management Plan both highlight the Georges River regional corridor as a recreational space that could provide many opportunities for residents and visitors to connect with nature. Campbelltown is also in a position to take advantage of its close proximity to the Sydney-wide tourism market and the inbound international market and to reinforce itself as an eco-tourism destination for both domestic and international visitors.

The development of an extensive formalised bushwalking track system throughout Campbelltown will serve as an important natural, educational and recreational, destination attraction and resource for the Campbelltown LGA and beyond. A significant track network already exists, along fire trails and other tracks for bushwalking and other passive recreational opportunities, however it is not well documented and understood with way-finding unclear. This lack of understanding of our existing infrastructure inhibits our ability to facilitate and promote activities in these spaces and identify opportunities to enhance and connect tracks and other areas of interest. With this in mind Council staff initiated a review of bushwalking tracks and associated facilities within Campbelltown.

## Report

In June 2016, Council staff engaged Tredwell Management, a consultancy specialising in sport and recreation planning throughout Australia, to undertake a review of the current bushwalking tracks at key Council reserves and identified recreational locations, with the purpose of:

- identifying and mapping all bushwalking tracks that currently exist throughout the LGA
- distinguishing between the types of tracks that exist, such as fire trails, walking tracks, mountain bike trails
- preparing a database of information for each of the tracks
- recommending any areas or paths for the creation of new tracks and specifying the purpose or attraction around which the track will be based
- identifying locations for complementary opportunities for tourism e.g. lookouts, orienteering, mountain biking, zip lining, high ropes course, bird watching, kayaking/paddle boarding/river access, camping/glamping grounds
- identifying need and locations for potential facilities e.g. public toilets, picnic tables, BBQ facilities
- creating an interactive mapping layer of walking tracks that can be used on Council's website and in promotional material.

In February 2017, Tredwell finalised the review and produced the Review of Bushwalking Tracks and Associated Facilities report (refer to attachment).

In addressing the required scope the report articulates a vision of a future sustainable, accessible and integrated trail network for the City of Campbelltown, centred around five strategic outcomes:

- **Strategic Outcome A: Key Council Reserves (bushwalking focus)**

Initial focus on upgrading the existing trails network at key Council reserves to offer a variety of sustainable and accessible bushwalking trail experiences and deliver health, environmental, cultural, economic and liveability benefits for the community and visitors to the region.

- **Strategic Outcome B: Complementary Opportunities: Nature/Adventure-based Activities**

Capitalise on the opportunities presented by a well-designed trails network, supported by complementary activities, to attract increased visitation to the region and encourage tourism and economic development.

- **Strategic Outcome C: Strategic Regional Link and Loop Trail Network**

Consider the City of Campbelltown's existing trail network in the context of the Macarthur and Western Sydney region's current and planned trail network and pursue trail development projects that complement and support the overall vision for the region.

- **Strategic Outcome D: Promotion, Marketing and Participation**

Encourage local community and visitor participation in recreational trail activities through effective promotion and marketing of the regions trails.

- **Strategic Outcome E: Development, Management and Maintenance**

Underpinning a sustainable, integrated and accessible trails network is a strategic and coordinated approach to trail development, management and maintenance.

In order to effectively focus available funding and resources a strategic approach to phasing and prioritisation is required. The report contains a suite of actions for each reserve associated with the strategic outcomes identified above; these have been prioritised according to recommended timeframes for implementation and allocated an approximate costing. Implementation of these actions will allow Council to provide an extensive formalised bushwalking track system throughout Campbelltown that will accommodate the recreational and educational needs of the domestic and international tourism market whilst conserving and promoting the significant ecological value of the bushland. The report will assist in informing future plans of management for reserves within the study area.

With this in mind it is recommended that Council endorse the Review of Bushwalking Tracks and Associated Facilities to guide future works and funding strategies for activation of bushland areas within Campbelltown.

## **Attachments**

1. Review of bushwalking tracks and associated facilities (due to size of document 93 pages) (distributed under separate cover)

### 8.3 Georges River Recreational Trail initial scoping/feasibility report

#### Reporting Officer

Director City Development  
City Development

#### Community Strategic Plan

Objective	Strategy
2 Outcome Two: A Respected and Protected Natural Environment	2.2 - Activate the city's natural bushland and open spaces, fostering enhanced community stewardship of these areas

#### Officer's Recommendation

1. That Council endorse the Georges River Recreational Trail initial Scoping Report.
2. That Council support the undertaking of a detailed feasibility study for a River Recreational Trail subject to available funding.

#### Purpose

To present the Georges River Recreational Trail Initial Scoping/Feasibility Report for Council's information and seek Council support for a detailed feasibility study to be undertaken in concert with consultation with key stakeholders for a recreational trail along the length of the Georges River Corridor.

#### History

Council at its meeting held 8 November 2016 resolved:

1. That a report be presented to Council investigating the potential to establish a Georges River Bush Cycle Track from Glenfield to Wedderburn.
2. That this report include:
  - possible route and various access points
  - potential and existing sources of funding - Local, State, Federal and Non-Governmental Organisation
  - estimated initial construction costs and ongoing maintenance costs
  - suggested time frame and schedule
  - potential impediments to the development
  - an assessment of environmental issues.

As identified in the report on the Review of Bushwalking Tracks and Associated Facilities also being considered at this round of Council, Council staff were undertaking this review at the time of this resolution. This review involved the identification of current bushwalking



tracks and opportunities for enhancement and the provision of complementary activities and infrastructure within Campbelltown.

It was apparent that this investigation was closely related to the review project already underway, being undertaken by Tredwell Management, a consultancy specialising in sport and recreation planning throughout Australia. As a result staff sought a variation in Tredwell's scope of works to undertake the works required.

## Report

Tredwell Management were subsequently engaged to undertake an initial scoping report on the potential to establish a Georges River Recreational Trail from Glenfield to Wedderburn, including a high-level assessment of the following:

- possible route and access points along the track
- key strategic considerations/constraints (potential impediments):
  - land tenure
  - topography/contours/major landform features
  - cultural heritage values
  - environmental values
- approximated construction costs and ongoing maintenance benchmarks
- broad timeframes that allow for concept and detail design stages and implementation stages
- identification of potential funding sources
- scope and costings for further extensive investigation incorporating stakeholder consultation.

In preparing the report Tredwell undertook desk-top analysis and some rudimentary on-ground investigations of Council-owned and government lands for potential routes through the corridor for this type of trail.

Tredwell have produced the Georges River Recreational Trail Initial Scoping/Feasibility Report. The report identifies a potential route(s) for a recreational trail through the Georges River corridor, it includes a series of maps highlighting existing tracks along the route and gaps where tracks would need to be constructed (see attachment 1). Information on the proposed route is also presented in a trail analysis matrix which includes key considerations for each segment of the route, including:

- land ownership (proposed track route crosses state government, Council and some private lands)
- land use zoning
- presence of endangered ecological communities
- parcel information
- Aboriginal heritage
- European heritage
- soil substrate
- residential amenity
- bushfire risk.

The assessment notes a number of risks associated with developing a recreational trail and suggests a number of responses/mitigation measures. Risks include:

- support of key stakeholders
- conservation of environmental values
- conservation of cultural heritage values
- trail safety/ security
- funding
- trail usage levels
- unauthorised trail activities
- track erosion and stabilisation.

It is also envisaged that a range of permits and approvals will be required to fully construct the track, particularly where vegetation disturbance is required.

The report acknowledges the cost-benefit of delivering a multi-purpose track as opposed to a single-focus bush cycle track and that the bushland setting adjacent to the Georges River is viewed as key point of difference that might attract potential trail users to the area. The report estimates that the initial construction of the track will range from \$2,068,000-\$3,619,000 with annual maintenance costs of \$31,020-\$54,285. This costing projection does not factor a number of potential variations, of particular note this may include land tenure access arrangements.

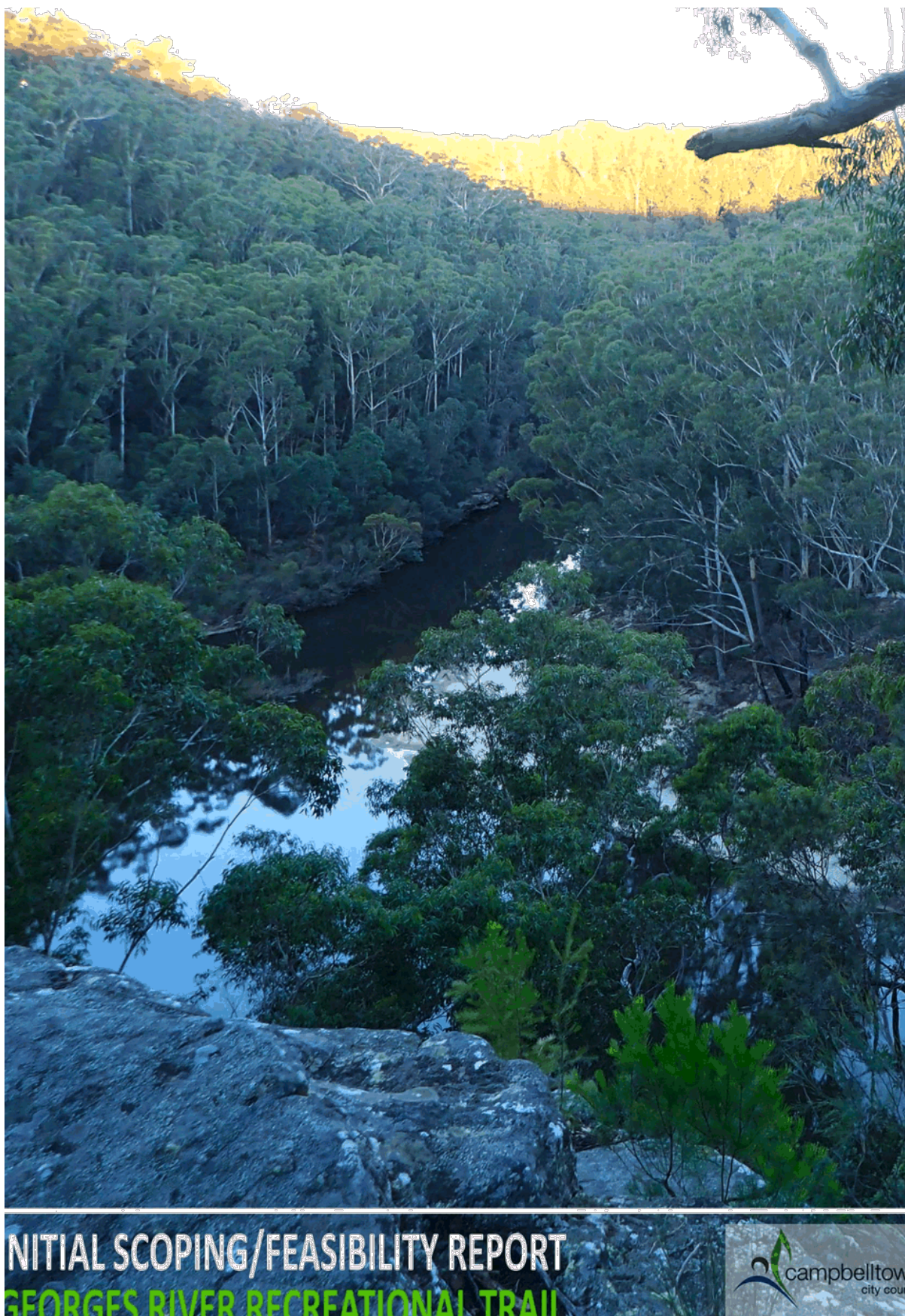
The report recommends a series of next steps to progress the Georges River Recreational Trail investigation:

- preliminary consultation with relevant stakeholders to gauge levels of in-principle support for further feasibility investigations
- detailed feasibility study (\$40,000-\$50,000)
- trail development plan/ detailed design (\$40,000-\$50,000).

Should Council wish to progress the investigation a source of funding would need to be identified, whilst it is noted that there are state and federal government funding programs available these are usually governed by a competitive grant application process, which does not offer certainty.

## **Attachments**

1. Initial Scoping/Feasibility Report Georges River Recreational Trail (contained within this report)



**INITIAL SCOPING/FEASIBILITY REPORT**  
**GEORGES RIVER RECREATIONAL TRAIL**



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## 1. Project Brief

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Undertake a feasibility study on the potential to establish a Georges River Recreational Trail ('bush cycle track') from Glenfield to Wedderburn, including a high-level assessment of the following:

- Possible route and access points along the track
- Key strategic considerations/constraints (potential impediments):
  - Land tenure
  - Topography/contours/major landform features
  - Cultural heritage values
  - Environmental values
- Approximated construction costs and ongoing maintenance benchmarks
- Broad timeframes that allows for concept and detail design stages and implementation stages
- Identification of potential funding sources
- Scope and costings for further extensive investigation incorporating stakeholder consultation

## 2. The Study Area

---

The Study Area is broadly defined by the project brief as including areas along the east flank of Campbelltown LGA. It is considered appropriate to further refine the Study Area to locations that would deliver an appropriate experience relating to a recreational trail within in a bushland setting i.e. areas associated with the parks and reserves along the Georges River corridor.

Roads within and immediately adjacent to this corridor are also considered potentially suitable for use, where constraints might ultimately prohibit the establishment of the trail within parks, reserves or other open space, and where these roads might provide a suitable alternative alignment to address strategic gaps in the trail network.



### 3. Trail Planning & Development Process

The trail planning and development process (from concept to implementation) typically involves the components identified in the table below.

**Table 1 Trail Planning Stages**

Trail Planning Stage	Key Documents/Actions	Description
Strategic Planning	State Trails Master Plan	Prioritised strategic trail initiatives for the State/region/LGA
	Regional Trails Master Plan	
	Local Government Trails Master Plan	
Local Planning	Detailed/Individual Trail Feasibility Study	Identification of trail alignment options, challenges & constraints, trail user target markets, broad cost estimates and establishes the overall feasibility of delivering the project on the ground
	Trail Development Plan / Detail Design Documentation	Confirms exact trail alignment, support infrastructure requirements & costs, resolves challenges & constraints and secures required approvals/permissions
Development	Trail construction	Construction of trail
Maintenance	Trail maintenance	Ongoing maintenance of trail

In the context of this trail development proposal, relevant strategic and local trail planning documents include:

- Sydney Metropolitan Regional Recreational Trails Framework (2005)
- Great Kai' Mia Way Feasibility Study (2004)
- Campbelltown Walking Track Network Options Review Report (2003)
- Campbelltown Review of Bushwalking Tracks and Associated Facilities Report (2017)

Broadly speaking, these documents support the development/continued investigations into the delivery of a recreational trail (suitable for walking and cycling) through Campbelltown LGA and in the vicinity of the Georges River. Further investigations into such a trail concept are also identified and broadly supported within the Campbelltown Review of Bushwalking Tracks and Associated Facilities Report (2017).

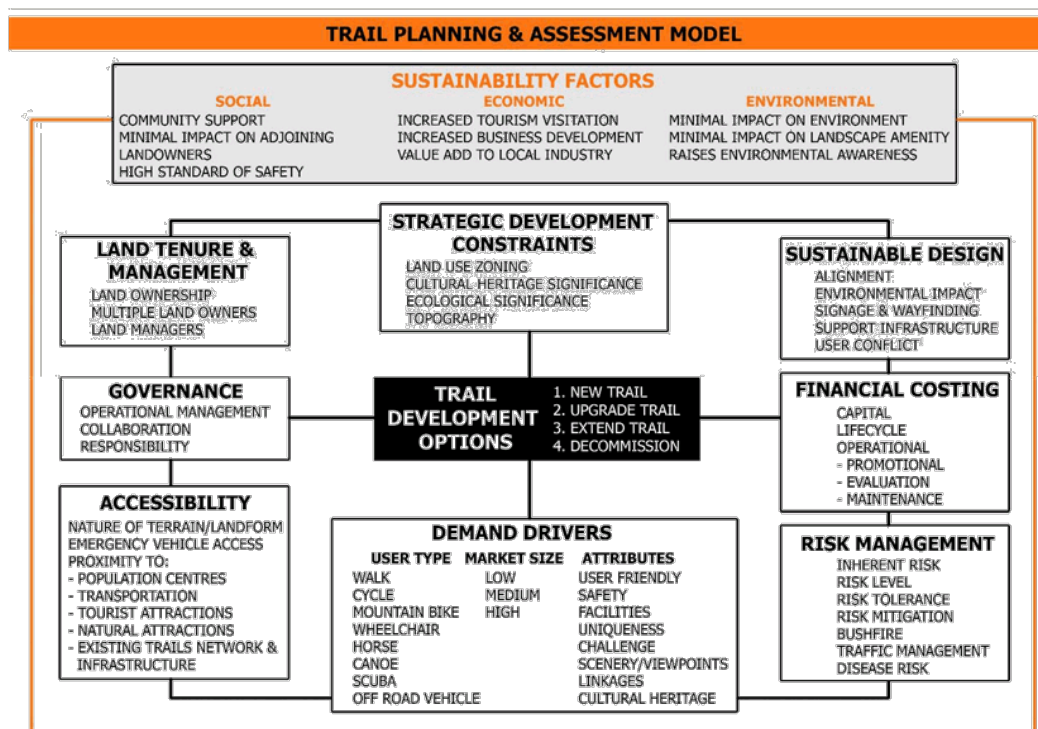
Multiple strategic planning documents have identified the Georges River corridor as a notable opportunity for a new walk and cycle recreational trail, it is considered appropriate that any preliminary and future investigations should reflect the potentially strategic importance of any trail that runs through this area.

It is acknowledged that the scope and scale of delivering a walk and cycle recreational trail would likely be of a greater magnitude and complexity than solely focusing on delivering a 'bush cycle track'.

## 4. Limitations of this Report

Tredwell Management utilises an assessment tool (TPAM – Trail Planning & Assessment Model) to assist in the determination of the optimum trail development option for any given situation. The diagram below provides a broad overview of the typical opportunities, challenges and constraints that may require address when considering a trail development project, whether that be developing a new trail, upgrading, formalising or extending an existing trail or decommissioning an undesirable/inappropriate trail.

Within the limited scope of this report, only some of these considerations are identified and addressed further (at a high level).



**Figure 1: Trail Planning and Assessment Model**

The intention of this short report is to provide a high level preliminary review of key strategic considerations (potential opportunities and constraints) that will inform and guide the next stage of the trail planning process.

The next step would be to undertake a detailed trail feasibility study to fully consider all trail alignment options, refine trail user target markets and identify all challenges and constraints associated with delivering a trail on the ground. The broad scope and approximate costings associated with such a study are included at the end of this report.

Council may be able to resource and undertake some or all of these works in-house, thereby reducing overall costs. No on-ground assessments have been undertaken specifically to ground-truth any of the preliminary findings of this report.

The scope of works for this initial scoping/feasibility study is limited to a desktop analysis utilising the following resources:

- City of Campbelltown Local Environmental Plan 2015
- City of Campbelltown Walking Track Network Options Review Report (April 2003)
- City of Campbelltown – GIS layer – Cadastre
- City of Campbelltown – GIS layer – Land Tenure
- City of Campbelltown – GIS layer – Significant Vegetation
- City of Campbelltown – GIS layer – Fire Tracks
- NSW AHIMS Online Service (Aboriginal Heritage Information Management System)
- Nearmap (high-resolution aerial imagery)
- Google Earth Measurement Tool & Elevation Profile
- Strava Global Heatmap
- NSW Planning Portal



## 5. Desired Trail Characteristics

For the purposes of this Study it is appropriate to consider the delivery of a new trail that is planned and designed for both walkers and cyclists.

It is understood that the existence of an informal trail along localised sections of the Georges River is known within the local cycling/mountain bike, walking and running community. To some extent, this is confirmed by data accessed via Strava's Global Heatmap, which maps cycling and trail running routes, although precise levels of use are difficult to establish from this source alone.

### 5.1 Potential Trail User Target Market

At this early stage, it is anticipated that the following trail user groups might utilise a formalised trail of this nature:

- Cyclists
  - Mountain bike – cross country/enduro
  - Recreational cyclist / Cyclocross (with hybrid bike suitable for on and off road cycling)
- Walkers
  - Short-distance (e.g. within individual Council reserves)
  - Medium-distance (e.g. between Council reserves / primary trailheads)
  - Long-distance (e.g. entire length of trail)
- Runners
  - Trail runners
  - Triathlon
  - Orienteering

Less challenging sections of the trail may be suitable to promote to additional recreational trail user groups where the terrain is less challenging; there is greater access to support infrastructure (e.g. toilets, additional waymarker/reassurance signage); and the trail environment/setting is more conducive to casual recreation visitation (e.g. Council reserves such as Simmo's Beach Reserve). Such sections of trail might appeal to family recreational cyclists and walkers; shorter loop trails for walkers and cyclists within Council reserves might be considered in the future, in line with the recommendations of the Campbelltown Review of Bushwalking Tracks and Associated Facilities Report (2017).

Proximity to other established areas for mountain biking, both authorised (e.g. Mount Annan Botanic Gardens) and unauthorised (land near Boronia Reserve) present opportunities to link in with a future Georges River Recreational Trail, and attract a more diverse range of trail user groups.

### 5.2 Overall experience

Each trail user group (and individual trail user) will be seeking a different trail experience, broadly influenced by the speed at which they are travelling, their respective abilities, and the type of technical challenge they are seeking. Walkers, runners and cyclists tend to prefer a trail at a human scale that enables a level of connectivity with their surrounds. In the context of a trail adjacent to the Georges River, it is reasonable to assume that trail user expectations would likely include a degree of physical/visual access to the river, and that a significant proportion of the trail would run through a bushland setting. Indeed, within the Sydney Metropolitan area, this would likely be a key point of difference that might attract potential trail users to the area.

Excessive use of busy, urbanised road corridors for instance would generally detract from the overall experience of a recreational trail in a bushland setting, although there may be localised areas where this becomes unavoidable. Quieter roads, with a more rural/bushland setting might offer a more appropriate alternative. Similarly, an over-reliance on wider firetracks/firebreaks and maintenance tracks may detract from the overall experience.

## 5.3 Trail Design Parameters - Essentials

Trails should be designed to be sustainable and accessible (refer section 5 Trail Planning & Design Principles, in the main body of the report). In this bushland context, a trail tread surface considered suitable for both cyclists and walkers would be a natural/compacted earth surface, free from obstacles/trip hazards, potholes and severe level changes, that generally follows existing contour lines wherever possible. For sections of trail that are likely to experience higher levels of use, or are particularly susceptible to erosion, a more durable trail tread surface may need to be considered, such as compacted gravel.

Shared-use trails (e.g. for walking and cycling) should typically have a width of between 2.0-2.5m, with a minimum height clearance of 2.4m and also incorporate clear sightlines that enable all trail users to be reasonably aware of one another, reduce travel speeds and enable avoidance of conflict/incidence. Trail width may be increased to 3.0m wide in areas of high usage, however reducing trail width below 2.0m is not generally recommended, but might be considered on a case by case basis where space is particularly constrained.

Mountain bikers tend to prefer dedicated single track, which might be narrowed down to between 0.8-1.0m; this would only be considered appropriate if it was ultimately determined to pursue a single-use mountain bike trail, to the exclusion of walkers.

Council has an obligation to ensure that any new trail is designed appropriately to meet the needs of all authorised trail user groups (whilst taking reasonable steps to restrict unauthorised uses), and that the trail is safe to actively promote. Given that there will be a requirement for significant initial and ongoing levels of investment, it is imperative that a new recreational trail in this area capitalises on and maximises every opportunity, whilst meeting demonstrated needs of the broad spectrum of potential trail user groups (both members of the local community and visitors to the region).

A subsequent detailed feasibility study should fully establish the demand for a recreational trail, further refine the appropriate user target market/desired trail experiences, and undertake more detailed desktop analysis and on-ground assessments. Key stakeholder engagement and consultation will also be critical to the process.

## 6. Trail Alignment Identification

The following trail alignment identification principles have been adopted:

- Deliver connectivity between:
  - Glenfield and Wedderburn (and all suburbs adjacent to the bushland corridor)
  - the new recreational trail and known areas of cycling/mountain bike activity within/in the vicinity of the Study Area
  - the new recreational trail and established areas for bushwalking within/in the vicinity of the Study Area
- Connect key Council reserves along the Georges River corridor (whilst taking advantage of existing infrastructure already in place at several of these reserves)
- Utilise existing tracks/trails where available, sustainable and accessible, to minimise additional vegetation clearance, potential additional adverse environmental impacts, and related costs
- Adhere to trail planning and design principles to deliver sustainable and accessible trails

The identification of a potentially suitable trail alignment was further guided by the following:

- High level guidance from the brief
  - Bush cycle trail along east flank of Campbelltown LGA, between Glenfield & Wedderburn
  - Broad identification of the bushland/recreation corridor associated with Georges River (the 'Study Area')
- Recognition that certain existing land uses/zoning in the area would likely preclude the use of that land for the development of a recreational trail e.g.
  - Holsworthy Military Area (Land Zone SP2 Infrastructure - Defence)
  - Glenfield Water Recycling Plant (Land Zone SP2 Infrastructure – Sewerage System)
- Recognition that certain potential future land uses/zoning in the area might preclude the use of that land for the development of a recreational trail e.g.
  - areas identified as Land Zone SP2 Infrastructure - Future Transport Corridor
- Identification of existing tracks and trails
  - Knowledge gathered as part of the current review of bushwalking tracks (including GIS mapping data).
  - High resolution aerial imagery (Nearmap)
  - Strava Global Heatmap (mapping data that identifies popular cycling routes in the area based on individual user upload data)
- Review of Campbelltown Walking Track Network Options Review Report (April 2003)
  - Existing fire trails and walking tracks
  - Proposed walking tracks (considered potentially viable at the time of that report)
- Address of strategic gaps in the existing prescribed and informal trail network

It is important to reiterate that no on-ground assessments have been undertaken to establish or confirm any of the details described within this report. The precise nature of much of the length of the existing and proposed trail alignment identified is not currently known, nor the appropriateness of the alignment to meet the objectives of delivering a sustainable recreational trail. There may be other opportunities to be explored, and other issues/constraints to be addressed; this can only be definitively established by undertaking a detailed feasibility study, including detailed survey work, on-ground assessments and comprehensive stakeholder consultation.

## 7. Preliminary Concept Trail Alignment Mapping

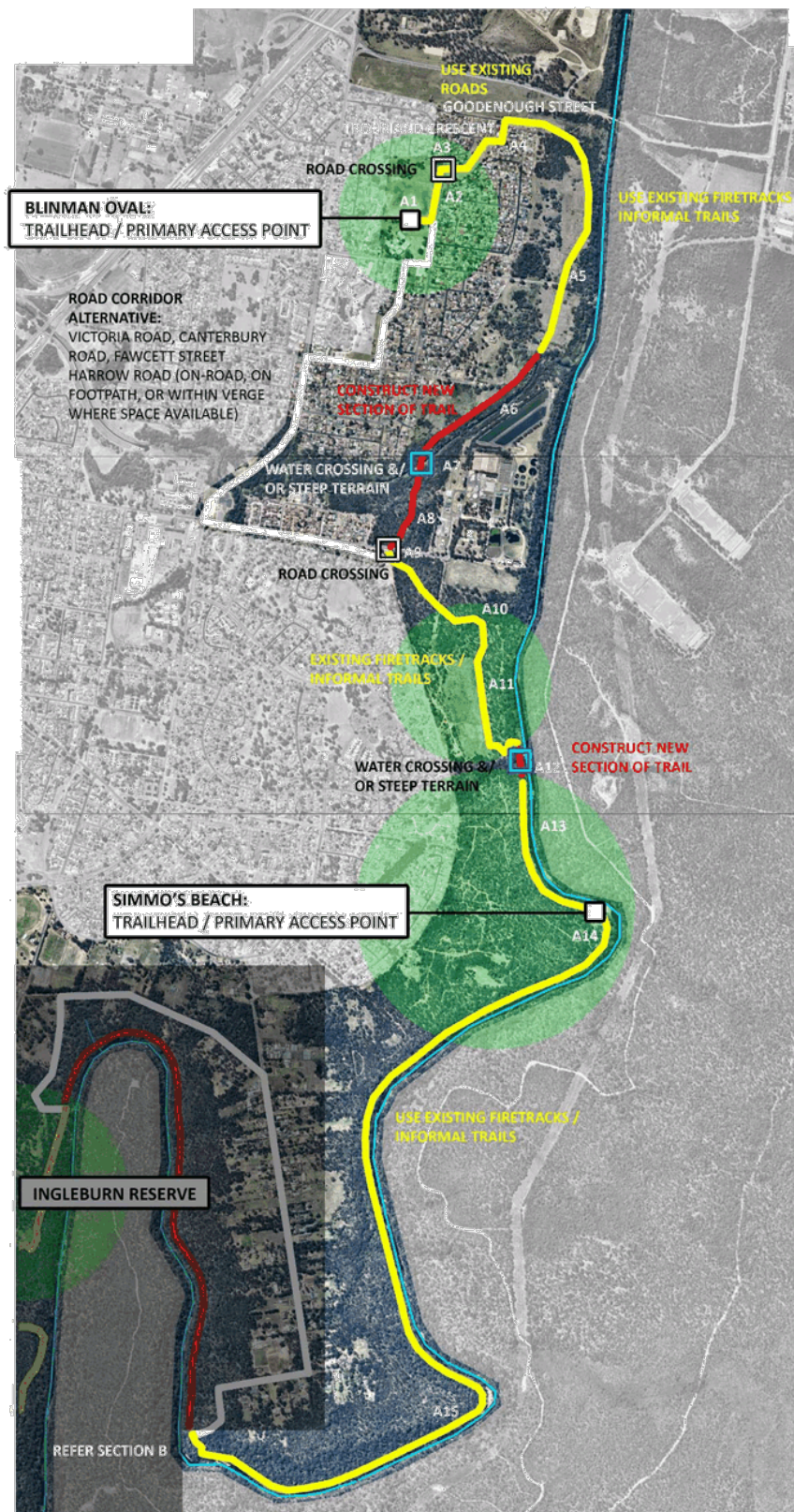
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A series of maps have been developed to illustrate the preliminary concept trail alignment (refer following pages):

- Section A: Glenfield – Long Point
- Section B: Long Point – Keith Longhurst Reserve
- Section C: Keith Longhurst Reserve – Canally Reserve
- Section D: Canally Reserve – Noorumba Reserve
- Section E: Noorumba Reserve – Dharawal National Park

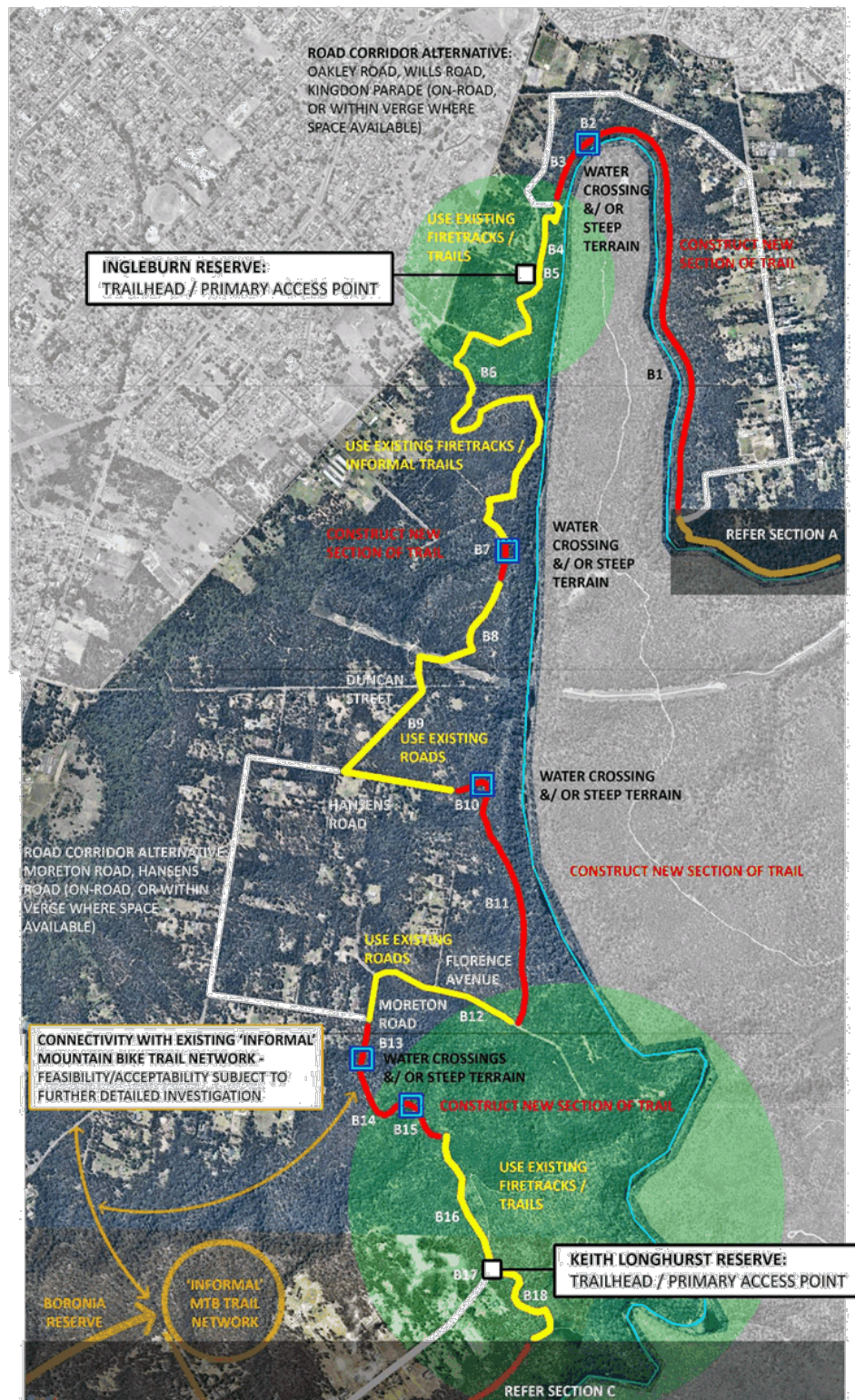
These maps identify the following key components of the trail:

- Trail alignment; using a combination of:
  - Existing prescribed trails (e.g. sections of Old Ford Road Trail, Dharawal National Park 10T Trail)
  - Existing fire tracks/informal trails (e.g. within Ingleburn Reserve)
  - Existing roads (quiet roads that provide direct, relatively short links between existing prescribed/informal trail networks)
  - Newly constructed sections of trail
- Trailheads
  - Primary trail access points
  - Trail support infrastructure (car parking, toilets, shelter, water supply)
- Potential physical barriers/constraints
  - Water crossings &/or steep terrain
  - Road crossings
- Potential alternative alignments using nearby road corridors



## SECTION A: GLENFIELD - LONG POINT





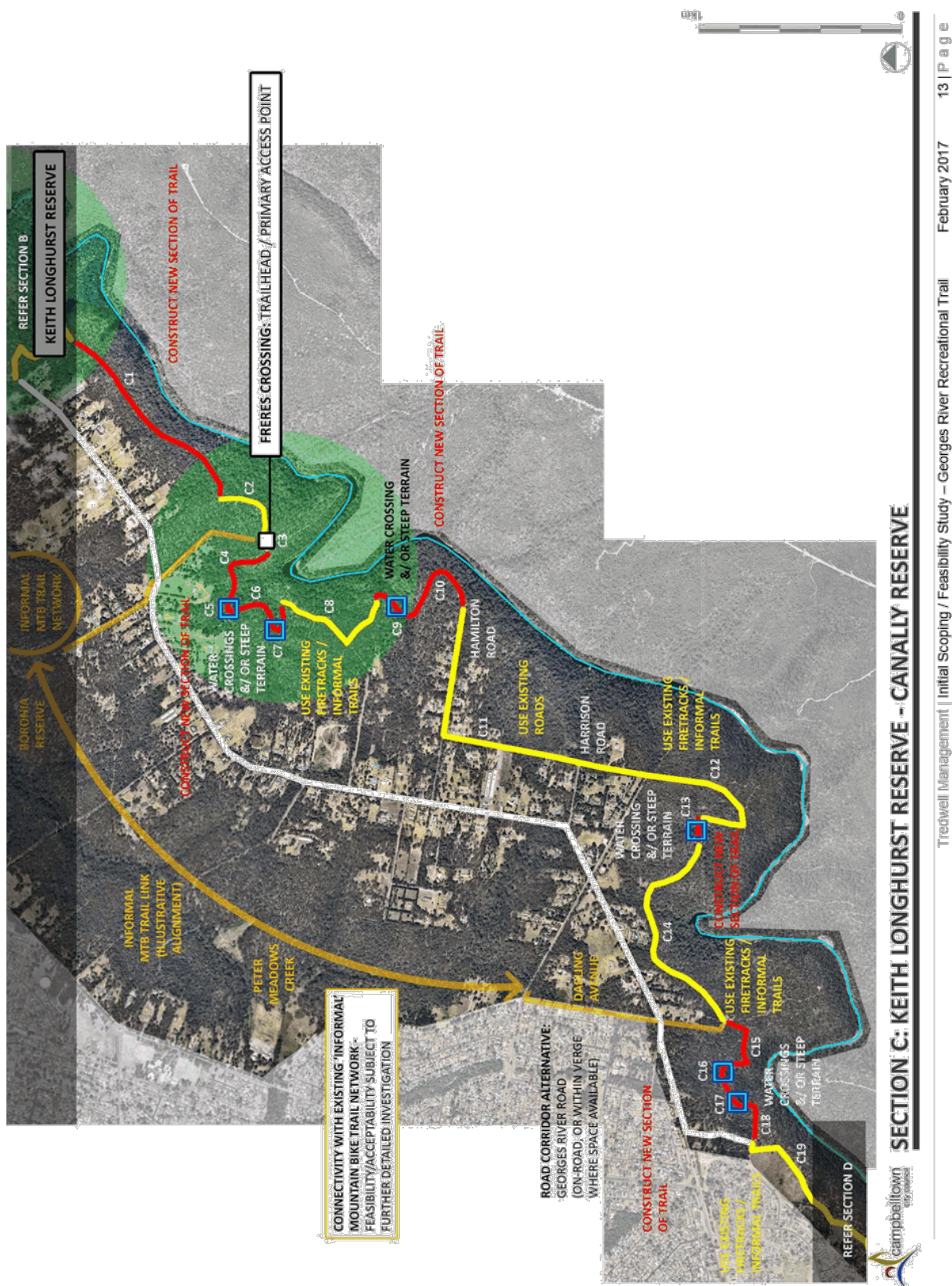
## SECTION B: LONG POINT - KEITH LONGHURST RESERVE

Tredwell Management | Initial Scoping / Feasibility Study – Georges River Recreational Trail

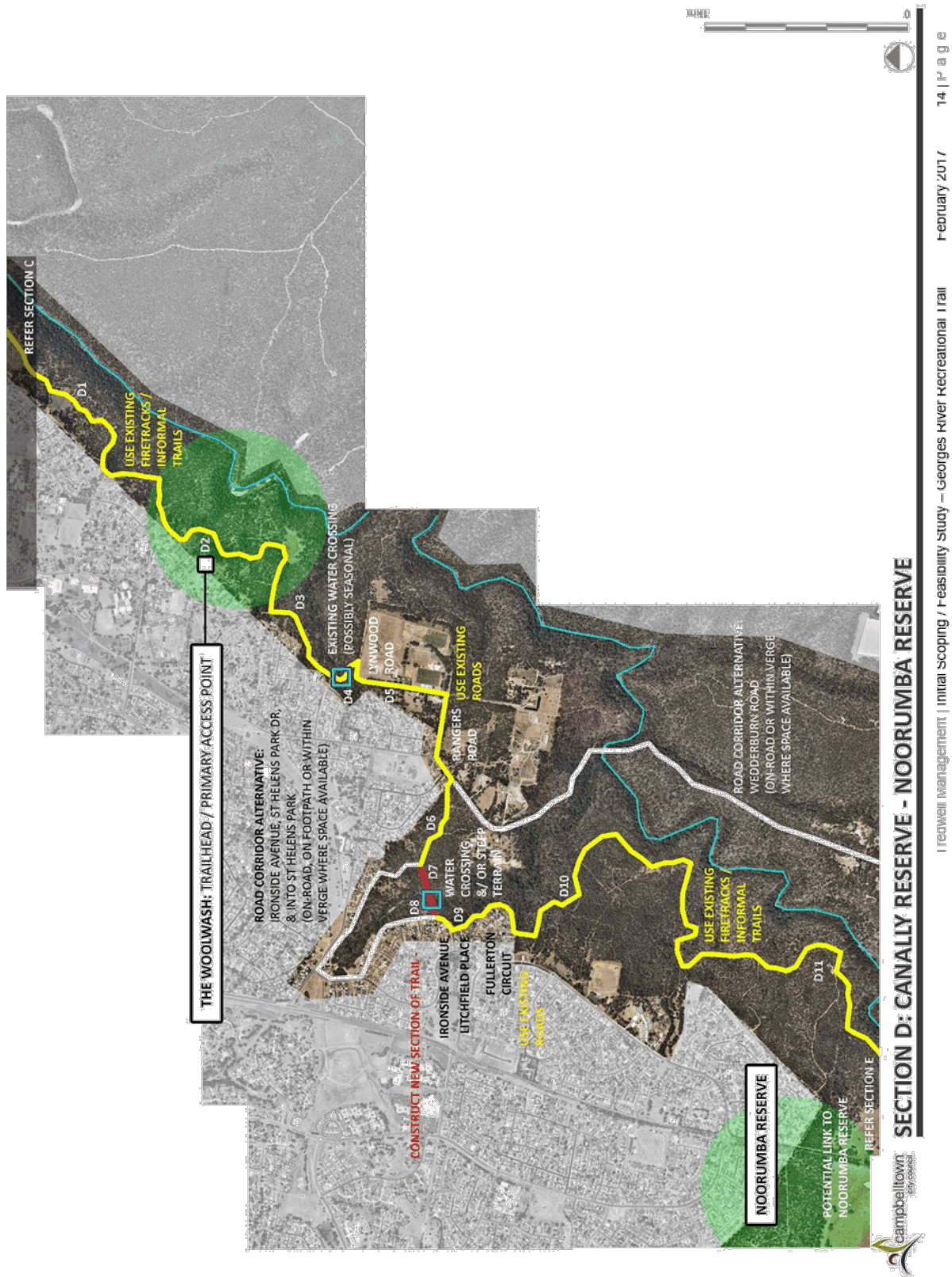
February 2017

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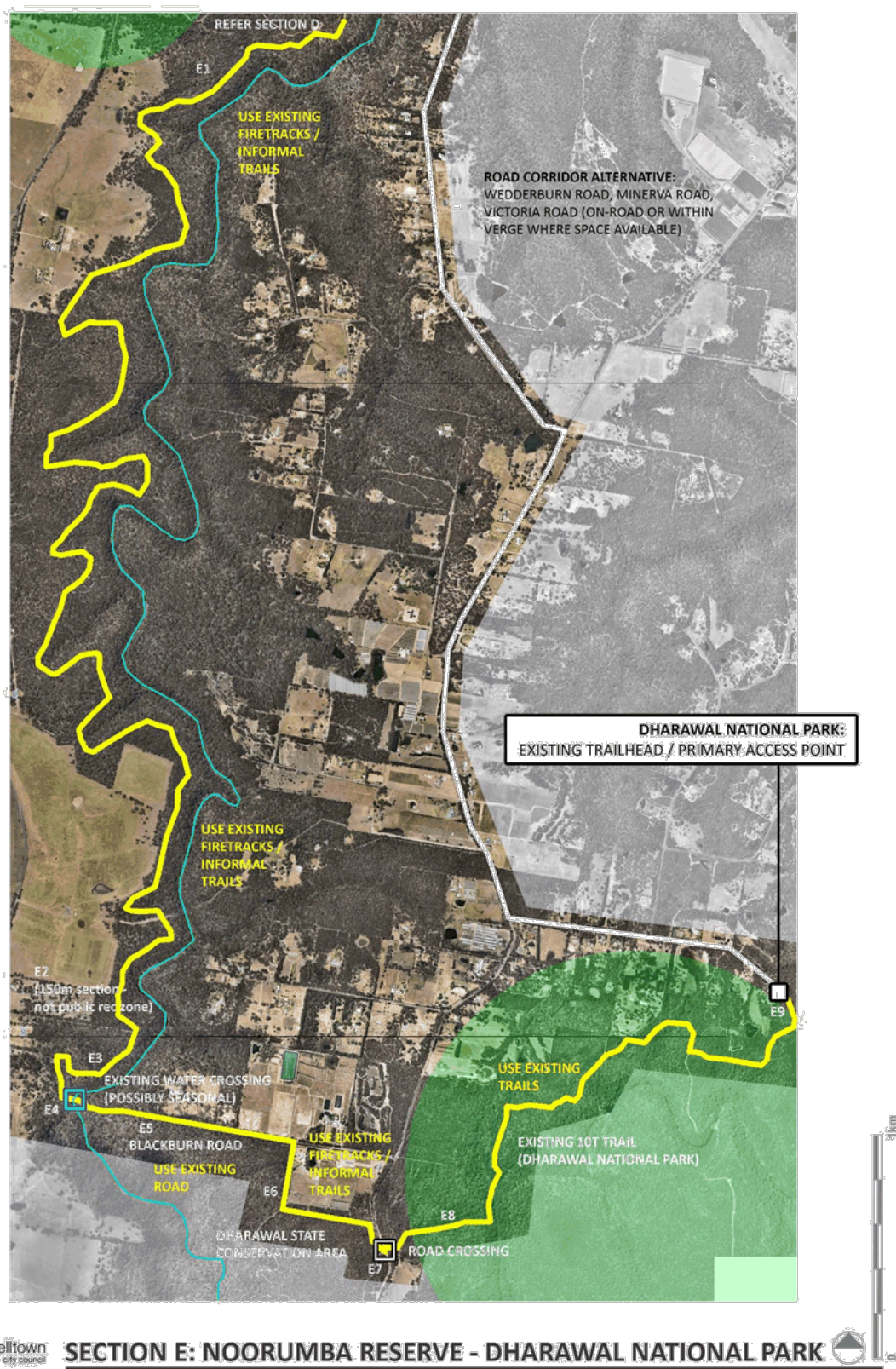












## 8. Potential Risks

The viability of delivering a trail will be dependent on the satisfactory address of multiple and varied issues, challenges and constraints, with each section of trail subject to varying and location specific challenges. The table below identifies common potential risks associated with developing a recreational trail, together with potential approaches to mitigate those risks.

**Table 2: Potential Risks**

Potential Risk		Detail	Responses/ Mitigation
<b>Support of Key Stakeholders</b>	Local Community	Successful delivery of such a project will require the cooperation and collaboration of multiple stakeholders to ensure that the final trail meets the needs/demands of the local community, trail user, environmental and other interest groups	Engage early in the process to clearly articulate intentions, aims and objectives and set appropriate parameters Continue to engage throughout the process and inform of progress made
	Trail User Groups		
	Environmental Groups		
	Land managers/ owners (Local Government, State Government, Private land owner)	The nature of such a trail development project will involve multiple land owners /managers requiring permissions/approvals and agreements to enable access and determine future management and maintenance responsibilities	Secure in-principle support for the project early in the process Secure required approvals/ permits to access land Identify future and ongoing management and maintenance responsibilities
<b>Conservation of Environmental Values</b>	Soil erosion	Destabilisation of soils from construction and operation of trail	Adhere to sustainable trail design and construction principles Realign trail away from susceptible/ sensitive areas Use of stabilisation infrastructure (e.g. rock armouring)
	Soil degradation	Compaction of soils from construction and trail use	
	Habitat fragmentation	Reduced connectivity within habitats & native vegetation corridors	Adhere to sustainable trail design and construction principles Realign trail away from susceptible/ sensitive areas Minimise trail tread widths
	Habitat disturbance	Disturbance of nesting areas from human activity	
	Invasive plants/weeds	Increased entryways for invasive plant introduction	Interpretation/educational signage Increase management levels Removal of invasive plant species Use of hygiene stations at trail entry points
	Riparian vegetation	Disturbance to floodplain vegetation	Adhere to sustainable trail design and construction principles Realign trail away from susceptible/ sensitive areas Minimise requirement for vegetation removal/ disturbance

Potential Risk		Detail	Responses/ Mitigation
	Water management - impermeable surfaces	Reduced natural flood capacity with impermeable trail surfaces	Permeable material used to form trail tread
	Water management - runoff/ waterway pollution	Potential source of pollution of water resources through increased surface water runoff	Adhere to sustainable trail design and construction principles Realign trail away from susceptible/ sensitive areas Incorporate appropriate drainage infrastructure
Conservation of Cultural Heritage Values	Aboriginal	Potential exposure of culturally significant features to vandalism, littering and other unauthorised activities	Work with all key stakeholders to identify significant features As appropriate, realign trail away from susceptible/ sensitive areas or introduce trail infrastructure restricting access to feature, together with interpretation/ educational material
	European		Adhere to Crime Prevention Through Environmental Design (CPTED) principles
Trail Safety / Security	Trail Maintenance	Ongoing management and maintenance of the trail will require address	Adhere to sustainable trail design and construction principles Ensure there is a Trail Management Plan in place Ensure sufficient resourcing for trail maintenance
	Emergency access provision	Emergency services / vehicles will require access at key points along the length of the trail to ensure the safety of trail users and respond to emergency situations as required	Evaluate trail access provision with emergency services to ensure adequate provision Assess mobile phone service coverage
	Bushfire		Develop Trail User Code of Conduct & Emergency Protocols
	Trail User Conflict	Opportunities to quickly exit the trail will also require consideration	Clearly articulate information at trailhead signage / main access points
	Vehicle Conflict	The trail will cross multiple roads with crossing points requiring careful consideration to ensure the safety of trail and road users	Ensure appropriate infrastructure is in place to inform trail users and road users of crossing points (e.g. warning signage, fences, gates)
	Physical Hazards/ Wildlife	The nature of a recreational trail that utilises natural surfaces will inevitably feature sections with uneven surfaces, tree roots, fallen trees etc., together with the presence of wildlife	Develop Trail User Code of Conduct & Emergency Protocols Implement Maintenance Plan (including periodic hazard inspections) Clearly articulate information at trailhead signage / main access points

Potential Risk		Detail	Responses/ Mitigation
	Water course crossings	The trail will cross multiple watercourses and or sections of steep terrain which will require careful consideration to ensure the safety of trail users	Adhere to sustainable trail design and construction principles Ensure appropriate trail infrastructure is utilised where required (e.g. warning signage, fences, barriers, bridges, boardwalks)
	Steep Terrain		
Funding	Capital Outlay	A project of this scale and magnitude requires significant investment, appropriate forward planning and budgeting	Ensure funding requirements are incorporated into Council's business and capital works plans
	Ongoing Maintenance	Ongoing maintenance costs will need to be addressed	Ensure sufficient resourcing for ongoing trail maintenance
Trail Usage Levels	Under Use	A trail that is not appropriately designed and constructed is not likely to attract trail user groups who are looking for specific, quality and varied trail experiences.  Conversely, a trail that becomes too popular and isn't designed to cope with significant numbers of trail users is likely to have negative impacts upon the environment and increase incidences of user conflict / safety issues  Given the level of investment required to deliver such a project it is essential that target markets are identified and catered for.	Detailed feasibility assessment to clearly establish target user markets, required experiences and anticipated levels of use to ensure the design and construction of the trail meets need and demand
	Over Use		
Unauthorised Trail Activities	Unauthorised access	Trail access by unauthorised users (e.g. trail bike riders, horse riders)	Control points with infrastructure that restricts access (e.g. fences, gates) Develop Trail User Code of Conduct Clearly articulate information at trailhead signage / main access points
	Unauthorised trail building	Improving access and increasing usage of areas along the Georges River corridor might encourage the development of new, unauthorised trail networks	Provision of a dedicated trail authorised for activities such as walking and cycling can alleviate this, particularly where no such authorised trail exists in the area  Clear communication of local environmental sensitivities can raise awareness of the need to conserve protected vegetation and habitats

The above table does not provide an exhaustive list of all the potential risks and corresponding responses/mitigation approaches; however, it begins to articulate a number of the potential risks associated with the development of a recreational trail, which may or may not be applicable to the future development of a Georges River Recreational Trail.

Considerations that are specifically considered further (at a high level) by this report are limited to:

- Land Zoning/Tenure
- Topography/contours/major landform features
- Soil Type
- Presence of Endangered Ecological Communities
- Presence of Aboriginal Heritage Sites
- Presence of European Heritage Sites
- Residential amenity
- Bushfire Risk Rating

The table on the following page addresses each of these key considerations and provides a brief overview, explaining the respective relevance of each consideration to the potential development of a trail (and the data sources used) to initially establish whether or not each individual section of the trail may potentially be affected. Further in depth analysis of each of the identified considerations will be required as part of a detailed feasibility study to enable a full and complete assessment of any potential impacts, and establish the acceptability (or otherwise) of developing a trail between Glenfield and Wedderburn, in part or entirety.

The matrix tables on subsequent pages seek to identify those key challenges/issues in relation to each individual section of trail.



Table 3: Considerations

Consideration	Relevance	Information Sources
<b>Current Status</b>	Some sections of the potential trail alignment currently exist in a formal or an informal manner, whereas other sections of the alignment do not exist and would require design and construction. Existing tracks should be considered for use (where sustainable and where sympathetic to the type of trail experience being sought) to minimise costs and any potential adverse impacts of trail development.	<ul style="list-style-type: none"> <li>• Strava Labs Global Heat Mapping<sup>1</sup></li> <li>• Council GIS layer: Fire tracks</li> <li>• Near Map satellite imagery</li> </ul>
<b>Estimated length</b>	Estimated trail length is an indicator for potential costs of design, construction, maintenance and management of a trail, as well as potential environmental impacts and targeted trail users	<ul style="list-style-type: none"> <li>• Google Earth measurement</li> </ul>
<b>Estimated average slope</b>	Estimated trail slope is one indicator for the sustainability of the trail (steeper slopes are generally more susceptible to erosion), the level of infrastructure required for a sustainable alignment (such as soil stabilisation infrastructure) and the difficulty of the trail.	<ul style="list-style-type: none"> <li>• Google Earth measurement</li> </ul>
<b>Land zone/s</b>	State government land zoning defines which activities/land uses are intended for each zone. Most of the potential alignment is within Public Recreation zoning (RE1) while some sections of the proposed trail fall within the following zones. <ul style="list-style-type: none"> <li>• Infrastructure – Future Transport Corridor (SP2-FTC)</li> <li>• Environmental Management (E3)</li> <li>• Rural Landscape (RU2)</li> <li>• National Parks and Natures Reserves (E1)</li> <li>• Low Density Residential (R2)</li> </ul>	<ul style="list-style-type: none"> <li>• NSW Government Planning and Environment, Planning Viewer: Land Zoning<sup>2</sup> (Planning Portal).</li> </ul>
<b>Land ownership</b>	Land ownership will be an important factor in gaining support and appropriate permissions for progression of the trail project. Land owners are likely to include: <ul style="list-style-type: none"> <li>• Campbelltown City Council</li> <li>• NSW Department of Planning</li> <li>• Sydney Water Corporation</li> <li>• NSW Department of Lands</li> <li>• NSW National Parks and Wildlife Service (NPWS)</li> <li>• Private land owners</li> </ul>	<ul style="list-style-type: none"> <li>• Council GIS layer: Land tenure</li> </ul>
<b>Endangered Ecological Communities (EEC)</b>	The Threatened Species Conservation Act 1995 (NSW) and the Environmental Protection and Biodiversity Conservation Act 1999 (Commonwealth) provide the legislation for protecting endangered ecological communities (EEC). EECs are subject to government conservation programs. The following EECs listed under the NSW Threatened Species Conservation Act have been identified within the study area: <ul style="list-style-type: none"> <li>• Shale/Sandstone Transition Forest (SSTF)</li> <li>• Cumberland Plain Woodland in the Sydney Basin Bioregion (CPW)</li> </ul> Where EECs exist, sensitive and sustainable trail design, construction and management is of paramount importance to mitigate against potential negative environmental impacts.	<ul style="list-style-type: none"> <li>• Council GIS layer: Vegetation Office of the Environment and Heritage, Native Vegetation of the Sydney Metropolitan Area. Version 3, 2016 (GIS Dataset)</li> </ul>
<b>Primary land parcel</b>	Each section of the potential trail alignment traverses multiple land parcels. The largest of these land parcels have been identified as the 'primary land parcel'. The land parcel's Deposited Plan (DP) number and lot number has been used to conduct a high level search for Indigenous heritage.	<ul style="list-style-type: none"> <li>• NSW Digital Cadastral Database<sup>3</sup></li> </ul>
<b>Identified Aboriginal heritage</b>	Indigenous heritage can add value to a trail experience, however a trail might also cause harm to sensitive heritage sites, particularly where existing access to a site is currently restricted. A high-level search of the AHIMS Web Service has been conducted for the 'primary land parcels' along the potential alignment. The results of the high-level search identify how many identified Aboriginal significant sites are within each of the 'primary land parcels' investigated. Further details of these sites, and other Indigenous significant sites, are accessible through the AHIMS 'extensive search' process (requiring payment and 10 working days for a standard search).	<ul style="list-style-type: none"> <li>• Office of the Environment and Heritage, Aboriginal Heritage Information Management System (AHIMS) Web Service</li> </ul>
<b>European heritage</b>	European heritage can add value to a trail experience, however a trail might also cause harm to sensitive heritage sites. Old Ford Road at Keith Longhurst Reserve is the only European heritage place within the study area which is listed under the NSW Heritage Act. This site is the attraction/point of interest of an existing trail. Other sites of heritage interest within the study area have also been identified (but are not necessarily listed/protected under the Act).	<ul style="list-style-type: none"> <li>• Campbelltown City Council website</li> <li>• NSW Government Planning and Environment, Planning Viewer: Heritage<sup>4</sup> (Planning Portal)</li> </ul>
<b>Soil substrate</b>	Appropriate and sustainable soil types need to be considered in determining trail alignment. The types of soil substrate identified within the study area are shale, sandstone and alluvial. Alluvial soils are generally highly permeable with high drainage capacity while shale soils are less permeable with low drainage capacity. Depending on the type of substrate, sections of the trail may require infrastructure for soil stabilisation and/or surface water redirection to reduce the risk of erosion and/or topsoil runoff.	<ul style="list-style-type: none"> <li>• Office of the Environment and Heritage, Native Vegetation of the Sydney Metropolitan Area Version 3, 2016 (GIS Dataset)</li> </ul>
<b>Residential amenity</b>	While most sections of the potential alignment are within bushland reserves, there are some sections near residential housing and private property boundaries. It is necessary to identify where trail development may affect these properties to identify, consult and mitigate potential negative impacts to residents.	<ul style="list-style-type: none"> <li>• Desktop assessment via Google Earth and Near Map imagery</li> </ul>
<b>Bushfire risk</b>	Almost all sections of the potential trail alignment are with 'Bushfire Prone Areas' and are identified as Category 1 (highest bushfire risk). To mitigate the risks of bushfires it is important that safety precautions are taken and appropriate control measures are implemented. All developments in 'Bushfire Prone Areas' have a legal obligation to consider bushfire risks and meet the requirements of <i>Planning for Bush Fire Protection 2006</i> and <i>AS3959 – 2009</i> .	<ul style="list-style-type: none"> <li>• NSW Government Planning and Environment, Planning Viewer: Bushfire Prone Areas<sup>5</sup></li> </ul>

Table 4: Trail Analysis Matrix – Section A

Ref.	Description	Status	Estimated Length m	Estimated average Slope %	Land Zone/s	Land Owner	Endangered Ecological Communities NSW listed	Primary Land Parcel DP number & Lot number	Identified Aboriginal Heritage	European Heritage	Soil substrate			Residential Amenity	Bushfire Risk Category (1 = Highest)
											Shale	Sand-stone	Alluvium		
A1	Blinman Oval: Trailhead/Primary access point	Not Existing	-	-	RE1	Council		635486_1234	No					X	
A2	Blinman Oval to Harrow Rd	Existing - roads	100	6.2	RE1	Council		635486_1234	No		X			X	
A3	Road crossing: Harrow Rd					Council (road reserve)									
A4	Harrow Rd to Goodenough St	Existing - park & roadside	500	7.3	RE1, R2	Council		1086015_2	No		X			X	
A5	Goodenough St to Belmont Rd	Existing – Informal track	1000	2.6	RE1	Private & Dept. of Planning	CPW	736881_3	1 site		X				2
A6	Belmont St to Bunbury Curran Ck	Existing - Informal track	400	5.9	RE1	Dept. of Planning		549984_2	No		X				1 & 2
A7	Bunbury Curran Creek northern side	Not Existing	600	8.9	RE1	Dept. of Planning		372250_B	No				X		1 & 2
A8	Water crossing: Bunbury Curran Creek	Not Existing			RE1	Dept. of Planning		717823_104	No		X		X		1
A9	[A8] to Victoria Rd	Not Existing	500	9.9	SP2- FTC	Dept. of Planning		960_9	No			X			1
A10	Road crossing: Victoria Rd					Council (road reserve)			No			X			1
A11	South from Victoria Road	Existing - Informal track	1100	4.8	RE1	Sydney Water Corp. & Council		586064_2	No			X			1
A12	Water crossing and/or steep terrain	Not existing			RE1	Council		1391_22	No			X			1
A13	[A12] to Simmo's Beach	Existing track (part formal, part informal)	800	9.7	RE1	Council	SSTF	N/A				X			1
A14	Simmo's Beach: Trailhead/Primary access point	Existing Infrastructure			RE1	Council		1391_1	No	Simmo's Beach		X			1
A15	Simmo's Beach to Knotwood Ave	Existing track (part formal, part informal)	1,100	7.6	RE1	Council and Dept. of Planning		N/A				X			1
A16	Knotwood Ave to Long Point	Existing informal tracks	3,100	8.5	RE1	Dept. of Planning & 2 Private Properties		2321_11	No			X			1

Table 5: Trail Analysis Matrix – Section B

Ref.	Description	Status	Estimated Length m	Average Slope %	Land Zones	Land Owner	Endangered Ecological Communities NSW listed	Primary Land Parcel DP number & Lot number	Identified Aboriginal Heritage	European Heritage	Soil substrate Shale Sandstone Alluvium	Residential Amenity	Bushfire Risk Category (1 = Highest)
B1	Long Point to [B2]	Not existing	2,000	9.7	RE1	Dept. of Planning		789134_31	No		X	X	1
B2	Water crossing and/or steep terrain	Not existing			RE1	Dept. of Planning		89657_D	No		X		1
B3	[B2] to Ingleburn Reserve	Existing Informal track	700	6.2	RE1	Dept. of Planning	CPW, SSTF	986738_1	No		X		1
B4	Ingleburn Reserve: Trailhead/Primary access point	Existing Infrastructure			RE1	Council		1870_15	No	Ingleburn Weir	X		1
B5	Ingleburn Reserve to Myrtle Creek [B6]	Existing Informal track	1,800	10.1	RE1	Council & Dept. of Planning	CPW, SSTF	746371_54	No		X		1
B6	Water crossing: Myrtle Creek	Not existing	200	9.3	RE1	Dept. of Planning		236809_23	No		X		1
B7	Myrtle Creek [B6] to Derby Street	Existing fire track	700	9.4	RE1	Dept. of Planning	SSTF	8989_25	No		X		1
B8	Derby Street to water crossing [B9]	Existing roads	1,000	6.0	RE1	Council (road reserve)		N/A			X		1
B9	Water crossing and/or steep terrain	Not existing			RE1	Dept. of Planning		223987_10	1 site		X		1
B10	Water crossing [B9] to Florence Avenue	Not existing	1,300	11.3	RE1	Council, Dept. of Planning & 2 Private Properties		10092_10	No		X		1
B11	Florence Avenue to Moreton Road	Existing roads	900	4.7	RE1	Council (road reserve)		N/A			X		1
B12	Moreton Road to Peter Meadows Creek [B14]	Not existing	600	14.9	RE1	Council & Dept. of Planning		556918_5	No		X		1
B13	Water crossing and/or steep terrain	Not existing			RE1	Dept. of Planning		N/A			X		1
B14	Water crossing: Peter Meadows Creek	Not existing			RE1	Dept. of Planning		556918_5	No		X		1
B15	Peter Meadows Creek to Keith Longhurst Reserve	Existing fire track	900	10.4	RE1	Dept. of Lands		1060081_700 7	4 sites	Old Ford Road	X		1
B16	Keith Longhurst Reserve: Trailhead/Primary access point	Existing Infrastructure			RE1	Dept. of Lands		1060081_700 7	As above	The Basin	X		1
B17	South to Keith Longhurst Reserve Boundary	Existing fire track	600	5.0	RE1	Dept. of Lands		1060081_700 7	As above		X		1



Table 6: Trail Analysis Matrix – Section C

Ref.	Description	Status	Estimated Length m	Average Slope %	Land Zone/s	Land Owner	Endangered Ecological Communities NSW listed	Primary Land Parcel DP number & Lot number	Identified Aboriginal Heritage	European Heritage	Soil substrate		Residential Amenity	Bushfire Risk Category (1 = Highest)
											Shale	Sandstone		
C1	Keith Longhurst Reserve to Frere's Crossing (north) existing track	Not existing	1,300	9.0	RE1	Dept. of Planning & Private Property		590712_24	1 site			X	X	1
C2	Frere's Crossing (north) existing track to Trailhead	Existing fire track	400	4.9	RE1	Dept. of Planning		752062_175	No			X		1
C3	Frere's Crossing: Trailhead/Primary access point	Existing infrastructure			RE1	Dept. of Planning		N/A		Frere's Crossing		X		1
C4	Frere's Crossing to water crossing [C5]	Not existing	500	10.6	RE1	Dept. of Planning		578433_51	No			X		1
C5	Water crossing and/or steep terrain	Not existing			RE1	Dept. of Planning		578433_51	No			X		1
C6	Water crossing [C5] to water crossing [C7]	Not existing	400	15.9	RE1	Dept. of Planning		562028_5	No			X		1
C7	Water crossing and/or steep terrain	Not existing			RE1	Dept. of Lands		752062_202	No			X		1
C8	Water crossing [C7] to Riverview Rd Fire Track	Not existing	400	21.9	RE1	Dept. of Lands		752062_202	No			X		1
C9	Riverview Rd Fire Track to Frere's Crossing Reserve Boundary	Existing fire track	700	9.4	RE1	Dept. of Lands		752062_202	No			X		1
C10	Water crossing and/or steep terrain	Not existing			RE1	Dept. of Planning		221499_2	No			X		1
C11	Frere's Crossing Reserve Boundary to Hamilton Road	Not existing	800	10.1	RE1	Dept. of Planning		221499_5	No			X		1
C12	Hamilton Rd to Smith St via Harrison Rd	Existing roads	2,000	4.7	RE1	Council (road reserve)		N/A				X		1
C13	Harrison Road to Water Crossing [C14]	Existing fire track	700	12.3	RE1	Dept. of Lands		1058964_7015	1 site			X		1
C14	Water crossing and/or steep terrain	Not existing			RE1	Dept. of Planning		558299_11	No			X		1
C15	Water crossing [C14] to Canally Reserve boundary	Existing fire track	1,400	5.2	RE1	Dept. of Planning		588746_1	No			X		1
C16	Canally Reserve boundary to water crossing [C17]	Not existing	500	19.1	RE1	Dept. of Planning & Dept. of Lands		752062_274	No			X		1
C17	Water crossing and/or steep terrain	Not existing			RE1	Dept. of Planning		546504_2	No			X		1
C18	Water crossing [C17] to Peppin Park	Not existing	600	20.9	RE1	Dept. of Planning & Dept. of Lands		752062_274	No					1
C19	Water crossing and/or steep terrain	Not existing			RE1	Council (road reserve)		N/A						1
C20	Peppin Park to (east) to Peppin Park (south west)	Existing fire track	500	9.6	RE1	Dept. of Planning		250130_1033	No					1

Table 7: Trail Analysis Matrix – Section D

Ref.	Description	Status	Estimated Length m	Average Slope %	Land Zone/s	Land Owner	Endangered Ecological Communities NSW listed	Primary Land Parcel DP number & Lot number	Identified Aboriginal Heritage	European Heritage	Soil substrate			Residential Amenity	Bushfire Risk Category (1 = Highest)
											Shale	Sand- stone	Alluvium		
D1	Peppin Park to The Woolwash Trailhead	Existing fire track	1,700	5.9	RE1	Dept. of Planning		250130_1034	No			X		X	1
D2	The Woolwash Trailhead/Primary access point	Existing			RE1	Council (road reserve)		N/A		The Woolwash		X			1
D3	The Woolwash Trailhead to Derwin Road	Existing fire track	1,400	6.2	RE1	Dept. of Planning & Council		584080_2	No			X			1
D4	Water crossing (possibly seasonal)	Existing			RE1	Council	SSTF	837241_1092	No			X			1
D5	Derwin Road to Wedderburn Road	Existing roads	900	4.3	RE1, SP2-FTC	Council (road reserve)		N/A			X	X			1
D6	Wedderburn Road to Spring Creek	Existing fire track	600	6.0	E3, RU2	Dept. of Planning & Dept. of Lands	SSTF	1028262_7010	No		X	X			1
D7	Water crossing: Spring Creek	Not existing			RU2	Dept. of Planning & Council	SSTF	1025751_1113	1 site		X	X			1
D8	Spring Creek crossing to Fullerton Circuit	Existing fire track	1200	4.6	RU2, RE1	Council	SSTF	752062_298	No		X	X			1
D9	Fullerton Circuit to Crown Reserve	Existing fire track	1,400	6.2	RE1, SP2-FTC, RU2	Council, 2 Private Properties & Dept. of Lands	SSTF	810721_5022	No		X	X			1
D10	Crown Reserve to [D11]	Existing fire track	800	6.3	RE1, SP2-FTC	Dept. of Planning & Dept. of Lands	SSTF	739889_4	No		X	X			1
D11	Water Crossing: Mansfield Creek	Not existing			SP2-FTC	Dept. of Planning	SSTF	739889_4	No		X	X			1
D12	Mansfield Creek to Noorumba Reserve Link	Existing fire track	1,500	9.5	SP2-FTC, E3	Dept. of Planning	SSTF	603674_1	No		X	X			1

Table 8: Trail Analysis Matrix – Section E

Ref.	Description	Status	Estimated Length	Average Slope	Land Zone/s	Land Owner	Endangered Ecological Communities	Primary Land Parcel Lot number	Identified Aboriginal Heritage	European Heritage	Soil substrate		Residential Amenity	Bushfire Risk Category (1 = Highest)
											Shale	Sandstone		
E1	Noorumba Reserve Link to land across river from Wedderburn Christian Campsite	Existing fire track	7,600	5.0	RE1	Dept. of Planning	SSTF	629720_2	1 site		X	X		1
E2	Land across river from Wedderburn Christian Campsite	Existing fire track	500	15.4	E3	Dept. of Planning	SSTF	629720_2	1 site		X	X		1
E3	Land across river from Wedderburn Christian Campsite to Blackburn Road	Existing fire track	1,000	5.9	RE1	1 Private Property & Dept. of Planning	SSTF	632721_2	No		X	X		1
E4	Water crossing	Existing (possibly seasonal)			RE1	Dept. of Planning	SSTF	629716_3	1 site		X	X		1
E5	Blackburn Road	Existing road	1,000	7.8	E3	Council (road reserve)		N/A				X		1
E6	Blackburn Road to Lysaghts Road	Existing informal track	800	3.7	E3	NPWS		717475_620	No			X		1
E7	Road crossing: Lysaghts Road					Council (road reserve)						X		1
E8	Lysaghts Road to Dharawal National Park	Existing 10T walking trail	3,000	5.9	E1	Dept. of Lands & NPWS		12665_20	2 sites			X		1
E9	Dharawal National Park: Trailhead/Primary Access Point	Existing	7,600		E1	NPWS		1123360_300	1 site			X		1
			Total estimated length = 1,393											

## 9. Approvals/Permissions

The project development may require the securing of a range of approvals/permits under relating to various legislation. The legislation/policies outlined below may require further actions to gain approval for successful and timely progression of the project.

**Table 9: Legislation/Policies**

	Legislation/Policy	Purpose	Process	Regulator
Commonwealth	Environment Protection & Biodiversity Conservation Act 1999	Protects matters of national environmental significance (MNES) such as: <ul style="list-style-type: none"> <li>Koala</li> <li>Endangered Ecological Communities</li> </ul>	Disturbance to MNES require approval	Department of the Environment and Energy
	Water Management Act 2000	Regulates the destruction of trees on land susceptible to erosion or land that is otherwise environmentally sensitive.	Public authorities are exempt and do not need to obtain a controlled activity approval <sup>9</sup>	Department of Primary Industries Office of Water
New South Wales	Environmental Planning and Assessment Act 1979 (Part 5)	Ensures public authorities fully consider environmental issues when undertaking or approving activities that do not require development consent.	If activities are likely to significantly affect the environment, a Review of Environmental Factors (REF) will need to be submitted	Department of Planning and Environment
	State Environmental Planning Policy (Infrastructure) 2007	Assists the NSW Government, local councils and the communities they support by simplifying the process for providing infrastructure	Assessment of permissibility of the activity in the project's land use zones is required	Department of Planning and Environment
	State Environmental Planning Policy No. 44: Koala Habitat Protection	Encourages the proper conservation and management of areas of natural vegetation that provide habitat for koalas, to ensure a permanent free-living population over their present range and reverse the current trend of population decline	Assessment of core koala habitat is required through the Review of Environmental Factors (REF)	Department of Planning and Environment
	State Environmental Planning Policy No. 19—Bushland in Urban Areas	The general aim of this Policy is to protect and preserve bushland within the urban areas	Approval required through the Review of Environmental Factors (REF)	Department of Planning and Environment
	National Parks and Wildlife Act 1974 (Part 6)	Provides for the conservation of objects, places and features that are of significance to Aboriginal people.	Aboriginal Heritage Impact Permit/s may be required	Office of Environment & Heritage
	Council Approval	Ensure Council support for the project	Formal Council endorsement for the project, including associated infrastructure (e.g. trailhead signage)	Campbelltown City Council

The development of the Georges River Recreational Trail will likely require consultation with the following stakeholders:

- NSW Fire Service
- NSW Department of Primary Industries – Crown Lands Division and Office of Water
- NSW National Parks and Wildlife Service
- NSW Office of Environment and Heritage
- NSW Department of Planning
- Sydney Water Corporation
- Department of Lands
- Various land owners and/or managers
- Roads and Traffic Authority
- Aboriginal representatives
- Community organisations/committees
- Local community members
- Additional stakeholders identified during the detailed feasibility study stage

## 10. Construction & Maintenance Cost Estimates

High level cost estimate ranges have been developed, broadly based on an estimated cost per unit or cost per linear metre basis. These cost ranges are based on a minimal level of information presently available (constrained by the scope limitations of this report), and, as such, are highly subjective, intended only to provide a broad indication of possible costs involved in developing a trail of this nature.

Cost estimate ranges for construction and ongoing maintenance are broadly considered, with high level allowances made for the following items:

- Upgrade existing sections of fire tracks/prescribed trails/informal trails
  - Trail tread upgrade (surfacing/re-surfacing, widening, edge stabilisation)
  - Additional drainage infrastructure
  - Localised vegetation removal/pruning (to ensure appropriate trail tread width/height clearance, visibility)
  - Localised re-routes / new sections of trail to avoid unsustainable alignments
- Construct new sections of trail
  - Set out alignment
  - Protection of existing, retained vegetation
  - vegetation clearance/pruning (to ensure appropriate trail tread width clearance, visibility)
  - groundworks/earthworks
  - tread surfacing/edge stabilisation
  - drainage infrastructure
- Trailhead infrastructure
  - Signage to include mapping, trail classification, code of conduct, authorised user information, safety/management information, environmental sensitivities, interpretation material
  - Car parking (formalisation/upgrades to existing surfaces or new)
  - Toilet facilities (upgrades to existing facilities or new facilities)
- Trail signage
  - Waymarkers
  - Warning signage (road crossings, bridges, entering reserves, proximity to water, steep sections)
- Controlled entry points (prevention of unauthorised trail access)
  - Gates/barriers/fences
- Water crossings
  - Bridge/culvert construction (upgrade of existing arrangement or new)
  - warning signage
- Road crossings
  - vehicle user warning signs,
  - trail user warning signs,
  - road line markings
  - modifications to drop kerbs etc

The table below summarises high level cost estimate ranges.

**Table 10 Cost Estimate Ranges**

Component	Unit / Approx. Distance	Cost Estimate Range	
		Lower	Higher
Upgrade existing sections of fire tracks/ prescribed trails/ informal trails (trail tread)	52km	\$260k	\$520k
Construct new sections of trail (trail tread)	10km	\$400k	\$700k
Trailhead infrastructure	6no.	\$540k	\$720k
Trail signage (wayfinding/warning)	62km	\$30k	\$50k
Controlled entry points	30no.	\$300k	\$600k
Water/steep terrain crossings	20no.	\$300k	\$600k
Road crossings	10no.	\$50k	\$100k
Subtotals		\$1,880,000	\$3,290,000
Design/Construction Contingencies (10%)		\$188,000	\$329,000
<b>Totals</b>		<b>\$2,068,000</b>	<b>\$3,619,000</b>

*\* Cost estimate ranges do not allow for price escalation.*

Costs associated with the following items (some of which are identified on the mapping) are not considered within these broad cost estimate ranges:

- Additional upgrade work/infrastructure that may be required associated with any road corridor alternative option (e.g. verge clearing/pruning, verge surface upgrades, road widening, footpath upgrading, safety/warning signage)
- Connectivity with and formalisation of 'informal' mountain bike trail network that exists within the vicinity of Boronia Reserve and Peter Meadows Creek
- Potential link into Noorumba Reserve
- Re-vegetation / vegetation removal mitigation
- Additional trail related infrastructure that may be required:
  - safety barriers/fencing
  - Phytophthora dieback mitigation infrastructure
  - 'discretionary' support infrastructure (e.g. additional seating, shelters, BBQs, interpretation signage)

With any future trail alignment undoubtedly crossing multiple land tenure boundaries, responsibilities for capital outlay and ongoing maintenance costs will be dependent on future cross-agency negotiations and management responsibility agreements.

Costs associated with the next stages of trail planning and development (pre-construction) are considered separately in the next section of this report.

### **Annual Maintenance Costs**

Broad/high-level maintenance costs are estimated at 1.5% of the overall cost of the trail development, applicable on an annual basis. This would equate to between approximately \$31,020 and \$54,285 per annum.

## 11. Next Steps

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### 11.1 Preliminary Consultation

Using this report as a resource that succinctly explains the overall trail concept, it is recommended that preliminary consultation be undertaken, led by Council staff, with select key stakeholders to gauge levels of in-principle support for further feasibility investigations. These stakeholders might include:

- Relevant Council officers
- Relevant Government agencies
- Relevant land owners/managers (multiple)

Preliminary consultation may also involve a media release that outlines the trail concept to gauge initial levels of support from members of the community.

Subject to the establishment of sufficient in-principle support for the project, and in line with the trail planning & development process (section 2), subsequent steps would then involve undertaking a detailed feasibility study and trail development plan.

This short report addresses a number of the items listed below at a high level, and provides a basis upon which to build the detailed case for a recreational trail, with further detailed analysis required to fully demonstrate the feasibility of its implementation.

### 11.2 Detailed Feasibility Study

A Detailed Feasibility Study process should address the following:

- Context & background to the project
- Purpose of the trail
- Recreational trail trends
- Demographic analysis
- Need for the trail (supply and demand)
- Target markets and trail user group requirements
- Complementary tourism opportunities/points of interest
- Strategic planning policy context
- Connectivity with the local and wider/regional trail network
- Partnerships between trail users, trail user groups, private and public agencies
- Community engagement and levels of support
- Key stakeholder engagement
- Flora & fauna desktop assessment
- Preliminary cultural heritage study
- On-ground assessments/surveys
- Concept design parameters
- Potential trail sharing/user conflict issues
- Trail infrastructure requirements
  - Trailheads (car parking, toilets, shelters, signage)
  - Signage (wayfinding, directional, interpretive, management/warning)
  - Trail tread surface treatments (existing trail upgrades, new trail construction/vegetation clearance)
  - Water crossings (bridges, culverts)



- Road crossings (signage, line markings)
- Barriers (safety fencing)
- Furniture (seating, shelters, bins)
- Emergency access requirements
- Interpretation material concepts
- Management & maintenance planning
- Costs & funding models
- Funding opportunities
- Study Findings
- Periodic reporting/presentations to Project Team/Council & key stakeholders
- Securing of in-principle permissions/approvals

***Estimated cost range to undertake a Detailed Feasibility Study: \$40-50k + GST***

It is recommended that all in-principle permissions/approvals are secured prior to advancement onto the detail design/documentation phase. Alternative trail alignment options may need to be considered as part of the detailed feasibility study where permissions/approvals are deemed unlikely to be secured, or where they cannot be secured without further detailed survey work.

## 11.3 Trail Development Plan / Detail Design & Documentation

A Trail Development Plan should include the following:

- Identify final route on detailed topographical map
- Targeted flora & fauna surveys
- Determine trail classification(s)
- Determine trail infrastructure requirements
- Ground truthing of final trail alignment
- Ensure all safety issues are addressed
- Construction drawings/specifications
- Construction methodology
- Refined cost/quantity estimates
- Staged Implementation Plan
- Periodic reporting/presentations to Project Team/Council & key stakeholders

***Estimated cost range to undertake a Trail Development Plan: \$40-50k + GST***

Additional items that might also be deemed necessary include:

- Aboriginal Cultural Heritage Management Plan
- Registered Aboriginal Parties fees
- Environmental management plans (flora/vegetation, fauna, weed/disease spread)
- Specialist engineering design of bridges/water crossing
- Cost benefit analysis / business case
- Management & maintenance plan
- Risk management plan
- Trail user code of conduct
- Promotion & marketing plan
- Signage style guide
- Interpretation material content plan
- Land use license/access agreement

## 12. Estimated Timeframes

At this early stage in the trail planning process it is difficult to accurately predict the time it will take to implement any trail development project.

A phased approach to the design and implementation of the trail might also be considered, potentially dependent on the ability to secure sufficient funding. Phasing the development of the trail may affect overall timeframes.

The chart below attempts to provide an indication of timeframes required to undertake a project of this nature and magnitude.

**Table 11: Indicative Timeframes**

Stage		2017					2018					2019														
		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
1	Project brief development & appointment of consultant																									
2	Detail Feasibility Study (including stakeholder consultation)																									
3	Trail Development Plan - Detail Design/Documentation																									
4	(Approvals/Permissions process)																									
5	Secure funding																									
6	Construction tender process & appointment of contractor																									
7	Construction																									
8	Official Trail Opening																									

## 13. Potential Funding Sources

Potential external funding sources are available through federal and state government programs which could support the development of the Georges River Bush Cycle Track. In addition to government funding programs, private and commercial sector opportunities may also be available. Government funding programs continually change so it is recommended that the relevant websites are frequently reviewed.

### 13.1 Australian Government Funding Initiatives

- Department of Infrastructure and Regional Development  
<http://investment.infrastructure.gov.au/funding/>
- Department of the Environment and Energy  
<http://www.environment.gov.au/about-us/grants-funding>
- Business  
<https://www.business.gov.au/Assistance>
- Australian Sports Commission  
<http://www.ausport.gov.au/supporting/funding/about>

A current example of a funding program through the Department of Infrastructure and Regional Development is the *Community Development Grants Programme*. This is an initiative to support the construction and upgrade of facilities to provide long term improvements in social and economic viability of local communities. \$936.8 million has been committed by the Australian Government to fund projects ranging from \$2,000 to \$35 million over six years to 2019-20. Details are available at <http://investment.infrastructure.gov.au/funding/communitydevelopment/>.

### 13.2 State Government Funding Initiatives

- Greater Sydney Commission  
<http://www.greater.sydney/grants-and-awards>
- Roads and Maritime Services  
<http://www.rms.nsw.gov.au/projects/walking-cycling/>
- Office of Sport and Recreation  
<https://sportandrecreation.nsw.gov.au/clubs/grants>
- Community Building Partnership  
<http://www.communitybuildingpartnership.nsw.gov.au/>

A current example of a funding program through the Greater Sydney Commission is the *Metropolitan Greenspace Program* which supports local councils to improve open spaces, parks, bushland, natural areas, waterway corridors and tree-lined streetscapes in a network that connects residential areas to centres, public transport, jobs and recreation. Approximately \$3 million is available each year, with funds awarded to councils on a matching dollar-for-dollar basis. Details are available at <http://www.greater.sydney/metropolitan-greenspace-program>.

### 13.3 Commercial and Private Sector Funding

Commercial and private sector funding is often to assist with project developments and ongoing operations. Opportunities such as naming rights and in-kind donations of labour and materials are a potential resource for new facility developments and upgrades.

## 13.4 Trusts and Foundations

There are numerous trusts and foundations established in Australia and a number provide funding for projects such as this. Often, they are established by large corporations. Details are available at [www.philanthropy.org.au](http://www.philanthropy.org.au).

## 13.5 Other trails resourcing mechanisms

There are other not for profit organisations that provide on the ground support in relation to trail maintenance and development, such as:

- Green Corps
- Conservation Volunteers Australia
- "Friends of" Groups

## References

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<sup>1</sup> Strava Labs. 2017. *Global Heat Map*. Available at <http://labs.strava.com/heatmap/#10/-569.53812/-34.47203/blue/both> [Accessed 10 January 2017]

<sup>2</sup> NSW Government Planning and Environment, Planning Viewer: Land Zoning. 2016. Currency date: 11 March 2016. Available at [https://www.planningportal.nsw.gov.au/find-a-property/council-layer/1500/Land\\_Zoning](https://www.planningportal.nsw.gov.au/find-a-property/council-layer/1500/Land_Zoning) [Accessed 16 January 2017]

<sup>3</sup> NSW Government Digital Cadastral Database. 2016. Available at <http://data.nsw.gov.au/data/dataset/lpi-web-services-nsw-cadastr> [Accessed 16 January 2017]

<sup>4</sup> NSW Government Planning and Environment, Planning Viewer: Heritage. Published: 11 December 2015. [https://www.planningportal.nsw.gov.au/find-a-property/property/3332723\\_Harrison\\_Road\\_7015\\_Kentlyn\\_DP1058964](https://www.planningportal.nsw.gov.au/find-a-property/property/3332723_Harrison_Road_7015_Kentlyn_DP1058964) [Accessed 17 January 2017]

<sup>5</sup> NSW Government Planning and Environment, Planning Viewer: Bushfire Prone Areas. 2014. Published: 6 June 2014. Available at [https://www.planningportal.nsw.gov.au/find-a-property/council-layer/1500/Land\\_Zoning](https://www.planningportal.nsw.gov.au/find-a-property/council-layer/1500/Land_Zoning) [Accessed 16 January 2017]

<sup>6</sup> Department of Primary Industries – Office of Water. 2012. *Controlled activity exemptions on waterfront land*. Available at <http://www.water.nsw.gov.au/water-licensing/approvals/controlled-activity> [Accessed 19 January 2017]

## **8.4 Demolition of existing structures and construction of an attached dwelling development comprising three dwellings at No. 39 Euroka Street, Ingleburn**

### **Reporting Officer**

Director City Development  
City Development

### **Community Strategic Plan**

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

### **Officer's Recommendation**

1. That Council permit the requested variation to Clause 4.1C of Campbelltown Local Environmental Plan 2015 which relates to the minimum allotment size required for a dwelling.
2. That subject to recommendation 1, development application 1584/2017/DA-M for the demolition of existing structures and construction of an attached dwelling development at 39 Euroka Street, Ingleburn, be approved, subject to the conditions detailed in attachment 1 of this report.
3. That subject to recommendation 1 and 2, approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.
4. That a housekeeping amendment to the Campbelltown Local Environmental Plan 2015 be prepared to facilitate the development of existing narrow lots within the R2 Low Density Residential zone for the purpose of attached dwellings, consistent with previous planning controls that were in place prior to the commencement of the Campbelltown Local Environmental Plan 2015.

### **Background**

A development application was lodged with Council on 22 May 2017 for the demolition of existing structures and construction of an attached dwelling development, comprising three dwellings at 39 Euroka Street, Ingleburn.

The land is within the locality of Ingleburn where the Council has previously approved the same variation and resolved to amend the CLEP 2015 to facilitate the development of existing narrow lots in Ingleburn; without the need for a Clause 4.6 variation request to CLEP 2015.

The required amendment to the CLEP 2015 is currently being undertaken, however, in the meantime, a Clause 4.6 variation request is required in order for Council to formally consider a variation to the Clause 4.1C development standard. Hence, this application has been tabled before Council, seeking formal approval for the variation.

## Purpose

To assist Council in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

This development application is required to be reported to Council pursuant to the provisions of Department of Planning Circular PS 08-014 (dated 14 November 2008) as it is seeking a variation of greater than 10 percent to a development standard contained in CLEP 2015.

A variation is sought from the minimum 1000sqm qualifying lot size for attached dwellings in the R2 Low Density Residential land use zone, pursuant to the provisions of Clause 4.1C(2) of the CLEP 2015.

<b>Property Description</b>	Lots 45, 46 & 47 Section L DP 1703 No. 39 Euroka Street, Ingleburn
<b>Application No</b>	1584/2017/DA-M
<b>Applicant</b>	Mr. Adam Medrzejewski
<b>Owner</b>	Mrs. Maryanne Medrzejewski Mr. Adam Michael Medrzejewski
<b>Statutory Provisions</b>	State Environmental Planning Policy Building Sustainability Index: BASIX) 2004 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
<b>Non-Statutory Provisions</b>	Campbelltown 2027
<b>Date Received</b>	22 May 2017

## Report

The development application was lodged with Council on 22 May 2017 for the demolition of existing structures and construction of an attached dwelling development comprising three dwellings at 39 Euroka Street, Ingleburn.

## The Site and Surrounds

The site comprises three existing allotments, legally described as Lots 45, 46 and 47 in Section L in DP 1703. Each allotment maintains an individual area of 224.8sqm (total site area 674.4sqm) and a frontage of 6.705 metres to Euroka Street (total site frontage 20.115m). The site is located on the north-western side of Euroka Street, with vehicular access gained from Euroka Street.

Current improvements on the site include a double storey rendered dwelling and a detached rendered garage situated within the south-western corner of the site. Vegetation on the site comprises domestic landscaping in the form of garden beds and hedging.

The site is situated within the established residential area of Ingleburn. Surrounding development comprises a mix of low and medium density residential development, including dwellings, attached dwellings, dual occupancies and multi dwelling housing. Several of the properties along Euroka Street have undergone redevelopment/are in the process of being redeveloped. The character of the street is currently a mix of older single storey dwellings and newer dwellings and medium density development. The proposed development is consistent with the desired future character of the area.

## **The Proposal**

The development application proposes the construction of an attached dwelling development, comprising three dwellings. The works for which consent are sought are detailed below.

## **Demolition**

Consent is sought as part of this application for the demolition of the existing double storey dwelling, detached garage and associated structures, including the timber awning to the rear of the dwelling. The existing site landscaping is also identified for removal as part of the demolition works.

## **Construction**

Each of the proposed dwellings comprise downstairs kitchen and living/dining area, laundry and toilet and attached single garage, with upstairs comprising four bedrooms with ensuite to main and a separate bathroom. The garage of the central dwelling also incorporates an additional storage area.

The development involves the installation of drainage infrastructure to facilitate the discharge of stormwater to Euroka Street, via gravity. A 1,000 litre rainwater tank is provided underground within the front setback for each dwelling, in accordance with the BASIX requirements.

## **Landscaping**

The development includes the installation and establishment of landscaping to enhance the presentation of the development to Euroka Street. A tree is proposed within the front setback of each dwelling as well as a mixture of groundcover plantings along the driveways, to reduce their visual prominence on the streetscape.

## **1. Non-statutory provisions**

### **1.1 Campbelltown 2027 Community Strategic Plan**

Campbelltown 2027 is the Community Strategic Plan (CSP) for the city of Campbelltown. Campbelltown 2027 addresses four key strategic outcomes that Council and other stakeholders will work to achieve over the next 10 years:

- Outcome 1: A vibrant, liveable city



- Outcome 2: A respected and protected natural environment
- Outcome 3: A thriving, attractive city
- Outcome 4: A successful city

Outcome 1 is the most relevant to the proposed development.

The strategy relevant to this application is as follows:

1.8- Enable a range of housing choices to support different lifestyles

The three lots are existing and are readily capable of facilitating the proposed development. The development is consistent with the above strategy as it would contribute to the provision of affordable housing to meet the needs of the growing local population and presents a design that is consistent with existing residential development along Euroka Street and within the broader Ingleburn locality.

## **2. Statutory Provisions**

### **2.1 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004**

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP) requires a BASIX Certificate to accompany development applications for dwellings.

A BASIX Certificate detailing the BASIX commitments applicable to the development have been provided for each dwelling:

- Certificate number: 819004S, Issued: 21 May 2017
- Certificate number: 819020S, Issued: 21 May 2017
- Certificate number: 819036S, Issued: 21 May 2017

The commitments have been detailed on the development plans and a condition of development consent has been recommended to ensure the implementation of these commitments prior to the issue of an occupation certificate.

### **2.2 Campbelltown Local Environmental Plan 2015**

The subject site is zoned R2 Low Density Residential under the provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015). The development is defined as an attached dwelling, comprising three dwellings.

An attached dwelling is defined in CLEP 2015 as:

a building containing three or more dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.

Development for the purpose of an attached dwelling is permissible with consent in the R2 land use zone.

Following is a discussion of the relevant provisions of the CLEP.

#### Clause 2.7 Demolition requires development consent

Clause 2.7 provides that the demolition of a building or work may be carried out only with development consent. Consent is sought as part of this application for the demolition of the existing double storey dwelling and detached garage.

#### Clause 4.1C Minimum qualifying site area and lot size for certain residential and child care centre development in residential zones

Clause 4.1C(2) relevantly provides that development consent may be granted to development for the purpose of an attached dwelling in the R2 Low Density Residential zone, if the area of the lot is equal to or greater than 1,000sqm.

The development is proposed across three existing lots, with a combined area of 674.4sqm; a deficit in qualifying site area of 325.6sqm.

A variation to this development standard has been sought in accordance with the provisions of Clause 4.6, discussed below.

#### Clause 4.3 Height of Buildings

Pursuant to the provisions of Clause 4.3, a maximum building height of 9 metres is applicable to the site. The development maintains a maximum building height of 7.75 metres, in compliance with this clause.

#### Clause 4.3A Height restrictions for certain residential accommodation

Clause 4.3A relevantly provides that an attached dwelling development must not be higher than 2 storeys. The attached dwellings do not exceed 2 storeys in height.

#### Clause 4.4 Floor Space Ratio

Pursuant to the provisions of Clause 4.4, a maximum floor space ratio (FSR) of 0.6:1 is applicable to the site. As the three lots are existing; the FSR has been calculated individually for each lot:

<b>Proposed Residence No.</b>	<b>GFA (sqm)</b>	<b>Site Area (sqm)</b>	<b>FSR</b>	<b>GFA Exceedance (sqm)</b>
1	138.04	224.8	0.61:1	3.16
2	144.6	224.8	0.64:1	9.72
3	139.23	224.8	0.61:1	4.35

**Table 1: FSR Calculations**

A variation to the FSR development standard has been sought in accordance with the provisions of Clause 4.6 (Exceptions to development standards).

#### Clause 4.6 Exceptions to development standards

Clause 4.6 relevantly provides that development consent may, subject to this clause, be granted for development even though the development would contravene a development standard. The development contravenes the following development standards:

- Clause 4.1C(2) The total area of the site is 674.4sqm which is 325.6sqm less than the required site area of 1,000sqm for an attached dwelling in the R2 zone. This equates to a 32.56 per cent variation from the development standard.
- Clause 4.4(2) Each of the attached dwellings has a minor variation from the maximum 0.6:1 FSR:
  - Proposed Residence No. 1 (Lot 45) has a total gross floor area of 138.04sqm which equates to a 2.3 per cent FSR exceedance
  - Proposed Residence No. 2 (Lot 46) has a total gross floor area of 144.6sqm which equates to a 7.2 per cent FSR exceedance
  - Dwelling 3 has a total gross floor area of 139.23sqm which equates to a 3.2 per cent FSR exceedance.

The applicant has submitted a formal Clause 4.6 variation request for the abovementioned contraventions of the development standards.

Clause 4.6		Campbelltown Local Environmental Plan 2015	
Subclause	Requirement	Response	Complies
(3)	<p>Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p>	<p>The applicant has provided a written request to vary the minimum qualifying lot size for attached dwellings in Clause 4.1C(2) and to vary from the FSR applicable in Cl. 4.4(2).</p> <p>Compliance with the abovementioned development standards is considered unreasonable in the circumstances of the case. The three lots are existing and are readily capable of facilitating the attached dwelling development.</p>	Yes

Clause 4.6		Campbelltown Local Environmental Plan 2015	
Subclause	Requirement	Response	Complies
(4)	Development consent must not be granted for development that contravenes a development standard unless:		
	(a) the consent authority is satisfied that:		
	(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and	Council is satisfied that the applicant's written request has adequately addressed subclause (3).	Yes
	(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and	The objectives of both Clauses 4.1C and 4.4 are maintained and the development is generally consistent with the requirements of the DCP. The proposed development is therefore in the public interest.	Yes
	(b) the concurrence of the Secretary has been obtained.	Council has delegation	-

Table 2: Clause 4.6 Assessment

#### Clause 5.9 Preservation of trees or vegetation

Clause 5.9 relevantly provides that a person must not remove any tree or other vegetation to which the Campbelltown (Sustainable City) Development Control Plan 2015 (Sustainable City DCP) applies without development consent.

Vegetation identified for removal comprises landscaping associated with the current use of the dwelling. None of the vegetation identified for removal is of ecological significance.

#### Clause 5.10 Heritage conservation

The structures to be demolished are not heritage items and therefore the heritage conservation provisions of the CLEP are not applicable.

#### Clause 7.10 Essential services

Clause 7.10 provides that development consent must not be granted to development unless Council is satisfied that services that are essential for the development are available or that adequate arrangements have been made to make them available when required.

The site is readily serviced by water, electricity, sewer and telecommunication services. The development demonstrates the ability to cater for the discharge of stormwater to Euroka Street via gravity and the provision of vehicular access from Euroka Street.

### 2.3 Campbelltown (Sustainable City) Development Control Plan 2015

Campbelltown (Sustainable City) Development Control Plan (the Sustainable City DCP) is the relevant development control plan for the site and development type.

The development has been assessed against the relevant provisions of Part 2 (Requirements Applying to all Types of Development) and Part 3 (Low and Medium Density Residential Development and Ancillary Residential Structures) of the Sustainable City DCP.

#### Volume 1 Part 2 – Requirements applying to all types of development

General design requirements with regard to possible environmental impacts of the development are outlined in Part 2 of the Sustainable City DCP.

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>2.4.1 Rain Water Tanks</b>	In addition to satisfying BASIX, residential development is encouraged to provide a rain water tank for new buildings.	A BASIX Certificate has been provided for each of the dwellings which detail the BASIX commitments for the attached dwelling development.	Yes
	Above ground water tanks shall be located behind the primary or secondary building line.	A rainwater tank has been provided for each dwelling. The rainwater tanks are located underground, within the front setback area and are therefore not visible from the street.	Yes
<b>2.4.3 Natural Ventilation</b>	The design of new buildings shall be encouraged to maximise opportunities for cross flow ventilation, where practical, thus minimising the need for air conditioning.	The design of the dwellings, where practical, encourages cross flow ventilation, with the placement of windows and sliding doors.	Yes
<b>2.4.5 BASIX</b>	BASIX Certificate is required	A BASIX Certificate has been provided for each of the dwellings.	Yes
<b>2.5 Landscapin g</b>	Landscape Concept Plan is required	A Landscape Plan has been provided. The landscape design enhances the visual character of the development and adds character to the streetscape.	Yes
<b>2.7 Erosion and Sediment Control</b>	An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted with a development application proposing construction and/or activities involving the disturbance of the land surface.	A condition of consent has been recommended requiring the installation of erosion and sediment control measures prior to the commencement of works.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>2.9 Demolition</b>	<p>A development application involving demolition shall be considered having regard to the following information:</p> <ul style="list-style-type: none"> <li>• a detailed work plan prepared by a suitably qualified person, in accordance with AS2601-2001- The Demolition of Structures (as amended);</li> <li>• details of the licensed demolition contractor engaged to carry out the work (including name, address and building licence number);</li> <li>• a hazardous materials report that lists details of methods to prevent air, noise and water pollution and the escape of hazardous substances into the public domain;</li> <li>• details of any asbestos or other hazardous substances to be removed from the site and/or damaged during demolition; and</li> <li>• a dilapidation report where any demolition work is to be undertaken within the zone of influence of any other structure.</li> </ul>	Demonstration of compliance with these provisions prior to any demolition works commencing is recommended as a standard condition of development consent.	Yes
<b>2.10.3 Stormwater Drainage</b>	A stormwater drainage concept plan shall be prepared by a suitably qualified person, and submitted with all development applications, involving construction (except for internal alterations/fitouts), demonstrating to Council how the stormwater will be collected and discharged from the site.	A stormwater plan has been submitted demonstrating that the development is able to drain via gravity to Euroka Street. Engineering conditions of consent have been recommended.	Yes
<b>2.15 Waste Management</b>	A detailed WMP is required to address waste management during the construction and on-going phases of the development	A Waste Management Plan has been provided.	Yes

Table 3: Sustainable City DCP Part 2 Assessment

## Volume 2 Part 3 – Low and Medium Density Residential Development and Ancillary Residential Structures

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>3.4.1 Building Form and Character</b>	Building design (including facade treatment, massing, roof design and entrance features), setbacks and landscaping shall complement the scale of development, and the desired future character of the residential neighbourhoods.	Several of the properties (including the adjoining nos. 41 and 39) along Euroka Street have undergone redevelopment/are in the process of being redeveloped. The character of the street is currently a mix of older single storey dwellings and newer dwellings and medium density development. The attached dwelling development is of a design and scale that is consistent with the current streetscape, whilst also responding to the future desired character of the neighbourhood.	Yes
	On-site parking areas shall be designed and sited to reduce the visual prominence of garage doors and external parking spaces as viewed from the street or other public place.	Each dwelling has been provided with a single car garage and hardstand car parking space. The garage doors maintain the minimum 6 metre front setback and have been sited and designed to integrate with the dwelling so as to reduce visual prominence. The incorporation of porches forward of the garages on Lots 45 and 47 assist with reducing the visual prominence of the garage doors. Further, the cantilevering of the first floor 500mm over the garages below contributes to the recessed appearance of the garages when viewed from Euroka Street.	Yes
	Garage doors facing a public street shall not be wider than 50 per cent of the width of the building's facade fronting the street.	The garage doors of the dwellings on Lots 45 and 47 are greater than 50 per cent of the width of the building's façade. Given that the lots are existing narrow lots on which attached dwellings are permissible, a variation from this requirement is considered appropriate and is consistent with similar recent approvals granted in the area.	No – but justified
	No bathroom, ensuite, toilet or laundry windows shall face the primary street of an allotment.	No bathroom, ensuite, toilet or laundry windows face Euroka Street.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>3.4.1.2 Building Height</b>	The height of development shall not result in any significant loss of amenity (including loss of solar access and visual and acoustic privacy) to adjacent properties and public places.	The development maintains a maximum building height of 7.75m. Shadow diagrams submitted with the application demonstrate that the development achieves adequate solar access for adjacent properties.	Yes
<b>3.4.2 Car Parking and Access</b>	The minimum dimensions of any required parking space shall be 2.5 metres x 5.5 metres. If the car parking space adjoins a vertical edge which is 100mm or higher, the minimum width of the car parking space shall be 2.7 metres.	Each dwelling is provided with a car parking space in front of the garage, each space maintains the dimensions of 5.5m x 3.2m.	Yes
	The minimum internal dimension of an enclosed garage shall be 3 metres x 6 metres.	Each of the garages maintains a minimum internal dimension of 3m x 6m.	Yes
	Transitional grades shall comply with AS2890.1 (as amended) Parking Facilities - Off-Street Car Parking.	The driveways have been designed to comply with the transitional grades in AS2890.1.	Yes
	The minimum width of the driveway at the street kerb shall be 2.5 metres where the driveway provides access for one dwelling.	Each driveway maintains a width of 3 metres at the street kerb.	Yes
	Driveways shall be designed and located perpendicular to the road.	Driveways have all been designed perpendicular to the road.	Yes



		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>3.4.3.2 Visual Privacy</b>	No window of a habitable room or balcony shall directly face a window of another habitable room, balcony or private open space (POS) of another dwelling located within 6 metres of the proposed window or balcony unless appropriately screened.	The living room windows along the side boundaries on the ground floor of the dwellings are appropriately screened by the 1.8m high boundary fence. The adjoining property to the south-west, i.e. 41 Euroka Street has a development approval for three attached double storey dwellings (1958/2010/DA-M approved by Council on 25 January 2011). A construction certificate has been issued and works have commenced. The adjoining side façade of the approved development comprises a single first floor window, this being a bathroom window. The existing adjoining development to the north-east at 37C Euroka Street has three first floor windows. The windows of the development along this façade have been offset from these existing windows, to negate any potential for overlooking.	Yes
<b>3.4.4 Solar Access</b>	Living areas shall generally have a northerly orientation.	The living areas, where possible, generally have a northerly orientation.	Yes
	A minimum 20sqm fixed area of the required private open space shall receive three hours of continuous direct solar access on 21 June, between 9.00am and 3.00pm, when measured at ground level.	A minimum 20sqm fixed area of POS for each dwelling receives at least 3 hours solar access.	Yes
	Development shall have appropriate regard to the impact on solar access to useable private open space and living areas, solar collectors and clothes drying areas of adjoining residential development.	Shadow diagrams have been provided which demonstrate that the proposed development does not adversely impact the POS areas of adjoining residential development.	Yes
	Building siting shall take into consideration the range of factors that impact on solar access including slope of land, vegetation and existing building and other structures.	The dwellings have been sited having regard to the topography of the site and existing vegetation.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>3.5.1 Fencing</b>	Residential fencing along the rear and side boundaries shall be: <ul style="list-style-type: none"> <li>located behind the primary street building line;</li> <li>a maximum 2.1 metres in height (excluding retaining walls); and</li> <li>a maximum 1.8 metres in height, if adjoining a secondary street.</li> </ul>	A condition of consent has been recommended identifying acceptable fencing materials and heights.	Yes
<b>3.6.5.1 Site Requirements for Attached Dwellings – Zone R2</b>	Each lot of land for each attached dwelling shall have a minimum width of 7.5 metres measured along the side boundaries at a distance of 5.5 metres from the primary street boundary unless each individual allotment is in existence prior to the commencement date of the CLEP.	Each of the existing lots maintains a minimum width of 6.705 metres measured along the side boundaries at a distance of 5.5 metres. Each of the individual lots was in existence prior to the commencement date of the CLEP.	Yes
	With any development application involving the construction of a building wall on a boundary, the creation of an easement for access and maintenance on the adjoining land may be required.	The application was referred to Council's engineer who has not identified the requirement for any easements for access.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>3.6.5.2 Setbacks for Attached Dwellings – Zone R2</b>	<p>Attached dwellings shall be setback a minimum of:</p> <ul style="list-style-type: none"> <li>• 5.5 metres from the primary street boundary;</li> <li>• 6.0 metres from the primary street boundary for the garage or the undercover parking space;</li> <li>• 0.9 metres from any side boundary for the ground level;</li> <li>• 1.5 metres from any side boundary for all levels above the ground level; and</li> <li>• 5 metres from the rear boundary for any part of the building that is up to 4.5 metres in height from ground level (existing); and</li> <li>• 10 metres from the rear boundary for any part of the building that is higher than 4.5 metres from ground level (existing).</li> </ul>	<p>The development maintains the following setbacks:</p> <p>Primary street (all lots) – 5.5m</p> <p>Garage (all lots) – 6m</p> <p>Rear (all lots) – 11.53m</p> <p>Side (Lot 45) – 905mm</p> <p>Side (Lot 46) – zero lot, partial setback of dwelling 908mm</p> <p>Side (Lot 47) – 907mm from garage</p> <p>Upper levels are setback a minimum 1.5m from side boundaries.</p>	Yes
<b>3.6.5.3 The Size of Indoor Living Areas for Attached Dwellings – Zone R2</b>	The indoor living areas (i.e family room and lounges) within each dwelling contained within attached dwellings shall have a minimum of one unfragmented area that is not less than (4x5)sqm in case of four or more bedroom dwelling.	Each dwelling provides a living area on the ground floor in excess of 4m x 5m.	Yes
<b>3.6.5.4 Rear Access for Attached Dwellings – Zone R2</b>	Where there is no access to a rear lane or rear street directly available from the back of attached dwellings, each dwelling shall be provided with a separate and direct access from the backyard to the front yard that does not pass through any habitable area of the dwelling.	Separate direct access from the backyard to the front has been provided for each dwelling. For the central dwelling, access is facilitated through the garage; the remaining two dwellings have access along the side setbacks.	Yes
<b>3.6.5.5 Car Parking Rates for Attached</b>	Each dwelling that is part of attached dwellings shall be provided with a minimum of one single garage.	Each dwelling is provided with a single car garage.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>Dwellings – Zone R2</b>	Despite Clause 3.6.5.5 a) above, where an individual allotment is in existence before the date of gazettal of the CLEP and has a width less than 7.5 metres, standard garages shall not be permitted on the primary street frontage.	Whilst the allotments each maintain a minimum width that is under 7.5m, the design of the garages and dwellings ensures that the garages do not dominate the streetscape. A variation to this requirement is considered acceptable.	No – but justified by architectural merit
<b>3.6.5.6 Private Open Space for Attached Dwellings – Zone R2</b>	<p>Each dwelling shall be provided with an area of private open space that:</p> <ul style="list-style-type: none"> <li>• is located behind the primary street building setback;</li> <li>• has a minimum area of 60sqm;</li> <li>• has a minimum width of 3 metres;</li> <li>• includes a minimum levelled area of (5x5)sqm;</li> <li>• has a minimum unfragmented area of 40sqm;</li> <li>• has an internal living room directly accessible to the outdoor private open space areas; and</li> <li>• satisfies solar access requirements contained in section 3.4.4.</li> </ul>	Each dwelling is provided with an area of POS within the rear setback that has a minimum area of 60sqm and a minimum width of 3m. The POS of each dwelling maintains a levelled area with minimum dimensions 5m x 5m and an unfragmented area of 40sqm. The POS area for each dwelling is accessed via sliding doors from the indoor living rooms. Each POS area also achieves the relevant solar access requirements.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>3.6.5.7 Presentation to Public Streets for Attached Dwellings – Zone R2</b>	<p>Attached dwelling housing shall satisfy the following architectural requirements:</p> <ul style="list-style-type: none"> <li>a distinctive architectural outcome that unifies the range of building elements and diversity within the development and which also harmonises with surrounding development;</li> <li>incorporation of variations in roof heights and wall planes to avoid long unbroken ridge lines;</li> <li>incorporation of facade shifts and articulation, varied materials and colours in order to avoid duplication of the same building elements; and provision of windows and active spaces in the building ends, to provide additional security and visual interest.</li> <li>architectural features (such as balconies, openings, columns, porches, colours, materials etc.) and articulation in walls are to be incorporated into the front facade of each dwelling.</li> </ul>	<p>Each of the building elements work to unify the three dwellings, whilst also creating visual interest.</p> <p>The utilisation of a facebrick finish for the ground floor of all three dwellings unifies the dwellings, whilst variations to the first floor with the use of horizontal and vertical cladding, ensure each dwelling maintains an element of diversity – so as not to create a repetitive façade.</p>	Yes
		<p>The design is consistent with existing redevelopment along Euroka Street whilst also not offending the existing established streetscape.</p>	Yes
		<p>The design of the development incorporates variations in roof form, with a mix of flat and skillion roof form.</p> <p>The colours and materials utilised provide articulation to the façade. The dwellings each incorporate a front porch. The porches provide visual relief and balance the façade of each dwelling to ensure that the garage doors do not dominate the streetscape.</p>	Yes
<b>3.6.5.8 Landscaping and Deep Soil Planting for Attached Dwellings – Zone R2</b>	A development application for an attached dwelling shall include a detailed landscape plan prepared by a suitably qualified person.	A landscape plan has been provided. The proposed landscaping enhances the development when viewed from Euroka Street.	Yes

**Table 4: Sustainable City DCP Part 3 Assessment**

### **3. Impacts on the natural and built environment**

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires Council to assess the development's potential impacts on the natural and built environment, as well as potential social and economic impacts.

The key matters for consideration when considering the development's potential impact on the natural and built environment is as follows:

- demolition and construction
- solar access
- built form.

#### **3.2 Demolition and Construction**

The demolition and construction phases of the development have the potential to generate short term environmental impacts through the generation of dust, noise and vibration. Conditions of consent have been recommended to manage the demolition works, including the installation of erosion and sediment control measures prior to works commencing on site.

#### **3.3 Solar Access**

The shadow diagrams submitted with the development application demonstrate that due to the orientation of the lots and the design of the dwellings, the development does not have any unreasonable impacts on the solar amenity of the adjacent lots or on the useable private open space of the development.

#### **3.4 Built Form**

Each of the building elements work to unify the three dwellings, whilst also creating visual interest.

The utilisation of a facebrick finish for the ground floor of all three dwellings unifies the dwellings, whilst variations to the first floor with the use of horizontal and vertical cladding, ensure each dwelling maintains an element of diversity – so as not to create a repetitive façade. The mix of colours utilised provides further articulation to the façade.

The design of the development incorporates variations in roof form, with a mix of flat and skillion roof form. The porches provide visual relief and balance the façade of each dwelling to ensure that the garage doors do not dominate the streetscape. Further, the cantilevering of the first floor 500mm over the garages below contributes to the recessed appearance of the garages when viewed from Euroka Street.

The design is consistent with existing redevelopment along Euroka Street whilst also not offending the existing established streetscape.

### **4. Social, economic and environmental impacts**

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Having regard to social and economic impacts generated by the development, the attached dwelling development is contributing to the provision of affordable housing within the Ingleburn locality, to meet the housing needs of the local community. The demolition and construction phases of the development will have minor flow on economic benefits for the locality, through the generation of employment.

## 5. Site Suitability

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the suitability of the site for the proposed development.

The attached dwelling development is permissible with consent in the R2 land use zone and is consistent with the objectives of the zone. The site comprises three existing allotments which are readily capable of accommodating the development.

The development is similar in nature, scale and appearance to those that have been approved and constructed nearby over several years.

## 6. Submissions

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider submissions made to the proposal. The application was notified to surrounding property owners from 6 June 2017 to 12 July 2017. During this period Council received one written submission in response to the development.

The issues of objection raised during the notification period and Council's response to these issues, are discussed below.

Theme	Objection Detail	Response
The discharge of stormwater	Compensation for drainage infrastructure constructed by objector	<p>This is not a matter for consideration.</p> <p>The drainage pit is a Council asset and this application is entitled to utilise the public infrastructure.</p> <p>Council's engineers have endorsed the drainage plans and conditions of development consent have been recommended.</p>

Table 5: Submission Discussion

## 7. The Public Interest

Section 79C(1)(e) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider the public interest when dealing with a development application.

The development is providing affordable housing stock to meet the housing needs of the local community. The demolition and construction phase of the development will generate positive economic benefits through the generation of employment. The development is considered to be in the public interest.



## 8. Conclusion

The development application for the demolition of existing structures and construction of an attached dwelling development comprising three dwellings at 39 Euroka Street, Ingleburn has been assessed against the relevant matters for consideration within the relevant environmental planning legislation and Council's development controls.

The development's impacts on the natural and built environment are considered to be minimal, subject to management of potential issues during the demolition and construction phases, including noise and dust. Further, the dwelling design is consistent with existing redeveloped lots along Euroka Street, whilst also being consistent with the existing established streetscape.

The development is similar in nature, scale and appearance to those that have been approved and constructed nearby over several years and the site is therefore considered suitable for the development.

With due reference to the matters for consideration under Section 79C(1) of the *Environmental Planning and Assessment Act 1979* and the issues raised throughout the report, it is considered that the proposed development is generally consistent with the relevant planning legislation and policies and is therefore recommended for approval subject to the conditions detailed in attachment 1.

## Attachments

1. Recommended conditions of consent (contained within this report)
2. Locality plan (contained within this report)
3. Site plan (contained within this report)
4. Elevations (contained within this report)
5. Concept landscape plan (contained within this report)
6. Schedule of external finishes (contained within this report)
7. Stormwater plan (contained within this report)
8. CI.4.1C Affected Precinct (contained within this report)
9. Ground floor plan - confidential for privacy reasons (distributed under separate cover)
10. First floor plan - confidential for privacy reasons (distributed under separate cover)
11. Notification plan - confidential for privacy reasons (distributed under separate cover)

**1584/2017/DA-M****Recommended Conditions of Consent****GENERAL CONDITIONS**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

**1. Approved Development**

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

<b>Plan/ Document No.</b>	<b>Issue</b>	<b>Prepared by</b>	<b>Date</b>
Site Plan / DWG No – 200	C	disengo	October 2017
Floor Plan / DWG No – 201	C	disengo	October 2017
First Floor Plan / DWG No – 202	C	disengo	October 2017
Elevations / DWG No – 203	C	disengo	October 2017
Elevations Sheet 2 / DWG No – 204	C	disengo	October 2017
Sections / DWG No - 205	B	disengo	May 2017
Concept Landscape Plan / DWG No – 206	B	disengo	May 2017
Landscape Details / DWG No – 207	B	disengo	May 2017
Schedule of External Finishes / DWG No – 208	C	disengo	October 2017
Demolition Plan / DWG No – DP	B	disengo	May 2017
Stormwater Drainage Plan / CE2434 – H02	C	Central Engineers	19/09/17
BASIX Certificate / 819004S	-	andrew daniele	21/05/17
BASIX Certificate / 819020S	-	andrew daniele	21/05/17
BASIX Certificate / 819036S	-	andrew daniele	21/05/17

**2. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

**3. Contract of Insurance (residential building work)**

In the case of residential building work for which the *Home Building Act 1989* requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

This clause does not apply:

- a. To the extent to which an exemption is in force under Clause 187 or 188 of the Environmental Planning and Assessment Regulation 2000, subject to the terms of any condition or requirement referred to in Clause 187(6) or 188(4) of that regulation, or
- b. To the erection of a temporary building.

#### **4. Notification of Home Building Act 1989 Requirements**

Residential building work within the meaning of the *Home Building Act 1989* must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notice of the following information:

- a. In the case of work for which a principal contractor is required to be appointed:
  - i. The name and licence number of the principal contractor, and
  - ii. The name of the insurer by which the work is insured under Part 6 of that Act.
- b. In the case of work to be done by an owner-builder:
  - i. The name of the owner-builder, and
  - ii. If the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being Council) has given Council written notification of the updated information.

#### **5. Landscaping**

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants consistent with BASIX requirements.

#### **6. External Finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

#### **7. Fencing**

A 1.8 metre high fence shall be erected on the site's side and rear boundaries behind the front building alignment and between each required courtyard at the sole cost of the developer. 'Colorbond' style metal fences that face a public space are not permitted.

#### **8. Switchboards/Utilities/Air Conditioning Units**

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

**9. Driveway**

The gradients of driveways and manoeuvring areas shall be designed in accordance with *Australian Standard AS 2890.1 and AS 2890.2 (as amended)*.

Driveways shall be constructed using decorative paving materials such as pattern stencilled concrete, coloured stamped concrete or paving bricks. The finishes of the paving surfaces are to be non-slip and plain concrete is not acceptable.

**10. Rubbish/Recycling Bin Storage**

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored behind the primary building line.

**11. Engineering Design Works**

The design of all engineering works shall be carried out in accordance with the requirements detailed in Council's *Engineering Design Guide for Development (as amended)*.

**12. Shoring and Adequacy of Adjoining Property**

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**13. Rain Water Tank(s)**

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

**14. Construction Certificate**

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall obtain a construction certificate for the particular works;
- b. the applicant shall appoint a principal certifying authority; and
- c. the private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works.

**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

**15. Demolition of Existing Dwelling**

Prior to Council or an accredited certifier issuing a construction certificate, the existing dwelling on the property shall be demolished and all materials removed from the site.

**16. Utility Servicing Provisions**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

*Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.*

**17. Waste Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, the relevant provisions of Council's *Waste Management Plan* is to be completed to the satisfaction of Council.

**18. Geotechnical Report**

Prior to Council or an accredited certifier issuing a construction certificate, a geotechnical report prepared by a NATA registered lab shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion where excavation and/or filling exceeds 900mm in depth or identified as filled land.

**19. Soil and Water Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

**20. Classification of Residential Lots (Development with dwelling construction)**

Prior to the principal certifying authority issuing a construction certificate, all residential lots are to be individually classified in accordance with guidelines contained in the Australian Standard for Residential Slabs and Footings – AS2870.1996 (*as amended*).

**21. Stormwater Management Plan (Development)**

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to the site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from the site to kerb outlets to council's standard drawing SD-R06 of the engineering design guide. The drainage shall flow with gravity from the tank to the street. All proposals shall comply with the requirements detailed in Council's *Engineering Design Guide for Development (as amended)*.

**22. Work on Public Land**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicants expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

**23. Section 94A Developer Contribution - Community Facilities and Services**

Prior to Council or an accredited certifier issuing a Complying Development Certificate or a Construction Certificate (or where a Construction Certificate is not required, a Subdivision Certificate), the applicant shall provide a receipt for the payment to Council of a community facilities and services contribution in accordance with the provisions of the *Campbelltown City Council Section 94A Development Contributions Plan*.

For the purposes of calculating the required S94A contribution, where the value of the total development cost exceeds \$100,000, the applicant is required to include with the application for the respective certificate, a report setting out a cost estimate of the proposed development in accordance with the following:

- where the value of the proposed development is greater than \$100,000 but less than \$500,000, provide a Cost Summary Report by a person who, in the opinion of the Council, is suitably qualified to provide a Cost Summary Report (Cost Summary Report Template 1). All Cost Summaries will be subject to indexation on a quarterly basis relative to the *Consumer Price Index - All Groups* (Sydney) where the contribution amount will be based on the indexed value of the development applicable at the time of payment; or
- where the value of the proposed development is \$500,000 or more, provide a detailed development cost report completed by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors (Quantity Surveyors Estimate Report Template 2). Payment of contribution fees will not be accepted unless the amount being paid is based on a Quantity Surveyors Estimate Report (QS Report) that has been issued within 90 days of the date of payment. Where the QS Report is older than 90 days, the applicant shall provide an updated QS Report that has been indexed in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 to ensure quarterly variations in the *Consumer Price Index All Group Index Number for Sydney* have been incorporated in the updated QS Report.

Copies of the Cost Summary Report - Template 1 and the Quantity Surveyors Estimate Report - Template 2 are located under "Developer Contributions" on Council's web site ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)) or can be collected from Council's Planning and Environment Division during normal business hours.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

Payment of Section 94A Developer Contributions will only be accepted by way of Cash, Credit Card or Bank Cheque issued by an Australian bank. Payment by any other means will not be accepted unless otherwise approved in writing by Council.

**Note: This condition is only applicable where the total development value exceeds \$100,000.**

**24. Telecommunications Infrastructure**

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

## **25. Sydney Water**

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to Council or an accredited certifier issuing a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

### **PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

## **26. Erosion and Sediment Control**

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

## **27. Erection of Construction Sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

## **28. Toilet on Construction Site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

**29. Trade Waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

**30. Vehicular Access during Construction**

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto the public road system. Single sized aggregate, 40mm or larger and placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

**31. Public Property**

Prior to the commencement of any works on the subject site, the applicant shall advise Council of any damage to property which is controlled by Council and adjoins the site, including kerbs, gutters, footpaths and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

**32. Footpath and Vehicular Crossing Levels**

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

**33. Demolition Works**

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.



- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

#### **34. Hoarding / Fence**

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with *Work Cover* requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the Local Government Act 1993 shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

#### **35. Fencing**

An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

#### **36. Sydney Water**

Prior to works commencing, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to works commencing.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au)

#### **37. Geotechnical Reference**

Prior to the commencement of any works, a certificate prepared by the designing structural engineer certifying that the design is in accordance with the geotechnical investigation of the site shall be submitted to the PCA. The designing structural engineer shall also nominate a site classification in accordance with *AS2870 – Residential Slabs and Footings*.

#### **38. Demolition of Existing Dwelling**

Prior to the commencement of any other works, the existing dwelling and all other improvements on the land shall be demolished in accordance with the conditions of this consent.

### **DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

**39. Construction Work Hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday and public holidays	No Work.

**40. Erosion and Sediment Control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices shall remain in place until the site has been stabilised and fully revegetated.

**Note: On the spot penalties of up to \$1500 will be issued for any non-compliance with this requirement without any further notification or warning.**

**41. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

**42. Fill Compaction Requirements**

The applicant is advised that where the existing levels of the lot are raised in excess of 300mm, Council considers this to be filling of the lot.

Should any filling, as described above, be carried out on the site it shall be compacted to a minimum dry density of 98% Standard Compaction.

To demonstrate that this level of compaction has been achieved, density testing will be required and the results shall be certified by a qualified geotechnical engineer.

Testing shall be undertaken for every 300mm rise in vertical height, with test locations selected randomly across the site. At least 1 test shall be taken for every 500m<sup>2</sup> of the filled area, with a minimum of 1 test per 300mm layer.

**43. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – *'Soils and Construction (2004) (Bluebook)*. Construction areas shall be treated/regularly watered to the satisfaction of the principal certifying authority.

**44. Certification of Location of Building during Construction**

Prior to the positioning of wall panels/ bricks or block work, the applicant shall submit to the principal certifying authority a qualified practicing surveyor's certificate showing the boundaries of the allotment, distances of walls and footings from the boundaries, and the dimensions of the building.

**45. Certification of Location of Building upon Completion**

Upon completion of the building, the applicant shall submit to the principal certifying authority a qualified practicing surveyors certificate showing the boundaries of the allotment, distances of walls and footings from boundaries.

**46. Termite Control**

The building shall be protected from subterranean termites in accordance with *Australian Standard 3660.1*. Certification of the treatment shall be submitted to the principal certifying authority prior to the issue of an occupation certificate.

**47. Excess Material**

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

**48. Public Safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with *AS 1742.3*. Council may at any time and without prior notification make safe any such works that are considered to be unsafe, and recover all reasonable costs incurred, from the applicant.

**49. Compliance with Council Specification**

All design and construction work shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. Council's Engineering Design Guide for Development (as amended).
- c. 'Soils and Construction (2004) (Bluebook); and
- d. All relevant Australian Standards and State Government publications.

**50. Footpath**

The footpath adjoining the subject land shall be regraded, topsoiled and turfed in accordance with levels obtained from Council. The footpath formation may need to be extended beyond the site boundaries, to provide an acceptable transition to the existing footpath levels.

**51. Residential Driveway and Layback Crossing**

The applicant shall provide a reinforced concrete footpath crossing and layback at the entrance to each of the properties. Construction shall be in accordance with Council's *Specification for the Construction of Residential Vehicular Crossings*. (as amended).

A separate application for each footpath crossing, which will be subject to a crossing inspection fee and inspections by Council, shall be lodged with Council prior to pouring the concrete. Where necessary, conduits shall be provided under the footpath crossing, in accordance with the relevant service authority's requirements.

## **52. Associated Works**

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any other civil works directed by Council, to make a smooth junction with existing work.

## **53. Redundant Laybacks**

All redundant laybacks shall be removed and reinstated as kerb and gutter. Construction shall be in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the *Engineering Design Guide for Development (as amended)*.

## **54. Completion of Construction Works**

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

## **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: Under this subheading, for the purpose of issuing an occupation certificate, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

## **55. Section 73 Certificate**

Prior to the principal certifying authority issuing an occupation certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate.

**56. Completion of External Works Onsite**

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

**57. Final Inspection – Works as Executed Plans**

Prior to the principal certifying authority issuing an occupation certificate the applicant shall submit to Council a copy of a work as executed plan, certified by a qualified surveyor, which has been prepared in accordance with the requirements detailed in Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and the *Engineering Design Guide for Development (as amended)*.

**58. Restoration of Public Roads**

Prior to the principal certifying authority issuing an occupation certificate any restoration of the public road pavement, required as a result of the development, shall be carried out by Council and all costs shall be paid by the applicant.

**59. Public Utilities**

Prior to the principal certifying authority issuing an occupation certificate any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

**60. Termite Protection**

Prior to the principal certifying authority issuing an occupation certificate, certification from a licensed pest controller shall be submitted certifying that the termite treatment has been installed in accordance with AS3660.1.

**61. BASIX**

Prior to the principal certifying authority issuing an occupation certificate, completion of all requirements listed in the relevant BASIX certificate for the subject development shall be completed/installed.

**62. Council Fees and Charges**

Prior to the principal certifying authority issuing an occupation certificate the applicant shall ensure that all applicable Council fees and charges associated with the development have been paid in full.

**ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

**Advice 1. Environmental Planning and Assessment Act 1979 Requirements**

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

**Advice 2. Tree Preservation Order**

To ensure the maintenance and protection of the existing natural environment, you are not permitted to ringbark, cut down, top, lop, remove, wilfully injure or destroy any tree upon the subject site unless you have obtained prior written consent from Council to do so. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

A tree is defined as a perennial plant with self-supporting stems that are more than 3 metres in length or has a trunk diameter of more than 150mm, measured 1 metre above ground, and excludes any tree declared under the Noxious Weeds Act (NSW).

**Advice 3. Smoke Alarms**

From 1 May 2006 all NSW residents must have at least one working smoke alarm installed on each level of their home. This includes owner occupier, rental properties, relocatable homes and any other residential building where people sleep.

The installation of smoke alarms is required to be carried out in accordance with AS 3786. The licensed electrical contractor is required to submit to the Principal Certifying Authority a certificate certifying compliance with AS 3000 and AS 3786.

**Advice 4. Retaining Walls**

A separate development application shall be submitted and approved for any retaining walls that exceed 0.9 metres in height.

**Advice 5. Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

**Advice 6. Inspections – Civil Works**

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL –
  - i) Direction/confirmation of required measures.
  - ii) After installation and prior to commencement of earthworks.
  - iii) As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. VEHICLE CROSSINGS & LAYBACKS – Prior to pouring concrete.
- d. FINAL INSPECTION – All outstanding work.

**Advice 7. Inspection within Public Areas**

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

**Advice 8. Adjustment to Public Utilities**

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

**Advice 9. Salinity**

Please note that Campbelltown is an area of known salinity potential and as such, any salinity issues should be addressed as part of the construction certificate application.

Further information regarding salinity management is available within Council's *Engineering Design Guide for Development (as amended)*.

**Advice 10. Asbestos Warning**

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

**Advice 11. Rain Water Tank**

It is recommended that water collected within any rainwater tank as part of the development be limited to non-potable uses. NSW Health recommends that the use of rainwater tanks for drinking purposes not occur where a reticulated potable water supply is available.

**Advice 12. Dial before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

**Advice 13. Telecommunications Act 1997 (Commonwealth)**

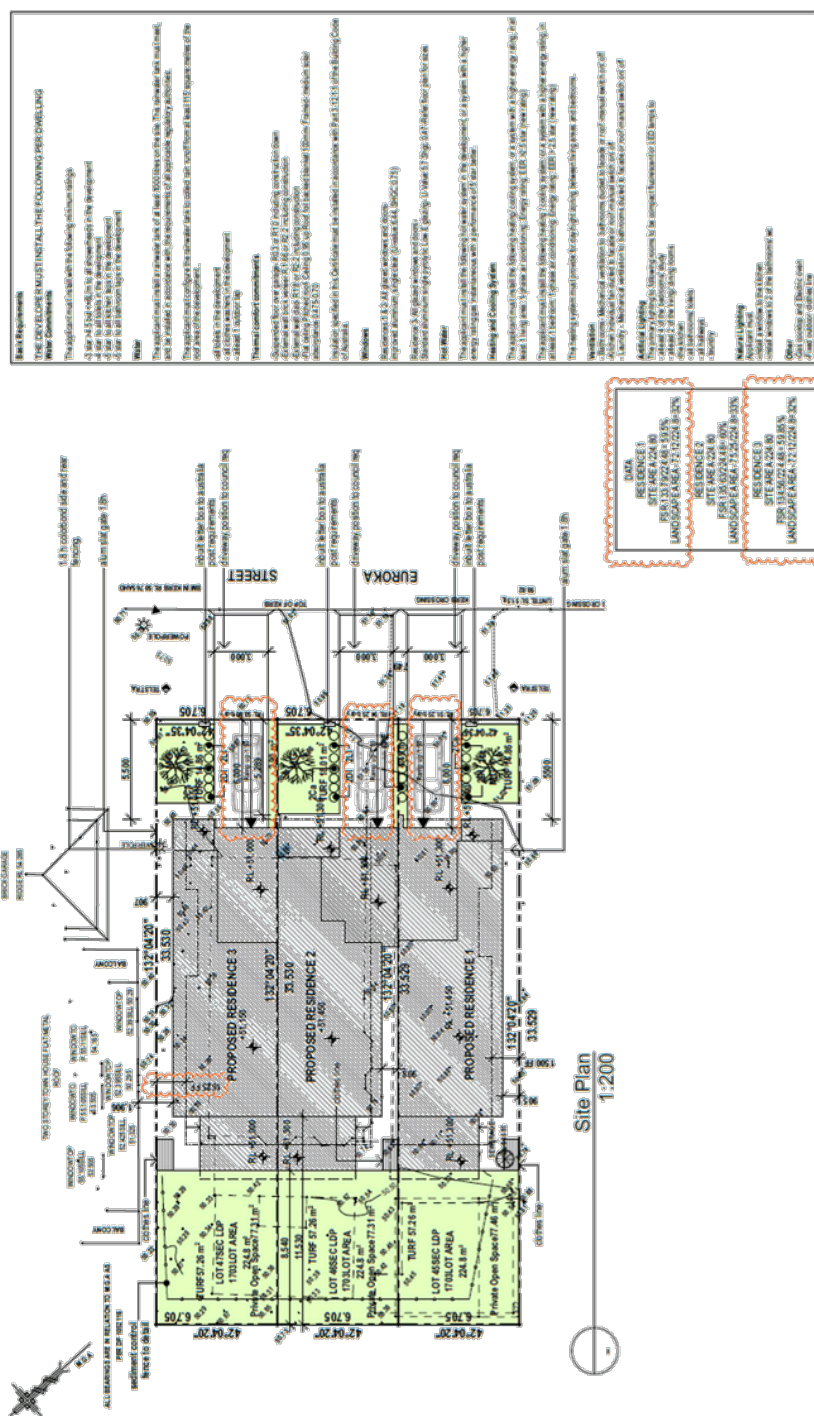
Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

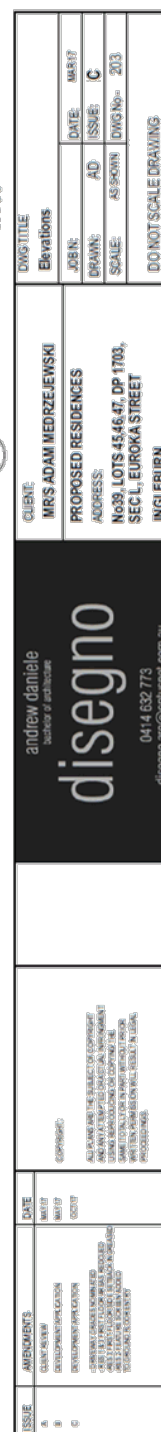
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

**END OF CONDITIONS**

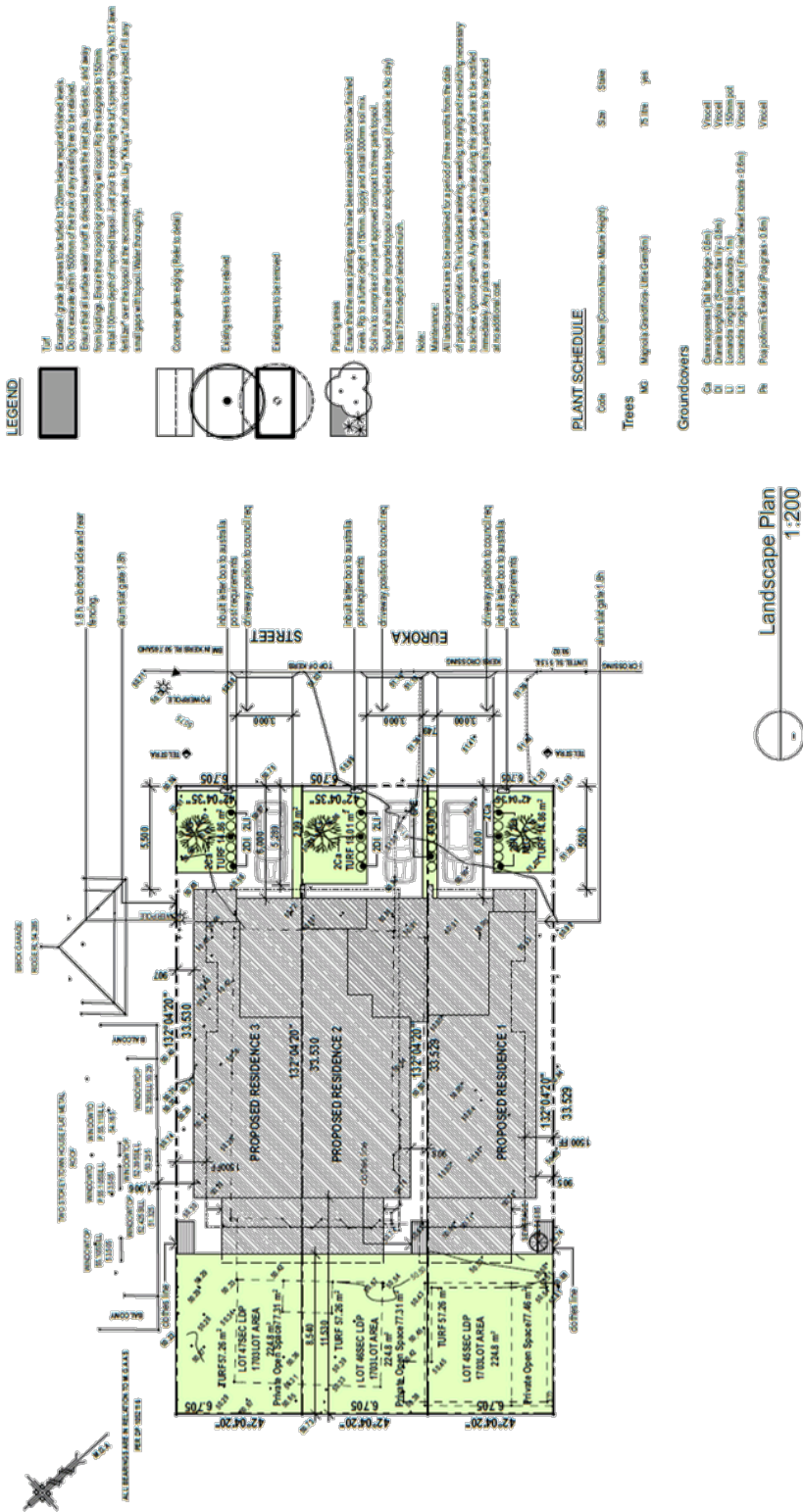




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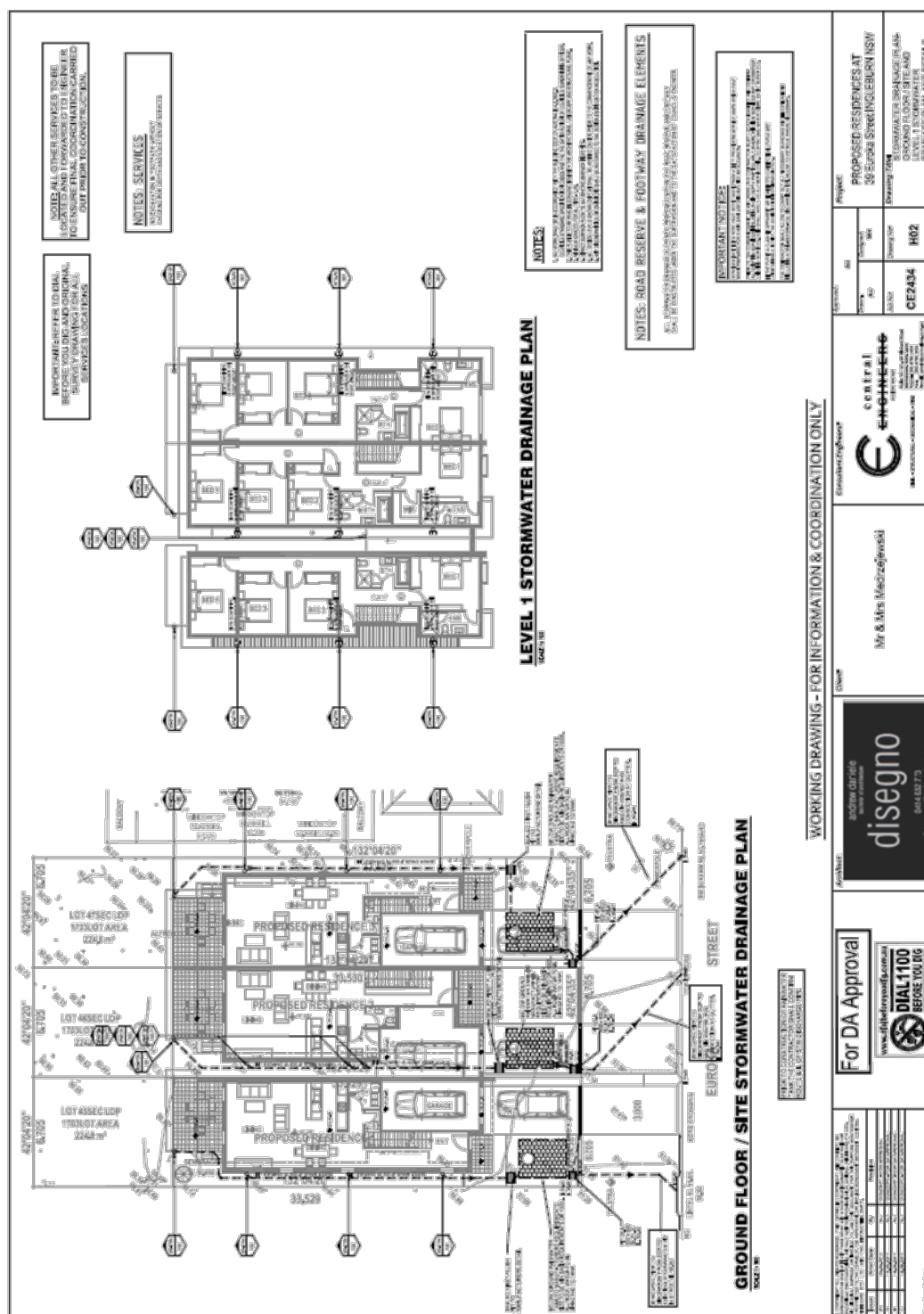


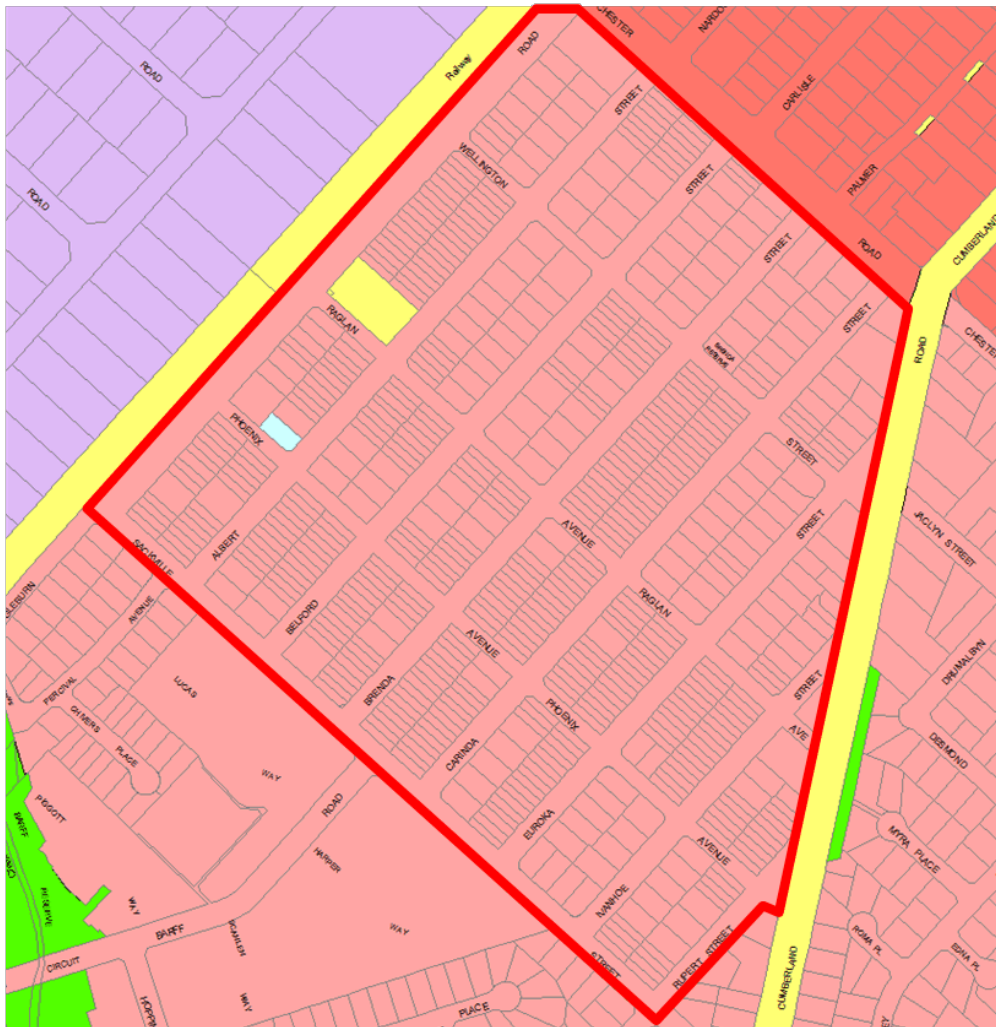


ISSUE	AMENDMENTS	DATE	COPYRIGHT	CLIENT REVIEW	DATE
A	CLIENT REVIEW	12/12/17	ALL PLANS ARE THE SUBJECT OF COPYRIGHT/TRADE MARK AND ARE NOT TO BE REPRODUCED OR COPIED IN ANY FORM WITHOUT PRIOR WRITTEN PERMISSION OF THE DESIGNER.	DATE	12/12/17
B	DEVELOPER APPROVAL	12/12/17		DATE	12/12/17

CLIENT: MRS ADAM MEDRZEJEWSKI		DWG TITLE: CONCEPT LANDSCAPE PLAN	
PROPOSED RESIDENCES		JOB NO:	DATE: 12/12/17
ADDRESS: No 35, LOTS 45, 46, 47, DP 1703, SEC 1, EUROKA STREET INGLEBURN		DRAWN: AD	ISSUE: B
		SCALE: AS SHOWN	DWG No.: 2016
DO NOT SCALE DRAWING			







## 8.5 Fitout and use of premises as a neighbourhood shop for the purpose of a liquor shop at 6/9 Bradfield Street, Leumeah

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

That the proposed development be approved for 12 months subject to the recommended conditions of consent as outlined in attachment 1.

### Purpose

To assist Council in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

This development application is required to be reported to Council due to the nature of the proposed development being a liquor shop and the receipt of submissions from the occupants of five properties in response to the notification of the proposed development.

<b>Property Description</b>	Lot 6 SP 30163 6/9 Bradfield Street, Leumeah
<b>Application No</b>	1671/2017/DA-C
<b>Applicant</b>	Mr Bhopinder Singh
<b>Owner</b>	Mr Bhopinder Singh
<b>Provisions</b>	Campbelltown 2027 State Environmental Planning Policy No 64 - Advertising and Signage Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015
<b>Date Received</b>	1 June 2017

### Report

The development application was lodged with Council on 1 June 2017 for the fitout and use of an existing premises as a neighbourhood shop for the purpose of a liquor shop at 6/9 Bradfield Street, Leumeah.



### The Site and Surrounds

The subject premises is located within a group of neighbourhood shops containing seven tenancies. The neighbourhood shopping complex is bound by Dillion Lane to the north, Bradfield Street to the south, and Bradfield Reserve to the east and west.

The neighbourhood shopping complex contains the following tenancies and corresponding uses:

Tenancy	Current Use
1/9 Bradfield Street, Leumeah	Tattoo Studio (639/2017/DA-U)
2/9 Bradfield Street, Leumeah	Hairdresser
3/9 Bradfield Street, Leumeah	Retail premises
4/9 Bradfield Street, Leumeah	Vacant
5/9 Bradfield Street, Leumeah	Drycleaners
6/9 Bradfield Street, Leumeah	Vacant
7/9 Bradfield Street, Leumeah	Take away food and drink premises

All tenancies within the neighbourhood shopping complex front Bradfield Street and have rear access from Dillion Lane. The rear access is used for service vehicles.

Car parking for the site is provided via 17 public car parking spaces accessed from Bradfield Street.

The subject tenancy has an approximate depth of 14.5 metres, a width of 6 metres and an overall area of 87sqm.

The surrounding land uses are generally low density residential development. A child care centre is located approximately 90 metres to the south west of the subject tenancy.

The site is approximately 1km from Leumeah train station.

### The Proposal

The development application proposes the fitout of the subject tenancy to include a service counter, storage racking, cool room, storage area, staff kitchen and toilet, increasing the width of the rear door, reducing the size of the rear window and installation of security cameras and external security lighting.

The proposal does not increase the existing floor area of the building.

The proposal includes a non-illuminated business identification sign to the fascia of the existing awning measuring 5765mm x 320mm.

The proposed hours of operation are Monday to Sunday 8.00am to 10.00pm.

The development application was referred to NSW Police Force for comment regarding Crime Prevention Through Environmental Design (CPTED). The NSW Police Force recommended that the proposed hours of operation be limited to a trial period of six months.

## **1. Non-Statutory Provisions**

### **1.1 Campbelltown 2027 Community Strategic Plan**

Campbelltown 2027 is the Community Strategic Plan for the city of Campbelltown. Campbelltown 2027 addresses four key strategic outcomes that Council and other stakeholders will work to achieve over the next ten years:

- Outcome 1: A vibrant. Liveable city
- Outcome 2: A respected and protected natural environment
- Outcome 3: A thriving, attractive city
- Outcome 4: A successful city.

The key outcome relevant to the proposed development is Outcome 3: A thriving, attractive city.

The strategic directions relevant to this application are as follows:

- support the resilience, growth and diversity of the local economy
- ensure that service provision supports the community to achieve and meets their needs.

The application is consistent with the above strategies as the proposal would support the growth and diversity of the local economy and provide a service that supports to the needs of the community.

## **2. Statutory Provisions**

The development has been assessed in accordance with the heads of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters, the following issues have been identified for consideration.

### **2.1 State Environmental Planning Policy No. 64 – Advertising and Signage**

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) applies as a business identification sign is proposed. The aims of SEPP 64 are as follows:

- a) to ensure that signage (including advertising):
  - i. is compatible with the desired amenity and visual character of an area
  - ii. provides effective communication in suitable locations
  - iii. is of high quality design and finish

- b) to regulate signage (but not content) under Part 4 of the Act
- c) to provide time-limited consents for the display of certain advertisements
- d) to regulate the display of advertisements in transport corridors
- e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

The proposed business identification signage is compatible with the scale of the building and would not adversely impact on the amenity and visual character of the area or adjoining tenancies. The proposed signage is clear and effective and suitably located on the fascia of the building. The proposed signage location would maintain views to and from the site. It is considered that the proposed signage is consistent with the aims and objectives of SEPP 64.

In accordance with Clause 8 of SEPP 64, the proposed business identification signage satisfies the assessment criteria stipulated in Schedule 1 of SEPP 64 as addressed below:

Assessment Criteria	Response	Compliance
Character of the area		
<ul style="list-style-type: none"> <li>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</li> <li>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul>	The proposed business identification signage on the fascia of the building is in a suitable location and is clear and legible. The signage complements the use of the proposed tenancy.	Yes
Special areas		
<ul style="list-style-type: none"> <li>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</li> </ul>	The location of existing signage has been considered and the proposed signage would not give rise to visual or physical clutter due to the distance from other signage. The proposed signage would not detract from the amenity or visual quality of the area and is not adjacent to any environmentally sensitive areas.	Yes
Views and vistas		
<ul style="list-style-type: none"> <li>Does the proposal obscure or compromise important views?</li> <li>Does the proposal dominate the skyline and reduce the quality of vistas?</li> <li>Does the proposal respect the viewing rights of other advertisers?</li> </ul>	The proposed signage would not obscure or compromise views to or from the site.	Yes

Streetscape, setting or landscape		
<ul style="list-style-type: none"> <li>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</li> <li>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> <li>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> <li>Does the proposal screen unsightliness?</li> <li>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> <li>Does the proposal require ongoing vegetation management?</li> </ul>	<p>The proposed signage is suitably located on the fascia of the building. The proposed signage would not protrude above the awning fascia and is consistent with existing signage on the building complex.</p> <p>The proposed signage would not give rise to visual or physical clutter and would not require ongoing vegetation management.</p>	Yes
Site and Building		
<ul style="list-style-type: none"> <li>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</li> <li>Does the proposal respect important features of the site or building, or both?</li> <li>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>	<p>The proposed signage is not anticipated to detract from the architecture of the supporting building. The proposed signage is considered to be compatible with the scale of the building.</p>	Yes
Associated devices and logos with advertisements and advertising structures		
<ul style="list-style-type: none"> <li>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</li> </ul>	<p>The proposed signage would not contain additional advertising other than identifying the subject tenancy.</p>	Yes

Illumination		
<ul style="list-style-type: none"> <li>• Would illumination result in unacceptable glare?</li> <li>• Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>• Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>• Can the intensity of the illumination be adjusted, if necessary?</li> <li>• Is the illumination subject to a curfew?</li> </ul>	The proposed signage would not be illuminated.	NA
Safety		
<ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for any public road?</li> <li>• Would the proposal reduce the safety for pedestrians or bicyclists?</li> <li>• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>	The proposed signage would not obscure sight lines or compromise the safety for pedestrians, bicyclists or public road users.	Yes

## 2.2 Campbelltown Local Environmental Plan 2015

The subject site is zone B1 Neighbourhood Business under the provisions of Campbelltown Local Environmental Plan 2015 (CLEP 2015). The proposal is defined as 'neighbourhood shop' and is a permissible land use in the zone.

Neighbourhood shops is defined as follows:

neighbourhood shop means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.

The proposed use is consistent with the following objective of the B1 Neighbourhood zone:

- to provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

### Clause 5.4 Controls relating to miscellaneous permissible uses

Clause 5.4 (7) states that the retail floor area of a neighbourhood shop must not exceed 100 sqm. The floor area of the subject tenancy is approximately 87 sqm which satisfies Clause 5.4(7) of CLEP 2015.

### 2.3 Campbelltown (Sustainable City) Development Control Plan 2015

The development application has been assessed against the relevant controls within the SCDCP 2015.

### Part 2 - Requirements Applying to All Types of Development

**Security** - The development application was referred to NSW Police Force for comment regarding Crime Prevention Through Environmental Design (CPTED). A range of security measures were recommended by the NSW Police Force which have been recommended as a condition of consent in order to reduce criminal activity and provide safety and security to customers of the premises and the local community. In addition, NSW Police Force requested a six month trial operation period be placed on the proposed operating hours.

**Waste Management** - A condition of consent has been recommended for the area associated with the on-going waste management of the tenancy to be located within the building.

### Part 6 - Commercial Development

The development application was assessed under relevant controls for commercial development outlined in Part 6 of the SCDCP 2015. The relevant provisions are addressed below:

		Campbelltown (Sustainable City) Development Control Plan 2015	
Control	Requirement	Proposed	Complies
<b>6.4.2 Car Parking and Access</b>			
<b>6.4.2.1 b)</b>	The minimum car parking rates shall be provided in accordance with Table 6.4.2.1.  1 space for every 25sqm of GFA.	The parking for the site is facilitated by 17 public parking spaces accessed via Bradfield Street.	Yes
<b>6.4.2.2 a)</b>	Where practicable, loading bays shall be separated from parking and pedestrian access.	A condition of consent is recommended for all loading/unloading to occur from Dillon Lane.	Yes

		<b>Campbelltown (Sustainable City) Development Control Plan 2015</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>6.4.2.3 a)</b>	Commercial development shall comply with the minimum access requirements contained within the BCA, Disability Standards 2010 and AS 1428 - Design for Access and Mobility (as amended).	A condition of consent has been recommended for compliance with the relevant access requirements of the BCA and AS 1428 - Design for Access and Mobility.	Yes
<b>6.7 Commercial Waste Management</b>			
<b>a)</b>	Commercial development shall make provision for an enclosed onsite waste and recycling facility that has adequate storage area to accommodate the waste generated from the development.	A condition of consent has been recommended for the business operator to enter into a commercial waste contract agreement for regular waste and recycling collection and disposal with a suitably licensed contractor. The condition further states that all waste and recycling generated from the business is to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it would become a litter, odour or health nuisance.	Yes

## Part 16 - Advertising and Signage

The development application was assessed under relevant controls for signage outlined in Part 16 of the SCDP 2015. The relevant provisions are addressed below:

		<b>Campbelltown (Sustainable City) Development Control Plan</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>16.4 General Requirements - Advertising and Signage</b>			
<b>a)</b>	Signage attached to buildings shall be designed, located, scaled and sized having regard to the architectural style, features scale and design of the facades of the building.	The proposed signage is appropriately located and designed.	Yes
<b>b)</b>	Signage shall not dominate landscaped and public domain areas.	The proposed signage is not located within landscaped areas or within the public domain.	N/A

		<b>Campbelltown (Sustainable City) Development Control Plan</b>	
<b>Control</b>	<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
<b>c)</b>	Free standing signage shall be designed to have regard to the size, height and scale of nearby buildings and their architectural elements.	Free standing signage is not proposed.	N/A
<b>d)</b>	Signage shall not protrude above any parapet or eaves.	The proposed signage does not protrude above the existing awning.	Yes
<b>e)</b>	All signage shall be designed to minimise opportunities for graffiti artists.	The signage is located above reasonable reach height which is considered to deter graffiti artists.	Yes
<b>f)</b>	Signs shall be constructed of a material that is of high quality and durable.	It is considered that the signage material is of high quality.	Yes
<b>g)</b>	Signage shall not contain reflective materials, colours and finishes.	The proposed signage does not contain reflective materials, colours or finishes.	Yes
<b>h)</b>	Signage shall not cause any nuisance to nearby occupants as a result of glare or light spillage.	The proposed signage is not illuminated.	NA
<b>16.4.3 b)</b>	Signs shall be designed and erected so to: i) not to compromise driver and pedestrian safety; ii) avoid confusion with road traffic signs and signals; iii) not obscure a road hazard, oncoming vehicles, pedestrians; and iv) avoid advertising messages, designs or bright lighting that may distract motorists.	The proposed signage complies with 16.4.3 b).	Yes
<b>16.6 Signs within Business, Industrial and Special Purpose Zones</b>			
<b>16.6.1 a)</b>	Notwithstanding any other requirement of this part, the total number of signs installed on any building elevation facing a public space shall not exceed 6.	The proposed signage includes one sign on the existing awning fascia which is consistent with the adjoining tenancies.	Yes



		Campbelltown (Sustainable City) Development Control Plan	
Control	Requirement	Proposed	Complies
16.6.3 a)	Corporate colour schemes associated with business identification shall only be permitted where the consent authority is satisfied that the colour scheme is compatible with the desired future character of the area and will not detract from the appearance of the building and its surroundings.	The colour scheme is considered appropriate.	Yes

### 3. Planning Assessment

#### 3.1 Impacts on Natural and Built Environment and Social and Economic Impacts

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the development's potential environmental impacts on both the natural and built environment, and social and economic impacts in the locality.

The use of the site as a neighbourhood shop is considered to positively impact the locality in terms of providing a use that services the needs of the local community while supporting the growth and diversity of the local economy.

The following issues are considered to be relevant when considering the development's potential impacts on the natural and built environment and the social and economic impacts in the locality:

#### Security and Crime Prevention Through Environmental Design (CPTED)

The development application was referred to NSW Police Force for comment regarding Crime Prevention Through Environmental Design (CPTED). CPTED is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. The NSW Crime Risk Evaluation has rated the development as a Medium Crime Risk.

NSW Police Force requested a six month trial operation period be placed on the proposed operating hours. A six month trial consent would require the applicant to provide a modification application within several months of operating which is not considered economically viable for a small business. A condition of consent has been recommended for a trial operating period of 12 months. This time frame is considered more appropriate.

In addition, a range of security measures were recommended by the NSW Police Force which have been recommended as a condition of consent in order to reduce criminal activity and provide safety and security to customers of the premises and the local community.

The NSW Police Force also raised concerns regarding the close proximity of the development to the preschool located on Carrington Circuit and Bradfield Reserve, which are both frequented by young children. To assist in the assessment of the potential social impacts of the proposed development, a social impact statement was submitted with the application which is discussed below.

### **Social Impact Statement**

A social impact statement, prepared by Sarah George Consulting, dated October 2017, was submitted with the development application, to assist in the assessment of the potential social impact of the proposed use of the subject premises.

The social impact statement states that the approval of the development application would not have a significant, detrimental effect on the wellbeing of the local or broader community for the following reasons:

- while the demographic profile reveals the presence of a number of groups which are at risk of alcohol related social harm, the particular circumstances of the subject application which is for a small packaged liquor outlet, with limited hours of trade, diminishes the potential for the application to cause alcohol-related harm to those at risk groups
- the alcohol-related crime data reveals that this is not a significant issue
- the only sensitive facility located within 100m of the subject site is the Little Green Frogs Pre-School at 13-15 Carrington Circuit and there is nothing about the inclusion of a packaged liquor outlet in a retail context that is unusual, or likely to generate any social impacts for families utilising the pre-school.

Overall, it is considered that the overall social impact of the proposed use would not be detrimental to the wellbeing of the local or broader community.

### **3.2 Site Suitability**

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to assess the suitability of the site for the proposed development.

The principal matters for attention have been discussed in Section 3.1. Overall, the proposal provides continuation of the economic and orderly use of a tenancy within the Bradfield neighbourhood shop precinct and increases the range of small-scale business uses that serve the needs of people who live or work in the surrounding neighbourhood.

It is considered that the site is suitable for the fitout and use of the existing premises as a neighbourhood shop for the purposes of a liquor shop with the implementation of the recommendation condition of consent contained in attachment 1.

#### 4. Public Participation

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires the consent authority to consider submissions made to the proposal.

The application was notified to 56 surrounding property owners between 16 June 2017 and 30 June 2017. During this period Council received five submissions objecting to the development. The issues of the objections raised during the notification period and Council's response to these issues, are discussed below.

Theme	Objection Detail	Response
<b>Proximity to childcare centre</b>	There are a lot of young children in the area and the shops are very close to a long day care centre.	<p>The social impact assessment report, prepared by Sarah George Consulting, dated October 2017, submitted with the development application specifically addressed the issue of proximity of the subject tenancy to the Little Green Frogs Pre-school located at No. 13-15 Carrington Circuit.</p> <p>The report states that the inclusion of a packaged liquor outlet in a retail context is not unusual or is likely to generate any social impacts for families using the pre-school. The proximity of the subject premises is not considered to have any impact on the operations of the pre-school.</p> <p>In the circumstances of this case, the location of the subject tenancy is considered acceptable.</p>
	Many minor school children visit the shops for takeaway food.	The proposed use of the premises is separate from the adjoining takeaway food premises. Minors are not legally allowed to purchase alcohol.
<b>Proximity to residential area</b>	The shop is in the middle of a residential area.	The area surrounding the subject site is generally characterised as a low density residential area. However, under the provisions of Campbelltown Local Environmental Plan 2015, the subject site is zoned B1 Business Neighbourhood Business which permits the proposed use of the subject tenancy. The use of the tenancy is not anticipated to result in any adverse impacts to the built environment.
<b>Proximity to businesses that sell alcohol</b>	There are already three outlets for the sale of alcohol in the area namely Leumeah shops on	A search of licensed premises provided by the Liquor Administration Board was included within the social

Theme	Objection Detail	Response
	<p>O'Sullivan Road, the Leumeah Hotel and a bottle shop on Lindesay Street and the corner of Chamberlain Street.</p> <p>There is not enough passing traffic to warrant a similar business in the area.</p>	<p>impact statement. The following two packaged liquor outlets were identified in the locality:</p> <ul style="list-style-type: none"> <li>• Liquor Stax - 543 Pembroke Street (1.3km)</li> <li>• The Bottle-O - 2A O'Sullivan Road (1.4km)</li> </ul> <p>The existing liquor outlets are not within the immediate vicinity of the subject site. As there are no packaged liquor shops within the immediate vicinity of the subject premises, the location of the proposal is considered acceptable.</p>
<b>Litter</b>	There is a park at the end of these shops which is always littered with bottles and cans so we feel there would be much more litter around this area that Council do not clean now	An existing rubbish bin is located between the car parking area and the neighbourhood shops complex which is considered a sufficient means for the public to place any waste generated by users of the complex.
<b>Litter</b>	Rubbish is already a problem in the back of the shops.	An existing rubbish bin is located between the car parking area and the neighbourhood shops complex which is considered a sufficient means for the public to place any waste generated by users of the complex. In addition, a recommended condition requires the daily collection of litter from the rear of the shop.
<b>Increase alcohol violence</b>	The proposed development may lead to increasing number of alcohol related violence around the area during day and night.	There is no evidence to suggest the use of the premises would increase the prevalence of alcohol related violence.

## 5. Conclusion

Having regard to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the issues raised above, it is considered that the application is consistent with the relevant planning legislation.

The application is compliant with State Environmental Planning Policy No. 64 - Advertising and Signage, Campbelltown Local Environmental Plan 2015 and Campbelltown (Sustainable City) Development Control Plan 2015.

The proposed development would support the growth and diversity of the local economy and provide a use that supports the needs of people who live or work in the surrounding neighbourhood. In addition, the conditions of consent recommended by the NSW Police Force would reduce criminal activity and provide safety and security to uses of the premises and the community.

Five submissions in relation to the proposal were received. Matters raised in the submissions have been discussed and responded to within this report.

Accordingly, the application is recommended for approval.

### **Attachments**

1. Recommended conditions of consent (contained within this report)
2. Location plan (contained within this report)
3. Site Analysis plan (contained within this report)
4. Site plan (contained within this report)
5. Floor plan (contained within this report)
6. Elevations plan (contained within this report)
7. Notification plan - confidential for privacy reasons (distributed under separate cover)

**1671/2017/DA-C****Recommended Conditions of Consent****GENERAL CONDITIONS**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

**1. Approved Development**

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Drawing Title	Sheet No.	Prepared by	Dated
Locality/Site Plan	01	Corona Projects	30/10/2017
Site Analysis Plan	02	Corona Projects	30/10/2017
Existing Floor Plan	03	Corona Projects	30/10/2017
Proposed Floor Plan	04	Corona Projects	30/10/2017
Elevations	05	Corona Projects	30/10/2017

**2. Trial Period of Consent**

The consent is valid for a period of twelve (12) months from the date that an occupation certificate (interim or final) is issued. Prior to the expiration of this 12-month period, a Section 96 modification application is required to be lodged and approval obtained prior to the use continuing.

A complaints register must be maintained during the 12 month operating period and submitted with the modification application.

**3. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

**4. NSW Police Force - Crime Prevention Through Environmental Design**

The premises must adhere to the following security requirements:

- (a) Surveillance equipment must be installed to enhance the physical security of the premises and assist in the identification of people involved in anti-social or criminal behaviour and must include the following:
  - (i) CCTV must be installed within and around the premises that complies with *Australian Standard - Closed Circuit Television System (CCTV) AS:4806.1.2.3.1*;
  - (ii) The surveillance system must be manufactured and installed by a qualified security company and regularly function tested;
  - (iii) Staff must be trained in the operating procedures of the surveillance equipment;
  - (iv) Ensure that the requirements of the Surveillance and Privacy Act are adhered to; and
  - (v) All employees must be trained in the operating procedures of the surveillance equipment. All requirements of the Surveillance and Privacy Act must be adhered to.
- (b) The front windows must be kept clear to allow for surveillance in and out of the premises;
- (c) The counter must be designed to reduce the opportunity for assault of staff and unauthorised access to behind the counter areas;
- (d) Shelf height must be below 1.5 metres to allow for staff to observe customers;
- (e) Bollards must be installed, as shown on the approved plans containing Council's stamp, to reduce the opportunities for ram raid attacks;
- (f) A safe must be installed within the premises in accordance with the relevant Australian Standards;
- (g) The front and rear doors of the premises must be fitted with single cylinder locksets (Australia and New Zealand Standards - Locksets) which comply with the Building Code of Australia;
- (h) Windows must be re-enforced to restrict unauthorised access by applying a shatter resistant film;
- (i) The office must be secured with a lock and locked at all times while not in use;
- (j) Staff must be suitably trained in evacuation procedures;
- (k) An emergency evacuation plan must be implemented and maintained to assist staff and emergency services in the event of an emergency. The plan must be prominently displayed within the premises;
- (l) Remove obstacles and rubbish from property boundaries, footpaths and car parking areas to restrict concealment of offenders.
- (m) Lighting is to be incorporated both internally and externally of the premises and designed to the *Australian and New Zealand Lighting Standards AS1158*; and

- (n) Warning signs must be installed around the perimeter of the premises to warn intruders of the security treatment measures in operation.

**5. External Finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

**6. Switchboards/Utilities/Air Conditioning Units**

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

**7. Deliveries**

Vehicles servicing the premises shall comply with the following requirements:

- (a) All vehicular entries and exits shall be made in a forward direction from Dillon Lane.
- (b) All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- (c) All deliveries to the premises shall be made to the rear of the site, accessed from Dillon Lane.
- (d) Deliveries to the premises are to occur between 11.30am and 3.00pm Wednesday to Friday.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

**8. Advertising Sign**

- a. All signage is to be erected/supported in a safe and secure manner.
- c. No signage on site shall flash, move or display electronic images.
- d. The advertising structure shall be maintained in a condition so as to not become unsightly so as to adversely affect the amenity of the surrounding area.

**9. Lighting**

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* and *Australian Standard 1158.1 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

**10. Storage of Goods**

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.



**11. Graffiti Removal**

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

**12. Operating Hours**

The use of the premises/business shall be limited to:

Monday to Sunday 8am - 10pm

**13. Outdoor Furniture**

The use of outdoor furniture is prohibited.

**14. Litter Collection**

At least once per day, all litter on and surrounding the subject premises shall be collected and disposed of in the garbage bins servicing the premises.

**15. Shoring and Adequacy of Adjoining Property**

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**16. Construction Certificate**

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall obtain a construction certificate for the particular works;
- b. the applicant shall appoint a principal certifying authority; and
- c. the private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works.

**PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

**17. Utility Servicing Provisions**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

**18. Lighting**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant must provide an internal and external lighting plan for the premises in accordance with *AS1158.1 (as amended)* and *AS4282 (as amended)*. The lighting plan must be submitted to Campbelltown City Council for record keeping purposes.

**19. Waste Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, the relevant provisions of Council's *Waste Management Plan* is to be completed to the satisfaction of Council.

**20. Design for Access and Mobility**

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

**21. Telecommunications Infrastructure**

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

**22. Sydney Water**

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to Council or an accredited certifier issuing a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

**PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

**23. Erosion and Sediment Control**

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

**24. Erection of Construction Sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

**25. Toilet on Construction Site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

**26. Trade Waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

**27. Public Property**

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

**28. Demolition Works**

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

**29. Hoarding / Fence**

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with *Work Cover* requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the Local Government Act 1993 shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

**30. Sydney Water**

Prior to works commencing, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to works commencing.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au)

**DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

**31. Construction Work Hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday and public holidays	No Work.

**32. Erosion and Sediment Control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

**Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.**

**33. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

**34. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – *'Soils and Construction (2004) (Bluebook)*. Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

**35. Public Safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

**36. Compliance with Council Specification**

All design and construction work shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 as amended;*
- c. 'Soils and Construction (2004) (Bluebook); and
- d. Relevant Australian standards and State Government publications.

**37. Associated Works**

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

**38. Demolition Work/Plan**

All work shall be completed in accordance with the approved demolition work plan designed in accordance with clause 1.7.3 of *Australian Standard A52601-2001 The Demolition of Structures*.

**39. Completion of Construction Works**

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

**PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: Under this subheading, for the purpose of issuing an occupation certificate, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

**40. Section 73 Certificate**

Prior to the principal certifying authority issuing an occupation certificate (or subdivision certificate, whichever shall occur first), a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Early application

for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate.

#### **41. Completion of External Works Onsite**

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

#### **42. Restoration of Public Roads**

Prior to the principal certifying authority issuing an occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

#### **43. Public Utilities**

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

#### **44. Council Fees and Charges**

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

### **FOOD CONSTRUCTION CONDITIONS**

The following conditions have been applied to ensure that all construction and fit-out of the food premises complies with the *Food Act 2003*, *Food Regulation 2015* Food Standards Code Australia and New Zealand and Australian Standard 4674-2004: Design, construction and fit-out of food premises.

#### **45. Food for Sale**

As there are no satisfactory facilities for the handling, processing or storage of unpackaged food, this consent only allows for the sale of packaged drinks, alcohol and non-perishable packaged food (i.e. as chips and lollies).

#### **46. Cleaner's Sink**

Provide a cleaner's sink within the premise to adequately clean the walls, floor, fixtures, fittings and coolroom. The cleaner's sink must be serviced with hot and cold water through taps fitted with hose connectors. (AS 4674-2004, Section 4.1.8).

**47. Fittings and Fixtures**

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning (AS 4674-2004, Section 4).

**48. Coolroom**

The coolroom floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside the coolroom adjacent to the door.

All metal work in the coolroom must be treated to resist corrosion.

Condensation from the refrigeration coolroom motors must be directed to a tundish, installed in accordance with Sydney Water requirements.

The coolroom and freezer room must be provided with:

- a) A door which can at all times be opened internally without a key; and
- b) An approved alarm device located outside the room, but controllable only from the inside.

**49. Toilet Facility and Handbasin**

A toilet for staff must be provided for the premises. The toilet cubicle must be separated from areas where food is displayed or stored by one of the following:

- a) An intervening ventilated space fitted with self-closing doors; or
- b) Self-closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS 4674-2004, Section 5.2).

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least 40°C and fitted with a hands-off type tap set (AS 4674-2004, Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

**50. Waste and Recycling Storage, Collection and Disposal**

The business operator must enter into a commercial waste contract agreement for regular waste and recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.

All waste and recycling generated from the business is to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.

**ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.



**Advice 1. Environmental Planning and Assessment Act 1979 Requirements**

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

**Advice 2. Provision of Equitable Access**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

**Advice 3. Covenants**

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

**Advice 4. Inspection within Public Areas**

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

**Advice 5. Adjustment to Public Utilities**

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

**Advice 6. Asbestos Warning**

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)  
[www.nsw.gov.au/fibro](http://www.nsw.gov.au/fibro)  
[www.adfa.org.au](http://www.adfa.org.au)  
[www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

**Advice 7. Smoke Free Environment Act**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Smoke Free Environment Act* 2000 (SFEA2000) or the *Smoke Free Environment Regulations* 2007 (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

**Advice 8. Dial before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

**Advice 9. Telecommunications Act 1997 (Commonwealth)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

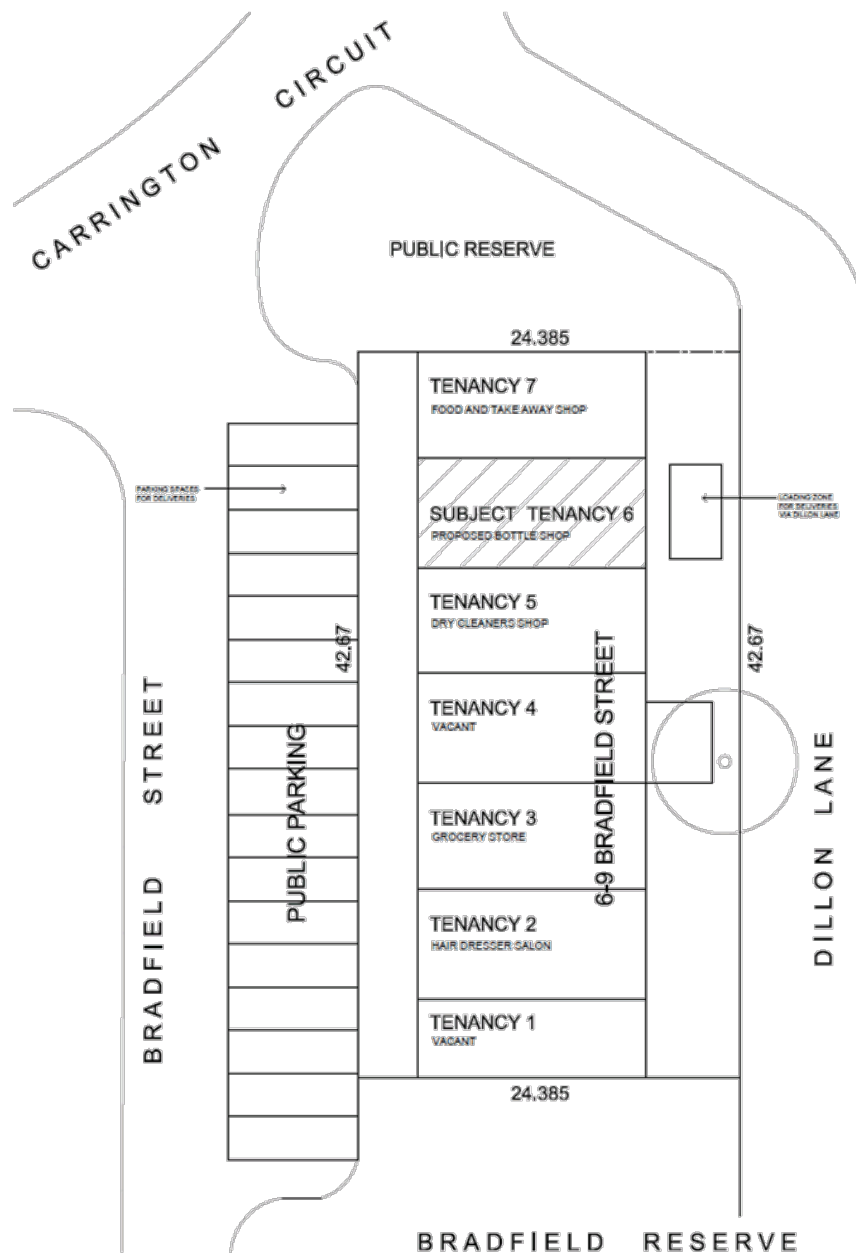
Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.


**END OF CONDITIONS**

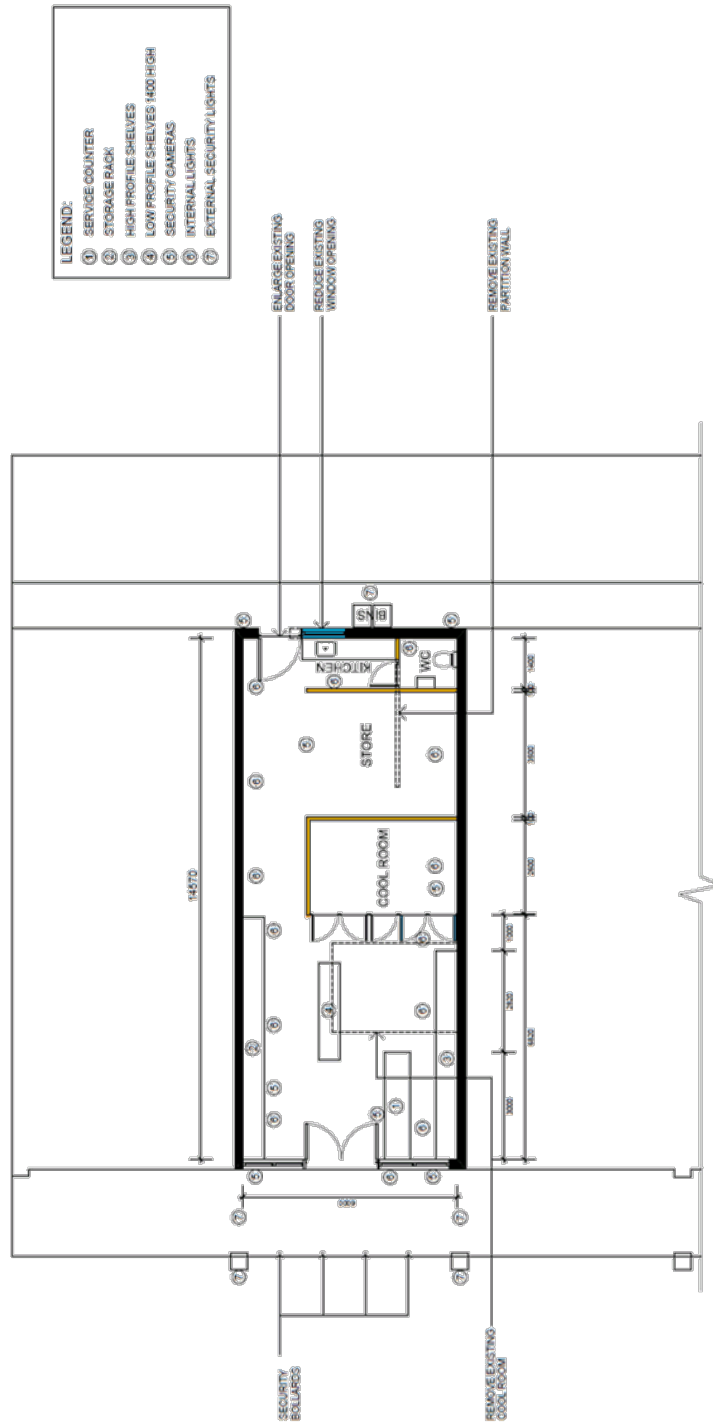




	
SHEET No:	02
DATE:	APRIL 2017
PROJECT:	PROPOSED CHANGE OF USE
ADDRESS:	60 BRADFIELD STREET LEICESTER
DRAWING:	SITE ANALYSIS PLAN
SCALE:	1:500
	
PROJECT NO: 10000000000000000000 PROJECT NAME: 60 BRADFIELD STREET PROJECT ADDRESS: 60 BRADFIELD STREET PROJECT PHONE: 0115 9500000 PROJECT EMAIL: 60BRADFIELD@CORONA.CO.UK	
AMENDMENTS REVISIONS NO. DATE DESCRIPTION	



<b>AMENDMENTS</b> PREPARED BY: [Name] CHECKED BY: [Name] DATE: [Date]	CORONA PROJECTS 174/176 BOND STREET SYDNEY NSW 2000 PHONE: 02 9231 4000 EMAIL: info@coronaprojects.com.au	<b>DRAWING:</b> LOCALITY/SITE PLAN <b>SCALE:</b> 1:500 @ A3	<b>PROJECT:</b> PROPOSED CHANGE OF USE <b>ADDRESS:</b> 492 BRADFIELD STREET LEWISBURGH	<b>SHEET No:</b> 01 <b>DATE:</b> APRIL 2017	
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PROPOSED FLOOR PLAN

<b>AMENDMENTS</b> NO. DATE DESCRIPTION         	<b>Corona Projects</b> PROJECT NO. 1381 PROJECT NAME: 1381 PROJECT ADDRESS: 1381 PROJECT CONTACT: 1381 PROJECT PHONE: 1381 PROJECT EMAIL: 1381 PROJECT WEBSITE: 1381 PROJECT SOCIAL MEDIA: 1381 PROJECT ADDRESS: 1381 PROJECT PHONE: 1381 PROJECT EMAIL: 1381 PROJECT WEBSITE: 1381 PROJECT SOCIAL MEDIA: 1381 	<b>DRAWING:</b> PROPOSED FLOOR PLAN	<b>PROJECT:</b> PROPOSED CHANGE OF USE	<b>SHEET No.:</b> 04	
		<b>SCALE:</b> 1:100 @ A3	<b>ADDRESS:</b> 1381 BRADFORD STREET BRADFORD	<b>DATE:</b> APRIL 2017	



## **8.6 Draft Amendment No 5 - Campbelltown (Sustainable City) Development Control Plan 2015**

### **Reporting Officer**

Director City Development  
City Development

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
4 Outcome Four: A Successful City	4.3 - Responsibly manage growth and development, with respect for the environment, heritage and character of our city

### **Officer's Recommendation**

1. That Council endorse draft Amendment No 5 to Campbelltown (Sustainable City) Development Control Plan 2015 (contained in attachment 1) as outlined in this report for public exhibition in accordance with the *Environmental Planning and Assessment Act 1979* and associated regulation.
2. That at the conclusion of the public exhibition, a separate report be provided to Council on the outcome of the public exhibition of the draft Amendment 5 to Campbelltown (Sustainable City) Development Control Plan 2015.

### **Purpose**

1. To advise Council of a proposed draft Amendment No 5 to Campbelltown (Sustainable City) Development Control Plan 2015.
2. To seek Council's approval to place the proposed draft Amendment No 5 on public exhibition for community input.

### **History**

Council at its meeting held 16 February 2016 adopted draft Campbelltown (Sustainable City) Development Control Plan 2015. The Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP 2015) came into effect on 11 March 2016 to coincide with the commencement of Campbelltown Local Environmental Plan (CLEP 2015).

Since its commencement in March 2015, the SCDCP 2015 has been subject to two consecutive amendments in 2016 that primarily finalised the consolidation process of all existing DCPs and introduced additional development standards for boarding houses.



Amendment No 3 to the SCDCP 2015 added Part 7 Mount Gilead DCP to Volume 2 Site Specific DCP and came into effect on 8 September 2017. Amendment No 4 was adopted by Council on 13 December 2016 which added Part 8 Menangle Park DCP to Volume 2 Site Specific DCP. Amendment No 4 came into effect on 17 November 2017.

## Report

Proposed Amendment No 5 to the SCDCP 2015 primarily aims to:

1. address a number of matters identified by internal staff during the application of the SCDCP 2015
2. address Council's previous resolution of 15 November 2011 in relation to the displacement of shopping trolleys
3. introduce a new draft Part 18 Tattoo Parlours under Volume 1
4. address Council resolution of 27 October 2015 in relation to Part 9 Public Consultation of Volume 1
5. amend Part 5 University of Western Sydney Development Control Plan (WSU DCP)
6. introduce a site specific DCP for the urban renewal areas of Airds-Bradbury and Claymore
7. introduce a site specific DCP for a number of development applications within the vicinity of Blairmount.

### 1. Addressing some minor issues with Volume 1 of the SCDCP 2015

The proposed amendments to Volume 1 of the SCDCP 2015 aim to clarify and strengthen certain development controls. The majority of the proposed changes to Volume 1 are considered of minor nature and are included under attachment 1 of this report. All proposed changes to the SCDCP 2015, are shown in red text on the attached draft SCDCP 2015 under attachment 5 of this report.

The remaining main proposed changes to Volume 1 are discussed in details below:

#### a) Proposed changes to the ratio of shared facilities for boarding houses

Under the Building Code of Australia (the BCA), a boarding house may be classified as either Class 1b Building or Class 3 Building as follows:

**A Class 1b boarding house** is a boarding house that has a total area of all floors not exceeding 300sqm and in which not more than 12 persons reside.

**A Class 3 boarding house** is a boarding house, other than a Class 1 or 2 buildings, which is a common place of long term or transient living for a number of unrelated persons.

Under the deemed-to-Satisfy Provisions of Volume 1 Section F2.1 of the BCA, a Class 3 boarding house must be provided with the following facilities for each ten residents for whom private facilities are not provided:

- (a) a bath or shower
- (b) a closet pan and washbasin.

The existing requirement under Section 17.2.7 Shared Facilities of Volume 1 of the SCDPC 2015 in relation to the toilet/shower ratio per resident aligns with the requirement of the BCA (i.e. one shower per 10 residents). However, under the BCA this ratio only applies to Class 3 boarding houses.

A Class 1b Boarding house is required to be provided with a minimum of one toilet, a washbasin and a bath or a shower (Section 3.8.3.2 Required Facilities, Volume 2 of the BCA).

Additional requirements relating to facilities for people with a disability in Class 1b and Class 3C boarding houses are contained in Volume 1 of the BCA and are summarised in Table 1 below.

Table 1: Requirements for Accessible Unisex Sanitary compartments and Showers under the BCA are summarised in the table below:

Class of boarding houses	Minimum accessible unisex toilets/shower to be provided.
Class 1b Class 1b Boarding Houses	<p>Not less than one toilet and one shower ;and</p> <p>(b) where private accessible toilets and showers are provided for every accessible bedroom, common accessible toilets and showers need not be provided.</p> <p>Common Areas: One accessible toilet to be provided as part of the common area.</p>
Class 3	<p>Not less than one toilet and one shower; and</p> <p>(b) where private accessible toilets and showers are provided for every accessible bedroom, common accessible toilets and showers need not be provided.</p> <p>Common Areas</p> <ul style="list-style-type: none"> <li>– One accessible toilet to be provided as part of the common area</li> <li>– One accessible shower to be provided for every ten showers or part thereof.</li> </ul>

However, the BCA requirements of a one toilet/shower per ten residents for Class 3 Boarding Houses and one toilet/shower for Class 1b boarding houses are not considered adequate, particularly where a boarding house may potentially be occupied by children and/or the elderly.

A review of a number of adjoining and other metropolitan Councils' policies in regard to the ratio of toilets/showers per resident was undertaken in June this year and the findings are summarised in the table below:

<b>Council</b>	<b>Existing requires under the relevant boarding housing DCP/section of the DCP</b>	<b>Compliance with the BCA</b>
Sydney City Council	One shower/toilet per ten occupants.	Yes
Wollongong City Council	One shower/toilet per ten occupants.	Yes
Randwick City Council	For over 12 boarding rooms, separate male and female facilities must be provided.	Yes
Ashfield Municipal Council (now part of Inner West Council)	One bath or shower and washbasin with hot and cold running water for each six occupants or part thereof and separate independently accessible toilet facilities.	No
City of Ryde	No mention of the ratio, however bathrooms must have a minimum area of 5sqm.	-
North Sydney Council	No mention of the ratio, however bathrooms must have a minimum area of 5sqm and refer to the BCA.	-
Liverpool City Council	No specific development controls.	-
Camden City Council	No specific development controls.	-
Fairfield City Council	No mention of the ratio however 1 in 10 rooms must be adaptable.	-

The above table shows that some of the Councils' requirements do not align with the BCA requirement of 1 shower/toilet per ten residents, while others do.

To improve the quality of life for the occupants of boarding houses within Campbelltown LGA, the following ratios are recommended:

- one toilet/shower per ten residents or part thereof
- one accessible toilet/shower where the number of residents exceeds five or more
- where the number of residents is five or less, the common toilet/shower shall also be accessible for people with disabilities
- at least one toilet/shower shall be provided on every floor level
- toilets shall be able to be accessed separately from the shower, so that the toilet and the shower may be used by two separate people at the same time.

The proposed toilet/shower ratios per resident provide a more reasonable outcome that would enhance the quality of life for the residents of boarding houses.

#### **b) Review of Part 8 Child Care Centres**

A new state planning policy entitled State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the Ed SEPP) commenced on 1 September 2017. The ED SEPP introduced a number of non-discretionary development standards in relation to the location of child care centres, site area and site dimensions that are not consistent with the existing development controls under Part 8 Child Care Centres (Part 8).

The Ed SEPP also requires development applications to comply with a Child Care Planning Guideline – August 2017 (the CCP Guideline). The CCP Guideline provides a design framework for preparing and considering development applications for centre-based child care facilities. It includes development controls relating to building design, visual and acoustic privacy, landscaping, noise and air pollution.

Given that the development standards/requirements under the Ed SEPP override the development controls in any DCP, Part 8 has been aligned with the Ed SEPP. Following is a summary of the main recommended changes:

- replace the reference to Child Care Centre by Centre-based Child Care Facility
- include a reference under Part 8 to the Ed SEPP and the Child Care Planning Guideline
- delete Clause 8.3.2 a) that requires child care centres to be developed on allotments having a minimum width of 20 metres, as the Ed SEPP specifically states that a Centre-based Child Care Facility may be located on a site of any size and have any length of street frontage or an allotment depth
- delete Clause 8.3.5 Hours of Operation and all references to the maximum number of children as the Ed SEPP specifically states that a provision of a development control plan that specifies a requirement standard or control in relation to operational management plans or arrangements (including hours of operation) and number of children does not apply to Centre-based Child Care Facility.

### **3. Proposed draft Part 18 Tattoo Parlours Premises**

Tattoo parlours are considered to be potentially a high risk premises to public health and safety and are required to be inspected regularly not only by Council Officers but by the NSW Police Local Area Command. Specific provisions under a newly proposed draft Part 18 Tattoo Parlours are proposed to ensure appropriate design and construction standards are applied, hygiene procedures are followed and premises are suitably located.

A copy of the proposed draft Part 18 Tattoo Parlours Premises is shown as attachment 2 to this report.

## **2. Addressing a number of Council's previous resolutions**

### **a) Review of Part 9 Public Consultation – Volume 1**

Council on 27 October 2015 resolved;

That Council's Public Notification Policy, in respect to development applications, be reviewed and a report provided back to Council recommending options for a more comprehensive community notification process.

A review of Part 9 Public Consultation (Part 9) has been undertaken in consultation with internal staff. Part 9 was found to be sufficiently detailed and comprehensive in regard to the type of development to be notified, however, the section that relates to the parties to be notified (Section 9.4.1.3) may be further improved. Section 9.4.1.3 only requires adjacent owners to be notified and this may not be adequate in circumstances where the proposed development may have an impact on the immediate locality and not just the adjoining owners.

### **Recommended approach/amendment**

To address this matter it is proposed to include a new requirement under Part 9 that requires Council to notify all properties located within 100 metres of the development site where the proposed development is located within a residential zone and comprises any of the following:

A boarding house, attached dwellings, schools; centre-based child care centre; multi dwelling housing; places of public worship; respite day care centre and group homes.

The 100 metres distance is to be measured from the external boundaries of the land subject of the application.

The above approach is similar to Liverpool Council's notification practices for similar type developments.

### **b) Abandoned Shopping Trolleys**

Council at its meeting held 15 November 2011, partially resolved:

That a review of all relevant planning instruments and policies to require that any application for commercial/retail premises is assessed to ensure the prevention of the removal of shopping trolleys from premises.

As a result of the above Council resolution, a condition of consent was introduced that requires all newly proposed supermarkets or alterations to supermarkets include a coin mechanism to encourage customers to return the shopping trolleys to their base.

However, there are concerns that this has greatly disadvantaged the newly established supermarkets as shoppers prefer to shop at the supermarket that does not have the coin mechanism in place, as they are not required to return the trolley to certain bays.

A smart technology has now emerged, which utilises a Wi-Fi technology that sends a signal to an antenna embedded within the shopping trolley and it locks one or two wheels, where the trolley moves beyond a certain point. This system would not require shoppers to return the trolley to a particular point nor would it require shoppers to have a coin to enable them to use the shopping trolley. This smart system is currently being utilised by Coles Supermarket in Mount Annan. Council staff contacted the Mt Annan Coles Manager, and he indicated that this system is currently working very well.

The cost of this smart system may make it only feasible for larger supermarkets such as Coles and Woolworths. Aldi stores currently utilise the coin mechanism to ensure that their trolleys are returned to a designated area.

**Recommended approach/amendment**

In light of the above, it is recommended to include a new development control under Part 6 Commercial Development that requires all newly proposed supermarkets that operate ten or more shopping trolleys to include a smart technology or a coin mechanism to ensure that shoppers will not be able to leave the site/vicinity with the shopping trolleys.

**Proposed draft Part 9 Urban Renewal DCP for Airds/Bradbury and Claymore – Volume 2**

The Public Housing Estates situated at Claymore and Airds/Bradbury are the subject of targeted and staged urban renewal programs aimed at revitalising the public housing estates within these suburbs and creating a safe, secure and liveable environment.

Central to the renewal schemes is a reduction in the proportion of public housing to private ownership to approximately 30 per cent of the final yield.

Both the Claymore and Airds/Bradbury public housing precincts are the subject of Concept Plan Approvals issued under the former Part 3A of the *Environmental Planning and Assessment Act 1979* (as amended) (The Act). A set of development control guidelines were also prepared at the time and formed part of the concept plan approval. A copy of the development control guidelines (DCGs) for each precinct is included as attachment 3 to this report. Development applications for subdivision and residential development are required to be consistent with the design requirements under the DCGs. The design requirements relate to maximum site coverage, boundary setbacks and maximum building height.

To facilitate the desired urban design outcomes and ensure that matters that are not included in the design guidelines (such as solar access requirement, privacy, parking) are also considered. Housing, in liaison with staff from Council, prepared a site specific DCP for the subject renewal areas. This DCP is proposed to be included as draft Part 10 Urban Renewal DCP, under Volume 2 of the SCDCP. A copy of the proposed draft Part 10 DCP is shown as attachment 3 of this report.

**Proposed draft Part 10 Blairmount DCP**

The proposed draft Part 10 Blairmount DCP is a site specific DCP that applies to the land shown on the Map under attachment 4 and generally applies to certain land along Eagle Vale Drive and Blairmount.

The land where this draft DCP applies has been subject to approved development application for residential subdivision and the requirement of the preparation of a site specific DCP for the land was included as part of the conditions of consent for each approved development application on these sites.

Notably, no further subdivision would be allowed on any of the allotments, unless the proposed subdivision is consistent with the subdivision requirements under Volume 3 of the SCDCP 2015.

The main objective of this draft DCP is to provide development controls for lots smaller than the conventional 500sqm lots to ensure the desired design outcome.

A copy of this draft DCP is shown under attachment 4.

**Proposed amendment to Part 5 Western Sydney University DCP**

The Western Sydney University DCP (WSU DCP) applies to the residential land located within the vicinity of the Western Sydney University.

The WSU DCP came into effect on 24 February 2009 and was later incorporated as Part 5 of Volume 2 Site Specific DCPs of the SCDCP 2015.

In March 2015, the CLEP 2015 commenced and part of the land where the WSU DCP applies was assigned Zone R3 Medium Density Residential. The remaining part of the site was deferred from the CLEP 2015 and as such LEP 2002 continued to apply to this part of the site.

For the following reasons, it is recommended that the WSU DCP be amended so that it only applies to the part of the site where LEP 2002 applies:

1. the terms and definitions used in the WSU DCP do not align with the terms and definitions used under the CLEP 2015.
2. under Section 74C (5) of the *Environmental Planning and Assessment Act 1979* (the Act) a provision of a development control plan (whenever made) has no effect if it is not consistent with the LEP that applies to the Land. The WSU DCP contains development standards in relation to minimum lots sizes and building heights that are not consistent with the development standards under the CLEP 2015.
3. the development controls are not inclusive, as the WSU DCP does not include development controls for dual occupancies.
4. there is no need for a site specific DCP for the part of the WSU site that is zoned under the CLEP 2015, as the SCDCP 2015 provides development controls for R3 medium density Zone that are considered appropriate for this site and align with the anticipated residential products for the site.

**Public Exhibition of the draft Amendment No 5**

Subject to Council endorsement of Amendment No 5 to the SCDCP 2015, it is recommended that:

- the draft SCDCP 2015 be placed on public exhibition for two months, given that the exhibition will occur around the Christmas Holiday period
- the draft SCDCP 2015 Amendment No 5 is placed in all Council libraries, the Civic Centre and on Council's website.

**Attachments**

1. Proposed minor changes to the SCDCP (contained within this report)
2. Volume 1 - draft Part 18 Tattoo Parlours Premises (contained within this report)
3. Volume 2 - draft Part 9 Urban Renewal Area DCP (contained within this report)
4. Volume 2 - draft Part 10 Blairmount DCP (contained within this report)
5. Draft Campelltown (Sustainable City) Development Control Plan 2015 - Volume 1 (due to size of document 378 pages) (distributed under separate cover)

**Attachment 1: Suggested changes by internal review of the SDCDP (This table should be read in conjunction with the draft SDCDP 2015)**

The relevant Part/Section of the draft SDCDP	Suggested amendment to the SDCDP	Recommended approach
General	Include a comment that regardless of whether waste is to be collected by Council or a private contractor, the design must provide for the collection system to be provided by Council at the time the DA is submitted. This would ensure that the building is designed to facilitate waste collection by Council where needed.	Amend all relevant waste sections under the commercial, industrial sections to include an additional clause to this effect.
General	Replace the term 'Leasable Floor Area' with the term 'Gross Floor Area' as the term leasable floor area is no longer defined under the SDCDP.	Noted and supported.
2.8 Cut and Fill	Include controls for basement excavation to ensure that basements have setbacks not less than 900mm from the property boundaries and that they comply with the deep soil planting requirements.	Include an additional clause under section 2.8 Cut and Fill as clause 2.8.1 g) that reads:  All basement excavation shall be setback a minimum of 900mm from the property boundaries. Provisions of basements shall not result in non-compliance with deep soil planting controls contained within this plan.
2.12 Retaining Walls	Include an additional development control that requires retaining walls not to impede on side access (900mm) between the proposed development and the site boundary.  Include an additional development control that requires the consent of the adjoining owner/s for any retaining wall that involves work on neighbouring properties.  Include an additional development control that requires retaining walls higher than 900mm to be designed by a structural engineer and made from masonry material.	The following draft clauses are proposed to be included as clause 2.12.3 g), h) and i):  g) Where retaining walls are proposed along the side boundary of the property, the side setback where the retaining wall is proposed shall be increased from 0.9metres to 1.2 metres.  h) Any retaining wall requiring work on neighbouring properties shall require the consent of the adjoining owner/s.  i) Retaining walls higher than 900mm shall be designed by a structural engineer and made from appropriate material.



**Attachment 1: Suggested changes by internal review of the SCDCP (This table should be read in conjunction with the draft SCDCP 2015)**

The relevant Part/Section of the draft SCDCP	Suggested amendment to the SCDCP	Recommended approach
2.13 Security	Boarding houses should be accompanied by a crime prevention plan prepared by a suitably qualified person addressing how the development embraces the principles of Crime Prevention Through Environmental Design.	Amend Clause 2.13 a) e) to require boarding houses to be accompanied by a crime prevention plan prepared by a suitably qualified person addressing how the development embraces the principles of Crime Prevention Through Environmental Design.
3.4.2 Car parking and Access	Provide a control for internal driveway widths, particularly for internal driveways servicing multi dwelling housing.	Insert a new clause under 3.4.2 j) that reads: k) Internal driveways and vehicle access shall be provided with sufficient widths to ensure easy access to and from designated car parking areas/garages. l) Internal driveways for multi dwellings shall be designed to provide two-way vehicle access
3.4.1 Building Form and Character	Reinstate the following controls that were included in the previous version of the SCDCP: Multi dwellings/dual occupancies shall satisfy the following architectural requirements: i) incorporation of variations in roof heights and wall planes to avoid long unbroken ridge lines ii) incorporation of façade shifts and articulation, varied materials and colours in order to avoid duplication of the same building elements iii) provision of windows and active space in the building ends, to provide additional security and visual interest  Include a new development control that requires windows on front elevations to have a balanced architectural design	Reinstate the development controls under 3.4.1.1 Streetscape as clause 3.4.1.1 h).  Include an additional clause as clause 3.4.1.1 i) that reads:  All windows facing the street (primary and secondary) must have a balanced architectural design.

**Attachment 1: Suggested changes by internal review of the SCDCP (This table should be read in conjunction with the draft SCDCP 2015)**

The relevant Part/Section of the draft SCDCP	Suggested amendment to the SCDCP	Recommended approach
3.6.2. Secondary Dwellings	<p>Consider an additional objective relating to secondary dwellings' appearance and consistency with the streetscape.</p> <p>The front setback control has to be amended to also require that the secondary dwelling be aligned with existing front building line or alternatively be aligned with the predominant front building line of the adjoining properties</p> <p>The location of the secondary dwelling shall not result in the primary dwelling being provided with a private open space and deep soil planting area less than the requirements of the controls outlined in 3.6.1.</p>	<p>Amend clause 3.6.2.2 a) i) to read:</p> <p>i) A secondary dwelling shall be setback a minimum of: i) 5.5 meters from the primary street of the dwelling and shall align with the existing front building line, alternatively it shall align with the predominant front building line of the street.</p> <p>Add the following new clauses:</p> <p>Clause 3.6.2.2 vi) that reads:</p> <p>vi) Where a secondary dwelling is located forward of the front building line consideration shall only be given to such a proposal where the development is integrated with the existing dwelling and employs the same building materials and features as the existing dwelling including roof form and features i.e. gables etc.</p> <p>Clause 3.6.2.2 e) that reads:</p> <p>The principle dwelling shall continue to meet all the relevant requirements and development controls under Part 3 of Volume 1 of the Plan.</p>
3.7.1.5 c) and 3.6.5.2 Open style non-obtrusive parking structure	Currently, the SCDCP allows only open style car parking for new dwellings on existing narrow lots with frontages ranging from 5.5metres to less than 7.5 metres. This measure was introduced to ensure garages do not dominate the streetscape. However, applicants have constantly sought variation to this clause. In addition, some of the open space car parking has been used by residents as 'storage space' which negatively impacted upon the streetscape character. .	To address this matter it is proposed to allow narrow lots to have closed garages subject to a newly proposed development control that requires the garage component of the front elevation to be setback a minimum of 2 metres from the main building line. This would minimise the impacts of garages on the front elevation.
Waste Management in R2 and R3 Zones 5.4.8.3, 3.7.1.10, 3.7.2.10	There is a need to stipulate a maximum walking distance between the dwelling and the waste disposal point.	Suggested wording to add to Sections 5.4.8.3, 3.7.1.10, 3.7.2.10:

**Attachment 1: Suggested changes by internal review of the SCDCP (This table should be read in conjunction with the draft SCDCP 2015)**

The relevant Part/Section of the draft SCDCP	Suggested amendment to the SCDCP	Recommended approach
		<p>The maximum distance between a dwelling and the waste disposal point shall be 40 metres (excluding distance travelled in a lift).</p> <p>Include a new clause for the relevant sections that reads: Each dwelling shall be provided with an 'incidental' storage facility within the dwelling which shall be available for the personal use of each dwelling and designed and constructed of materials to Council's satisfactions. Such storage facility shall have a storage capacity of not less than the following: 6 cubic metres in the case of a one-bedroom dwelling; 8 cubic metres in the case of a two-bedroom dwelling; 10 cubic metres in the case of a three or more bedroom dwelling; In the case of multi dwelling housing, the incidentals storage facility shall not be created as a separate (strata) allotment to the dwelling it services. Amend the relevant controls by adding an additional control to this effect.</p>
<p>3.6.5 Attached dwelling – Zones R2</p> <p>3.6.6 Multi Dwelling – Zone R2</p> <p>3.7.1 Attached Dwelling – Zone R2</p> <p>3.7.2 Attached Dwelling – Zone R3</p>	<p>Include an internal storage requirement for multi dwelling development, similar to requirements for residential flat buildings</p>	
<p>3.6.1.3 ,</p> <p>3.6.2.2,3.6.3,23.6.4,23.6.5,2.3.6.6,23.7.1.2and</p> <p>3.7.2.2 Setbacks</p> <p>5.4.8.1 Number of bins</p>	<p>provided 900mm unobstructed side access for at least one side of all residential development ( i.e. no air conditioning units/rain water tanks etc.</p> <p>A new clause should be included that that requires caretaker to be available for all sites where bins are shared between occupants, to ensure bins are correctly presented for collection and returned to the designated bin storage area when emptied.</p> <p>Include a new provision to ensure sufficient area is allocated for kerb side collection</p>	<p>Add a new subclause Clause 5.4.8.1 c) that reads: c) A caretaker shall be available for all sites where bins are shared between occupants, to ensure bins are correctly presented for collection and returned to the designated bin storage area when emptied</p> <p>Include a new clause 17.5.1(f) as follows: Developments shall make provision for the storage of bulky waste (kerbside clean up) materials on site including i) A minimum area of 10sqm metres; ii) The area must be accessible to all residents; iii) The area must not be more than ten metres (10m) from the waste collection point</p>
17.5 Waste Management- Boarding Houses		

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# Draft Part 18 Tattoo Parlour Premises

Draft

## 18.1

### Application Tattoo Parlour Premises

#### 18.1 Application

This part sets out control for tattoo parlour premises within the City of Campbelltown. This part should be read in conjunction with the relevant LEP/IDO applying to the site to determine the zoning of the land and the permissibility of any proposed tattoo parlour premises.

**Note:**

Tattooing is defined under the Public Health Act 2010 as a skin penetration procedure.

For the purpose of this part tattooing includes:

**Body art tattooing business**(Tattoo Parlours Act 2012) means a business involving the carrying out of body art tattooing procedures (whether or not in combination with other tattooing procedures or with other activities).

**Body art tattooing procedure** (Tattoo Parlours Act 2012) means a tattooing procedure performed for decorative purposes, but does not include a cosmetic tattooing procedure.

**Note:**

For the purpose of this part tattoo parlour premises include:

- Body art tattooing business;
- Body art tattooing procedure.

**Note:**

This part does not apply to Cosmetic tattooing procedures. Cosmetic tattooing procedures include procedures performed for the purpose of providing eyeliner, eyebrow, or any permanent make up effect, or by a medical practitioner for a medical reason (eg hide, disguise or cover a medical condition or post-operative outcome).

## 18.2 General Requirements for Tattoo Parlour Premises

## 18.2 General Requirements for Tattoo Parlour Premises

### Objectives:

- Ensure tattoo parlour premises are appropriately located so as to minimise any potential adverse social or economic impacts upon surrounding locality.
- Identify relevant public health and safety standards that are required for all tattoo parlour premises.

### 18.2.1 Requirements for a development application

- a) All tattoo parlour premises within Campbelltown Local Government Area require development consent issued under the Environmental Planning and Assessment Act 1979 (The Act) to legally operate.
- b) Campbelltown City Council is the consent authority for the assessment and determination of development applications for skin penetration/ tattoo parlour premises.

### 18.2.2 Location requirements

- a) The tattoo parlour premises shall not adjoin areas that are zoned residential.

### 18.2.3 Tattoo Parlour Registration and General Requirements

- a) All tattoo parlour premises are required to be registered with Council under the provisions of the Public Health Act and the Local Government Act 1993 for on going health surveillance and regulatory purposes.
- b) All tattoo parlours shall comply with the Tattoo Parlours Act 2012 and the Tattoo Parlours Regulation 2013. This Act and Regulation is governed by the Police and Department of Fair Trading and requires all tattoo parlours and tattoo artists to be licensed. For

### Note:

Council's role in applying the planning controls for tattoo parlour premises is in addition to the regulatory functions of other Government agencies that contribute to the safe and legal operations of such premises. This includes:

- a) NSW Health who are responsible for safe health practices in any workplace;
- b) SafeWork NSW regarding occupational health and safety issues in the workplace;
- c) NSW Police Service with respect to complaints and issues relating to criminal behaviour; and .
- d) Department of Fair Trading with respect to licensing of operators and tattoo artists.

## 18.2

### General Requirements for Tattoo Parlour Premises

further information please visit the following website: [http://www.fairtrading.nsw.gov.au/Businesses/Specific\\_industries\\_and\\_businesses/Tattoo\\_parlours.html](http://www.fairtrading.nsw.gov.au/Businesses/Specific_industries_and_businesses/Tattoo_parlours.html)

- c) A condition of any development consent issued for tattoo parlour premises shall require:
  - i) written notification to Council of the person responsible for operating the premises (proprietor/ licensee); and
  - ii) environmental health inspection by Council to ensure compliance with construction/hygiene standards prior to commencement of the use of the premises.

#### 18.2.4 Construction requirements

- a) The internal walls of the premises shall be constructed to provide a smooth, even, and impervious surface that is capable of being easily cleaned.
- b) The floor construction shall be finished in a smooth, non-slip, impervious material that is capable of being easily cleaned.
- c) The ceiling of a tattoo treatment room/bay shall be constructed with rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint.
- d) The intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed. Drop in panels are not permitted.
- e) All gaps, open joints, cracks and crevices within the walls and floors which may allow dust, hair, lint and other residue to collect shall be sealed in all walls and floors to enable easy cleaning.
- f) All service pipes and electrical

conduit shall be contained in the floor, walls or ceiling.

- g) The internal and external surfaces of storage cabinets, cupboards, preparation benches and the like shall be finished in a smooth impervious material that is capable of being easily cleaned.
- h) All surfaces of chairs and treatment beds must be finished in a smooth impervious material that is capable of being easily cleaned.
- i) Provide appropriate ventilation to eliminate odours and fumes.

#### 18.2.5 Sanitary Facilities

- a) A hand washbasin shall be installed in all treatment rooms/bays.
- b) The hand washbasin shall be serviced with a continuous supply of potable hot and cold water through a single outlet and fitted with a hands-off type tap set (portable handwash basins are not permitted).
- c) The hand washbasins shall be provided with an adequate supply of soap and disposable handtowels from a dispenser at all times.
- d) A toilet shall be provided for the client and all employees .
- e) All toilets and wastewater collection facilities shall be connected to the sewer in accordance with the local authorities' requirements.
- f) The toilet shall be provided with a hand washbasin serviced with hot and cold water through a single outlet and fitted with a hands-off type tap set (portable handwash basins are not permitted).
- g) Provide an equipment wash sink of adequate size to clean and rinse all equipment and implements. The equipment wash sink shall be provided with a continuous supply of hot and cold water through a single outlet.
- h) If reusable skin penetration implements are used, a designated cleaning and sterilisation work area shall be provided within the premises and designed in accordance with

## 18.2

### General Requirements for Tattoo Parlour Premises



## 18.2

### General Requirements for Tattoo Parlour Premises

AS4815:2006 Office based health care facilities  
- Reprocessing of reusable medical and surgical instruments and equipment and maintenance of the associated environment. This work area shall be separate from a treatment room/ lunch room and constructed so as to prevent the possibilities of contamination.

- i) The cleaning and sterilisation area shall be provided with the following:
  - i) A hand washbasin in an accessible and convenient location within the area. The basin shall be freestanding, serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and fitted with a hands-off type tap set.
  - ii) A double bowl wash sink of adequate capacity to clean and rinse all equipment and implements. The sinks shall be serviced with hot and cold water through a single outlet in addition to the hand basin;
  - iii) All walls, floor, cabinets, cupboards, benches and the ceiling shall be provided with smooth and impervious surfaces that are free from gaps, cracks and crevices to enable easy cleaning. A drop in panel ceiling shall not be permitted
  - iv) An approved autoclave operated in accordance with Australian Standard (AS) 4815:2006 Office-based health care facilities - cleaning, disinfection and sterilisation of re-usable medical and surgical instruments and equipment and maintenance of the associated environment. The autoclave shall be tested, serviced regularly and calibrated at least once a year by a qualified service technician. Details and documents of the services shall be provided and available at all times at the premises;
  - v) An ultrasonic cleaner to clean all implements and equipment. An ultrasonic cleaner shall not be used as a method of sterilisation.
  - vi) Sterilisation procedures must comply with

AS4815:2006 Office based health care facilities - Reprocessing of reusable medical and surgical instruments and equipment and maintenance of the associated environment.

- j) A cleaner's sink shall be installed within the tattoo parlour premises and must be serviced with hot and cold water through taps fitted with hose connectors to adequately clean the premises and to dispose of all waste water.

#### 18.2.6 Waste

- a) General waste should be placed in plastic lined receptacles at the site of generation. Waste bags and containers must be tied and sealed and left in a secure waste bin to be collected by an approved waste transporter. (Protection of the Environment Operations (Waste) Regulation -1996)
- a) Sharps and clinical waste must be placed into a sharps container immediately after use. The yellow sharps container must be approved by Australian Standards and comply with AS4261:1994 or AS 4031:1992. The sharps container must be collected and disposed of appropriately by an approved waste transporter to a treatment facility licensed by the EPA (Protection of the Environment Operations (Waste) Regulation 1996).

## 18.2

### General Requirements for Tattoo Parlour Premises

**Draft Part 9  
Volume 2  
URBAN RENEWAL AREAS  
DEVELOPMENT CONTROL  
PLAN**

Airds Bradbury and Claymore

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## 1. Preliminary

# 1.1 - 1.6

Name of the  
DCP

### 1.1 Name of the DCP

This Plan is called Urban Renewal Areas Development Control Plan (the URADCP).

### 1.2 Purpose of the URADCP

The URADCP has been prepared in accordance with Section 74C of the Environmental Planning and Assessment Act 1979 (the Act) and Part 3 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). The purpose of the URADCP is to provide more detailed provisions to supplement Campbelltown Local Environmental Plan 2015 (CLEP 2015), to the extent applicable, so as to implement the intention of the concept plan approvals granted by the Minister for Planning for the urban renewal of Airds Bradbury and Claymore.

A consent authority is required under Section 79C of the Act, to take into consideration the relevant provisions of the Campbelltown (Sustainable City) Development Control Plan, 2015 (SCDCP 2015) which includes URADCP in determining development applications for residential accommodation.

### 1.3 Land to which the URADCP Applies

The provisions of this URADCP are site specific and apply only to certain Urban Renewal Areas within Campbelltown LGA shown on Figures 1 to 2 in Appendix 1 of the URADCP. The URADCP does not apply to any lots shown as privately owned on Figures 1 and 2 in Appendix 1.

### 1.4 The Consent Authority

Campbelltown City Council (Council) is the consent authority for local development within the urban renewal areas that requires development consent.

### 1.5 Variation to Planning Controls and Standards within the URADCP.

Refer to Section 1.1.7 Variation to Planning Controls and Standards within the Plan under Volume 1 of the SCDCP 2015.

### 1.6 Structure of the URADCP

The format of the DCP has been set up to identify various objectives and general design requirements for each of the permissible residential development typologies. It comprises the following structure:

1. Preliminary
2. All Types of Development
3. Application

## 1.7 - 1.8

### Relationship to other Plans and Documents

4. Desired Future Character for Urban

5. Dwellings and Ancillary Structures

6. Residential Development.

#### 1.7 Relationship to other Plans and Documents

The provisions of this URADCP are site specific and apply only to certain Urban Renewal Areas within Campbelltown LGA. The URADCP forms Part xxx of Volume 2 of the SCDCP 2015. The provisions of the SCDCP 2015 apply to the land to which URADCP applies. However, the URADCP prevails to the extent of any consistency with the SCDCP 2015.

Where a site specific DCP does not include specific development controls for a certain type of development, the development controls under Volume 1 of the SCDCP shall be used to assess the development applications received by Council.

Airds/Bradbury and Claymore urban renewal areas are subject to a Concept Plan approval under the former Part 3A of the EP&A Act received in 2012 and 2013 respectively. In approving the concept plans, the Minister for Planning determined that subsequent development is to be subject to Part 4 of the Act. The determinations of the Minister for Planning in approving the concept plans and the provisions of Schedule 6A of the Act are relevant and include a provision to the effect that the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the Concept Plan.

The term of approval of the concept plans requires development to be carried out generally in accordance with the Airds Bradbury Urban Renewal Development Control Guidelines dated October 2011 and the Claymore Urban Renewal Development Control Guidelines dated May 2012. This URADCP incorporates these guidelines and the controls in this DCP have been prepared so as to be generally consistent with the terms of approval of the concept plans.

Consideration is to be given to the provisions of the CLEP 2015 and the SCDCP 2015. It is intended that the provisions of CLEP 2015 will be amended to delete clause 4.1A relating to yield restrictions on the basis of the certainty provided by the URADCP.

#### 1.8 AIMS AND OBJECTIVES OF THE URADCP

The aims of this URADCP are to:

- Ensure that the intentions of the Airds Bradbury and Claymore concept plan approvals are met;
- Ensure that controls and guidelines are in place for dwellings on lots created by subdivision of land within the urban renewal areas;
- Ensure that the principles of ecological sustainability are incorporated into the design, construction and ongoing operation of development;
- Facilitate innovative development of high quality design and construction in the urban renewal areas;
- Encourage the creation of safe, secure and liveable environments; and

- Provide for a variety of high quality housing choices within the City of Campbelltown.

The objectives of the URADCP are:

**Social:**

1. Provide for a mixture of housing types;
2. Provide housing that responds to the network of open spaces, focal points and community facilities;
3. Ensure safety and security through passive surveillance of streets and open space areas by following the principles of 'safety by design'.

**Environmental:**

1. Establish quality streetscapes which add to the visual and environmental amenity of the site;
2. Encourage environmentally responsible building practices including solar passive design solutions for all housing;
3. Encourage built form consistent with the Desired Future Character.

**Economic**

1. Ensure that the future development enhances the surrounding suburbs and positively impacts upon market values in the area;
2. Create variety in housing types and tenure mix which is marketable and feasible;
3. Provide appropriate housing for low income earners, the aged and people with disabilities.

## 1.9 Definitions

Terms in this URADCP are defined in the CLEP 2015 and the SCDP 2015. Additional terms include:

*Abutting dwelling* is a building containing one dwelling, on a single block of land that is designed and constructed on a zero lot line immediately adjacent to another dwelling on a different lot that is also built to the zero lot line and is structurally independent of any other dwelling. An abutting dwelling is a form of dwelling house.

*Building Envelope Plan (BEP)* means a plan that shows the location and number of storeys of a building on a site. The BEP should be at a legible scale (suggested 1:200) and include the following elements:

- Lot numbers, north point, scale, drawing title and site labels such as street names;
- Maximum permissible building envelope (setbacks, storeys, articulation zones)
- Preferred principal private open space;
- Garage size (single or double) and location;
- Zero lot line boundaries.

A BEP should be fit for purpose and include only those elements that are necessary for that particular lot.

## 1.8 - 1.9

### Aims and Objectives of the URADCP



# 1.9

## Definitions

*Manor home* is a form of multi-dwelling housing and means a 2-storey building containing 4 dwellings, where:

- (a) each storey contains 2 dwellings, and
- (b) each dwelling is on its own lot (being a lot within a lot within a strata scheme or community title scheme), and
- (c) access to each dwelling is provided through an individual entry at ground level.

Manor homes are not residential flat buildings.

*Principal private open space* area means the area of private open space that is directly outside the living areas of the dwellings, consisting of an appropriately dimensioned square. The PPOS can include an outdoor leisure / alfresco dining areas that are covered either by the main roof structure or by another lightweight material.

*Studio Dwelling* means a room or suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used as a separate secondary domicile on the land, which is located above a garage, car port or the like.

*Zero Lot Line Dwelling* is a building containing one dwelling, on a single block of land, that is constructed with an exterior wall on one of its side boundaries but is not attached to any other dwelling. A zero lot line dwelling is a type of dwelling house.

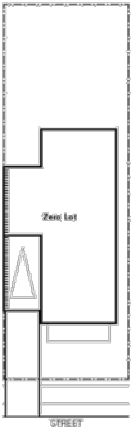


Illustration 1: Zero Lot Line

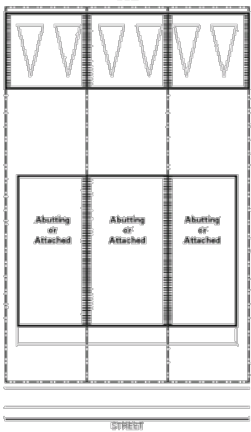


Illustration 2: Abutting Dwelling

## 2. Requirements Applying to all Types of Development

## 2.1-2.4

### Introductions

#### 2.1 Introduction

The provisions of Part 2 of the SCDCP 2015 apply to development in the urban renewal areas.

#### 2.2 Additional Controls regarding Noise

In addition to the requirements under Section 3.4.3 Acoustic and Visual Privacy of the SCDCP 2015 any future development application for residential lots or seniors living development fronting Badgally Road must refer to the document entitled Environmental Criteria for Road Noise (EPA 2010), to enable Council to properly consider potential impacts on that residential development that may arise from the developments proximity to potential road noise and to determine if there are any particular conditions of consent that should be imposed upon that development.

#### 2.3 Additional Controls regarding Retaining Walls

Section 2.12 of the SCDCP 2015 does not apply to neighbourhood subdivision.

#### 2.4 Future Development Applications

Pursuant to the terms of the concept plan approvals for Airds Bradbury and Claymore, any future applications for dwellings (that are not defined as exempt or complying development) within the sites shall:

1. include an assessment of construction impacts, including noise, traffic, soil and erosion (including acid sulphate soils where relevant), waste, and dust, and identify the mitigation and management measures that would be implemented to address these impacts;
2. demonstrate that habitable floor levels are located above the 100 year ARI flood level plus 500mm freeboard, and that appropriate flood evacuation can be provided for dwellings located below the probable maximum flood level;
3. demonstrate compliance with the Planning for Bushfire Protection 2006; and
4. demonstrate that ESD measures have been incorporated into the design of the buildings to reduce water and energy consumption in accordance with State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

These requirements are included generally in Part 2 of the SCDCP 2015.

## 2.5

### Reiby Juvenile Justice Centre

#### 2.5 Reiby Juvenile Justice Centre

Dwellings on properties that adjoin the Reiby Juvenile Justice Centre are to have a 6 metre rear building setback.

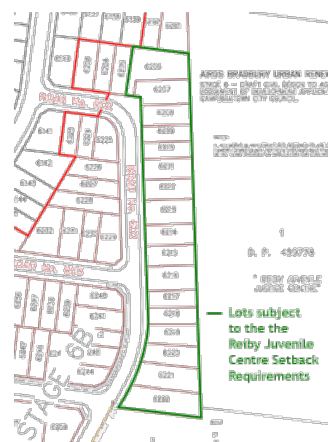


Illustration 3: Land to which Section 2.5 applies

### 3. Application

## 3.0 Application

Part 3 sets out the following:

- Desired future character of the urban renewal areas
- General Requirements for residential Development
- Development controls for the following residential development to where the URADCP applies :
  - dwelling houses including zero lot dwelling houses and abutting dwellings
  - Secondary dwellings
  - Dual occupancies (attached and detached)
  - Studio Apartments
  - Semi-detached dwellings
  - Attached dwellings
  - Multi dwelling housing
  - Manor homes

The design requirements contained within this part are to be read in conjunction with the provisions contained in Part 2 of Volume 1 of the SCDCP 2015

## 4.0

### Desired Future Character for Urban Renewal Areas

#### 4. Desired Future Character for Urban Renewal Areas

The desired future character of the urban renewal areas is one that:

- Provides a range of dwelling types in response to market demands;
- Provides new dwellings that address and reinforce the street through appropriate building siting and orientation;
- Provides buildings that can be constructed to enhance safety through design, by providing casual surveillance over areas of public open space, including streets and paths;
- Provides medium density housing types, such as attached dwellings and manor homes in appropriate locations such as near shopping centres and parks;
- Encourages more active and inviting streetscapes by designing car parking structures and hardstand areas to complement the built form of dwellings and to avoid dominating the streetscape.

#### Note:

For the purpose of the URADCP part Zero Lot Line Dwelling and abutting dwellings are a type of dwelling house and studio apartments are a type of dual occupancies.



Illustration 4: Residential streetscapes

## 5. General Requirements for Residential Development

### 5.1

#### Building Form and Character

This Section provides general development controls for residential development within the areas where the URADCP applies.

##### Car Parking and Access

Section 3.4.2 of Volume 1 of the SCDCP shall apply.

##### Car Parking Rates

- a) Each dwelling house or a dwelling that is part of a dual occupancy, semi detached dwellings, manor home or attached dwellings shall be provided with a minimum of one (1) single garage.

##### Visual and Acoustic Privacy

Section 3.4.3 of Volume 1 of the SCDCP shall apply.

### 5.1 Building Form and Character

#### Objectives:

- To ensure that buildings are designed to enhance the existing and future desired built form and character of the urban renewal areas by encouraging innovative and quality housing designs which are distinctive and contemporary and fits harmoniously with their surroundings.

#### Design Requirements

##### 5.1.1 Streetscape

- a) Building design (including façade treatment, massing, roof design and entrance features), setbacks and landscaping shall complement the scale of development, character and qualities of the adjoining streetscape.
- b) Articulate building frontages facing the street to add visual interest. Use of stepping, material combinations, verandahs, porches and balconies, canopies and blade walls shall be encouraged.
- c) Development on corner sites shall incorporate facade treatments that address both street frontages and achieve articulation in the building design.
- d) The built form shall relate to the natural landform and setting, particularly when viewed from a public place, building entrance ways and recognised vantage points outside the immediate locality. A sites natural slope should be used to create visual interest and generate innovative housing forms while minimising cut and fill requirements.
- e) All dwellings shall be designed with a contemporary architectural character
- f) Outbuildings and ancillary structures shall be located to the rear of the site.

## 5.1

### Building Form and Character

- g) The pitch of hipped and gable roof forms on the main dwelling house have a maximum slope of 36 degrees. Skillion roofs, roofs hidden from view by parapet walls, roofs on detached garages, studios and ancillary buildings on the allotment are excluded from this control.
- h) Eaves are to provide sun shading to protect windows and doors and provide aesthetic interest and are permitted to extend up to 450mm from the side boundary, except for zero lot line, attached dwellings and semi-detached dwellings and parapet walls.
- i) No blank walls shall be presented to any street frontage. Any continuous wall of more than one storey in height shall be no more than 10m in length. Walls over 10m long shall have a minimum off- set of 500mm wherein the wall can either pursue a new alignment or return to the original alignment after a minimum distance of 2 metres. Where a 'cut away' is pursued, the roofline must reflect the cutaway and not extent straight past the cut away. This requirement does not apply to party walls of attached dwellings or zero lot line dwellings.
- j) When determining appropriate external building materials for residential development, the following guidelines shall be observed:
  - a. External wall materials shall be predominantly masonry (i.e. brick) and finished in either face brickwork, coloured/painted render or coloured bagging;
  - b. Lightweight materials can be utilised to provide variety in textures or profile on dwelling facades (e.g. timber, feature fibre cement sheeting or pre-finished metal sheeting);
  - c. No galvanised iron, plain cement sheeting or plain concrete blocks shall be utilised;
  - d. Low profile concrete, terracotta or slate roof tiles or pre-finished and pre-coloured corrugated metal roofing shall be utilised
- 11. The colour palette to be used in all dwellings is to consist largely of neutral, natural tones. Feature colours may be utilised for selected elements to create interest and highlights.
- 12. A detailed schedule of the proposed external finishes, materials and colours shall be submitted for Council's approval as part of the development application.

#### 5.1.2 Building Height

- a) Residential development other than seniors housing provided by NSW Land & Housing Corporation shall be a maximum of 9.5 metres in height.
- b) The height of development shall not result in any significant loss of amenity (including loss of solar access and visual and acoustic privacy) to adjacent properties and public places.
- c) All dwellings shall have a least one habitable room window at ground and first floor level addressing the primary street (and secondary street frontage for corner lots).





Illustration 5: Single garage

## 5.1

### Building Form and Character

#### 5.1.3 Garages

- a) Council will consider proposals for garages under dwellings on sloping sites if satisfied that the garage would not result in a building that exceeds 9.5m in height at any point.
- b) A single garage only shall be provided within the front elevation of a dwelling with a lot frontage of less than 12 metres.
- c) The garage door element fronting onto a street shall be no wider than 50% of the total dwelling width.
- d) The width of the garage door where it has a rear access shall be a maximum of 6.0 metres.
- e) Sites with lot sizes of 300sqm or less shall be limited to a single garage only at the primary street frontage.
- f) A garage shall be setback a minimum of:
  - (i) 1.0 metre from the rear boundary where it has a rear vehicle access;
  - (ii) 3.0 metres from the rear boundary where it does not have rear vehicle access.
  - (iii) 4 metres from the primary setback for a site with an area of 300 sqm or less;
  - (iv) 5 metres from the primary setback for a site with an area of greater than 300sqm



## 5.2

### Private Open Space

#### 5.2 Private Open Space

##### Objectives:

- To ensure that dwellings are provided with sufficient area of private open space for the use of the occupants.

- a) A dwelling located on a site with a lot area of 300sqm or less shall be provided with an area of private open space that:
  - i) is located behind the primary street building setback;
  - ii) has a minimum area of 16 sqm for sites;
  - iii) Includes a minimum levelled area of (4x4)sqm;
  - iv) has an internal living room directly accessible to the outdoor private open space areas; and
  - v) satisfies solar access requirements contained in 5.3.
- b) A dwelling located on a site area of more than 300sqm shall be provided with an area of private open space that:
  - i) is located behind the primary street building setback;
  - ii) has a minimum area of 24sqm;
  - iii) Includes a minimum levelled area of (4x6)sqm;
  - iv) has an internal living room directly accessible to the outdoor private open space areas; and
  - v) satisfies solar access requirements contained in Solar Access in Section 5.3.

### 5.3 Solar Access

## 5.3

### Solar Access

#### Objectives:

- Encourage building design and siting to take advantage of climatic factors and reduce household energy consumption.
- Encourage features to be incorporated into site and building design to optimise passive solar access to internal and external spaces.

#### Design Requirements

1. Living areas shall generally have a northern orientation and be directly accessible to private open space areas.
2. New dwellings shall be designed to maximise solar access to all private open space areas. Suitable shadow diagrams shall be required for all house designs greater than one storey in height.
3. At least 3 hours of sunlight between 9am and 3pm at the winter solstice (21 June) to at least 50% of the required private open space principal of both the proposed development and the neighbouring properties.
4. Development shall have appropriate regard to the impact on solar access to usable private open space, solar collectors and clothes drying areas of adjoining residential development.
5. New dwellings shall be designed to reduce the need for artificial lighting during daylight hours.
6. Windows and glazed doors shall be protected from direct summer sun with appropriate hoods, eaves or louvres or adjustable shading devices wherever possible. Living areas shall generally have a northerly orientation.

## 5.4

### Landscaping

#### 5.4 Landscaping

##### Objectives:

- Maintain and rehabilitate the natural environment and assist in the conservation of Campbelltown's landscape character;
- Enhance the sustainability of the development by minimising water usage, contributing to biodiversity and enhancing passive energy systems for dwellings.

##### Design Requirements

1. Front gardens are to include one tree that will reach a height of 5m to 8 metres on maturity;
2. Rear gardens are to include at least one tree that will reach a height of 10 to 15 metres on maturity;
3. Retaining walls shall be stepped / terraced at a maximum height of 900mm and incorporate a minimum step of 900mm face to face;
4. No more than 30% of the area forward of any building line shall be surfaced with impervious materials;
5. A minimum of 15% of the total site area shall be available for deep soil planting.

## 5.5 Location and Treatment of Services

## 5.5

### Location and Treatment of Services

#### Objectives:

- To minimise the visual and acoustic impact of onsite services.

#### Design Requirements

1. All metre boxes and services plant shall be treated to reduce their visual prominence from the public domain by screening, recessing or colour treatments.
2. TV aerials shall be located to the rear of the dwelling, whilst satellite dishes may only be erected if they are suitably screened from view of the public and neighbours.
3. Letter boxes shall be located visible from the street and accessible from the public footpath. If no footpath is present access shall be provided accessible from outside the front boundary of the property.
4. Air-conditioning units shall be located a minimum of 4 metres from the site boundary or screened for visual and acoustic privacy. They shall not be located along the front site boundary.

## 5.6

### Waste Storage Provisions

#### 5.6 Waste Storage Provisions

##### Objectives:

- Ensure waste systems are easy to use and are accessible by collection vehicles;
- Ensure healthy and safe practices for the storage, handling and collection of waste and recycling materials;
- Promote the principles of ESD through appropriate resource recovery and recycling, leading to a reduction in the consumption of finite natural resources.

##### Design Requirements

1. Provision shall be made for all waste and recycling storage containers to be located behind the primary and secondary building alignment and out of public view.
2. Space shall be allocated behind the primary and secondary building alignments and out of public view to store the following bins:
  - a) a 140 litre bin;
  - b) two (2) 240 litre bins;
3. Any area for storing garbage and recycling shall be located in a position that is convenient for occupants.
4. The path for wheeling bins between waste storage area(s) and the collection vehicle shall be free of steps or kerbs and have a maximum gradient of 1:8 where possible.
5. Rear loaded, battle axe and car court dwellings shall make provision for bin collection on a public street accessible by collection vehicles.
6. The location of bin storage areas is to be shown on dwelling plans.

## 6. Ancillary Residential Structures

## 6.1 - 6.3

### Outbuildings

This section applies to ancillary residential structures including outbuildings, swimming pools/spas and fencing.

### 6. 1 Outbuildings

Section 3.5.2 of Volume 1 of the SDCDP shall apply.

### 6. 2 Swimming Pools/Spas

Section 3.5.3 of Volume 1 of the SDCDP shall apply.

### 6. 3 Fencing

#### Objectives:

- To ensure that front fencing design complements the character and streetscape of residential neighbourhoods.

#### Design Requirements

1. Fencing is to be in accordance with the fencing strategy with the Fencing Strategy as approved by Campbelltown Council for each stage of development. This information will be provided to purchasers of lots.

## 7.1

### Introduction

## 7. Residential Development

### 7.1 Introduction

This section sets out controls for various dwelling types expected in the renewal areas such as:

- Dwelling houses (including abutting dwellings, zero lot line dwellings;
- Attached dwellings;
- Semi-detached dwellings;
- Dual occupancies (attached and detached);
- Multi dwelling housing (including manor homes)

Development shall be in accordance with the key development controls summary table (Table 1) and as described in Sections 7.2 to 7.8.

Table 1: Key Housing Development Controls

Item	Lot Size	200-250m2	251-300m2	301-450m2	451-600m2	601-900m2
1	Maximum site cover	70%	65%	60%	55%	55%
2	Primary street setback	3.0m	3.0m	4.0m	4.0m	4.0m
3	Secondary street setback	1.0m	1.0m	2.0m	2.0m	2.0m
4	Rear boundary setback	1.0m from rear access garage or 3 metres where no garage		3.0m	4.0m	4.0m
5	Side setback	0.9m for detached dwellings or refer to items 6 & 7		0.9m	0.9m	0.9m
6	Build to boundary (attached dwellings and abutting dwellings)	Lot width 6.0-7.9 metres: both sides  lot width 8.0-10.0 metres: one side and 0.9m on the other		Does not apply	Does not apply	Does not apply
7	Build to boundary (zero lot line walls and semi-detached dwellings)	Build to boundary one side and 0.9m on the other		Does not apply	Does not apply	Does not apply
8	Garage setback	1.0m for rear access garage: 4.0m to primary street		5.0m	5.0m	5.0m
9	Garage dominance	Rear access garage (6.0m max door width) or single garage only to primary street frontage. The garage door element fronting onto a street shall be no wider than 50% of the total dwelling width		The garage door element fronting onto a street shall be no wider than 50% of the total dwelling width.		
10	Principal private open space area	Minimum of 16 sqm (provision of 4m x 4m square)		Minimum of 24 sqm (provision of 6m x 4m square)		
11	Maximum building height	9.5m				

## 7.2 Dwelling Houses

## 7.2 Dwelling Houses

### Objectives:

- Encourage quality-designed dwelling houses that make a positive contribution to the streetscape and amenity of the neighbourhood.
- To provide definition of the public domain by ensuring development addresses the streets and open spaces;
- To ensure that all residential lots achieve an appropriate level of amenity;
- To ensure that subdivision and development on smaller lots is undertaken in a co-ordinated manner;
- To promote housing choice / variety / affordability; and
- To provide higher density dwellings around parks and close to community facilities, increasing casual surveillance and activity to improve safety and security in public areas.

### 7.2.1 Site Coverage

- a) A dwelling house shall have a maximum site coverage of:
- ii) 70% for a lot with an area between 200-250sqm;
  - iii) 65% for a lot with an area between 251-300sqm
  - iv) 60% for a lot with an area between 301-450sqm;
  - v) 55% for a lot with an area larger than 451sqm.



Illustration 6: 14m frontage



Illustration 7: 10m frontage

### 7.2.2 Setbacks

- a) A dwelling house shall be setback a minimum of:
- i) 3.0 metres from the primary street boundary for a site with a lot area of 300sqm or less;
  - ii) 4.0 metres from the primary street boundary for a site with a lot area greater than 300sqm;



Illustration 8: Dwelling house - Corner Lot



## 7.2 - 7.3

### Dwelling Houses

- iii) 1 metre from the secondary street boundary for a site with a lot area of 300sqm or less;
- iv) 2 metres from the secondary street boundary for a site with a lot area greater than 300sqm;
- v) 0.9 metres from any side boundary, other than zero Lot Line Dwelling; and
- vi) 3 metres from the rear boundary for a site with a lot area of 450sqm or less;
- vii) 4 metres from the rear boundary for a site with a lot area of more than 450sqm.

#### 7.2.3 Dwelling houses with zero side setback

- a) Dwelling houses shall only be permitted to be located on the side boundary where the lot is nominated on the subdivision plan.
- b) Where a zero lot line is nominated on a lot on the subdivision plan, the adjoining (burdened) allotment is to include a 900mm easement for single storey zero lot walls and 1200mm for two storey zero lot walls to enable servicing, construction and maintenance of the adjoining dwelling. No overhanging eaves, gutters or services (including rainwater tanks, hot water units, air-conditioning units or the like) of the dwelling on the benefited lot will be permitted within the easement.
- c) The S88B instrument for the subject (benefited) lot and the adjoining (burdened) lot shall include a note identifying the potential for a building to have a zero lot line.

#### 7.3 Secondary Dwellings

##### *Design Requirements:*

- a) Secondary Dwelling shall comply with Section 3.6.2 of Volume of the SCDP 2015.

##### **Note:**

Secondary dwellings are permitted under SEPP (Affordable Rental Housing) 2009.

##### **Note:**

Secondary dwelling (as defined under the CLEP) means a self-contained dwelling that:

- a) is established in conjunction with another dwelling (the principal dwelling), and
- b) is on the same lot of land as the principal dwelling, and
- c) is located within, or is attached to, or is separate from, the principal dwelling.

## 7.4 Semi-Detached Dwellings

# 7.4

## Semi-Detached Dwellings

### Objectives:

- Encourage quality-designed semi-detached that make a positive contribution to the streetscape and amenity of the neighbourhood.
- To provide definition of the public domain by ensuring development addresses the streets and open spaces;
- To ensure that all residential lots achieve an appropriate level of amenity;
- To promote housing choice / variety / affordability.

### 7.4.1 Site Coverage

- a) A semi-detached Dwelling shall have a maximum site coverage of:
- ii) 70% for a lot with an area between 200-250sqm;
  - iii) 65% for a lot with an area greater than 251sqm.

#### Note:

Semi-detached dwellings (as defined under the CLEP) means a dwelling that is on its own lot of land and is attached to only one other dwelling.

### 7.4.2 Setbacks

- a) A semi-detached dwelling shall be setback a minimum of:
- i) 3.0 metres from the primary street boundary;
  - ii) 1.0 metre from the secondary street boundary;
  - iii) 0.9 metres from the side that is not attached to the other dwelling;
  - iv) 3 metres from the rear boundary for a site with a lot area of 450sqm or less

## 7.5 - 7.6

### Dual Occupancies

#### 7.5 Dual Occupancies

##### *Design Requirements:*

- a) Site coverage and setbacks for dual occupancies shall be similar to the site coverage and setback for semi-detached dwellings under this part.
- b) Dual occupancies (attached or detached) may be constructed on corner lots where the lot has an area of not less than 500sqm. Each dwelling is to address a street frontage.
- c) Any other dual occupancy development is to comply with the provisions of Clause 4.1B of CLEP 2015 and Section 3.6.3 of SCDCP 2015.

#### 7.6 Studio Dwelling

##### *Objectives:*

- E 1. To provide housing choice / diversity for families;
- To provide the opportunity for rental accommodation for single occupants; and
- To provide casual surveillance over rear access points.

##### *Design Requirements:*

1. Studio apartments are to be located only on top of detached garages accessible from rear lanes.
2. Studio apartments are not to be subdivided into a separate allotment.
3. The maximum gross floor area of a studio dwelling is 75sqm.
4. Where the studio apartment is built to a zero lot line on a side boundary, windows are not to be located on the zero lot wall unless that wall adjoins a laneway, public road, public open space or drainage land.
5. Studio apartments are to have balconies or living areas that overlook laneways for casual surveillance.
6. Where studio dwelling is built over a rear garage and separated from the upper levels of the principal dwelling, there must be a minimum separation of 5m between the upper floor rear façade of the principal dwelling and studio dwelling.



Illustration 9: Studio apartment

##### **Note:**

For the purpose of the URADCP part, studio apartments are a type of dual occupancy.

##### **Note:**

Studio Apartment means a room or suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used as a separate secondary domicile on the land, which is located above a garage, car port or the like.

## 7.7 Multi Dwelling Housing

## 7.7 - 7.8

### Multi Dwelling Housing

- a) The provisions of CLEP 2015 and SCD2015 apply with respect to multi dwelling housing on land within the urban renewal areas except for multi dwelling housing for, or on behalf of, NSW L&HC and manor homes which are a form of multi dwelling housing.
- b) manor homes are permitted in areas shown as future development lots on Figures 3 and 4 and shall comply with the controls contained in the following table:

Table 2: Manor Homes Development Controls

Item	Element	Control
1	Minimum site area	600m <sup>2</sup>
2	Maximum site coverage	50% of site area
3	Primary Street Setback	4.5 metres to building façade line 3 metres to articulation zone 5 metres to garage line or 1 metre behind building line
4	Corner or Secondary Street Setback	2 metres
5	Side Boundary Setback	1.5 metres
6	Rear Boundary Setback	4 metres (excluding rear garages)
7	Principal Private Open Space Area	Minimum 16m <sup>2</sup> per dwelling with minimum dimension of 3 metres; or Minimum 8m <sup>2</sup> per dwelling with minimum dimension of 2 metres if provides as balcony or rooftop
8	Maximum Building Height	9.5 metres

**Note:**

Multi-dwelling housing may be built by or on behalf of NSW L&HC under SEPP (Affordable Rental Housing) 2009. Manor homes may be built by any person on land identified as future development lots on Figure 3 and 4.

## 7.8 Attached Dwellings

**Objectives:**

- Encourage quality-designed attached that make a positive contribution to the streetscape and amenity of the neighbourhood.
- To provide definition of the public domain by ensuring development addresses the streets and open spaces;
- To ensure that all residential lots achieve an appropriate level of amenity;
- To promote housing choice / variety / affordability.

### 7.8.1 Site Coverage

- a) An attached Dwelling shall have a maximum site coverage of:
  - i) 70% for a lot with an area between 200- 250sqm;

## 7.8

### Attached Dwellings

- ii) 65% for a lot with an area greater than 251sqm.

#### 7.8.2 Setbacks

- a) An attached dwelling shall be setback a minimum of:
  - i) 3.0 metres from the primary street boundary;
  - ii) 1.0 metre from the secondary street boundary;
  - iii) 0.9 metres from the side that is not attached to another dwelling;
  - iv) 3 metres from the rear boundary.
- b) Combined applications for subdivision of land and the construction of a dwelling on each lot shall contain a minimum of three and a maximum of six attached dwellings in any continuous row.
- 3. Where a side dwelling wall is not attached (i.e. located on a corner allotment or midblock) that building line wall shall be setback a minimum distance of 2 metres for a corner lot and 0.9 metres from a midblock property boundary.



Illustration 10: Manor homes



Illustration 11: Attached dwellings

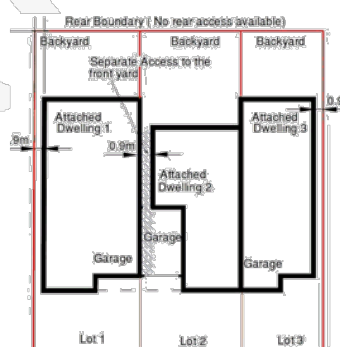


Figure 12 - Illustration of an example of a design solution for 'rear to front' access requirement for attached dwellings at ground level.

#### 7.8.3 Rear Access for Attached Dwellings

- a) Where there is no access to a rear lane or rear street directly available from the back of attached dwellings, each dwelling shall be provided with a separate and direct access from the backyard to the front yard that does not pass through any habitable area of the dwelling (Refer to Figure 11 for a suggested design solution).
- b) For the purpose above, the direct access from the rear to the front of the dwelling shall have a minimum width of 0.9 metres and shall not be obstructed by hot water systems, air conditioning units, gardens or anything that may result in the obstruction of the access way.

#### Note:

The requirement for the rear-to front access is to enable occupants of an attached dwelling to move organic waste bins, lawnmowers and the like from the backyard to the front of the building without the need to pass through the main living areas.

## 8. Neighbourhood Subdivision

## 8.1 - 8.2

### Introduction

**Important Note:** The term neighbourhood subdivision refers to subdivision of land undertaken by UrbanGrowth NSW or NSW Land and Housing Corporation as a means of implementing urban renewal projects at Claymore and Airds Bradbury.

#### Objectives:

- Provide a range of lot sizes with the more intensive development located closer to the town centre and around parks.
- Provide lot dimensions capable of accommodating a range of affordable house types.
- Create efficient layouts that respond to existing site conditions and context.
- Ensure that subdivision provides safe connections with an extension of existing street patterns, as well as any pedestrian, cycleway and public open space networks.
- Promote walking and cycling as the primary mode of travel within a residential neighbourhood.
- Provide a network of bus, pedestrian and cycle routes within the public domain which connect open space areas and community facilities and encourage alternative modes of transport.

### 8.1 Introduction

Neighbourhood subdivision applications can indicate lots intended for further subdivision. Not all lots created by Neighbourhood subdivisions are suitable for further subdivision.

### 8.2 Neighbourhood Subdivision

The urban design intent for subdivision in the renewal areas is to create an urban structure based on:

- a more inter-connective street system focussing movement onto streets;
- reconfigured open spaces responding to community needs and providing safe and accessible spaces linked to the pedestrian and cycle network;
- improved community safety by introducing

#### Important Note:

Neighbourhood Subdivision to create lots smaller than permitted under CLEP 2015 is proposed but only in accordance with this section.



## 8.3 - 8.4

### Design Requirements

- street edges to open spaces and fronting housing towards open spaces;
- establishing new roads to create new blocks of a size suitable for a variety of lot sizes and to improve vehicle and pedestrian accessibility and safety.

Lot sizes range predominantly from 200 square metres to 600 square metres. Some variation to this might occur in localised areas constrained by the road layout and existing development. Battle axe type lots shall be avoided and only entertained where a street frontage cannot otherwise be provided due to levels, existing development constraints or residual land issues.

#### 8.3 Design Requirements

- All neighbourhood subdivisions shall be generally consistent with the Concept Plan approval for Claymore and Airds Bradbury and generally as shown in Figures 1 and 2 regarding the location of open space areas, public roads and proposed residential development.
- No further subdivision of allotments following the neighbourhood subdivision, shall be permitted unless:
  - the allotment is located in an area identified in Figures 3 and 4 as future development lots or seniors living; or
  - The land is located in an area identified in Figure 3 as existing residential areas and the subdivision is a re-subdivision of existing lots in the ownership of NSW Land and Housing Corporation; or
  - The land is located on any of the following streets within the Claymore Urban Renewal Area (Figure 4) and the subdivision is a re-subdivision of existing lots in the ownership of NSW Land and Housing Corporation:
    - Carter Place;
    - Drysdale Street;
    - Crozier Street, Blake Place and Auld Place;
    - Boyd Street;
    - Fairweather Place;
    - Gould Road; or
  - The size of any lot resulting from a subdivision of land is not to be less than the minimum size allowed for that land under CLEP 2015.
  - The subdivision is a strata subdivision or community title subdivision.

#### 8.4 Neighbourhood Subdivision - Allotment Size and Design

- Design of residential allotments shall have regard for the impact of orientation, slope, and aspect to facilitate solar access to future dwelling development.
- All proposed allotments shall have a street frontage.
- Battle axe lots shall only be permitted where a street frontage cannot otherwise be

provided because of existing conditions including the size and shape of a residual parcel.

4. All allotments intended for dwellings will have a minimum site area of 200m<sup>2</sup> with a minimum width measured at the building line of 6 metres.
5. Any allotment with a width to the street frontage of less than 9 metres is to have the garage located to the rear of the property accessed from a rear lane or accessway.
6. Allotments are to have a minimum depth of 25 metres.

## 8.5

### Subdivision Approval Process for Housing on Smaller Lots

#### 8.5 Subdivision Approval Process for Housing on Smaller Lots

The land subdivision approval process is to be consistent with the following provisions:

1. For lots equal to or greater than 300m<sup>2</sup>:
  - a. Dwelling plans required as part of future development application of complying development certificate application;
  - b. No restrictions on title;
  - c. Subdivision can be completed (plan registered) prior to dwelling construction.
2. For lots less than 300m<sup>2</sup> and equal to or greater than 225m<sup>2</sup> in area, and with a width equal to or greater than 9m:
  - a. Dwelling plans are required as part of future development application or complying development certificate application;
  - b. A Building Envelope Plan is to accompany the development application for subdivision;
  - c. Dwelling design restriction to be registered on title via a S88B instrument to reflect the Building Envelope Plan;
  - d. Subdivision can be completed (plan registered) prior to dwelling construction.
3. Dwelling construction involving detached dwellings on lots less than 225m<sup>2</sup>, or lots with a width less than 9m:
  - a) Dwelling plans required as part of subdivision application (the development application seeks approval for subdivision of land and construction of a dwelling on each lot in the subdivision);
  - b) Subdivision can be completed (plan registered) following construction of dwellings.
4. Dwelling construction involving common walls (i.e. attached dwellings, semi-detached dwellings, dual occupancies and multi dwelling housing):
  - a. Dwelling plans required as part of subdivision application (the development application seeks approval for subdivision of land and construction of a dwelling on each lot in the subdivision);
  - b. Subdivision can be completed (plan registered) following construction of dwellings.

The Building Envelope Plan is to be at a legible scale (suggested 1:200) and include the



## 8.5

### Subdivision Approval Process for Housing on Smaller Lots

following elements:

- a. Lot numbers, north point, scale, drawing title and site labels such as street names;
- b. Maximum permissible building envelope (setbacks, storeys, articulation zones);
- c. Preferred principal private open space;
- d. Garage size (single or double) and location; and
- e. Zero lot line boundaries (if any).

Draft







**FIGURE 3**





# **Volume 2**

## **Site Specific Development Control Plans**

### **Part: 10**

#### **Badgally Road, Blairmount DCP**

## 10.1

### Application

#### 10.1 Application

This Part provides site specific development controls for the site shown in Figure 1.

All development is required to conform with the relevant requirements contained in this Part. In the event of any inconsistencies between this part and Volume 3 of the Campbelltown (Sustainable City) Development Control Plan 2015, this part shall prevail to the extent of the inconsistency.

Where this site specific DCP does not include specific development controls for a certain type of development, development controls under Volume 1 and Volume 3 shall be used. For example, development applications proposing a child care centre will be assessed under the relevant section of Volume 1.

##### 10.1.1 Definitions

Refer to Volume 3 of the Campbelltown (Sustainability) Development Control Plan 2015 and those contained within the Campbelltown (Urban Areas) Local Environmental Plan 2002, for standard definitions relating to development.



### 10.1.2 Site

The subject site to which this DCP applies, is identified in Figure 1.

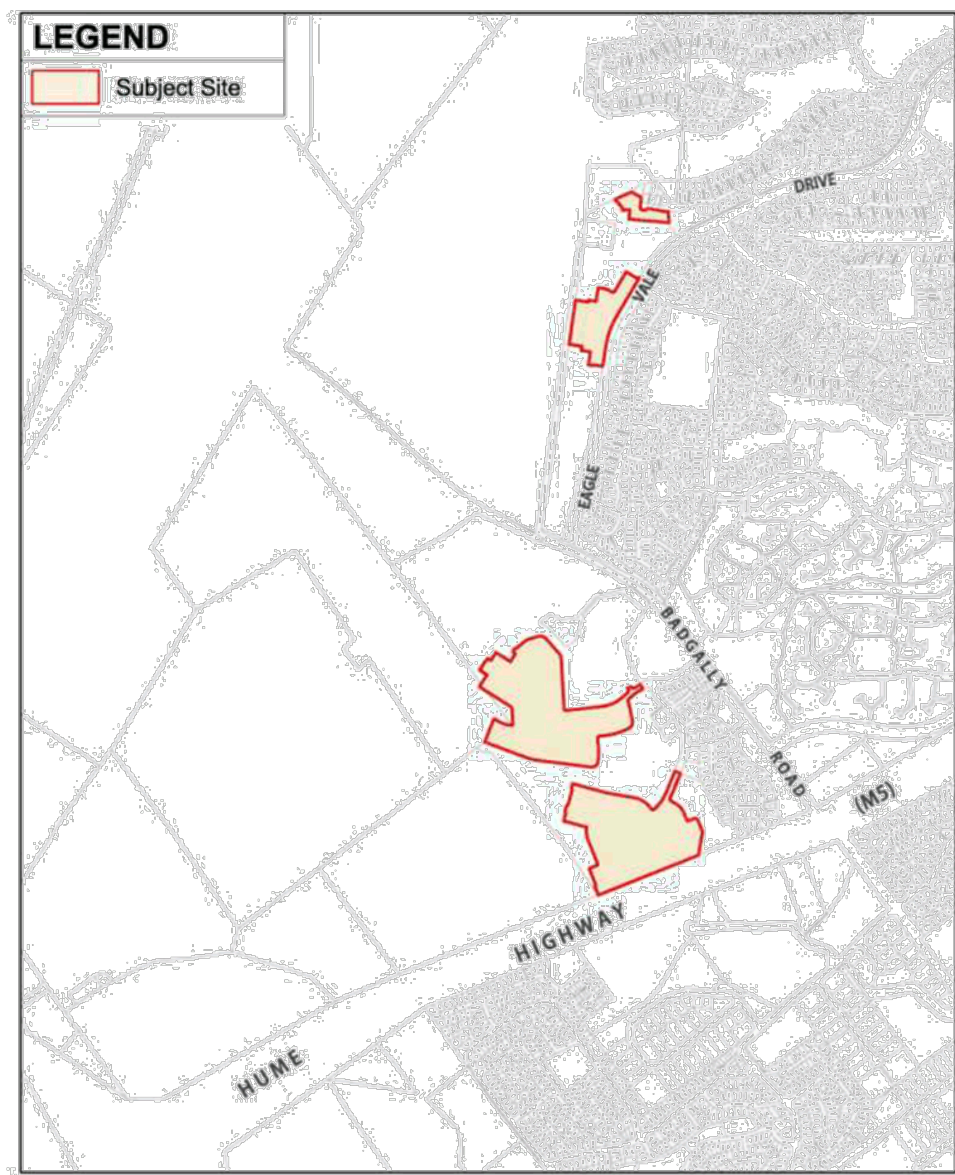


Figure 1: Land to which this DCP Applies



## 10.2

### 10.2.1 Subdivision

The subdivision pattern shall be in accordance with the subdivision layout that has been approved by Council under the following development applications.

DA 43/1981/A  
DA 21/1982/DA-S/A  
DA 2283/2014/DA-SW

No further subdivision of any allotments shall be permitted unless it complies with all the residential development controls that are provided under Volume 3, Part 2 of the Campbelltown (Sustainable City) DCP 2015.

### 10.2.2 Residential Development

#### Objectives

- Promote well-designed buildings that make a positive contribution to the streetscape and amenity of the neighbourhood.
- Ensure development responds to the natural and other positive features, and considers amenity, streetscape and energy efficiency at the outset.

The following Sections under Volume 3, Part 2 of the Campbelltown (Sustainable City) DCP 2015 shall apply.

- 2.2 *Building Form and Character*
- 2.3 *Car Parking and Assess*
- 2.4 *Acoustic and Visual Privacy*
- 2.5 *Solar Access & Energy Efficiency*

#### 10.2.2.1 Dwelling Houses

##### Objectives:

- Encourage quality-designed dwelling houses that make a positive contribution to the streetscape and amenity of the neighbourhood.
- Provide definition of the public domain by ensuring development addresses the streets and open spaces.

##### Design Requirements:

- a) Dwellings shall comply with the controls provided in Table 10.1 and 10.2.

Table 10.1: Controls for detached (front-loaded) dwellings

Element	Control
Front setback (min)	4m to building facade line and 3m to articulation zone
Side setback (min)	0.9m
Rear Setback (min)	4m  6m second storey (except where the rear property boundary adjoins public open space, a riparian corridor or the Hume Highway, where the second storey setback can be reduced to 4m subject to achieving the required solar access controls)
Garage setback (min)	5.5m front-loaded garages
Corner lots secondary street setback (min)	2.0m
Building height, massing and siting	2 storeys maximum
Site coverage	Single storey dwelling: 60%  Upper level no more than 40% of lot area
Soft landscaped area	Minimum 25% lot area.
Principal Private Open Space (PPOS)	Minimum 24m <sup>2</sup> with minimum dimension of 4.0m.  The PPO is to receive at least 3 hours of sunlight between 9am and 3pm at the winter solstice (21 June) to 50% of the required area, including both the proposed development and neighbouring property.
Garages and car parking	Minimum one single garage.

Table 10.2: Controls for detached (rear-loaded) dwellings

Element	Control
Front setback (min)	3.5m to building facade line and 2.5m to articulation zone
Side setback (min)	0.9m
Garage setback (min)	0.5m to the rear boundary and 0.9m to the side boundary
Corner lots secondary street setback (min)	2m
Building height, massing and siting	2 storeys maximum
Site coverage	Upper level no more than 40% of lot area
Soft landscaped area	Minimum 15% lot area.
Principal Private Open Space (PPOS)	Minimum 16m <sup>2</sup> with minimum dimension of 4m.  The PPO is to receive at least 3 hours of sunlight between 9am and 3pm at the winter solstice (21 June) to 50% of the required area, including both the proposed development and neighbouring property.
Garages and car parking	Minimum one single garage.

#### 10.3.3.4 Other Forms of Residential Development

Controls for other forms of residential development contained in Volume 3, Part 2 of the Campbelltown (Sustainability) Development Control Plan 2015 shall apply.

Note: where minimum lot widths and building setbacks differ between this Part and Volume 3, Part 3 of the DCP, the minimum standards contained in this Part apply.

## 8.7 Quarterly Legal Status Report July to September 2017

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

That the information be noted.

### Purpose

To update Council on the current status of the City Development Division's legal matters.

### Report

This report contains total costs to date for each matter and the status of the Division's current legal matters for the period of 1 July to 30 September 2017 period as they relate to:

- The Land and Environment Court
- The Supreme Court
- The District Court
- The Local Court
- Matters referred to Council's solicitor for advice.

In addition, this report contains up to date information on the respective matters up until the date of writing the report.

A summary of year-to-date costs is also included.

### Attachments

1. Legal Status July to September 2017 (contained within this report)

<b>1. Land and Environment Court Class 1 Matters – Appeals Against Council's Determination of Development Applications</b>
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Ongoing Class 1 DA appeal matters for the period (updated to 10/11/2017)	3
Costs from 1 July 2017 for Class 1 DA appeal matters:	\$61,338.23

<b>1 (a)</b>	<b>Samir ALZAIDI</b>
<b>Issue:</b>	Appeal against Council's refusal of development application No. 1088/2015/DA-BH that sought consent for demolition of existing structure and construction of 19 room boarding house establishment.
<b>Property:</b>	Lot 913, DP 28119, 33 Colonial Street, Campbelltown
<b>Property Owner:</b>	Mr Samir Abdul Majid Alzaidi
<b>Council File:</b>	Development Application No: 1088/2015/DA-BH
<b>Court Application:</b>	Filed on 7 October 2016 - File No. 16/299387
<b>Applicant:</b>	Samir Alzaidi
<b>Costs Estimate:</b>	\$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	\$42,128.20
<b>Status:</b>	Ongoing – listed for hearing on 24 and 25 January 2018.
<b>Progress:</b>	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 1088/2015/DA-BH that sought consent for demolition of existing structure and construction of 19 room boarding house establishment.</p> <p>The proceedings were before the Court for first callover on 4 November 2016. The Registrar made certain procedural directions and adjourned the proceedings for section 34 Conciliation Conference on site on 2 February 2017.</p> <p>Agreement at the conciliation conference was unable to be reached, accordingly the conciliation was terminated. The Commissioner made certain procedural directions and adjourned the proceedings to 7 and 8 August 2017 for hearing.</p> <p>Proceedings have been rescheduled due to the unexpected unavailability of the applicant's traffic consultant. By consent the proceedings were relisted for hearing on 24 and 25 January 2018. The objectors to the development have been advised of the rescheduled hearing dates.</p>

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**1 (b)****PROPERTY GLENFIELD PTY LTD**

<b>Issue:</b>	Appeal against Council's refusal of development application No. 530/2016/DA-RS that sought consent for subdivision of property into two allotments, construction of 47 dwellings, and roads and strata subdivision into 47 allotments.
<b>Property:</b>	Lot 16, DP 17859, 23 Glenfield Road, Glenfield
<b>Property Owner:</b>	Property Glenfield Pty Ltd
<b>Council File:</b>	Development Application No: 530/2016/DA-RS
<b>Court Application:</b>	Filed on 1 March 2017 - File No. 17/64537
<b>Applicant:</b>	Property Glenfield Pty Ltd
<b>Costs Estimate:</b>	\$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	\$27,340.66
<b>Status:</b>	Completed.
<b>Progress:</b>	The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 530/2016/DA-RS that sought consent for subdivision of property into two allotments, construction of 47 dwellings, and roads and strata subdivision into 47 allotments.

The proceedings were before the Court for first callover on 29 March 2017 where the Registrar made certain procedural directions and adjourned the proceedings for section 34 Conciliation Conference commencing on 29 June 2017.

The proceedings were before the Court for conciliation conference on 29 June 2017. The Commissioner made certain procedural directions concerning submission by the applicant of amended plans and review by Council. The Commissioner adjourned the conciliation conference to 6 July for mention. Subsequently the mention date was vacated and a new date on 18 July 2017 for mention was made.

The proceedings were before the Court for conciliation conference / mention on 18 July 2017 where the applicant provided a timeline for submission of required details and plans intended to address Council's concerns in respect of the development. The Commissioner adjourned the conciliation conference to 4 August 2017 for mention/update.

Following the conciliation conference the applicant made several changes to the development in accordance with Council's requirements. On 31 August 2017 the Court upheld the appeal and granted conditional consent to development application No. 530/2016/DA-RS and made an order for Council's costs in the sum of \$9,000 associated with reviewing amendments throughout the proceedings. The costs were paid to Council on 16 October 2017.

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<b>1 (c)</b>	<b>Samir ALZAIDI</b>
<b>Issue:</b>	Appeal against Council's refusal of development application No. 2570/2015/DA-BH that sought consent for alterations to an existing dwelling for use as a boarding house establishment containing 9 separate occupancies.
<b>Property:</b>	Lot A, DP 401947, 21 Allman Street, Campbelltown
<b>Property Owner:</b>	Mr Samir Abdul Majid Alzaidi
<b>Council File:</b>	Development Application No: 2750/2015/DA-BH
<b>Court Application:</b>	Filed on 17 May 2017 - File No. 17/148053
<b>Applicant:</b>	Samir Alzaidi
<b>Costs Estimate:</b>	\$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	\$10,033.61
<b>Status:</b>	Completed.
<b>Progress:</b>	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 2570/2015/DA-BH that sought consent for alterations to an existing dwelling for use as a boarding house establishment containing 9 separate occupancies.</p> <p>The proceedings were before the Court on 15 June 2017 for directions hearing, where the Registrar made certain procedural directions and adjourned the proceedings to 18 September 2017 before a commissioner of the Court for conciliation conference.</p> <p>Council and the applicant reached agreement on required changes to the plans during the conciliation conference. The changes incorporated design and amenity elements that were the focus of Council's refusal of the application. On 10 October 2017 the Court issued orders granting condition consent to development application No. 2570/2015/DA-BH.</p>

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<b>1 (d)</b>	<b>ST JAMES ANGLICAN CHURCH, MINTO</b>
<b>Issue:</b>	Appeal against Council's refusal of development application No. 2837/2016/DA-DEM that sought consent for demolition of an existing church building.
<b>Property:</b>	Lot 12 DP 712599 St James Anglican Church, 2 Kent Street, Minto
<b>Property Owner:</b>	Anglican Church Property Trust Diocese of Sydney
<b>Council File:</b>	Development Application No: 2837/2016/DA-DEM
<b>Court Application:</b>	Filed on 6 June 2017 - File No. 17/169152
<b>Applicant:</b>	St James Anglican Church, Minto
<b>Costs Estimate:</b>	\$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	\$23,514.50
<b>Status:</b>	Completed.

**Progress:** The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 2837/2016/DA-DEM that sought consent for demolition of an existing church building.

The proceedings were before the Court on 5 July 2017 for directions hearing, where the Registrar made certain procedural directions concerning the filing of facts and contentions with the Court. The Registrar adjourned the proceedings to 21 July 2017 for further directions hearing.

The proceedings were before the Court on 21 July 2017 for directions hearing, where the Registrar adjourned the proceedings to 25 October 2017 for section 34 conciliation conference.

On 10 October 2017 gazettal of the Interim Heritage Order pursuant to Section 25 of the Heritage Act 1977 was made by Council subsequent to which the applicant by consent discontinued their appeal.

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**1 (e) SKAGIAS INVESTMENTS PTY LTD**

**Issue:** Appeal against condition 22 of development consent No. 3/2017/DA-C (construction of a two storey commercial building) relating to Section 94 contribution for the determined shortfall of 35 public car parking spaces in the Campbelltown Business Centre.

**Property:** Lot 1 DP 628344, 1 Cordeaux Street, Campbelltown

**Property Owner:** Skagias Investments Pty Ltd

**Council File:** Development Application No: 3/2017/DA-C

**Court Application:** Filed on 18 August 2017 - File No. 2017/252101

**Applicant:** Skagias Investments Pty Ltd

**Costs Estimate:** \$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

**Progressive Costs:** \$2,769.00

**Status:** Ongoing – listed for section 34 conciliation conference on 1 December 2017

**Progress:** The Applicant filed an appeal in the Land and Environment Court of NSW against condition 22 of development consent No. 3/2017/DA-C (construction of a two storey commercial building) relating to Section 94 contribution for the determined shortfall of 35 public car parking spaces in the Campbelltown Business Centre.

The proceedings were before the Court on 15 September 2017 for directions hearing, where the Registrar made certain procedural directions and adjourned the proceedings to 1 December 2017 before a Commissioner of the Court for conciliation conference.

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<b>1 (f)</b>	<b>FRANK LOPRESTI INVESTMENTS PTY LTD</b>
<b>Issue:</b>	Appeal against Council's refusal of development application No. 2400/2015/DA-S that sought consent for subdivision of land at Lot 34 DP 262269 Mississippi Crescent Kearns to create four additional lots.
<b>Property:</b>	Lot 34 DP 262269 Mississippi Crescent, Kearns
<b>Property Owner:</b>	Frank Lopresti Investments Pty Ltd
<b>Council File:</b>	Development Application No: 2400/2015/DA-S
<b>Court Application:</b>	Filed on 19 October 2017 - File No. 2017/316349
<b>Applicant:</b>	Frank Lopresti Investments Pty Ltd
<b>Costs Estimate:</b>	\$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	\$0.00
<b>Status:</b>	New matter – listed for first directions hearing on 16 November 2017.
<b>Progress:</b>	The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 2400/2015/DA-S that sought consent for subdivision of land at Lot 34 DP 262269 Mississippi Crescent Kearns to create four additional lots. Council notified the Heritage Office of the appeal application as the property contains an item on the State Heritage Register.  The proceedings are listed for first directions hearing on 16 November 2017.

**2. Land and Environment Court Class 1 and 2 Matters – Appeals Against Notices, Orders, or Directions issued by Council**

**Ongoing Class 1 & 2 appeal matters for the period (updated to 10/11/2017)**      **2**  
**Costs from 1 July 2017 for Class 1 & 2 appeal matters:**      **\$5,905.20**

<b>2 (a)</b>	<b>BISMIA PTY LTD</b>
<b>Issue:</b>	Appeal against a Notice given by Council to Bismia Pty Ltd under the Protection of the Environment Operations Act 1997 to take Preventative Action (properly store waste and maintain property clean) in respect of property at Lot 1 DP 607229, 176 Queen Street, Campbelltown.
<b>Property:</b>	Lot 1 DP 607229, 176 Queen Street, Campbelltown.
<b>Property Owner:</b>	Bismia Pty Ltd
<b>Council File:</b>	1447/2017/N-POEO
<b>Court Application:</b>	Filed on 24 August 2017 - File No. 2017/256912
<b>Applicant:</b>	Bismia Pty Ltd

<b>Costs Estimate:</b>	\$20,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	\$399.00
<b>Status:</b>	Ongoing – listed for further directions hearing.
<b>Progress:</b>	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against a Notice given by Council to Bismia Pty Ltd under the Protection of the Environment Operations Act 1997 to take Preventative Action (properly store waste and maintain property clean) in respect of property at Lot 1 DP 607229, 176 Queen Street, Campbelltown.</p> <p>The proceedings were listed for first directions hearing on 20 September 2017 where by consent, the Registrar adjourned the proceedings for further directions hearing on 1 November 2017 to allow the Applicant time to have further discussion with Council regarding the Applicants proposal in respect of securing the property against unauthorised entry.</p> <p>The matter was back before the Court on 1 November 2017 where by consent the Registrar made certain procedural orders and further adjourned the proceedings for directions hearing (online) on 21 November to allow the Applicant time to have discussion with an adjoining affected occupant concerning the Applicants proposal in respect of securing the property and access arrangements for the occupant once the property is secured.</p>

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<b>2 (b)</b>	<b>PREM KUMAR MISRA</b>
<b>Issue:</b>	Appeal against an Order given by Council to Prem Kumar Misra under the Environmental Planning and Assessment Act 1998 requiring the demolition of 31 unauthorised concrete hardstand car parking spaces constructed on premises at Lot 23 DP 535651, 203 Eagleview Road, Minto.
<b>Property:</b>	Lot 23 DP 535651, 203 Eagleview Road, Minto.
<b>Property Owner:</b>	Prem Kumar Misra
<b>Council File:</b>	2108/2017/N-EPA
<b>Court Application:</b>	Filed on 28 September 2017 - File No. 2017/293824
<b>Applicant:</b>	Prem Kumar Misra
<b>Costs Estimate:</b>	\$20,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
<b>Progressive Costs:</b>	\$5,506.20
<b>Status:</b>	Ongoing – listed for conciliation conference.
<b>Progress:</b>	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against an Order given by Council to Prem Kumar Misra under the Environmental Planning and Assessment Act 1979 requiring the demolition of 31 unauthorised concrete hardstand car parking spaces constructed on premises at Lot 23 DP 535651, 203 Eagleview Road, Minto. The applicant had previously submitted a building certificate application to Council seeking to regularise the 31 concrete car parking spaces, which was refused under delegated authority, as the additional car parking spaces were incompatible with the approved use of the property.</p>

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The proceedings were listed for first directions hearing on 27 October 2017 where the Registrar made certain procedural directions and adjourned the proceedings to 28 February 2018 for conciliation conference before a Commissioner of the Court.

**3. Land and Environment Court Class 4 Matters – Civil Enforcement in respect of non-compliance with Planning Law or Orders issued by Council**

Ongoing Class 4 matters for the period (updated to 10/11/2017)	0
Costs from 1 July 2017 for Class 4 matters	\$0.00

**4. Land and Environment Court Class 5 - Criminal enforcement of development and environmental offences for breaches of planning and environment laws**

Ongoing Class 5 matters for the period (updated to 10/11/2017)	2
Costs from 1 July 2017 for Class 5 matters	\$4,072.80

**4 (a) Prosecution – Charge Matter**

**Court File No:** 2017/166549

**Offence:** Development without consent – importation and placement of unauthorised and uncertified fill materials within watercourse on property.

**Act:** *Environmental Planning and Assessment Act 1979* sections 125(1) and 76A(1).

**Progressive Costs:** \$13,130.04 – Matter being dealt with by Council's Legal and Policy Officer instructing an external solicitor.

**Status:** Ongoing – listed for sentence hearing.

**Progressive:** The matter was before the Court for directions hearing on 14 July 2017 where the Judge made certain procedural directions concerning the filing and service by Council of a statement of facts and adjourned the proceedings to 25 August 2017 for preliminary hearing.

The matter was before the Court for preliminary hearing on 25 August 2017 where the defendant entered a guilty plea to the charge. The Judge made further procedural directions concerning the filing and service by Council of an agreed statement of facts and expert evidence and adjourned the proceedings to 28 November 2017 for sentence hearing.

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<b>4 (b)</b>	<b>Prosecution – Charge Matter</b>
<b>Court File No:</b>	2017/166550
<b>Offence:</b>	Pollute waters – unauthorised and uncertified fill materials placed within watercourse, were washed off the property during a heavy rain event causing pollution and damage to adjoining natural watercourse and properties.
<b>Act:</b>	<i>Protection of the Environment Operations Act</i> section 120.
<b>Progressive Costs:</b>	\$13,130.04 – Matter being dealt with by Council's Legal and Policy Officer instructing an external solicitor.
<b>Status:</b>	Ongoing – listed for sentence hearing.
<b>Progressive:</b>	<p>The matter was before the Court for directions hearing on 14 July 2017 where the Judge made certain procedural directions concerning the filing and service by Council of a statement of facts and adjourned the proceedings to 25 August 2017 for preliminary hearing.</p> <p>The matter was before the Court for preliminary hearing on 25 August 2017 where the defendant entered a guilty plea to the charge. The Judge made further procedural directions concerning the filing and service by Council of an agreed statement of facts and expert evidence and adjourned the proceedings to 28 November 2017 for sentence hearing.</p>

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<b>5. Land and Environment Court Class 6 - Appeals from convictions relating to environmental matters</b>
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<b>Ongoing Class 6 matters for the period (updated to 10/11/2017)</b>	<b>0</b>
<b>Costs from 1 July 2017 for Class 6 matters</b>	<b>\$0.00</b>

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<b>6. Supreme Court of NSW – Appeals and Civil Enforcement in respect of Council's regulatory enforcement activities</b>
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Ongoing Supreme Court matters for the period (updated to 10/11/2017)	0
Costs from 1 July 2017 for Supreme Court matters	\$424.95

<b>6 (a)</b>	<b>CAMPBELLTOWN CITY COUNCIL AND OTHERS -v- WSN ENVIRONMENTAL SOLUTIONS PTY LTD.</b>
<b>Issue:</b>	Civil commercial proceedings concerning the South West Sydney Councils Resource Recovery Project Contract T05/17 for Processing Waste, Recyclables and Garden Organics with WSN Environmental Solutions Pty Ltd (WSN).
<b>Court Case Number:</b>	371801 of 2014
<b>Case name:</b>	Campbelltown City Council and Others (other related Councils under the contract) -v- WSN Environmental Solutions Pty Ltd
<b>Status:</b>	Completed.
<b>Progress:</b>	<p>Appeal proceedings considered before the Supreme Court NSW concerning contractual issues in respect of the South West Sydney Councils Resource Recovery Project Contract T05/17 between the joint party Councils of Campbelltown, Camden, Wollondilly and Wingecarribee for processing waste, recyclables and garden organics with the service contractor WSN Environmental Solutions Pty Ltd.</p> <p>Proceedings finalised before the Court of Appeal on 30 September 2015 with Councils' appeal allowed and orders made that WSN pay Councils' legal costs of the proceedings. Council's legal representative is in the process of action for cost recovery.</p> <p>Settlement on costs has been reached in the total sum of 301,375.05 and full payment received to be distributed proportionately between the four Council's that were party to the action against WSN.</p>

**7. District Court of NSW – Appeals from the Local Court in respect of the Magistrate erred at law or severity of sentence imposed**

Ongoing District Court matters for the period (updated to 10/11/2017) 0  
 Costs contribution from 1 July 2017 for District Court appeal matters \$1,541.75

**7 (a) Della HANSEN**

**Issue:** Appeal against the severity of sentence orders made by the Local Court Magistrate on 28 February 2017.  
**Council File:** LP33/16 to LP42/16 & LP45/16 to LP49/15 (15 offences)  
**Legislation:** *Companion Animals Act 1998*  
**Cost Estimate:** \$2,000.00  
**Final Costs:** \$1,200.17  
**Status:** Completed – appeal dismissed with order for Council's costs.  
**Progress:**

These matters were before the Local Court Campbelltown on 28 February 2017 where the defendant, Della Hansen, entered guilty pleas to all charges that related to offences under the Companion Animals Act 1998 of person in charge of a declared dangerous dog that attached persons and animal; and noncompliance with control requirements for the keeping of a dangerous dog.

The Magistrate found the offences proved and imposed penalties and orders of:

- \$400.00 fine for each of the 15 offences (total \$6,000.00)
- \$2,500.00 costs order in respect of Council's legal costs
- \$273.00 costs order in respect of Court Attendance Notice filing

The Appeal application was before the District Court Campbelltown on 26 May 2017 for hearing where the solicitor for the appellant Della Hansen sought an adjournment to obtain further instructions indicating the possibility that the appeal may be withdrawn. The judge adjourned the proceedings to 2 June 2017 for mention.

The Appeal application was before the District Court on 2 June 2017 for mention where the solicitor for the appellant sought a further adjournment in order to confirm instructions. The judge adjourned the proceedings to 11 August 2017 directing the appellants be notified in writing and be in a position to proceed on the next occasion.

The Appeal application was again before the District Court on 11 August 2017 for hearing where the appellant maintained their application. After considering the evidence in the Local Court proceedings and hearing submissions in respect to the appeal, the Judge dismissed the appeal noting that on the evidence before the Court the appeal had no merit and made an order against the appellant for Council's legal costs of the appeal in the sum of \$1,100.

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<b>7 (b)</b>	<b>John LAWLER</b>
<b>Issue:</b>	Appeal against the severity of sentence orders made by the Local Court Magistrate on 28 February 2017.
<b>Council File:</b>	LP43/16, LP44/16, LP50/16 & LP51/16 (4 offences)
<b>Legislation:</b>	<i>Companion Animals Act 1998</i>
<b>Cost Estimate:</b>	\$2,000.00
<b>Final Costs:</b>	\$1,200.17
<b>Status:</b>	Completed – appeal dismissed with order for Council's costs.
<b>Progress:</b>	<p>These matters were before the Local Court Campbelltown on 28 February 2017 where the defendant, John Lawler, entered guilty pleas to all charges that related to offences, as the registered owner of a declared dangerous dog, under the <i>Companion Animals Act 1998</i> of noncompliance with control requirements for the keeping of a declared dangerous dog.</p> <p>The Magistrate found the offences proved and imposed penalties and orders of:</p> <ul style="list-style-type: none"> <li>• \$400.00 fine for each of the 4 offences (total \$1,600.00)</li> <li>• \$2,500.00 costs order in respect of Council's legal costs</li> <li>• \$364.00 costs order in respect of Court Attendance Notice filing fees</li> </ul> <p>The Appeal application was before the District Court Campbelltown on 26 May 2017 for hearing where the solicitor for the appellant John Lawler sought an adjournment to obtain further instructions indicating the possibility that the appeal may be withdrawn. The judge adjourned the proceedings to 2 June 2017 for mention.</p> <p>The Appeal application was before the District Court on 2 June 2017 for mention where the solicitor for the appellant sought a further adjournment in order to confirm instructions. The judge adjourned the proceedings to 11 August 2017 directing the appellants be notified in writing and be in a position to proceed on the next occasion.</p> <p>The Appeal application was again before the District Court on 11 August 2017 for hearing where the appellant made no appearance. The Court granted council's application to proceed in the appellants absence and after considering the evidence in the Local Court proceedings and hearing Council's submissions in respect to the appeal, the Judge dismissed the appeal noting that on the evidence before the Court the appeal had no merit and made an order against the appellant for Council's legal costs of the appeal in the sum of \$1,100.</p>

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<b>7 (c)</b>	<b>UNIQUE MACHINE HIRE PTY LTD</b>
<b>Issue:</b>	Appeal against the severity of sentence orders made by the Local Court Magistrate on 28 February 2017.
<b>Council File:</b>	LP12/17 (1 offence)
<b>Legislation:</b>	<i>Protection of the Environment Operations Act 1997</i>
<b>Cost Estimate:</b>	\$2,000.00
<b>Final Costs:</b>	\$982.00
<b>Status:</b>	Completed – appeal discontinued.
<b>Progress:</b>	<p>This matter was before the Local Court Campbelltown on 28 February 2017 where the defendant, Unique Machine Hire Pty Ltd pleaded not guilty to an offence of 'transport waste (soil and rubble from construction site) to an unlawful waste facility' under the <i>Protection of the Environment Operations Act 1997</i>.</p> <p>The Magistrate found the offence proved and convicted the defendant imposing penalties and orders of:</p> <ul style="list-style-type: none"><li>• \$10,000.00 fine, and</li><li>• \$6,712.10 costs order in respect of Council's legal costs</li></ul> <p>Criminal appeals against convictions and sentences for environmental offences determined by the Local Court NSW can only be made by appeal application to the Land and Environment Court NSW for proceedings in Class 6. Consequently, Council's solicitor notified the appellant through their legal representative that the District Court could not hear their appeal application. Subsequently the appellant notified Council that they had discontinued the District Court appeal. No further notice of appeal to the Land and Environment Court has been received by Council.</p>

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**8. Local Court prosecution matters**

The following summary lists the current status of the Division's legal matters before the Campbelltown Local Court.

<b>Ongoing Local Court Matters for the period (updated to 10/11/2017)</b>	<b>6</b>
<b>Costs from 1 July 2017 for Local Court Matters</b>	<b>\$8,650.36</b>

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<b>File No:</b>	LP01/17 – Penalty Notice Court Election
<b>Offence:</b>	Stand vehicle in disabled persons parking space without authority displayed
<b>Act:</b>	<i>Local Government Act 1993</i>
<b>Progressive Costs:</b>	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Ongoing – relisted for final plea/mention on 14 November 2017

**Progress:** The matter was originally listed before the Court for first mention on 21 February 2017 but did not proceed.

The matter was again before the Court for first mention on 4 July 2017 where the defendant sought and was granted an adjournment to the 15 August 2017 for mention to seek legal advice.

The matter was again before the Court for further mention on 15 August, 26 September, 10 October 2017 during which time the defendant's legal representative had discussions with Council concerning certain aspects of the alleged offence. The matter was relisted for further mention on 31 October 2017 where the defendant, although represented, did not make an appearance. The Court adjourned the proceedings to 14 November 2017 marking the file to be finalised on the next occasion despite any nonappearance by the defendant.

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<b>File No:</b>	LP09/17 – Penalty Notice Court Election
<b>Offence:</b>	Stand vehicle in disabled persons parking space without authority displayed
<b>Act:</b>	<i>Local Government Act 1993</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed – proved, no conviction recorded.
<b>Progress:</b>	The matter was before the Court for first mention on 21 March 2017. The defendant entered a not guilty plea and the Registrar adjourned the proceedings to 25 August for hearing.

The matter was again before the Court on 25 August 2017 for hearing where the defendant changed their plea to guilty with an explanation. After hearing the evidence and submissions the Magistrate found the offence proved and determined the matter without conviction or penalty.

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**File No:** LP15/17 – Penalty Notice Court Election  
**Offence:** Stop in bus zone  
**Act:** *Road Rules 2014*  
**Final Costs:** \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** Completed – proved and convicted  
**Progress:** The matter was before the Court 8 August 2017 for hearing where the defendant Subramanian Srinivasan made no appearance. The Magistrate granted Council's application to proceed in the defendant's absence and after considering the evidence and submissions found the offence proved and convicted the defendant imposing a \$300 fine.

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**File No:** LP20/17 – Penalty Notice Court Election  
**Offence:** Stop at or near bus stop  
**Act:** *Road Rules 2014*  
**Final Costs:** \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** Completed – withdrawn and dismissed  
**Progress:** The matter was before the Court for first mention on 11 July 2017 where the defendant entered a not guilty plea. The Registrar adjourned the proceedings to 24 August 2017 for hearing

The matter was again before the Court on 24 August 2017 for hearing where Council made application to the court for the matter to be withdrawn and dismissed – the parking officer who issued the penalty notice was no longer in Council's employ and unavailable to attend Court on the day, accordingly no oral evidence could be provided. The Magistrate granted Council's application and marked the Court papers accordingly.

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**File No:** LP21/17 – Penalty Notice Court Election  
**Offence:** Stand vehicle in disabled persons parking space without authority  
**Act:** *Local Government Act 1993*  
**Final Costs:** \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** Completed – withdrawn and dismissed  
**Progress:** The matter was before the Court for first mention on 15 August 2017 where the defendant entered a not guilty plea. The Registrar adjourned the proceedings to 24 October 2017 for hearing

The matter was again before the Court on 24 October 2017 for hearing where Council made application to the court for the matter to be withdrawn and dismissed – a review of the file discovered that there was an error in the issue of the penalty notice that could have effectively rendered it null and void. The Magistrate granted Council's application and marked the Court papers accordingly.

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**File No:** LP22/17 – Penalty Notice Court Election  
**Offence:** Stop on path/strip in built up area  
**Act:** *Road Rules 2014*  
**Final Costs:** \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** Completed – withdrawn and dismissed  
**Progress:** The matter was before the Court for first mention on 27 June 2017 where the defendant entered a not guilty plea. The Registrar adjourned the proceedings to 14 September 2017 for hearing

The matter was again before the Court on 14 September 2017 for hearing where Council made application to the court for the matter to be withdrawn and dismissed – the parking officer who issued the penalty notice was no longer in Council's employ and unavailable to attend Court on the day, accordingly no oral evidence could be provided. The Magistrate granted Council's application and marked the Court papers accordingly.

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**File No:** LP23/17 – Penalty Notice Court Election  
**Offence:** Stop in loading zone  
**Act:** *Road Rules 2014*  
**Final Costs:** \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** Completed – proved and convicted  
**Progress:** The matter was listed before the Court for first mention on 8 August 2017.

The matter was before the Court 8 August 2017 for mention where the defendant Md Abdul Muktedir entered a guilty plea with explanation. After hearing the evidence and submission the Magistrate found the offence proved and convicted the defendant imposing a \$180 fine.

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**File No:** LP24/17 – Penalty Notice Court Election  
**Offence:** Stop in disabled parking area without current permit displayed  
**Act:** *Road Rules 2014*  
**Progressive Costs:** \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** Ongoing - listed for hearing.  
**Progress:** The matter was listed before the Court for first mention on 15 August 2017.

The matter was before the Court for first mention on 15 August 2017 where the defendant entered a not guilty plea. The Registrar adjourned the proceedings to 14 November 2017 for hearing.

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<b>File No:</b>	LP25/17 – Penalty Notice Court Election
<b>Offence:</b>	Not stand vehicle in marked parking space
<b>Act:</b>	<i>Local Government Act 1993</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed – proved, no conviction recorded.
<b>Progress:</b>	The matter was before the Court for first mention on 5 September 2017 where the defendant entered a guilty plea with explanation. After considering the evidence and submissions, the Magistrate found the offence proved and determined the matter without conviction or penalty.

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<b>File No:</b>	LP26/17 – Penalty Notice Court Election
<b>Offence:</b>	Not stand vehicle in marked parking space
<b>Act:</b>	<i>Local Government Act 1993</i>
<b>Final Costs:</b>	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed - proved, no conviction recorded
<b>Progress:</b>	<p>The matter was before the Court for first mention on 5 September 2017. The defendant entered a not guilty plea and the Registrar adjourned the proceedings to 10 November 2017 for hearing.</p> <p>The matter was before the Court for hearing on 10 November 2017 where the defendant changed their plea to guilty with an explanation. After considering the evidence and submissions, the Magistrate found the offence proved and determined the matter without conviction or penalty.</p>

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<b>File No:</b>	LP27/17 – Penalty Notice Court Election
<b>Offence:</b>	Dog not under effective control in a public place
<b>Act:</b>	<i>Companion Animals Act 1998</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed – proved, no conviction recorded.
<b>Progress:</b>	The matter was before the Court for first mention on 5 September 2017 where the defendant entered a guilty plea with explanation. After considering the evidence and submissions, the Magistrate found the offence proved and determined the matter without conviction or penalty.

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**File No:** LP28/17 – Penalty Notice Court Election  
**Offence:** Stop on/across driveway/other access from public place  
**Act:** *Road Rules 2014*  
**Final Costs:** \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** Completed – proved and convicted  
**Progress:** The matter was before the Court for first mention on 12 September, where the defendant Jackie Hanna made no appearance. The Magistrate granted Council's application to proceed in the defendant's absence and after considering the evidence and submissions found the offence proved and convicted the defendant imposing a \$100 fine.

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**File No:** LP29/17 – Penalty Notice Court Election  
**Offence:** Stop in bus zone (school zone)  
**Act:** *Road Rules 2014*  
**Final Costs:** \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** Completed – proved and convicted  
**Progress:** The matter was before the Court on 26 September 2017 for first mention where the defendant Azam Khalil entered a written guilty plea with explanation. After hearing the evidence and submission the Magistrate found the offence proved and convicted the defendant imposing a \$200 fine.

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**File No:** LP30/17 – Penalty Notice Court Election  
**Offence:** Stop in bus zone (school zone)  
**Act:** *Road Rules 2014*  
**Final Costs:** \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** Completed – proved, no conviction recorded.  
**Progress:** The matter was before the Court for first mention on 29 August 2017 where the defendant entered a guilty plea with explanation. After considering the evidence and submissions, the Magistrate found the offence proved and determined the matter without conviction or penalty.

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<b>File No:</b>	LP31/17 – Penalty Notice Court Election
<b>Offence:</b>	Stop on side of road contrary to continuous yellow edge line
<b>Act:</b>	<i>Road Rules 2014</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed – proved and convicted
<b>Progress:</b>	The matter was before the Court for first mention on 19 September 2017 where the defendant Yaw Darko Opoku entered a guilty plea with explanation. After hearing the evidence and submission the Magistrate found the offence proved and convicted the defendant imposing a \$253 fine.

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<b>File No:</b>	LP32/17 – Penalty Notice Court Election
<b>Offence:</b>	Disobey no-stopping sign (school zone)
<b>Act:</b>	<i>Road Rules 2014</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed – proved and convicted
<b>Progress:</b>	The matter was before the Court for first mention on 24 October 2017, where the defendant Elisara Charley Tanuvasa made no appearance. The Magistrate granted Council's application to proceed in the defendant's absence and after considering the evidence and submissions found the offence proved and convicted the defendant imposing a \$450 fine.

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<b>File No:</b>	LP33/17 – Penalty Notice Court Election
<b>Offence:</b>	In charge of dog that attacked person or animal
<b>Act:</b>	<i>Companion Animals Act 1998</i>
<b>Progressive Costs:</b>	\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Ongoing – listed for plea/mention
<b>Progress:</b>	The matter was before the Court for first mention on 17 October 2017 where the defendant sought an adjournment to seek advice. The Registrar adjourned the proceedings to 28 November 2017 for plea/mention.

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<b>File No:</b>	LP34/17 – Penalty Notice Court Election
<b>Offence:</b>	Deposit litter (cigarette butt) from vehicle
<b>Act:</b>	<i>Protection of the Environment Act 1997</i>
<b>Final Costs:</b>	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
<b>Status:</b>	Completed - proved and convicted.
<b>Progress:</b>	The matter was before the Court for first mention on 10 October 2017, where the defendant Katapeta Faalavaau made no appearance. The Magistrate granted Council's application to proceed in the defendant's absence and after considering the evidence and submissions found the offence proved and convicted

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the defendant imposing a \$400 fine.

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**File No:** LP35/17 – Penalty Notice Court Election  
**Offence:** Stop within 10-metres of intersection (no traffic Lights)  
**Act:** *Road Rules 2014*  
**Progressive Costs:** \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** New matter – listed for first mention  
**Progress:** The matter is listed before the Court for first mention on 14 November 2017.

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**File No:** LP36/17 – Penalty Notice Court Election  
**Offence:** Stop on path/strip in built-up area  
**Act:** *Road Rules 2014*  
**Progressive Costs:** \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** New matter – listed for first mention  
**Progress:** The matter is listed before the Court for first mention on 14 November 2017.

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**File No:** LP37/17 – Penalty Notice Court Election  
**Offence:** Not stand vehicle in marked parking space  
**Act:** *Local Government Act 1993*  
**Progressive Costs:** \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.  
**Status:** New matter – listed for first mention  
**Progress:** The matter is listed before the Court for first mention on 14 November 2017.

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#### 9. Matters referred to Council's solicitor for advice

Matters referred to Council's solicitors for advice on questions of law, the likelihood of appeal or prosecution proceedings being initiated, and/or Council liability.

<b>Total of Advice Matters for the period (updated to 10/11/2017)</b>	<b>1</b>
<b>Costs from 1 July 2017 for legal advice matters</b>	<b>\$678.30</b>

**10. Legal Costs Summary**

The following summary lists the City Development Division's net legal costs for the 2017/2018 period.

<b>Relevant attachments or tables</b>	<b>Costs Debit</b>	<b>Costs Credit</b>
Class 1 Land and Environment Court - appeals against Council's determination of Development Applications	\$61,338.23	\$9,000.00
Class 1 and 2 Land and Environment Court - appeals against Orders or Notices issued by Council	\$5,905.20	\$0.00
Class 4 Land and Environment Court matters - non-compliance with Council Orders, Notices or prosecutions	\$0.00	\$0.00
Class 5 Land and Environment Court - pollution and planning prosecution matters	\$4,072.80	\$0.00
Class 6 Land and Environment Court - appeals from convictions relating to environmental matters	\$0.00	\$0.00
Supreme Court hearing and appeal matters	\$424.95	\$75,343.76
District Court appeal matters	\$1,541.75	\$0.00
Consumer, Trader and Tenancy Tribunal matters	\$0.00	\$0.00
Local Court prosecution matters	\$8,650.36	\$0.00
Matters referred to Council's solicitor for legal advice	\$678.30	\$0.00
Miscellaneous costs not shown elsewhere in this table	\$0.00	\$0.00
Costs Sub-Total	\$82,611.60	\$84,343.76
<b>Overall Net Costs Total (GST exclusive)</b>	<b>-\$1,732.16</b>	



## 8.8 Draft Section 94 Development Contributions Plan - Menangle Park

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.2 - Create safe, well maintained, activated and accessible public spaces

### Officer's Recommendation

1. That Council endorse the draft Section 94 Development Contributions Plan - Menangle Park – November 2017.
2. That the draft Section 94 Development Contributions Plan - Menangle Park – November 2017 be placed on public exhibition for a minimum of 28 days.
3. That Council receives a further report that outlines the responses to any submissions received during the exhibition period, and seeks the lodgement of an IPART Application to assess the draft Section 94 Development Contributions Plan – Menangle Park.

### Purpose

The purpose of this report is to seek Councils resolution to exhibit the draft Menangle Park Section 94 Development Contributions Plan - November 2017 for a minimum of 28 days.

### History

The Menangle Park precinct is located approximately 5.5km to the south west of the Campbelltown CBD. While the site is predominantly rural, it has been earmarked by the NSW Government for urban redevelopment to help meet Sydney's demand for new housing.

The future development of Menangle Park is expected to be characterised as follows:

- approximately 3,500 dwellings to be developed over a timeframe of approximately 16 years
- an anticipated population of around 9,800 people
- a new town centre to accommodate a range of retail, residential and recreation uses
- an employment area of approximately 29 hectares
- educational, community and recreation land uses to support the population of Menangle Park

- new networks of roads, public transport routes, pedestrian paths and cycle ways to facilitate access within the release area and to/from destinations outside Menangle Park.

The rezoning of the Menangle Park Precinct was made by the Minister for Planning on 17 November 2017. It is therefore vital that Council expedite the finalisation of the draft Section 94 Development Contribution Plan for Menangle Park. The plan will ensure that the required local infrastructure, needed to support the community, has a suitable funding mechanism.

Section 94 of the *Environmental Planning and Assessment Act 1979* enables Council to apply a contribution on the lot/dwelling of a development within a certain area. These funds are then applied to works within the collection area as set out in a Section 94 Development Contribution Plan.

## Report

Dahua will be the primary developer for the Menangle Park precinct, and occupy more than 70 per cent of the precinct. The remaining 30 per cent of the precinct is held in multiple land ownership.

Currently the only Development Contribution Plan that is applicable to the site at Menangle Park precinct is the Section 94A Development Contribution Plan. This Section 94A Plan is based on the cost of the development and levied as a percentage; development costs over \$200,000 are levied 1 per cent. This would be well below the required infrastructure costs for the proposed population of Menangle Park precinct.

To ensure that Council can levy an appropriate development contribution, a draft Section 94 Development Contribution Plan was prepared jointly between Urban Growth NSW (now Landcom) and Council. The plan identified approximately \$209m in local and regional infrastructure, which equated to a range of residential contributions between \$29,000 (residential units) to \$59,700 (traditional and large lot residential). The plan also required a contribution from retail and commercial development, at a rate of \$89,000 per 100 square metres of gross floor area and \$851,400 per hectare for employment land.

Given that the draft plan exceeds the Section 94 Cap of \$20,000 as mandated by the Minister for Planning, Council officers have reviewed the plan in light of the need for an Independent Pricing and Regulatory Tribunal (IPART) assessment. As a result the following changes were made to the draft plan:

- exclusion of employment land – the employment land identified within the precinct has been excluded from this draft Section 94 Plan. The entire employment land portion of the precinct is in single ownership. It is expected that the required infrastructure needed for the employment land, including drainage, roads and access, will be met solely by the developer, as part of future development application
- removal of half roads fronting proposed open space – the provision of the entire development road, including the portion fronting open space, is to be borne by the developer as part of the subdivision works
- removal of Spring Farm Parkway works – the construction of Stage 1 of the Spring Farm Parkway will be provided by Dahau and part of a separate agreement with the State government. Stage 2 required approximately 22 per cent of the construction cost to be funded from new development within the Menangle Park precinct. However, the timeframe for the provision of this portion of the regional road network is unknown, and

therefore it is not reasonable to include it within a Section 94 Plan. It is important that the State government deliver the remaining portion of the parkway. The land component will be dedicated by Urban Growth.

The revised draft plan identifies approximately \$133m in local infrastructure, which equates to a range of residential contributions between \$21,600 (residential units) to \$44,500 (traditional and large lot residential). The plan also requires a contribution from retail and commercial development, at a rate of \$52,000 per 100 square metres of gross floor area.

### **Section 94 Development Contributions Plan process**

The draft Section 94 Plan requires a contribution that exceeds the \$20,000 cap as mandated by the Minister for Planning (Direction Section 94E under the *Environmental Planning and Assessment Act 1979* - September 2010). Therefore, prior to adoption of the plan, Council requires an assessment from IPART and a determination by the Minister for Planning.

The Revised Local Development Contributions Practice Note (February 2014), prepared by the Department of Planning and Infrastructure, require new Development Contribution Plans that require assessment by IPART to be submitted for review following public exhibition, but prior to adoption by Council. The plan submitted to IPART needs to incorporate any changes made in response to submissions received during the exhibition period.

Following the IPART Assessment Process, IPART will provide the Minister with advice regarding the contributions plan. After consideration of this advice, the Minister may determine that no further action is required, or request the Council to make changes to the contributions plan prior to it coming into effect.

Therefore, prior to adopting the draft Section 94 Development Contribution Plan, Council will need to forward the plan to the IPART for assessment. The assessment involves ensuring that the proposed works are essential to the development and the costs fairly divided amongst the development. IPART advises that the assessment can take six months after receiving Council's full application. This application is proposed to be made after exhibition of the draft Section 94 Development Contributions Plan if endorsed by Council. Council then needs to wait for the Ministers determination of the IPART assessment findings. The timeframe for this determination is unknown.

### **Revised approach**

To ensure Council, and the community of Campbelltown, is not financially burden prior to the adoption of the Ministers endorsed plan, it is proposed that following public exhibition, a report will be prepared for Council. The report will outline the findings from the submissions received and proposed amendments, and will seek Council's approval to adopt the plan at the Section 94 Cap level of \$20,000 per dwelling, and forward an application (including the plan) to IPART for assessment of the eligibility of the higher values possibly permissible in the future. A further report will be presented to Council, informing of the Ministers determination, and seeking the adoption of the Minister endorsed plan.

This will allow Council to levy at least \$20,000 from any lots/dwellings that are approved and determined under lodged development applications, in the interim period between the adoption of the plan and rezoning of the precinct, to the adoption of the Minister endorsed plan. Following the adoption of the endorsed plan, Council will then levy the full amount permissible under plan, or receive contributions through an alternate funding method determined by the Minister for Planning.

**Conclusion**

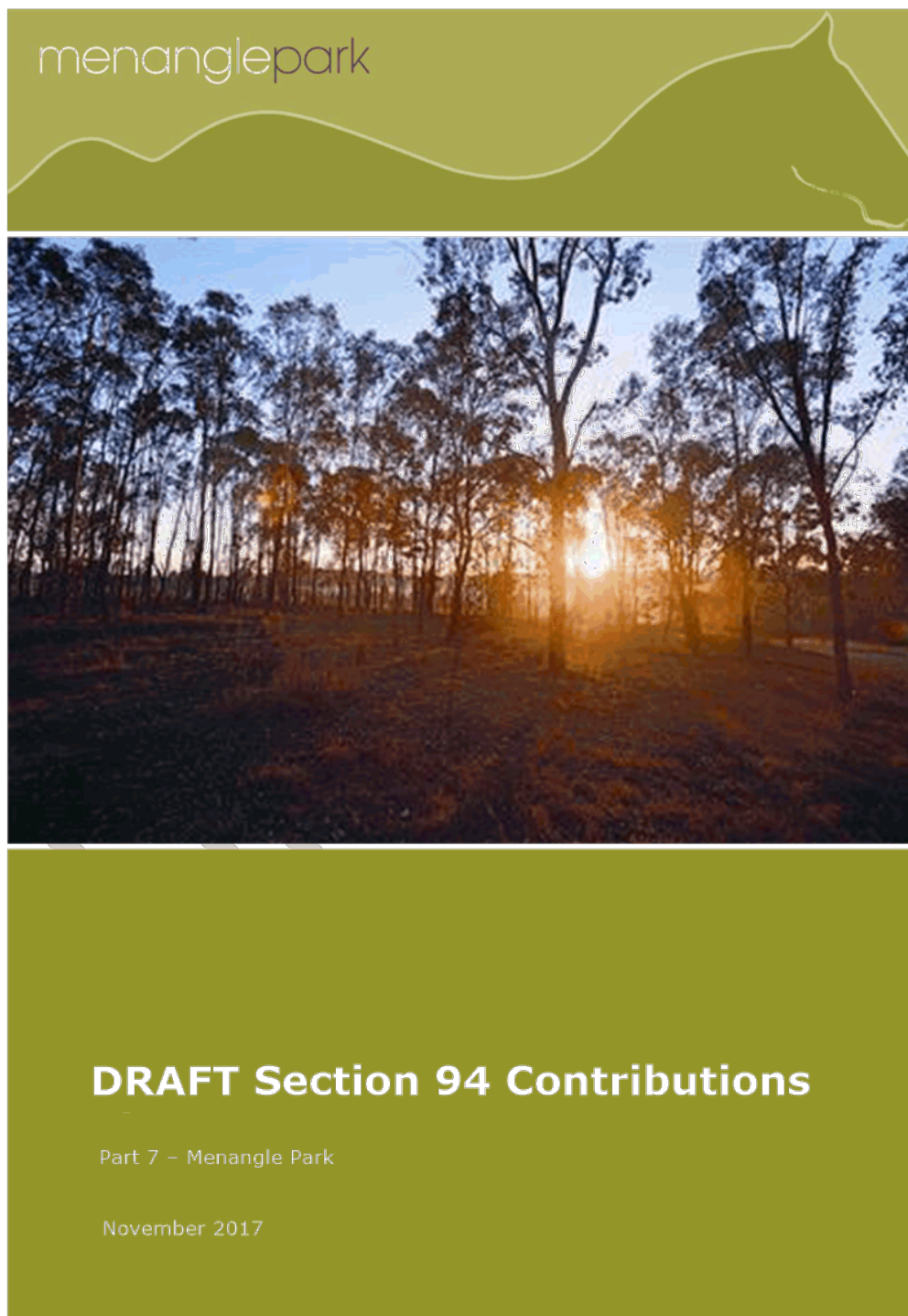
Given the recent making of the Menangle Park rezoning, it is now essential that the draft s94 Contributions Plan for the Menangle Park area be publicly exhibited and that an interim plan with developer contributions capped at \$20,000 be approved.

Having regard to the above, this report seeks Council's endorsement of the draft Menangle Park Section 94 Development Contributions Plan (November 2017), and its approval to place the draft Plan on public exhibition for a minimum period of 28 days.

A further report will be presented to Council on the outcome of the exhibition.

**Attachments**

1. Draft Menangle Park Section 94 Contributions Plan - November 2017 (contained within this report)



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**FIGURES**

Figure 1 – Menangle Park Structure Plan

Figure 2 – Land to which plan applies

Figure 3 – Proposed Location of Community Facilities

Figure 4 – Proposed Location of Open Space

Figure 5 – Proposed Location of Water Cycle Management Facilities

Figure 6 – Proposed Drainage Land

Figure 7 – Proposed Transport Management Facilities

**APPENDICES**

Appendix A – Works Cost Plan

Appendix B – Open Space Concept Designs

Appendix C – Transport Management and Accessibility Plan

Appendix D – Concept design of Spring Farm Parkway and advice

Appendix E – Trunk Stormwater Management Strategy

Appendix F – Social Sustainability Report and Addendum

Appendix G – Land Valuation Report

Appendix H – Works Schedules



## Summary

### Overview

Menangle Park is located within the Local Government Area (LGA) of Campbelltown approximately 5.5 km to the south west of the Campbelltown CBD. While the site is predominantly rural, it has been earmarked by the NSW Government for urban redevelopment to help meet Sydney's demand for new housing.

The future development of Menangle Park is expected to be characterised as follows:

- approximately 3,500 dwellings to be developed over a timeframe of approximately 16 years;
- an anticipated population of around 9,800 people;
- a new town centre to accommodate a range of retail, residential and recreation uses;
- an employment area of approximately 29 hectares;
- educational, community and recreation land uses to support the population of Menangle Park; and
- new networks of roads, public transport routes, pedestrian paths and cycleways to facilitate access within the release area and to/from destinations outside Menangle Park.

Menangle Park's current population is estimated at only around 240 people (ABS 2011 Census). As a rural area with only limited population base, there are few if any existing facilities that can cater to the needs of the incoming population.

Studies undertaken for Menangle Park (as listed in Section 3.1) have identified that the expected population will generate the following impacts on public services and amenities:

- increased demand for facilities that will support safe and convenient travel between land uses within the release area and to and from destinations out of the area, such as new roads and public transport facilities;
- increased demand for local active and passive recreation facilities, such as sports fields, playgrounds, parks and bike paths;
- increased demand for spaces that will meet community needs and foster the development of social capital in Menangle Park, such as child care and a meeting space;
- increased demand for water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban development.

Table 1: Contributions Schedule

Facility	Total Cost to Development	Total Area of Land to Acquired (m <sup>2</sup> )	Residential per person	Retail/ Commercial per 100m <sup>2</sup> GFA
<b>Community</b>				
Land Acquisition	\$ 355,332	2961m <sup>2</sup>	\$ 36	
Capital Works	\$ 113,800		\$ 12	
<b>Total</b>	<b>\$ 469,132</b>	<b>0.30 ha</b>	<b>\$ 48</b>	
<b>Open Space &amp; Recreation</b>				
Land Acquisition	\$ 16,475,500	1243600m <sup>2</sup>	\$ 1,676	
Capital Works	\$ 31,682,803		\$ 3,224	
<b>Total</b>	<b>\$ 48,158,303</b>	<b>124.36 ha</b>	<b>\$ 4,900</b>	
<b>Trunk Drainage &amp; Water Quality</b>				
Land Acquisition	\$ 6,677,850	161130m <sup>2</sup>	\$ 675	\$ 201
Capital Works	\$ 24,608,957		\$ 2,489	\$ 740
<b>Total</b>	<b>\$ 31,286,807</b>	<b>16.11 ha</b>	<b>\$ 3,164</b>	<b>\$ 941</b>
<b>Traffic &amp; Transport</b>				
Land Acquisition	\$ 3,042,200	196285m <sup>2</sup>	\$ 248	\$ 3,026
Capital Works	\$ 47,865,671		\$ 3,901	\$ 47,612
<b>Total</b>	<b>\$ 50,907,871</b>	<b>19.63 ha</b>	<b>\$ 4,149</b>	<b>\$ 50,638</b>
<b>Plan Preparation</b>				
Plan Preparation Costs	\$ 2,058,821		\$ 208	\$ 62
<b>Total</b>	<b>\$ 2,058,821</b>		<b>\$ 208</b>	<b>\$ 62</b>

**Table 2: Contribution by Development Type**

Facility	Net developable area	Lot Area (m <sup>2</sup> )	Occupancy Rate per dwelling	Community	Open Space & Recreation	Trunk Drainage & Water Quality	Traffic & Transport	Plan Preparation	TOTAL 2016	TOTAL CPI adjusted rate 2017
Rate per person				\$48	\$4,900	\$3,164	\$4,149	\$208	\$12,470/person	
Residential	330 ha									
Town Centre Unit		N/A	1.7	\$81	\$8,330	\$5,379	\$7,054	\$354	\$21,195/lot	\$21,602/lot
Small Lot		300-419	2.4	\$115	\$11,760	\$7,594	\$9,959	\$500	\$29,927/lot	\$30,497/lot
Standard Lot		420-599	2.4	\$115	\$11,760	\$7,594	\$9,959	\$500	\$29,927/lot	\$30,497/lot
Standard Lot		600-949	3.5	\$167	\$17,150	\$11,075	\$14,523	\$729	\$43,644/lot	\$44,474/lot
Traditional Lot		950-1999	3.5	\$167	\$17,150	\$11,075	\$14,523	\$729	\$43,644/lot	\$44,474/lot
Large Lot		2000+	3.5	\$167	\$17,150	\$11,075	\$14,523	\$729	\$43,644/lot	\$44,474/lot
Retail / Commercial (per 100m2 gross floor area)	2 ha			\$0	\$0	\$941	\$50,638	\$62	\$51,641/100m2 GFA	\$52,624/100m2 GFA

## 1 Introduction

### 1.1 Background

Menangle Park is located within the Local Government Area (LGA) of Campbelltown approximately 5.5 km to the south west of the Campbelltown CBD. While the site is predominantly rural, it has been earmarked by the NSW Government for urban redevelopment to help meet Sydney's demand for new housing.

It is estimated that Menangle Park will supply approximately 3,500 dwellings. The proposed urban development of Menangle Park has involved a number of years of planning, technical investigations, studies and consultation.

As Menangle Park is a new release area rather than an "infill" area, it will require a range of new public services and facilities to cater for the new population that is expected. This Section 94 Contributions Plan is one mechanism that Campbelltown City Council will use to deliver these services and facilities.

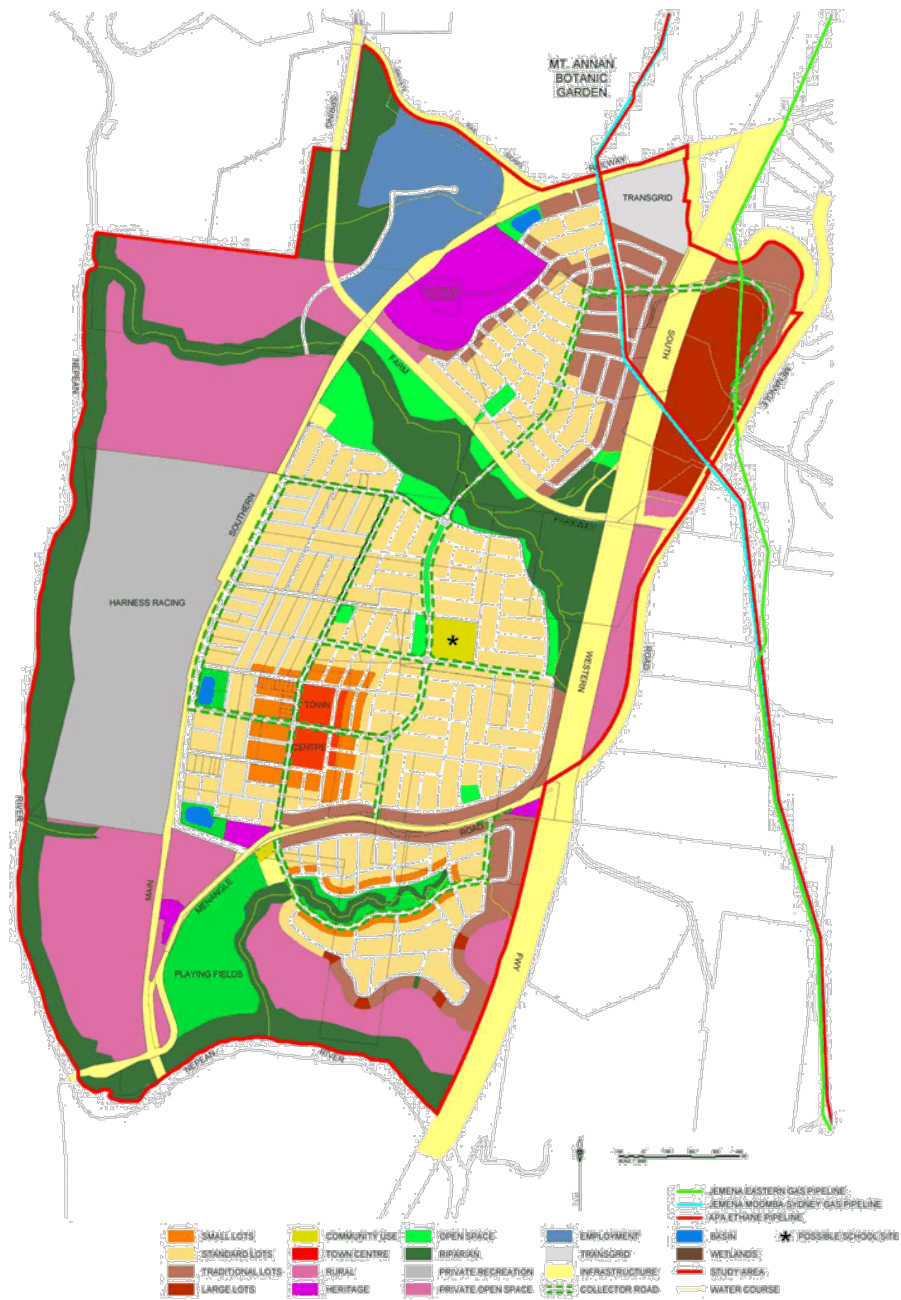
Campbelltown City Council has identified the following vision for Menangle Park:

*"As an impressive southern gateway to the Sydney Metropolitan Region, Menangle Park will become a unique urban community characterised by sustainable design, accessibility and a vibrant town centre. As part of the broader Macarthur community, Menangle Park's urban form will capitalise on the existing economic resources, existing natural and cultural heritage qualities and the adjacent Nepean River".*

The future development of Menangle Park is expected to be characterised as follows:

- approximately 3,500 dwellings to be developed over a timeframe of approximately 16 years;
- an anticipated population of around 9,800 people;
- a new town centre to accommodate a range of retail, residential and recreation uses;
- an employment area of approximately 29 hectares;
- educational, community and recreation land uses to support the population of Menangle Park; and
- new networks of roads, public transport routes, pedestrian paths and cycleways to facilitate access within the release area and to/from destinations outside Menangle Park.

The proposed new development is illustrated on the Structure Plan at Figure 1 below:



Menangle Park's current population is estimated at only around 240 people (ABS 2011 Census). As a rural area with only limited population base, there are few if any existing facilities that can cater to the needs of the incoming population. Studies undertaken for Menangle Park (as listed in Section 3.1) have identified that the expected population will generate the following impacts on public services and amenities:

- increased demand for facilities that will support safe and convenient travel between land uses within the release area and to and from destinations out of the area, such as new roads and public transport facilities;
- increased demand for local active and passive recreation facilities, such as sports fields, playgrounds, parks and bike paths;
- increased demand for spaces that will meet community needs and foster the development of social capital in Menangle Park, such as child care and a meeting space;
- increased demand for water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban development.

This Plan has therefore been prepared to determine the demand for public facilities generated by the incoming population and to ensure that development makes a reasonable contribution toward the provision of services and facilities that are required for that population.

### **1.2 Name of this Plan**

This Plan is called *Menangle Park Contributions Plan*.

### **1.3 Commencement of this Plan**

This Plan commences on xx [INSERT DATE OF PLAN COMMENCEMENT].

Development applications determined on or after this date will be subject to the provisions of this Plan.

### **1.4 Aims and Objectives**

The aims and objectives of this Plan are to:

- (a) ensure that an adequate level of public infrastructure, services and facilities is provided in Menangle Park to meet the needs of the incoming population and workforce and as development occurs;
- (b) demonstrate the nexus between the demands generated by future development and the provision of services and facilities;
- (c) identify the traffic and transport, community, recreation and open space, and water management works and improvements and administrative needs required as a result of development;
- (d) provide a transparent and accountable system for the administration of levying, collecting, and expenditure of funds derived from this Contributions Plan;
- (e) identify reasonable and relevant charges to be levied on or collected from each development for the services and amenities to be provided; and

- (f) provide an administrative tool to satisfy the public and financial accountability and other statutory requirements outlined in Section 94 of the Environmental Planning and Assessment Act and Regulation.

### ***1.5 Land to which this Plan applies***

This Plan applies to the land identified in Figure 2. How it excludes the employment lands within the northern portion of the Menangle Park Release Land.

### ***1.6 Relationship to other plans and reports***

Any other contributions plan approved by Council (and in force under Division 6 or Part 4 of the EP&A Act at the time this Plan commenced) does not apply to development that is subject to a requirement to pay a contribution under this Plan.

### ***1.7 Savings and transitional arrangements***

A development application which has been submitted prior to the adoption of this Plan but not determined shall be determined in accordance with the provisions of the plan which applied at the date of determination of the application.

### ***1.8 Regional infrastructure funding***

While there is a need to provide local amenities and services for Menangle Park through section 94 contributions, the funding of regional infrastructure is critical if the site is to be successfully developed.

The Menangle Park Release Area is not currently covered by the NSW Government's Special Infrastructure Contribution (also referred to as State Infrastructure Contribution) Levy provisions as it falls outside of the nominated South West Growth Area.

However, as part of the work for the Greater Macarthur Investigation Area, the Department of Planning and Environment (DPE) has indicated that it will ensure that an appropriate mechanism is put in place to secure infrastructure needed to support growth in the region. The preferred approach is a Special Infrastructure Contribution or a series of planning agreements between the Minister for Planning and the relevant proponents. A Special Infrastructure Contribution (SIC) will create a framework to share the costs and coordinate delivery of major new transport and other regional infrastructure.

The work being undertaken by the DPE on the Special Infrastructure Contribution for the Greater Macarthur region is ongoing and is likely to lag behind the rezoning process for Menangle Park. In association with the proposed SIC, the NSW 2016-17 Budget has provided \$30 million to support regional traffic infrastructure, being Stage One of the Spring Farm Parkway, intended to accelerate housing supply in the area. The proposed SIC and the \$30 million budget allocation form the regional funding strategy.

The funding for Stage Two of the Spring Farm Parkway has not been included within this Contributions Plan. Given the unknown timeframe associated with the provision of the second stage, and its importance to the regional work network, it is anticipated that construction cost of

the road will be borne by the State government. It is intended that funding for the regional component of the works will be funded via the regional funding strategy.

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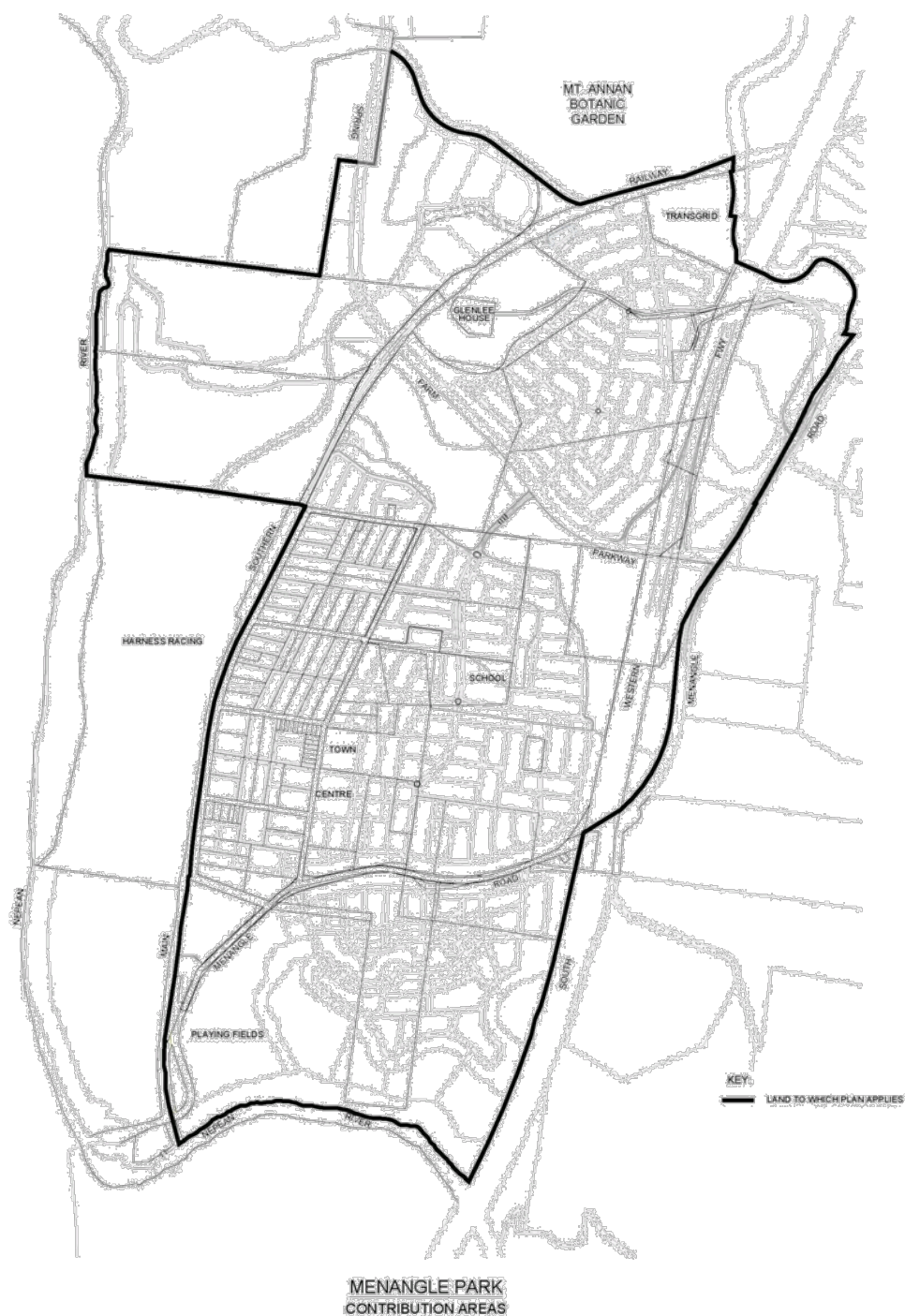


Figure 2: Land to which plan applies (outlined in black)

## **2 Administration and Operation of the Plan**

### **2.1 Scope of the plan**

This Plan identifies the relationship between the future development at Menangle Park and the public amenities and services required to meet the demands of that development. It identifies the range of facilities and services that will be required and the formulas and contribution rates to be used in determining the contributions required for different categories of public amenities and services. It provides work schedules identifying specific works to be undertaken and an estimate of the cost of carrying out those works as well as maps showing the location of the public facilities. The administrative and accounting arrangements to apply in levying Section 94 contributions are also detailed in the Plan.

### **2.2 Development forms to which the plan applies**

Council may impose a contribution under Section 94 of the EP&A Act on consents issued for different types of development. The type and quantum of the contribution will relate to the form of the development proposed.

The following sets out the types of development that may be required to make a Section 94 contribution, and the contributions that the development may be subject to:

- Subdivision for residential purposes; construction of a dwelling, a dual occupancy, multiple dwelling housing, multi-unit housing, seniors housing or other dwellings – contributions identified in Table 2.
- Other developments, including retail, commercial and educational establishments – contributions also identified in Table 2.

#### **2.2.1 Exemptions**

The only exemptions allowed are those the subject of a direction from the Minister for Planning under Section 94E of the EP&A Act.

### **2.3 Types of works addressed by the plan**

The types of amenities and services addressed by this Contributions Plan fall within the "Essential Works List" as identified in the IPART Practice Note. Essential works are defined as follows:

- Land for open space including base level embellishment
- Land for community services
- Land and facilities for transport, not including carparking
- Land and facilities for stormwater management

The definition of "base level embellishment" in the IPART Practice Note was amended by the former Minister for Planning on 1 March 2011. The implications on open space provision are discussed further in Section 4.2.1.

It is proposed that section 94 contributions will only be levied for “essential works”. Additional works are not proposed. However, it is considered reasonable that contributions be sought towards the cost of specialist studies which have been required to inform the preparation of the Contributions Plan. This is consistent with the Department of Planning’s *Development Contributions Practice Notes* (July 2005). The costs associated with the preparation of this plan will therefore be levied for under this Contributions Plan.

It is anticipated that the following public amenities and services will be required to meet the needs of the expected future residential and working population of Menangle Park:

- traffic and transport management facilities;
- community centre;
- open space and recreation facilities; and
- trunk drainage and water quality management facilities.

More detail on the demand for public amenities and services and the relationship with the expected development is included in Sections 4.1 to 4.4 of this Plan.

#### **2.4 Facility costings**

Costs for facilities included in this Contributions Plan were derived from the services of a qualified quantity surveyor as well as from Council’s experience of facility costs in other release areas. Details of cost estimates and assumptions used to derive the costs are included in the report prepared by WT Partnership and provided at Appendix A.

The costings have been based on preliminary advice or concept designs as follows:

- Open space concept designs prepared by JMD Design (provided at Appendix B);
- Stormwater infrastructure design concepts prepared by GHD (provided in reports);
- Road intersection designs provided in the Transport Management and Accessibility Plan prepared by AECOM (refer Appendix C) and concept design of Spring Farm Parkway (refer Appendix D); and
- Community infrastructure (refer Appendix F).

A construction contingency allowance of 10% is proposed by WT Partnership which reflects the high level strategic studies on which costs are based.

For an item of work that is to be provided through a works-in-kind agreement or a planning agreement, the credit for the item will include any contingency amount provided for in the plan.

#### **2.5 Land valuation**

The land valuations provided for in this Contributions Plan have been undertaken by William C. McManus (Valuations) Pty Limited. A copy of the Valuer’s report, including information on how the valuations have been derived, is provided at Appendix G.

## **2.6 Calculation of contributions**

The formulas used to determine the contributions rates applicable under this Plan are set out in Sections 4.1 to 4.5.

### **2.6.1 Allowances for existing development**

There is no existing development of any significance in the subject area. It is anticipated that the large majority of the approximately 80 dwellings will be demolished to make way for new residential dwellings and as a consequence no allowance has been made for existing development.

## **2.7 How will contributions be imposed?**

This Plan authorises the Council or an accredited certifier, when determining a development application or an application for a complying development certificate relating to development to which this Plan applies, to impose a condition under section 94 of the EP&A Act requiring:

- the payment of a monetary contribution; and/or
- the dedication of land free of cost,

to the Council towards the provision of public facilities to meet the demands of the development as specified in the works schedule to this Plan.

Developers of land to which this Plan applies will be required to provide either:

- sufficient, usable and (where appropriate) embellished land for the particular facilities identified in this Plan to meet the needs of the population attributable to the proposed development; or, alternatively
- an equivalent monetary contribution to Council for the acquisition and embellishment of land for the particular facilities identified in this Plan.

Council will, wherever appropriate, require developers to dedicate land free of cost for the facilities identified in this Plan. Where the development does not, or cannot provide the full land area required as a contribution the shortfall will be required as a monetary contribution. The contribution rates included in this Plan reflect the monetary contribution required where land is not dedicated free of cost.

Where the contribution required is by way of dedication free of cost, the land:

- (where the dedication relates to the provision of community or open space and recreation facilities) is to have an associated draft plan of management prepared in accordance with Part 2, Division 2 of the Local Government Act 1993 and Part 4, Division 2 of the Local Government (General) Regulation 2005; and
- will have a value equal to the attributable cost under this Plan at the time of transfer. The attributable cost will be offset against monetary contributions required under this Plan.

## **2.8 Methods of payment**

The EP&A Act provides that development contributions may be met by payment of a monetary contribution, the dedication of land, the carrying out of works in kind or the provision of a material public benefit or any combination of these methods.

Each of these methods is a form of payment. Any agreement by the council to accept non-monetary satisfaction of a contribution condition will not require an amendment to the contribution condition. The method of satisfying a contribution does not change the obligation to make the contribution.

### **2.8.1 Monetary contribution**

This is the usual means of satisfying a condition of consent requiring a Section 94 development contribution. Payment must be in the form of cash, debit card (EFTPOS) or bank cheque. Credit cards are not accepted. Personal and company cheques are not accepted. Direct debit is not accepted.

### **2.8.2 Works in kind and other material public benefits**

A person may make an offer to the Council to carry out work to provide another kind of material public benefit in lieu of making a section 94 contribution as set out below.

### **2.8.3 Offer of a material public benefit made after the imposition of a section 94 condition under this Plan**

The Council may accept an offer made in writing to the Council that provides for:

- A material public benefit (other than the dedication of land or the payment of a monetary contribution) in part or full satisfaction of a condition already imposed requiring the payment of a monetary contribution; or
- The dedication of land free of cost towards the provision of public facilities to meet the demands of the development.

Council will only consider material public benefits not identified in the works schedule where such offers meet the requirements of Section 2.8.5.

Where the Council accepts such an offer, it is not necessary for the consent to be amended under section 96 of the EPA Act.

### **2.8.4 Offer of a material public benefit made before the imposition of a section 94 condition under this Plan**

An applicant for consent to carry out development to which this Plan applies may request that any consent granted to the development is made subject to a condition that the applicant carries out work or provides another material public benefit that would satisfy the requirements of this Plan in relation to the development.

If the council agrees to the offer, the consent would not be made subject to a section 94 condition in relation to the work or the benefit.

The applicant's request:

- May be contained in the relevant development application; or
- May constitute an offer to enter into a planning agreement relating to the development accompanied by the draft agreement.

The council will consider the request as part of its assessment of the development application.

If the Council decides to grant consent to the development and agrees to a request made in the relevant development application, it may impose a condition under section 80A of the EPA Act requiring the works to be carried out or the material public benefit to be provided.

If the applicant makes an offer to enter into a planning agreement, the Council will, if it proposes to enter into the agreement, publicly notify the draft agreement and an explanatory note relating to the draft agreement together with the development application in accordance with the requirements of the EPA Act.

If the Council decides to grant consent to the development and agrees to enter into the planning agreement, it may impose a condition under s93I (3) of the EPA Act requiring the agreement to be entered into and performed.

#### **2.8.5 Matters to be considered by the Council in determining offers of material public benefits**

In addition to any matters identified in Sections 2.8.3 and 2.8.4 Council will take into account the following matters in deciding whether to accept an offer of material public benefit:

- the requirements contained in any material public benefits or works-in-kind policy that the Council has adopted; and
- Whether the standard and timing of delivery of, and security arrangements applying to, the works the subject of the offer are to Council's satisfaction; and
- Whether the conditions applying to the transfer of the asset to the Council are to Council's satisfaction; and
- If the provision of the material public benefit will or will not prejudice the timing or the manner of the provision of public facilities included in the works program.

Where the offer is made in accordance with Section 2.8.4 (above) and relates to a material public benefit that is not a works-in-kind proposal, Council will take into account the following additional matters:

- the overall benefit of the proposal; and
- whether the works schedule included in this Plan would require amendment; and
- the financial implications for cash flow and the continued implementation of the works schedule included in this Plan (including whether Council would need to make up for any shortfall in contributions by its acceptance of the offer; and
- the implications of funding the recurrent cost of the facility(s) the subject of the offer.

Council will require the applicant to enter into a written agreement for the provision of the works prior to the commencement of works or the development. If the offer is made by way of a

draft planning agreement under the EPA Act, Council will require the agreement to be entered into and performed via a condition in the development consent.

Works in kind and material public benefit agreements shall be made between the Council and the developer and (if the developer is not the land owner) the land owner.

Agreements shall specify (as a minimum) the works the subject of the offer, the value of those works, the relationship between those works and this Plan and the program for delivering the works. Planning agreements shall address the matters included in the EPA Act and EPA Regulation.

#### **2.8.6 Valuation of offers of works-in-kind and other material public benefits**

The value of works offered as works-in-kind is the attributable cost of the works (or a proportion of the attributable cost if the offer involves providing only part of a work) indexed in accordance with the provisions of this Plan.

The attributable cost of works will be used in the calculation of the value of any offset of monetary contributions required under this Plan.

The value of any other kind of material public benefit will be determined by a process agreed to between the Council and the person making the offer at the time the development application is being prepared. Council may require supporting evidence of the value of any material public benefit, such as a report by a qualified quantity surveyor.

#### **2.9 Timing of payment**

A contribution is payable at the following times:

- Development applications involving subdivision – prior to the release of the subdivision certificate (linen plan);
- Development applications involving building work – prior to the release of the construction certificate;
- Complying development works – prior to the issue of a complying development certificate.

##### **2.9.1 How are contributions adjusted at the time of payment?**

The contributions stated in a consent are calculated on the basis of the Section 94 contribution rates determined in accordance with this Plan. If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted according to the formulas outlined in section 2.10 (below).

The current contributions are published by Council and are available from Council offices or on Council's website at [www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au). Should the Council not validly publish the applicable contribution rates, the rate applicable will be calculated in accordance with the rate prevailing in the previous quarter.

### 2.10 Indexation

To ensure that the value of contributions are not eroded over time by movements in the Consumer Price Index, (CPI), land value increases, the capital costs of administration of the plan or through changes in the costs of studies used to support the Plan, the Council will review the contribution rates.

The contribution rates will be reviewed by reference to the following specific indices:

- all works and construction costs by the CPI All Groups for Sydney as published quarterly by the Australian Bureau of Statistics; and
- land acquisition costs by reference to the Campbelltown release area residential land price index published by Residex P/L and displayed on Council's Website.

In accordance with clause 32(3)(b) of the EP&A Regulation, the following sets out the means by which the Council will make changes to the rates set out in this Plan.

#### Works and Construction

For changes to the Works and Construction contributions the contribution rates within the plan will be reviewed on a quarterly basis in accordance with the following formula:

$$\text{\$Cw} \times \frac{\text{CPI}_n}{\text{CPI}_b}$$

Where

**\\$Cw** is the works and construction contribution at the time of adoption of the Plan expressed in dollars;

**CPI<sub>n</sub>** is the most recent Consumer Price Index All Groups for Sydney as published by the Australian Bureau of Statistics at the time of review of the works and construction contribution rate;

**CPI<sub>b</sub>** is the base Consumer Price Index All Groups for Sydney as published by the Australian Bureau of Statistics at the date of adoption of this Plan which is xx [TO BE INSERTED AT THE DATE OF ADOPTION].

Note: In the event that the Current CPI is less than the previous CPI the current CPI shall be taken as not less than the previous CPI.

#### Land Acquisition

$$\text{\$Lw} \times \frac{\text{RX}_n}{\text{RX}_b}$$

Where

**\\$Lw** is the land acquisition contribution at the time of adoption of the Plan expressed in dollars;

**RX<sub>n</sub>** is the most recent Residex Campbelltown Release Area Land Price Index as published by Residex at the time of review of the works and construction contribution rate;



**R<sub>X</sub><sub>0</sub>** is the base Residex Campbelltown Release Area Land Price Index as published by Residex at the date of adoption of this Plan which is xx.

#### Administration

Contribution rates for Administration will be based on 1.5% of the total land acquisition and capital cost of the Plan. These costs will be indexed as outlined above, and therefore no further indexing is required to the Administration component of the Plan.

**Note:** The proposed indexation of contributions as outlined above is not an alternative to regular reviews. Council will undertake a review of the actual costs of infrastructure and land values every 5 years (at a minimum) to ensure that the development contributions are appropriate, adequate and transparent.

#### ***2.11 Deferred and periodic payments***

The Council may accept a written request for a deferred or periodic payment of a contribution if the applicant or any other person entitled to act upon the relevant consent satisfies the Council that:

- Compliance with the provisions relating to when contributions are payable is unreasonable or unnecessary in the circumstances of the case.
- Deferred or periodic payment will not prejudice the timing or the manner of the provision of the public amenity, service or facility for which the contribution was required, as outlined in the Works Schedule.
- There will be no prejudice to the community deriving benefit from the public amenity, service or facility required by the proposed development.
- There will be no prejudice to the operation of this Contributions Plan.

The decision to accept a deferred or periodic payment is at the sole discretion of the Council.

The Council may accept deferred or periodic settlements by way of instalments subject to the condition that the instalments are to be paid before work commences on any stage of the development, or as otherwise agreed to by the Council.

The Council may, if it decides to accept the deferred or periodic payments of a contribution, require the applicant to provide a bank guarantee by an Australian bank to the amount of the contribution, or the outstanding balance, plus any interest likely to accrue, on condition that:

- (a) The bank guarantee requires the bank to pay the guaranteed amount unconditionally to the consent authority where it so demands in writing not earlier than 6 months (or other term so determined by the Council) from the provision of the guarantee, or completion of the development, or stage of the development to which the contribution, or the outstanding balance, relates.
- (b) The guarantee prohibits the bank from:
  - having recourse to the applicant or other person entitled to act upon the consent; and
  - having regard to any appeal, dispute, controversy, issue or other matter relating to the consent or the carrying out of development in accordance with the consent, before paying the guaranteed amount.

- (c) The bank's obligation under the guarantee are discharged:
- when payment is made to the consent authority in accordance with the terms of the bank guarantee; or
  - if the related consent lapses; or
  - if the consent authority otherwise notifies the bank in writing that the bank guarantee is no longer required.
- (d) The applicant pays interest to the Council on the contribution, or the outstanding balance at the overdraft rate on and from the date when the contribution would have been otherwise payable, as set out in this Contribution Plan.

Where the Council does not require the applicant to provide a bank guarantee, it may require a public positive covenant under Section 88E of the Conveyancing Act 1919 to be registered on the title to the land to which the relevant application relates.

### **2.12 Planning Agreements**

The EPA Act allows for the negotiation of voluntary planning agreements between councils, developers and/or other planning authorities for the provision of public purposes.

Public purposes are defined in the EPA Act as (without limitation):

- the provision of (or the recoupment of the cost of providing) public amenities or public services;
- the provision of (or the recoupment of the cost of providing) affordable housing;
- the provision of (or the recoupment of the cost of providing) transport or other infrastructure relating to land;
- the funding of recurrent expenditure relating to the provision of public amenities or public services, affordable housing or transport or other infrastructure;
- the monitoring of the planning impacts of development; and
- the conservation or enhancement of the natural environment.

Council may seek to negotiate planning agreements with relevant parties in relation to major developments. Such agreements may address the substitution of, or be in addition to, the section 94 contributions required under this Plan.

Any draft planning agreement shall be subject to any provisions of or Ministerial directions made under the EPA Act or Regulation relating to planning agreements.

### **2.13 Review of the Plan**

This Plan will be subject to regular review by Council. The purpose of such review is to ensure that:

- levels of public service and amenity provisions are consistent with likely population trends and community needs;
- contribution levels reflect changes to construction costs and land values; and

- the work program can be amended if the rate of development differs from current expectations.

The contribution rates and works program for this Plan have been formulated using information available at the time of writing. A number of variables will be monitored to facilitate the review process. Some of these are listed below:

- lot production and dwelling construction;
- potential development remaining;
- construction costs;
- land costs;
- projected development rate;
- assumed occupancy rates;
- anticipated population;
- indexation assumptions;
- demand for services and facilities.

Any changes to the Contributions Plan, apart from minor typographical corrections, will be placed on public exhibition in accordance with the requirements of the EP&A Act and Regulation.

#### **2.14 Accounting and management of funds**

Council is required to comply with a range of financial accountability and public access to information requirements in relation to section 94 contributions. These are addressed in Divisions 5 and 6 of Part 5 of the EPA Regulation and include:

- maintenance of, and public access to, a contributions register;
- maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- annual financial reporting of contributions; and
- public access to contributions plans and supporting documents.

These records are available for inspection free of charge at Council.

The accounting records for this Plan will indicate the following:

- (a) the various kinds of public amenities or services for which expenditure is authorised by the Plan;
- (b) the monetary section 94 contributions received under the Plan, by reference to the various kinds of public amenities or services for which they have been received;
- (c) in respect of section 94 contributions paid for different purposes, the pooling or progressive application of the contributions or levies for those purposes, in accordance with any requirements of the plan or any ministerial direction under Division 6 of Part 4 of the Act; and

- (d) the amounts spent in accordance with the Plan, by reference to the various kinds of public amenities or services for which they have been spent.

#### **2.14.1 Contributions register**

A Contributions Register will be maintained for this Contributions Plan in accordance with the EP&A Regulation and may be inspected upon request. This register will be updated at regular intervals and include the following:

- (a) Details of each development consent for which contributions have been sought;
- (b) Nature and extent of the contribution required by the relevant condition of consent;
- (c) Name of the Contributions Plan imposing the condition of consent; and
- (d) Date the contribution was received, for what purpose and the amount.

At the end of each financial year, the Council is required to make an annual statement within the yearly budget. This statement must include the following:

- (a) Opening and closing balances of money held in the Section 94 Development Contributions Plan by the Council for the accounting period;
- (b) Total amounts received by way of monetary contribution under this Plan;
- (c) Total amount spent in accordance with this Plan; and
- (d) Outstanding obligations of the Council to provide works for which contributions have been received.

#### **2.14.2 Investment and interest**

Council will invest monies received in order to maintain the time-value of monetary contributions between the time of payment and the time of expenditure for the purpose for which they are required. Records of contributions (including investment return) will be kept and distinguished from other accounts. This will ensure that interest from development contributions accounts is returned to the accounts rather than being placed within general revenue funds.

#### **2.14.3 Pooling of contributions**

Pursuant to clause 27(1)(i) of the EP&A Regulation, this Plan expressly authorises monetary contributions paid for different purposes under this Plan to be pooled and applied (progressively or otherwise) for those purposes.

### 3 Facility Needs Associated with Expected Development

#### 3.1 Background

Menangle Park has been identified for urban redevelopment to help meet demand for new housing within the Sydney Metropolitan Area. It is estimated that the area will supply approximately 3,500 dwellings over a 16 year period resulting in an additional population of some 9,800 persons. The Menangle Park Release Area represents the culmination of a number of years of planning, technical investigations, studies and consultation.

As it is a greenfield release area (i.e. it is located on the urban periphery and is not an 'infill' area) it will require a raft of new public services and facilities to cater to the new population that is expected. Consequently, this plan is one mechanism that the Council will use to deliver a range of those public services and facilities.

Campbelltown City Council has identified the following vision for Menangle Park:

*"As an impressive southern gateway to the Sydney Metropolitan Region, Menangle Park will become a unique urban community characterised by sustainable design, accessibility and a vibrant town centre. As part of the broader Macarthur community, Menangle Park's urban form will capitalise on the existing economic resources, existing natural and cultural heritage qualities and the adjacent Nepean River".*

Planning for the release area is now complete and this section 94 plan draws together the substantial information and specialist studies which have led to the rezoning of the area. The key studies which have been used to determine key infrastructure and servicing requirements include:

- *Menangle Park Transport Management and Accessibility Plan*, AECOM Australia Pty Ltd, June 2010;
- *Menangle Park Strategic Concept Design, Spring Farm Parkway*, AECOM Australia Pty Ltd, 2016 (for information only);
- *Menangle Park Trunk Stormwater Management Strategy* including *Local Flooding and Stormwater Quantity Management (Detention)*, GHD, May 2010, *Menangle Park WSUD Strategy*, AECOM, June 2010 and *Review of Drainage Options*, GHD, October 2011; and
- *Social Sustainability for Menangle Park*, Heather Nesbitt Planning, February 2010 and Addendum by GHD, 2016.

### 3.2 Existing population

Campbelltown City is one of the most populated LGAs in the Sydney metropolitan area with 146,000 residents in 2011 according to the Census. Although a major regional centre for south-west Sydney, Campbelltown City's growth has been relatively small in recent years as the LGA's residents have matured and household size decreased.

As identified in Table 3 below the largest demographic change between 2006 and 2011 was in the residents aged 60 to 69. This is likely related to the evolution of Campbelltown as a new residential area in the 1970s and 1980s, which has caused the population to steadily age.

**Table 3: Campbelltown Age Structure**

Age Group	2006		2011		% Change
	Number of residents	% of total LGA population	Number of residents	% of total LGA population	
0 to 4	10,636	7.5%	10,893	7.5%	0%
5 to 11	15,872	11.1%	14,557	10.0%	-1.1%
12 to 17	15,090	10.6%	13,583	9.3%	-1.3%
18 to 24	16,006	11.2%	15,552	10.7%	-0.5%
25 to 34	19,251	13.5%	20,676	14.2%	0.7%
35 to 49	30,607	21.5%	29,203	20.0%	-1.5%
50 to 59	18,901	13.3%	19,748	13.5%	0.2%
60 to 69	9,089	6.4%	13,245	9.1%	2.7%
70 to 84	5,937	4.2%	7,148	4.9%	0.5%
85 and over	994	0.7%	1,363	0.9%	0.2%
<b>Total</b>	<b>142,383</b>	<b>100%</b>	<b>145,967</b>	<b>100%</b>	

Based on 2011 Census data Menangle Park has the following existing population characteristics which are reflective of its existing rural / semi-rural character:

- Resident population of 241 persons with a slight increase from the population in 2006 (236 persons). Between 2006 to 2011 the number of dwellings decreased from 87 to 77 dwellings.
- There is a high proportion of young families with a high percentage of infants (9.1%) in comparison to LGA (7.5%) and Greater Sydney (6.8%).
- Over one in three residents are aged 50 years and over (38% compared to LGA average 28% and 30% for Greater Sydney).
- Residents with a high level of mobility with 67% of residents at a different address five years ago, which is significantly higher than in 2006 (37%).

- Very few people are from non-English speaking backgrounds (2.5%) compared to LGA (20.5%) and Greater Sydney (26.5%).
- Separate houses make up the majority (92%) of private housing stock. The occupancy rate in Menangle Park is 3.1 persons per dwelling which is higher than for Campbelltown City (2.8) and the Greater Sydney average (2.7).
- 74% of occupied dwellings in Menangle Park are owned/being purchased with 26% being rental properties.
- Predominate household type in Menangle Park is couples with children (46%), followed by one parent households (21%) and lone person households (15%). This is slightly different to 2006 when couples with children households (38%) and one parent households (16%) were less significant.
- Median weekly household income in Menangle Park was an average of \$1,036, which has increased from \$850 in 2006.
- There is a higher proportion of part time employment in comparison to the LGA and Greater Sydney and a slightly lower labour force participation.
- Car ownership is high with 76% of the households owning 2 or more vehicles (compared to 52% for the LGA and 48% for Greater Sydney).
- Monthly mortgage repayments are significantly less than the LGA and Greater Sydney with 27% over \$1,800 in comparison to 49% and 67% respectively.

### 3.3 Development and population projections

The future development of Menangle Park will result in an increase in the number of people living and working in the area. The expected development and estimates of the incoming population attributable to the expected residential development and employment is shown in Table 4.

**Table 4: Future Development and Population Yield**

Land Use	Expected dwellings	Occupancy Rate per dwelling	Expected residents*	Expected net developable area
<b>Residential land use</b>				
Town Centre units	160	1.7	272	
Small Lot (300-419m <sup>2</sup> )	435	2.4	1044	
Standard Lot (420-599m <sup>2</sup> )	1505	2.4	3612	
Standard Lot (600-949m <sup>2</sup> )	925	3.5	3238	
Traditional Lot (950-1900m <sup>2</sup> )	456	3.5	1596	
Large Lot (2000+m <sup>2</sup> )	19	3.5	67	
Total all dwellings	3500		9828	331.7ha
<b>Non residential land use</b>				
Retail and commercial	n/a		n/a	2ha Gross Leasable Floor Area

\*Occupancy rates based on GHD Addendum to Social Sustainability Report (2016)

### 3.4 Demographic and socio-economic characteristics

#### 3.4.1 Future demographics

Features of projected population change and future characteristics of the Menangle Park resident population are summarised below and generally reflective of new release areas. The characteristics are indicative based on a comparative assessment of Camden Park:

- The indicative age and household characteristics of the future population is expected to vary with different household types and price points likely to influence the age profile of households. It will also be affected by resources such as schools, community facilities, transport and the local job market.
- The projected future occupancy rates of various household types are as shown in Table 4 above.
- It is assumed that Menangle Park will attract a variety of household types from young families (generally first home buyers), established families with teenagers / young adults (second/third home buyers) as well as couple only households (empty nesters and young couples). The traditional lot (and larger) component of the development (i.e. > 1000m<sup>2</sup>) would attract mainly established families.
- Given the proposed household mix and historical patterns of settlement, the expected age profile for the future development at Menangle Park is outlined in Table 5 below:

**Table 5 Indicative age profile for projected Menangle Park population**

	Age profile		Population
	Separate dwellings (%)	Town centre units (%)	Total residents
0 to 4 years	10.5%	7.5%	1,020
5 to 11 years	13.1%	3.2%	1,259
12 to 17 years	9.7%	6.2%	948
18 to 24 years	7.2%	15.7%	728
25 to 34 years	14.9%	24.9%	1,490
35 to 49 years	24.9%	20.9%	2,437
50 to 59 years	11.5%	9.8%	1,125
60 to 69 years	5.9%	8.7%	588
70 to 84 years	2.4%	2.8%	233
85 and over years	0.0%	0.6%	2
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>9,829</b>

Note: Total population is rounded up to the nearest whole number when adding residents from separate dwellings and town centre units together.



- It should be noted that the above profile is indicative only with factors such as housing prices, job markets, transport costs and lifestyle trends all ultimately determining factors.
- Over time, the peaks in the age distribution associated with a predominance of young families will reduce and the population will become more diverse. Increasing levels of single person households and group households are anticipated.
- Adults aged 35-49 are likely to be the biggest age group, around 25%.
- It is unlikely that there will be a high proportion of frail aged older people.
- Over time, it can be expected that the population profile will come to more closely approximate that of an established area with a variety of age and household characteristics, particularly if there are a range of housing types and affordability available in the release area.

### **3.4.2 Employment**

There were 70,236 persons in Campbelltown City's labour force in 2011 of which 16,985 were employed part-time (26.1%) and 43,969 were full time workers (67.6%). Unemployment in 2011 was higher in Campbelltown LGA as compared to Greater Sydney. Overall, 92.6% of the labour force was employed and 7.4% unemployed compared with 94.3% and 5.7% respectively for Greater Sydney. Analysis of the labour force participation rate of the population in Campbelltown City in 2011 shows that there was a similar proportion in the labour force (61.6%) compared with the Sydney Statistical Division (61.7%) (ABS, 2011 Census).

Campbelltown's employment profile in 2011 was dominated by jobs in the following sectors:

- Manufacturing (9,052 persons or 13.9%)
- Retail Trade (7,011 persons or 10.8%)
- Health Care and Social Assistance (7,032 persons or 10.8%)

Campbelltown also has a health/education focus with the University of Western Sydney's School of Medicine and Campbelltown Hospital providing general hospital services.

Planning for Menangle Park includes land dedicated as employment areas as well as for retailing. Working from home will also be encouraged through the provision of the National Broadband Network to all dwellings and businesses.

It is envisaged that development of retail land at Menangle Park will result in additional demand for transport and water cycle management facilities in the release area.

The employment lands will also result in additional demand for transport and water cycle management facilities. These additional demand will be funded in conjunction with the development of the employment lands, and have been excluded from this Plan.

### **3.5 Facility demands**

There is limited provision of social and recreation infrastructure currently in the area with no existing public health, public education, welfare / support, recreation or emergency services in Menangle Park. Based on the 2010 Social Sustainability Report (Heather Nesbitt Planning), the

majority of services in surrounding communities do not have the capacity to expand and /or services are already in short supply. For Menangle Park and southern Campbelltown this includes:

- Lack of child care, preschool and parenting services;
- Lack of formal youth and informal youth recreation, social and cultural infrastructure with existing youth centres not fulfilling the needs of local youth
- Lack of services for special needs groups i.e. people with a disability, indigenous residents, residents from non-English speaking backgrounds
- Lack of services and appropriate accommodation for older residents
- Poor existing public transport services with no pedestrian / cycle network in place
- Poor access to Council library services
- Spare capacity in majority of public schools in surrounding areas;
- Shortage of general practitioners and no existing general practitioners in the area
- Emergency services in Campbelltown with NSW Ambulance and NSW Police to service development by outreach services. NSW Fire Services has insufficient capacity in their service to meet needs of Menangle Park<sup>1</sup>

Studies listed in Section 3.1 of this Chapter have identified that the expected development in Menangle Park will generate the following impacts on public services and public amenities:

- increased demand for local active and passive recreation facilities, such as sports fields, playgrounds, walking trails and bike paths;
- increased demand for spaces that will foster community life and the development of social capital in Menangle Park, such as meeting spaces and after school child care;
- increased demand for facilities that will support safe and convenient travel between land uses both within the release and to and from destinations outside of Menangle Park, such as new roads and public transport facilities; and
- increased demand for water cycle management facilities as a result of the extra stormwater runoff generated by impervious surfaces associated with urban (as distinct from rural) development.

A range of public facilities and public amenities have been identified as being required to address the impacts of the expected development, including:

- Community centre – minimum 500m<sup>2</sup>;
- Primary school
- Long day child care centre with pre school programs – 2-3 new 90 place day care facilities
- Outside school hours care centre – total of 252 places
- Health services – seven GPs and three primary health care nurses or early childhood nurses
- Fire station co-located with Rural Fire Service
- Open space and recreation facilities – proposal include four local parks and three district with additional open space adjacent to riparian area and 18ha of land for playing fields. It is

<sup>1</sup> Heather Nesbitt Planning (2009), p.24

recommended to include one multipurpose court and two tennis courts and for indoor courts at community centre and inclusion of skate park at proposed parks be explored.

- Transport and traffic management facilities; and
- Water cycle management facilities.

More detail on the demand for public facilities and the relationship with the expected development is included in Section 4.1 to 4.4 of this Plan.

Strategies for the delivery of these facilities and amenities are detailed in Section 4 of this Plan.

The costs and programs of works related to these facility categories are shown in the Work Schedules at Appendix H to this Contributions Plan.

Details on assumptions used for costing purposes are contained in Appendix A of this Plan.

### 3.6 Demand and facility staging

The program for delivery of the required facilities has been based on the anticipated lot development program.

Details of the indicative residential development program are shown in Table 6. The indicative development program for employment and retail/commercial lands is shown in Table 7.

**Table 6: Indicative Residential Development Program**

Year	Calendar Target	Product Type					Total	
		Small	Standard	Traditional	Large	Town Centre	annual	cumulative
1	2018		50				50	50
2	2019		125				125	175
3	2020		155	8	3		166	341
4	2021		175	8	3		186	527
5	2022		175	8	3		186	713
6	2023		190	20	3		213	926
7	2024	20	190	15	0	20	245	1171
8	2025	40	190	50	0	20	300	1471
9	2026	70	215	60	0	20	365	1836
10	2027	70	215	70	0	20	375	2211
11	2028	70	205	75	1	20	371	2582
12	2029	55	175	50	2	20	302	2884
13	2030	40	155	40	2	20	257	3141
14	2031	40	115	25	1	20	201	3342
15	2032	30	75	17	1		123	3465
16	2033		25	10			35	3500
<b>TOTALS</b>		<b>435</b>	<b>2430</b>	<b>456</b>	<b>19</b>	<b>160</b>	<b>3500</b>	
<i>DCP Target</i>		<i>435</i>	<i>2430</i>	<i>460</i>	<i>15</i>	<i>160</i>	<i>3500</i>	

**Table 7: Indicative Employment and Retail/Commercial Development Program**

	Year	Employment Lands	Retail/Commercial Lands
	Calendar Target		
1	2018		
2	2019		
3	2020		
4	2021		
5	2022		
6	2023		
7	2024		
8	2025		6,000m <sup>2</sup> GLFA*
9	2026		
10	2027		
11	2028		
12	2029		8,000m <sup>2</sup> GLFA
13	2030	10 hectares	
14	2031	10 hectares	
15	2032	9 hectares	6,000m <sup>2</sup> GLFA
16	2033		
<b>Total</b>		29 hectares	20,000m <sup>2</sup> GLFA

\*Gross Leasable Floor Area

The data in Tables 6 and 7 are an indication of the projected staging only. The roll-out of development over time will be dependent on a number of factors, including market demand and the timing of extensions to infrastructure and services. The program has been prepared in response to strategic level information and will evolve as development occurs. Changes to the program may impact on the sequencing and timing of the delivery of facilities addressed by this Plan. Lot programming and facility staging will be regularly reviewed and such reviews may result in amendments to the Plan.

The program for delivery of facilities under this Plan is set out in the Work Schedules at Appendix H. As with the development program, the timing of the delivery of facilities is dependent on a wide range of factors including development take up and receipt of contributions.

## 4. Strategy Plans

This section sets out the strategies that Council intends to follow to cater to the needs of future population growth and development in the Menangle Park release area. It identifies the resulting demand for public services and facilities and the costs and timing of provision of the works that the council intends to provide to cater for that demand.

It is important to note that the release area will take some years to develop and planning for facilities at this stage of the development must recognise that population demands will vary over time. They may also possibly vary from the assumptions that are used to determine the contributions that are set out in this Plan. The Council will continually monitor population growth and demand, and where necessary, will appropriately adjust the facilities to ensure that the facilities are delivered to meet the demands of the population.

### 4.1 Community facilities

#### 4.1.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for community facilities as a result of the expected development of Menangle Park are documented in the Social Sustainability report prepared by Heather Nesbitt Planning (February 2010).

The Social Sustainability Report provides an assessment of existing community facilities and services currently provided in Menangle Park and the wider area. It notes that in general local community infrastructure is limited given the small existing population in Menangle Park and its location on the south-western border of the Campbelltown LGA. Existing residents use services and facilities in Campbelltown's southern suburbs together with services in the Campbelltown CBD and Macarthur Square and in the adjacent Wollondilly LGA.

In consulting with key stakeholder groups, a number of consistent social issues were raised:

- potential physical and social isolation of the proposed development including its lack of connection to established suburbs;
- limited capacity of some existing services in surrounding suburbs;
- likelihood that the future Menangle Park residents will be more culturally diverse than evident in Campbelltown City;
- concern that the proposed development will be a dormitory suburb resulting in poor social connections, limited community cohesion and poor community safety.

The report identified that, in the main, existing community services do not have the capacity to accommodate the demand generated by the proposed development. The exception to this is public schools in surrounding areas which have significant capacity for additional students with enrolments declining. Although spare capacity exists in schools in the surrounding area it was considered that the proposed development can support its own public primary school and that such a facility would play a significant role in community building. Accordingly a new public primary school was recommended for the development. In terms of high schools it was considered that children could be taken to existing schools in surrounding suburbs by bus and

that the development would not create sufficient demand to warrant provision of a new local high school.

To address the social issues raised in the report and to ensure a socially sustainable development is delivered for this new community, a social sustainability framework and objectives have been adopted for the new release area. These are detailed in the Social Sustainability Report.

#### Planning Standards

The use of service thresholds or standards alone to determine community infrastructure needs has been primarily discredited as they do not reflect the individual characteristics and needs of communities. They also do not guarantee provision as typically there are a myriad of social, environmental and economic factors which impact on the provision of infrastructure. Importantly the provision of built community infrastructure alone does not result in a socially sustainable development.

Issues which impact on service thresholds include:

- Differing socio-economic characteristics of an area;
- Influence of services available in the surrounding area;
- Competing priorities for government funding;
- Impact of issues such as transport nodes and major shopping centres on service demands;
- Slow land development rates which increase the time in which thresholds are reached;
- Innovative new models for service delivery.

Nevertheless service thresholds do provide one indicator of need and as such, can be used as an assessment tool with other indicators. They also provide a guideline through which the physical infrastructure needs of a new urban community can be broadly assessed.

The Social Sustainability Report includes a list of service thresholds often used for planning the provision of community infrastructure. These service thresholds have been considered together with the best practice social sustainability objectives established for Menangle Park in determining appropriate community infrastructure for the release area.

#### Facilities Required

In terms of facilities to be funded through Section 94 contributions, the Social Sustainability Report and Addendum identify the need for community facilities to support these social sustainability measures. The report recommends that the following local community infrastructure be funded through Section 94 Contributions:

- Community centre, and
- Outside school hours centre (in association with primary public school to be funded by the NSW Government/Special Infrastructure Contribution).

However, where the \$20,000 cap is to be exceeded, under the IPART guidelines Section 94 Contributions may only be sought for the land component of any community facility.

Council has made provision for the acquisition of land sufficient to deliver a minimum 500m<sup>2</sup> facility as recommended by the GHD 2016 Report. While this size of facility is not ideal, Council considers that it is of a sufficient size for it to be able to deliver a range of community programs.

Land to be acquired for the community facility will be funded through section 94 contributions. A total site area of 13,700m<sup>2</sup> is proposed for the facility which will accommodate the community facility, at grade parking and an area for outdoor community activities. The size of the site will also enable the community facility to be expanded in the future when funds become available.

#### **4.1.2 What is the strategy for delivering facilities?**

Council will require contributions from developers under this Plan toward provision of the facilities and services identified in this Plan. These contributions may be in the form of monetary contributions, works in kind, land dedications, or a combination of these.

The Menangle Park Structure Plan has nominated a site adjacent to the playing fields for the location of the community centre. Its location adjacent to the playing fields means that the facility can also be used in conjunction with recreation activities.

It is intended that the community facility will be provided in Year 10 of the development.

Where alternatives to the works schedule are proposed in conjunction with the development of land and the alternatives are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

The proposed location of the community facilities is shown in Figure 3.

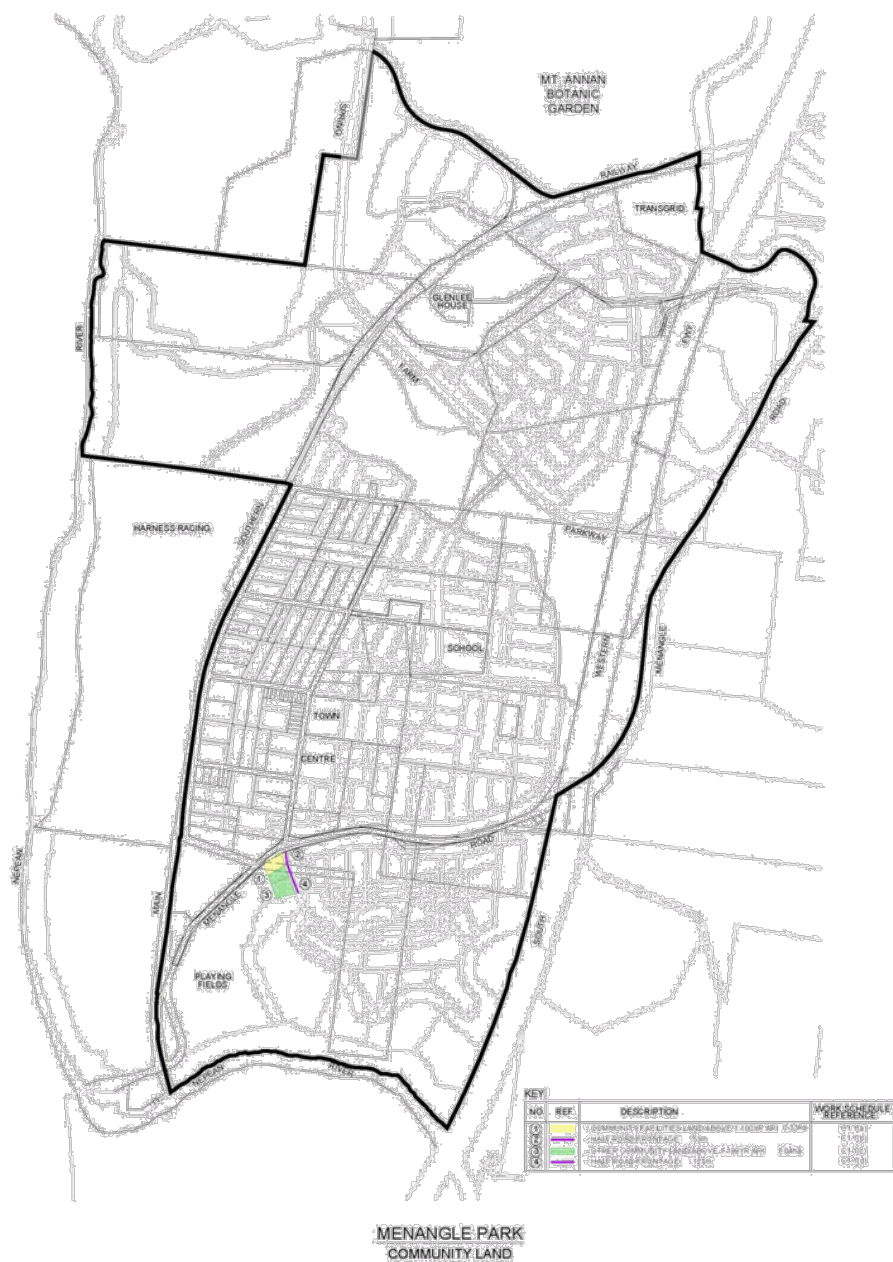


Figure 3: Proposed location of community facility



#### 4.1.3 How are the contributions calculated?

Contributions will be collected from residential development toward acquisition of land for the community facility as identified under this Plan (refer discussion in Section 4.1.1).

As workers in the employment areas are unlikely to significantly increase the demand for community facilities within the release area, no contributions are to be collected from employment development towards community facilities.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person (\$)} = \frac{\sum (C)}{P}$$

Where:

C = the estimated cost of acquiring land for the community facility (refer Appendix H – works schedule)

P = the contribution catchment (in persons) attributable to each facility (refer Appendix H – works schedule)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the assumed average household occupancy rates included in Table 4.

#### 4.1.4 How is cost apportionment determined?

The contribution catchment for community facilities is the expected additional resident population for Menangle Park. The community facilities are required to meet the demand generated by the additional resident population rather than the existing community.

Facilities included in this Plan have been sized to reflect the demand generated by the population attributable to the expected residential development. Although there is likely to be some demand for the facilities generated by employees working at Menangle Park but living outside the area, this Plan has not quantified this demand. As a result, the cost of facilities identified in this Plan has not been apportioned to the population attributable to expected non residential development in the release area.

## 4.2 Open space

### 4.2.1 What is the relationship between the expected types of development and the demand for additional public facilities?

The requirements for open space and recreation facilities as a result of the expected development of Menangle Park are documented in the Social Sustainability Report prepared by Heather Nesbitt Planning (February 2010) and Addendum by GHD (2016).

Key characteristics of existing recreation and open space facilities and services in the area are as follows:

- the only major open space in Menangle Park is on the Nepean River (Menangle River Reserve).
- there are 11 sporting grounds with a total of 13 playing fields located in southern Campbelltown but these are all located outside of Menangle Park;
- services in the area for young people are already inadequate and there is an identified need for informal youth recreation facilities in the LGA including basketball courts, cycleways, rollerblading tracks etc;
- the study area has a large expanse of flood-labile land which has agricultural, recreation and lifestyle potential. However, if given over to public ownership this large area of land will have high operational and maintenance costs in an area which already has a large amount of land in public ownership e.g. Georges River foreshore, Mt Annan Botanic Gardens and Western Sydney Regional Parklands.

The Social Sustainability Report and Addendum note that there is limited provision of recreation infrastructure in Menangle Park and no existing capacity to meet the needs of the incoming population. The report therefore recommends the following recreation facilities should be provided at Menangle Park to be funded through Section 94 Contributions:

- passive open space;
- active open space; and
- informal youth recreation facilities.

However, only land for open space and base level embellishment may be funded through section 94 contributions where the \$20,000 cap is to be exceeded. As a result, the proposed informal youth recreation facilities are not included in this contributions plan.

This Plan documents the open space and recreation facilities requirements pertaining to expected development of Menangle Park.

These facilities are in addition to other facilities including tennis courts and indoor sports courts which are proposed to be funded via the private sector and/or not-for-profit sector.

#### Planning standards and principles

The amount of land required for local open space and recreation facilities in Menangle Park has been determined on the basis of a needs analysis having regard to a range of standards applied to development. The standards that were considered as part of the needs assessment included the following:

- the existing provision of open space in the Campbelltown LGA of approximately 9 hectares per 1,000 persons<sup>2</sup> (excluding regional open space);
- open space and recreation provided at a rate of 2.83 hectares per 1,000 people (Growth Centres Development Code standard).

In determining an appropriate level of local open space provision, the needs assessment also had regard to the following principles:

- the type of facilities to be provided;
- the quality of facilities to be provided;
- recognition that passive open space can be provided in areas which have conservation value;
- collocation of open space with community facilities;
- locating different open space and recreation facilities together and in central locations; and
- flexibility in use of open space areas and recreation facilities.

A total of 31.37 hectares of open space is to be funded through section 94 contributions. This will result in open space provision at a rate of 3.19 hectares per 1,000 people which is slightly higher than the general standard of 2.83 hectares. However, it is considered that this rate of provision is reasonable given the very high provision currently enjoyed by Campbelltown residents generally (9ha per 1,000 persons). It is also considered that the proposed provision will be sufficient open space to meet the needs of the future residential community of Menangle Park, having regard to its location, configuration and proposed embellishment.

#### Facilities required

On the basis of the principles and standards discussed above, open space and recreation facilities to be funded through Section 94 Contributions are shown in Table 8.

**Table 8: Required Open Space and Recreation Facilities**

Open Space and Recreation Infrastructure Required	Specific Requirements
Local Parks	Four local parks at a minimum 0.5ha usable site area within 400m walking circle of all residents
Playing Fields	1 oval, practice field, multi use courts and playground
District Park	A network of district park land for passive recreation purposes

#### Base Level Embellishment

This Contributions Plan makes provision for base level embellishment of open space in accordance with the revised IPART definition of "essential works". It is noted that the definition of "base level embellishment" in the IPART Practice Note was amended by the former Minister for Planning on 1 March 2011 as follows:

*Base level embellishment of open space is considered to be those works required to bring open space up to a level where the site is secure and suitable for passive and active recreation. This may include:*

- *site regrading*

<sup>2</sup> Glenfield Road Section 94 Contributions Plan, p.24

- *utilities servicing*
- *basic landscaping (turfing, asphalt\* and other synthetic playing surfaces planting, paths)*
- *drainage and irrigation*
- *basic park structures and equipment (park furniture, toilet facilities and change rooms, shade structures and play equipment)*
- *security lighting and local sports field floodlighting*
- *sports fields, tennis courts, netball courts, basketball courts (outdoor only), but does not include skate parks, BMX tracks and the like.*

\*Note: 'asphalt' (under 'basic landscaping') includes at-grade carpark to the extent that they service the recreation area only and does not include multi-storey carpark.

Concept designs for the local parks, district parks and playing fields have been prepared and are provided at Appendix B. The designs provide for base level embellishment in accordance with the amended definition. The cost of the proposed open space embellishment has been independently assessed by quantity surveyors, WT Partnership, and these costs have been included in the Open Space Work Schedules at Appendix A.

#### **4.2.2 What is the strategy for delivering facilities?**

Council will require contributions from developers under this Plan toward provision of the facilities and services identified in this Plan. These contributions may be in the form of monetary contributions, works in kind, land dedications, or a combination of these.

The proposed location of the open space is shown in Figure 4.



Figure 4: Proposed location of open space

All facilities will be developed in a manner that allows the facilities to serve the local needs generated by the population of the release area.

Preliminary design concepts for the facilities have been prepared for the purposes of this Contributions Plan. More detailed designs will be prepared so that specification and costing of the facilities can be more accurately defined as implementation of this Plan proceeds. This may result in amendment of this Plan.

Where alternatives to the works schedule are proposed in conjunction with the development of land and the alternatives are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

#### **4.2.3 How are the contributions calculated?**

Contributions will be collected from residential development toward open space and recreation facilities identified under this Plan.

As workers in the employment areas are unlikely to significantly increase the demand for open space and recreation facilities within the release area, no contributions are to be collected from employment development towards open space and recreation facilities.

The monetary contribution per person is calculated as follows:

$$\text{Contribution per person (\$)} = \frac{\sum (C)}{P}$$

Where:

C = the estimated cost – or if the facility has been completed, the actual cost – of providing each of the open space and recreation facilities (refer Appendix H – works schedule)

P = the contribution catchment (in persons) attributable to each facility (refer Appendix H – works schedule)

The monetary contribution for different residential development types is determined by multiplying the contribution per person by the assumed average household occupancy rates included in Table 4.

#### **4.2.4 How is cost apportionment determined?**

The contribution catchment for open space and recreation facilities is the expected additional resident population for Menangle Park. These facilities are required to meet the demand generated by the additional resident population rather than the existing community.

Facilities included in this Plan have been sized to reflect the demand generated by the population attributable to the expected residential development. Although there is likely to be some demand for the facilities generated by employees working at Menangle Park but living outside the area, this Plan has not quantified this demand. As a result, the cost of facilities identified in this Plan has not been apportioned to the population attributable to expected non residential development in the release area.

### **4.3 Water cycle management facilities**

#### **4.3.1 What is the relationship between the expected types of development and the demand for additional public facilities?**

The existing and future stormwater drainage conditions and strategies have been documented in the following reports:

- *Report for Menangle Park Flood Study (Nepean River)*, GHD (Sept 2008 Rev 4);
- *Menangle Park LES Local Flooding and Stormwater Quantity Management (Detention)*, GHD, May 2010;
- *Menangle Park WSUD Strategy*, AECOM, June 2010;
- GHD letter dated 5 July 2011 which includes an update of the cost schedules from the GHD May 2010 report;
- *Review of Drainage Options*, GHD, October 2011.

The existing drainage system is characterised as follows:

- The Nepean River bounds the site to the west and receives discharge from all drainage systems on the Menangle Park site. A large portion of the site includes the Nepean River and its floodplain;
- at present, the areas of residential development on site are not serviced by sewer and the presence of septic systems is having some impact on water quality. There are also stock and horses on site which may also contribute to faecal coliform contamination as well as suspended solids and nutrients from runoff;
- In terms of topography the site has three distinct drainage creek valleys draining roughly east to west and discharging into the Nepean River. Approximately 60 to 70% of the site is located in reasonably steep terrain with slopes in excess of 2 to 3 %.
- Creek slopes are flat (less than 1%) in the Nepean River floodplain, generally to the west of the Main Southern Railway, and Nepean River flood levels and backwater effects dominate flooding in this area;
- the site hydrology will be significantly impacted by urban development due to an increase in impervious areas limiting infiltration and increasing the frequency and intensity of runoff events;
- Salinity is a potential issue, particularly in the vicinity of the more elevated drainage lines in the north and south of the site.

Without adequate stormwater management measures, urban development at Menangle Park may have the following impacts:

- increased stormwater runoff, which could impact sensitive downstream habitats in terms of flushing regimes (frequency, volume and rate), water quality and wetting cycles;
- reduction in rainfall infiltration and decreased groundwater recharge; and
- disturbance of groundwater flow due to site compaction, fill, landform reshaping and underground structures.

A comprehensive water cycle management strategy will be required to ensure that both stormwater quantity and quality is not adversely impacted by the anticipated development at Menangle Park.

The objectives of this strategy are:

- to protect and enhance natural water systems in urban developments;
- to integrate stormwater treatment into the landscape by incorporating multiple-use corridors that maximise the visual and recreational amenity of the development;
- to manage water quality draining from the development;
- to reduce runoff and peak flows from developments by employing local detention measures, minimising impervious areas and maximising re-use; and
- to add value while minimising drainage infrastructure development costs.

The main elements of the water cycle management strategy for Menangle Park comprise the following:

- upgrading and/or stabilisation of existing open channels to convey flows up to the 100-year ARI event;
- detention/bio-retention basins at key locations to treat the quantity and quality of stormwater flows. These systems would essentially comprise a dry basin (to provide detention function) combined with bio-retention (to provide water quality treatment function) situated in the invert of the basin.
- additional wetlands and bio retention systems as necessary to meet water quality discharge targets.
- rainwater tanks throughout, as required and as appropriate.

A range of strategies to address potable mains water conservation and reduction in wastewater discharge from the site are also incorporated in the water cycle management strategy. A stretch target of a 65% reduction on the BASIX benchmark is proposed that moves beyond minimum compliance with BASIX. Adopting this stretch target for potable water conservation is considered appropriate for the Menangle Park site, to demonstrate more sustainable development.

#### **4.3.2 What is the strategy for delivering facilities?**

The drainage strategy requires a combination of detention basins, water quality treatment measures and floodway stabilisation measures to safely convey stormwater runoff through the development and discharge it into the Nepean River.

In recognition of the \$20,000 cap and the relatively unique site characteristics, the drainage strategy has been developed to minimise the number of detention basins. It also involves utilising and stabilising the natural floodways through the development (refer Appendix E) to accommodate stormwater flows. This approach makes full utilisation of existing on site resources and reduces the capital cost of implementing the drainage strategy by around 50%. It also has the benefits of enhancing environmental benefits and minimising ongoing operational costs.

Details of the costs and timing of the range of water cycle management facilities to be addressed through section 94 contributions are included in the Works Schedule at Appendix H to this Plan. The different types of water cycle management facilities and their location are shown in Figure 5.



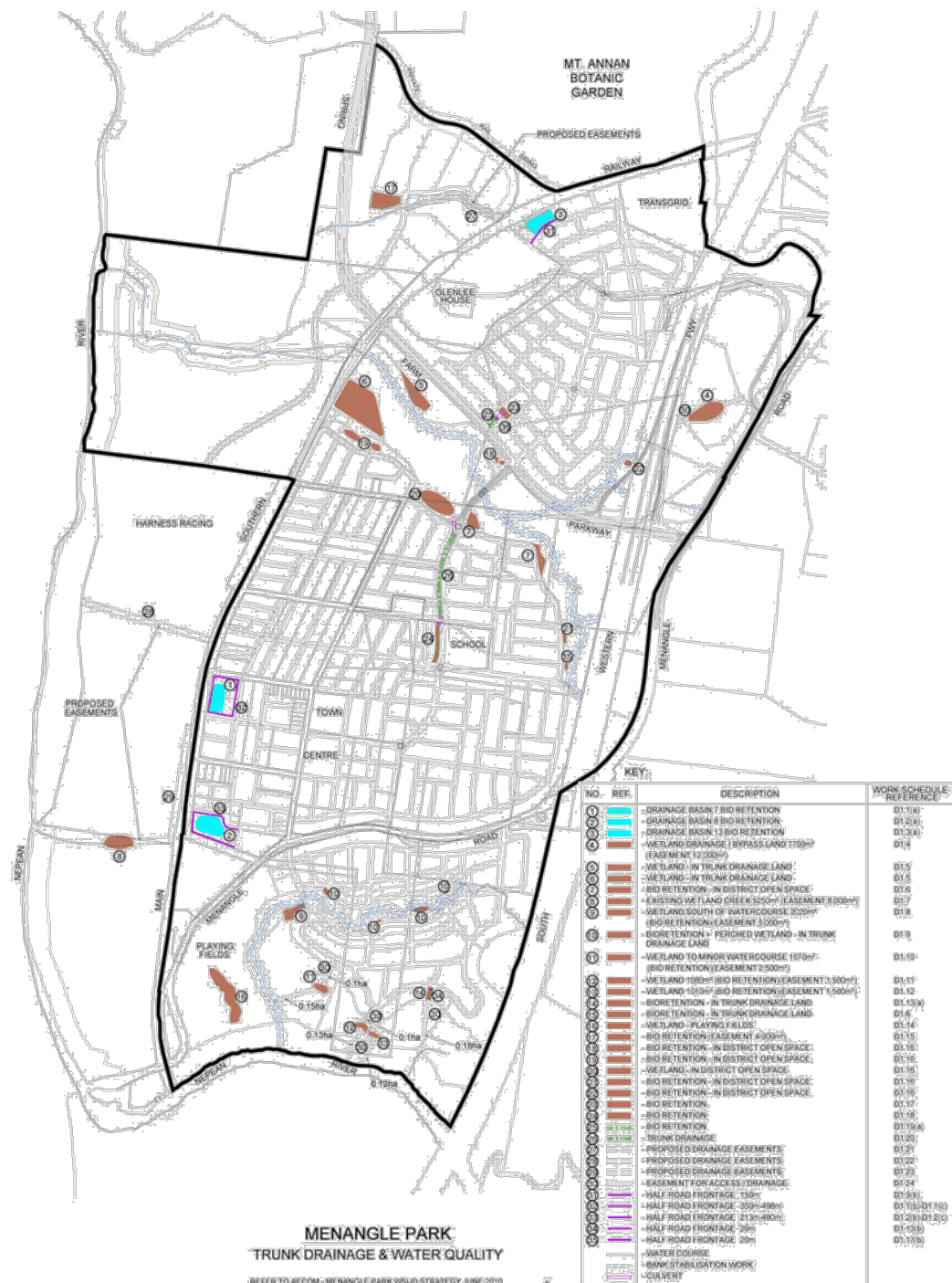


Figure 5: Water Cycle Management Facilities

GHD has proposed trunk drainage channels at a number of locations. These are proposed to be naturalised open channel systems, which could be designed to treat water quality with low capital and maintenance costs.

Water quality treatments along arterial roads are not considered. These treatment measures have been incorporated into Section 94 costings for the relevant roadworks.

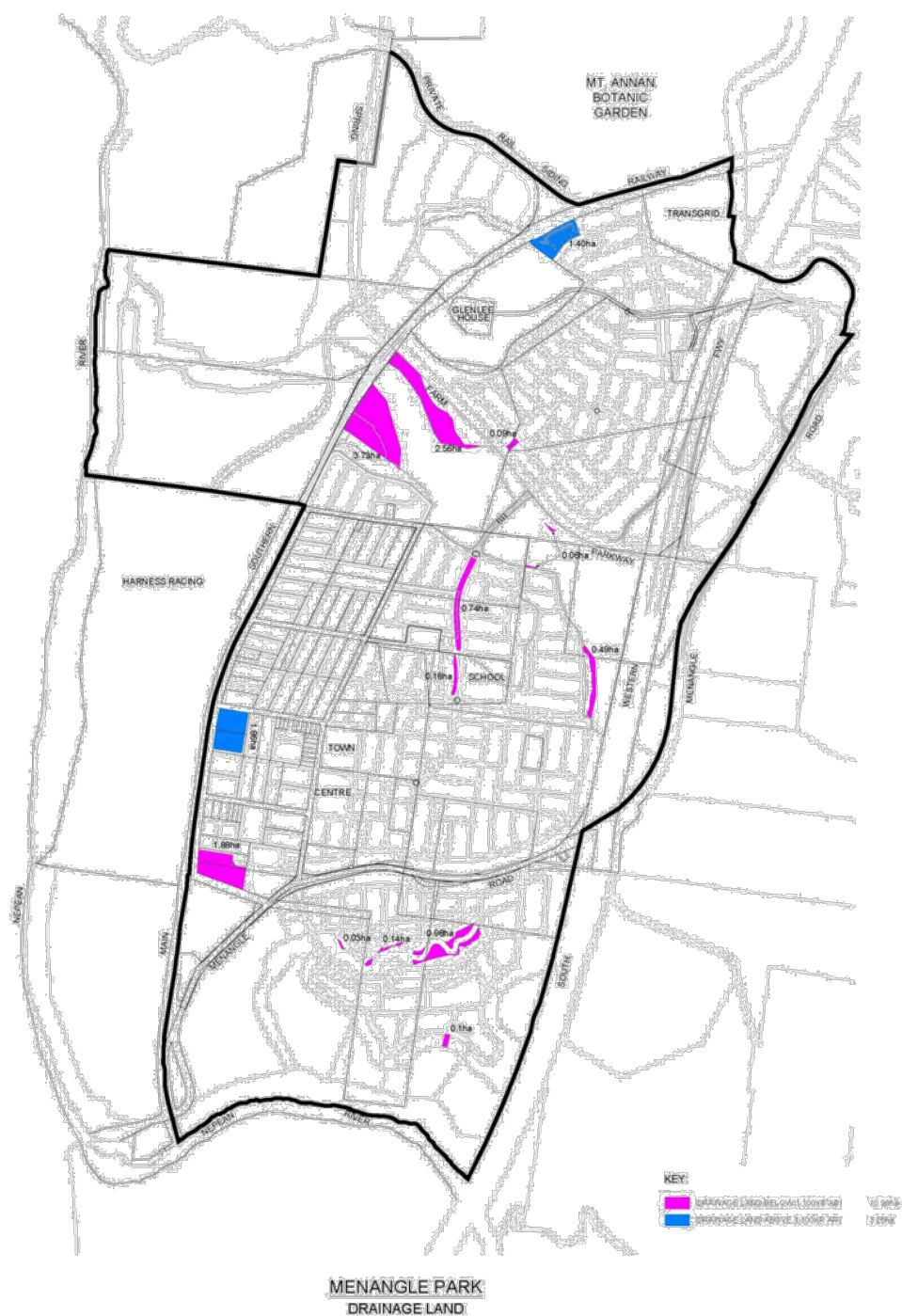
Council will require contributions from developers under this Plan toward provision of the facilities and services. Although land within and around the Menangle Park village is relatively fragmented, elsewhere the relatively unfragmented land ownership arrangement and the probability that development staging will be controlled by a few developers suggest that developer provision of the works will be the most efficient outcome. The provision of water cycle management works identified in this Plan as works-in-kind in conjunction with the civil works undertaken as part of land subdivision is considered the most efficient approach to providing these facilities.

A range of water cycle management facilities not included in this Plan will be required by Council to be undertaken directly by the developer as conditions of consent under section 80A(1)(f) of the EPA Act. The facilities may include lot-scale OSD basins, construction of kerb, gutter and piping in local roads, installation of drainage pits and grates, and pipe connections to the trunk drainage network.

The water cycle management strategies proposed for Menangle Park are based on strategic information. It is possible that, as the planning process for the different development stages proceeds, modified and more cost effective solutions that still meet the strategy objectives may be developed.

Where alternatives to the works identified in this Plan are proposed in conjunction with the development of sub-precincts and are approved by the Council, the development contribution applicable to a development the subject of a development application may be reviewed, or the works schedule in this Plan updated, or both.

A portion of the water cycle management facilities (specifically water quality measures) will be implemented within the district open space land in recognition of the dual water cycle and passive recreation benefits of these facilities. The drainage land for acquisition is shown in Figure 6.



**Figure 6: Drainage land (NB: land coloured pink is land to be acquired under this plan for trunk drainage purposes)**

#### 4.3.3 How are the contributions calculated?

Contributions for drainage are determined on a per hectare of net developable land basis. A per person approach to drainage is not reasonable as this base does not relate to the facility.

$$\text{Contribution per hectare of net developable land (\$)} = \sum \left( \frac{C}{NDA} \right)$$

Where:

**C** = the estimated cost of providing the water cycle management facilities within the release area (refer Appendix H – works schedule).

**NDA** = the total area of net developable land within the release area (in hectares) as shown in Appendix H – works schedule.

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) on the site the subject of the proposed development.

#### 4.3.4 How is cost apportionment determined?

Expected development in Menangle Park will solely generate the demand for the water cycle management works included in the works schedule, Appendix H. Therefore the full cost of the works will be met by expected development in Menangle Park.

#### **4.4 Transport management facilities**

##### **4.4.1 What is the relationship between the expected types of development and the demand for additional public facilities?**

The existing and future transport network and strategies have been documented in the *Menangle Park Transport Management and Accessibility Plan* (TMAP) prepared by AECOM (June 2010) and updated to reflect changes to the microsimulation model (VISSIM) since that time, refer AECOM (June 2016).

Existing transport conditions in Menangle Park reflect the rural nature of the locality. The existing road network within the study area comprises Menangle Road, a two-way two-lane rural arterial, along with a number of smaller local roads, primarily providing access within Menangle Park village. The local roads are of rural standard, typically 20 metres wide and laid out in a grid pattern.

There are a limited number of rail services provided to Menangle Park. Electrification of the rail line ceases to the south of Macarthur Station and services to Menangle Park are provided by diesel trains on the Southern Highlands Line.

Menangle Park Station is a rural station. Pedestrian connectivity to the local area from the station is minimal.

Similarly, there are limited bus services currently servicing Menangle Park. The study area is currently serviced by Busabout route 889 from Menangle to Campbelltown. Six services are provided each weekday and two on Saturdays, with no services operating on Sundays or public holidays.

Existing infrastructure for pedestrians is also limited in the Menangle Park area, reflecting the low number of residents that currently live in Menangle Park and the rural nature of the area. Footpaths are not provided on local roads and there are a number of other constraints to walking including barriers to pedestrian activity caused by topography, the freeway and rail line.

In summary, the review of existing transport conditions in the draft TMAP has noted a number of constraints in the local area, including:

- limited existing pedestrian facilities;
- barriers to pedestrian and cycle activity caused by topography, the freeway and rail line;
- high traffic volumes on cycle routes;
- low bus mode share, caused in part by low permeability of local communities, restricting access to public transport;
- lack of electrification between Menangle Park and Macarthur Interchange;
- some road links approaching capacity, in particular Narellan Road north of the F5/M5 corridor;
- limited peak period capacity at intersections in the Macarthur and Campbelltown centres; and
- relatively high levels of car use in the region.

On the basis of the forecast trips generated by the proposed development and the output from the traffic model, the TMAP recommends that a package of measures be introduced. The focus of the TMAP is to promote and achieve improved walking, cycling and public transport use in the area around Menangle Park to meet NSW Government objectives for sustainable travel and environmental impacts. In particular, the TMAP aims to provide an integrated transport network which offers a choice of travel mode.

The assumptions regarding future development, the methodology to determine the required transport facilities and the scope and specification of those facilities are contained in the TMAP.

The recommended measures include:

- Policy measures aimed at increasing levels of pedestrian and cycle movements through a comprehensive transport policy that deals with all modes, not just cars.
- Transport service improvements, including increased rail services from Macarthur Interchange and from Menangle Park, together with an integrated package of bus service improvements that are responsive to the development of the site.
- Infrastructure improvements to provide easy pedestrian and cyclist access to Macarthur via a connection to the Regional Cycleway, together with cycle parking and comprehensive directional signage.
- Public transport infrastructure, such as public transport priority at key intersections, a public transport spine within the site and the upgrade of Macarthur Interchange to better facilitate transfers between bus and rail.
- Public transport information, such as comprehensive timetable information on all stops and key retail locations, together with a community intranet.
- Road network improvements within Macarthur to widen selected links and to provide intersection improvements at key locations.

#### **4.4.2 What is the strategy for delivering facilities?**

##### Section 94 Facilities

Transport works that are to be funded in part or full by section 94 contributions under this plan are as follows:

- upgrading of existing collector roads and construction of new collector roads,
- upgrading/construction of intersections;
- public transport facilities (including bus shelters and bus priority measures at intersections); and
- cycling facilities.

The need for transport facilities at Menangle Park arises not only from new residential development but also new retail/commercial activity. As a result, contributions will be sought from both land use sectors towards the provision of transport facilities at Menangle Park. In addition, the Plan already makes provision for the upgrade of local roads to collector standard and it is these roads that the retail / commercial traffic would utilise.



Details of the costs and timing of individual transport measures to be addressed through section 94 contributions are included in the Works Schedule at Appendix H to this Plan. The location of these works is shown in Figure 7.

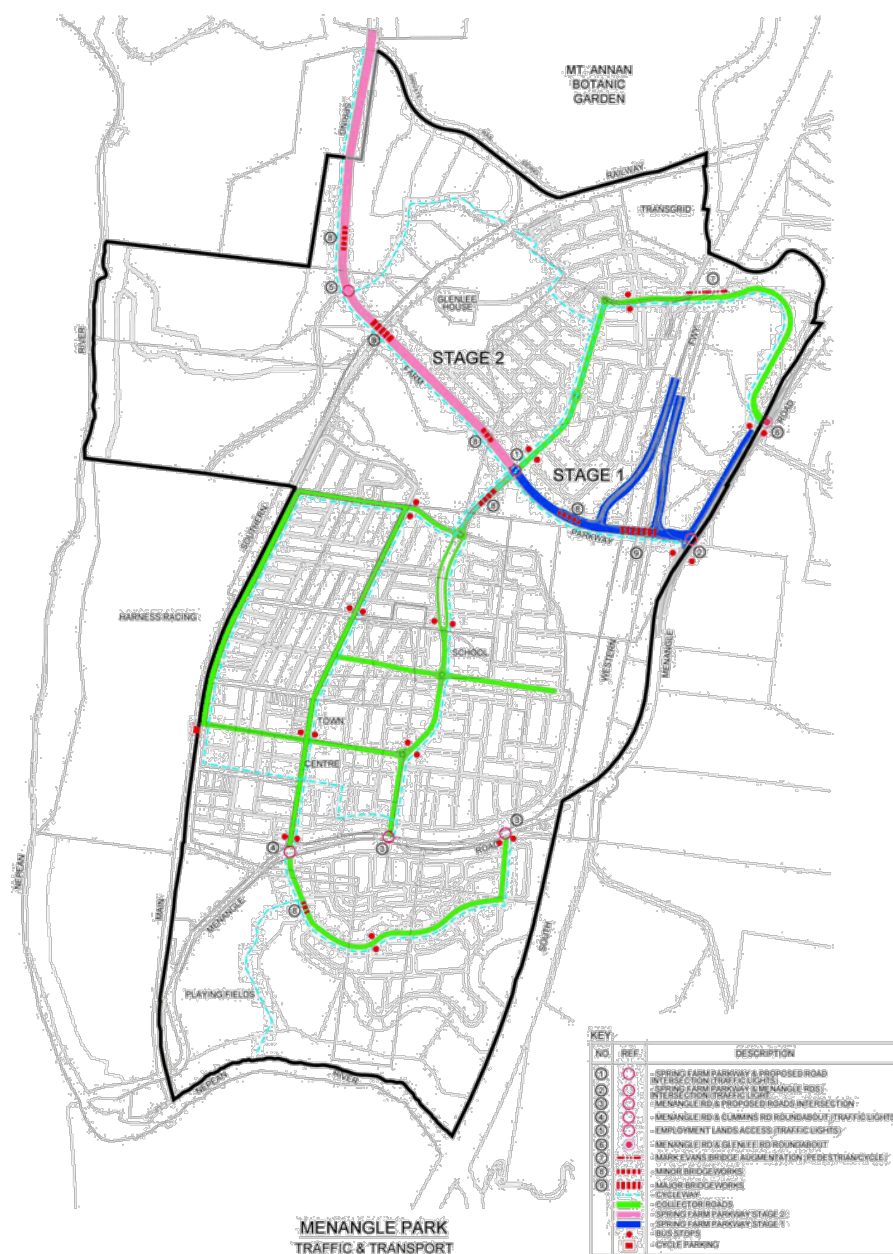


Figure 7: Proposed Location of Transport Facilities

#### Regional facilities

Some of the transport measures needed to meet demand arising from the urban development of Menangle Park will also meet regional demand extending beyond the boundary of the release area. These works include arterial road links, improvements in regional public transport facilities and services (e.g. upgrading of rail and bus interchanges) and regional cycleways.

Regional transport facilities will need to be delivered either via direct funding from relevant NSW Government agencies (e.g. Roads and Maritime Services, RailCorp), or through imposition of a special infrastructure contribution (SIC) or a mixture of both.

As noted in Section 1.9 the NSW State Government has committed \$30 million toward the construction of Stage One of Spring Farm Parkway, forming part of the regional funding strategy.

A number of the traffic improvements required to meet the resident and workforce needs at Menangle Park will also meet regional traffic needs. This is reflected in the apportionment of costs for the traffic works (refer discussion in Section 1.9). It is intended that funding for the regional component of the works will be via the regional funding strategy.

#### Local facilities

Local roadworks that are not to be levied for under Section 94 and that are required to facilitate subdivision of land (i.e. to fulfil demand being generated directly as a result of the development) will be provided by the developer through a Voluntary Planning Agreement or the Council placing conditions of development consent on development approvals that occasion the need for the facilities. Conditions of consent for these types of local works are imposed under section 80A(1)(f) of the EP&A Act.

Such facilities may include:

- local roads, footpaths and street tree planting not addressed by this Plan and located within or adjacent to proposed subdivisions; and
- traffic management devices and treatments on local roads (both temporary and permanent) required to provide safe and convenient access to the development.

The integrated use of the different contributions mechanisms under the EP&A Act will result in the transport infrastructure that is required as a consequence of the expected development in the Menangle Park release area being provided.

#### **4.4.3 How are the contributions calculated?**

The contributions for transport facilities have been calculated on a trip generation basis. This approach was considered preferable to other approaches given that the Menangle Park release area includes a range of different land uses (i.e. residential and retail/commercial) generating different trip generation rates and therefore different transport impacts.

The TMAP<sup>3</sup> estimated travel demand for the different land use categories in the AM peak hour as follows:

- Residential – 2,316 vehicle trips
- Employment – 1,500 vehicle trips

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<sup>3</sup> Refer discussion in Section 7.3 of TMAP



- Retail – 895 vehicle trips.

However, since the TMAP was prepared, the lot estimate and future population of the release area has been revised. As a result, the trip estimates have also been revised as follows:

- Based on the revised estimated population of 9,828 persons, the total number of residential vehicle trips in the AM peak hour is estimated at 2,440. This has been calculated as follows:

<i>Calculate average trips per person to establish site trips</i>	$3.77 \times 9828 = 37,051$
<i>Apply percentage of trips in the AM period</i>	$21.2\% \times 37,051 = 7,855$
<i>Apply percentage trips in the AM Peak hour</i>	$40\% \times 7,855 = 3,142$
<i>Apply percentage trips by car</i>	$79\% \times 3,142 = 2,482$

The contributions towards the cost of the local component of the Spring Farm Parkway have been calculated in accordance with the above percentage breakdown.

The following contribution formula therefore applies to all development:

$$\text{Contribution per trip (\$)} = \frac{\sum (C)}{PW}$$

Where:

- C = the estimated cost – or if the facility has been completed, the actual cost – of providing each of the open space and recreation facilities (refer Appendix H – works schedule)
- PW = the contribution catchment attributable to each facility (refer Appendix H – works schedule). The contribution catchments are:
- Residential development – per lot type
  - Retail/commercial – per 100m<sup>2</sup> of Gross Floor Area

The resultant contribution rates for roads and traffic management facilities are set out in the Works Schedule at Appendix H.

#### 4.4.4 How is cost apportionment determined?

Apportionment aims to ensure that development is only charged for the portion of demand (i.e. cost) that it actually creates. DPE notes (in its Section 94 manual) that full cost recovery (i.e. no apportionment) can only be used where the public facility is provided to meet the level of demand anticipated by new development only and there is no facility or spare capacity available in the area.

If the proposed public facility satisfies not only the demand of new development, but also some regional demand, demand by people from outside the area, or makes up for some existing deficiency, only the portion of demand created by new development can be charged.

These principles are obviously important to the apportionment methodology for the Menangle Park Urban Release Area. Apportionment is particularly important in this case because there are diverse ownerships, a range of development intentions, and many Government agencies

(including Campbelltown and Camden Councils) with direct interests in the transport and land use outcomes in the vicinity of the site.

The basic principles underlying the methodology for apportionment are:

- developers of land should be required to contribute to the extent necessary to ameliorate the impacts generated by their development;
- growth in background levels of demand for facilities and infrastructure should be met by government, either local or State, depending on the traditional allocation of responsibilities;
- where commercial operators can be expected to benefit from increased patronage, they should be expected to contribute (where practical) to the provision of infrastructure which makes new services and patronage possible;
- the scale of the proposed Menangle Park development is anticipated to have some regional or at least sub-regional transport impacts, so there will be a need for developers to contribute to some extent to the delivery of regional infrastructure.

The apportionment methodology for each of the transport infrastructure items is provided in Table 9 below.

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Table 9: Apportionment Methodology

TRANSPORT FACILITY	APPORTIONMENT CONSIDERATION
<b>On Site Works</b>	Footpaths, cycleways and local road network within the development, will be funded by the proponent as well as through Section 94 Contributions.
<b>Widening of Menangle Road (Glenlee Road to Gilchrist Drive)</b>	The strategic traffic model and traffic generation analyses indicate that during the morning peak hour, 51 per cent of the traffic likely to utilise the road are generated by the Menangle Park development. This represents the regional infrastructure component attributable to Menangle Park. The balance is to be funded by Government.
<b>Cycle Parking at Menangle Station</b>	As the provider of all rail infrastructure, it is assumed that RailCorp would meet 100% of the cost of these works and will benefit from increased patronage as a result.
<b>Connection to Regional Cycleways</b>	The cost of a connection will need to be met by the development as it provides for access between the site and Macarthur/ Camden.
<b>Macarthur Rail Interchange</b>	The design of the rail interchange has commenced, funding has been allocated from other sources and construction will commence prior to development of the site. It has therefore been assumed that the release area will not contribute towards these costs.
<b>Rail – Increased Service Frequencies</b>	The Clearways Program, including provision of an additional platform at Macarthur and increased service frequencies, has commenced and funding has been allocated from other sources. It has therefore been assumed that the release area will not contribute towards these costs.
<b>Bus Stops</b>	The cost of providing bus stops within the site has been apportioned in full to the release area.
<b>Bus – Increased Service Frequencies</b>	The DPE Special Infrastructure Contribution Western Sydney Growth Areas nominates that the Special Infrastructure Contribution will provide for 50% of the infrastructure cost with the balance being funded by Government. The costs associated with the provision of increased peak period bus services to the site is expected to be funded through a combination of the Special Infrastructure Contribution and the State Government.

#### **4.5 Plan Preparation Costs**

##### **4.5.1 Plan preparation**

The specialist studies required to inform preparation of this Contributions Plan are extensive and have involved significant cost. The list of studies and associated costs are provided at Appendix H in the Works Schedule. In accordance with the DIPNR *Development Contributions Practice Notes – July 2005*, it is proposed that contributions will be sought towards the costs of undertaking these studies.

##### **4.5.2 Schedule of works and cost estimates**

The specific costs described above are detailed in the Works Schedule at Appendix H.

##### **4.5.3 How are the contributions calculated?**

Contributions will be collected from all development toward plan preparation costs on a net developable area basis.

The monetary contribution per net developable area is calculated as follows:

$$\text{Contribution per net developable area (\$)} = \frac{\sum (C)}{P}$$

Where:

C = the cost of plan preparation (refer Appendix H – works schedule)

P = the contribution catchment (net developable area) attributable to each facility (refer Appendix H – works schedule)

To determine the total contribution that would apply to a proposed development, multiply the contribution rate by the amount of net developable land (in hectares) of the site the subject of the proposed development.

## 8.9 Demolition of existing structures and construction of a boarding house containing 14 boarding rooms - No. 13 Brooks Street Macquarie Fields

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

That development application 2549/2017/DA-BH for the demolition of existing structures and construction of a boarding house containing 14 boarding rooms at No. 13 Brooks Street Macquarie Fields be approved, subject to the conditions detailed in attachment 1 of this report.

### Purpose

To assist Council in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

This development application is required to be reported to Council due to the nature of the proposed development (boarding house) and the receipt of submissions from the occupants of nine properties as well as a petition against the proposal containing 83 signatures in response to the public exhibition and notification of the proposed development.

<b>Property Description</b>	Lot 86 DP 226591 13 Brooks Street, Macquarie Fields
<b>Application No</b>	2549/2017/DA-BH
<b>Applicant</b>	Michael Kitmiridis Architect
<b>Owner</b>	Mr Stephen John Kitmiridis
<b>Provisions</b>	State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy 55 – Remediation of Land State Environmental Planning Policy (Building Sustainability Index) 2004 Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan 2015

**Campbelltown 2027 Community Strategic Plan****Date Received**

11 August 2017

**Report**

A development application was lodged with Council on 11 August 2017 for the construction of a boarding house at No. 13 Brooks Street, Macquarie Fields. The site is located on the western side of Brooks Street, and currently contains a single storey dwelling. It has an area of 607sqm and is rectangular in shape. It is adjoined to the north, south and west by detached dwellings. To the east of the site across Brooks Street are Macquarie Fields Fire Station, Police Station, Ambulance Station, and Library/Neighbourhood Centre. Behind these buildings sits the Glenquarie Shopping Centre. The subject site as well as several streets surrounding the Glenquarie Shopping Centre were recently rezoned to R3 Medium Density Residential under the Campbelltown Local Environmental Plan 2015 from their previous zoning of 2(b) Residential B zone under the Campbelltown (Urban Area) Local Environmental Plan 2002.

The proposed boarding house would contain 14 boarding rooms over two stories. Each boarding room would contain its own kitchen and bathroom facilities. Two proposed accessible rooms would have their own laundry facilities however all other rooms would share a communal laundry located on the ground floor. The size of the proposed boarding rooms varies between 14sqm and 18sqm (excluding kitchens and bathrooms), and based on the sizes of the rooms, the boarding house would have a capacity of 19 persons. A communal living area is proposed on the ground floor, which would connect to a communal open space area at the rear of the site. The proposed boarding house would have three car parking spaces (including one accessible parking space) and three motorcycle parking spaces at the front of the site, and six wall-mounted bike racks within the ground floor hallway of the building.

**1. Vision****Campbelltown 2027 Community Strategic Plan**

Campbelltown 2027 is the Community Strategic Plan for the city of Campbelltown. Campbelltown 2027 addresses four key strategic outcomes that Council and other stakeholders will work to achieve over the next ten years:

- Outcome 1: A vibrant. Liveable city
- Outcome 2: A respected and protected natural environment
- Outcome 3: A thriving, attractive city
- Outcome 4: A successful city.

The key outcome relevant to the proposed development is Outcome 1: A vibrant, liveable city.

The strategic direction relevant to this application is:

- enable a range of housing choices to support different lifestyles

The application is consistent with the above strategies as the proposal would help to diversify Campbelltown's housing stock by providing a form of housing that is relatively scarce within the City.

## **2. Planning Provisions**

### **2.1 State Environmental Planning Policy (Affordable Rental Housing) 2009**

The proposed boarding house has been assessed against the relevant provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009. This assessment is presented below:

#### **Clause 26 - Land to which Division applies** (division of SEPP relating to boarding houses)

This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones:

- (a) Zone R1 General Residential
- (b) Zone R2 Low Density Residential
- (c) Zone R3 Medium Density Residential
- (d) Zone R4 High Density Residential
- (e) Zone B1 Neighbourhood Centre
- (f) Zone B2 Local Centre
- (g) Zone B4 Mixed Use

The subject site is located within the R3 Medium Density Residential Zone, which is listed above as being a zone within which this division of the Affordable Rental Housing SEPP applies. Therefore, this section of the SEPP applies to the subject land.

#### **Clause 27 - Development to which Division applies**

- (1) this Division applies to development, on land to which this Division applies, for the purposes of boarding houses.
- (2) despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.
- (3) despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone that is not in the Sydney region unless all or part of the development is within 400 metres walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use or within a land use zone that is equivalent to any of those zones.

This subject site is not located within the R2 Low Density zone, and is therefore not required to be located within an accessible area. Notwithstanding this, the subject site is located within an accessible area, as it is within 400 metres of a bus stop used by the 870, 871 and 872 bus routes, which serve the bus stop with more than one bus per hour throughout the week. A footpath is available to boarding house residents by crossing Brooks Street and proceeding south to the bus stop, which is located on the opposite side of Brooks Street.

**Clause 28 - Development may be carried out with consent**

Development to which this Division applies may be carried out with consent.

The proposed construction of a boarding house in the R3 Medium Density Residential Zone is permissible with consent.

**Clause 29 - Standards that cannot be used to refuse consent**

Clause 29 of the SEPP outlines a range of development standards, which, if the proposed development complies with, means that Council cannot refuse the application. An assessment of the proposal against these standards is outlined below:

- (1) A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor space ratio are not more than:
  - (a) the existing maximum floor space ratio for any form of residential accommodation permitted on the land, or

**Comment**

The maximum floor space ratio residential development that is permissible on the land (multi-dwelling housing) is 0.75:1. The proposed development has a floor space ratio of 0.74:1 and therefore complies with this standard.

- (b) if the development is on land within a zone in which no residential accommodation is permitted—the existing maximum floor space ratio for any form of development permitted on the land, or

**Comment**

This subclause is not applicable, as residential accommodation is permitted on the land.

- (c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register—the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:
    - (i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or
    - (ii) 20 per cent of the existing maximum floor space ratio, if the existing maximum floor space ratio is greater than 2.5:1.

**Comment**

The land is within the R3 Medium Density Residential Zone, within which residential flat buildings are not permitted, and therefore no floor space ratio bonus is applicable.

- (2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:
  - (a) building height



if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,

**Comment**

The maximum building height applicable to the site under Campbelltown Local Environmental Plan 2015 is 9 metres. The proposed boarding house would have a maximum height of 7.7 metres, and therefore complies with this standard.

(b) landscaped area

if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located

**Comment**

The proposed landscaping within the front setback of the proposed development is considered to be compatible with the streetscape of Brooks Street.

(c) solar access

where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of three hours direct sunlight between 9.00am and 3.00pm in mid-winter

**Comment**

The proposed communal living room would receive greater than three hours of direct sunlight between 9.00am and 3.00pm in mid-Winter.

(d) private open space

if at least the following private open space areas are provided (other than the front setback area):

- (i) one area of at least 20 square metres with a minimum dimension of 3.0 metres is provided for the use of the lodgers
- (ii) if accommodation is provided on site for a boarding house manager—one area of at least 8.0 square metres with a minimum dimension of 2.5 metres is provided adjacent to that accommodation

**Comment**

An area of private open space is proposed, which would exceed the minimum requirements of 20sqm with a width of 3 metres.

(e) parking

if:

- (i) in the case of development in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and
- (ii) in the case of development not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and
- (iii) in the case of any development—not more than 1.0 parking space is provided for each person employed in connection with the development and who is resident on site,

**Comment**

The subject site is located within an accessible area, as defined by the SEPP. Accordingly, a car parking rate of 0.2 spaces per boarding room is applicable. Based on the 14 boarding rooms, three car parking spaces are required, including one accessible car space. Three car parking spaces (including one accessible space) are proposed to be provided. An on-site manager would not be employed, so an extra car parking space is not required.

- (f) accommodation size

if each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least:

- (i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or
- (ii) 16 square metres in any other case.

**Comment**

All of the proposed boarding rooms would achieve the minimum size based on their intended capacity.

- (3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.

**Comment**

The proposed boarding house has private kitchen and bathroom facilities in each boarding room.

- (4) A consent authority may consent to development to which this division applies whether or not the development complies with the standards set out in subclause (1) or (2).

**Comment**

The proposal complies with all of the standards contained in subclauses (1) and (2).

**Clause 30 - Standards for boarding houses**

- (1) A consent authority must not consent to development to which this division applies unless it is satisfied of each of the following:

- (a) If a boarding house has five or more boarding rooms, at least one communal living room will be provided

**Comment**

The proposed boarding house has fourteen boarding rooms, and proposes to provide a communal living room.

- (b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 square metres

**Comment**

None of the proposed boarding rooms have a gross floor area of more than 25sqm.

- (c) no boarding room will be occupied by more than two adult lodgers

**Comment**

A condition of consent will be imposed requiring compliance with this sub-clause.

- (d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger

**Comment**

A private bathroom and kitchen facilities are to be provided within each boarding room.

- (e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager

**Comment**

The boarding house has the capacity to accommodate 19 lodgers, and therefore does not require a boarding house manager.

- (g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental planning instrument permits such a use

**Comment**

The proposed boarding house is not on land zoned primarily for commercial purposes.

- (h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every five boarding rooms.

**Comment**

Based on the fourteen boarding rooms proposed, three motorbike spaces and three bicycle spaces are required. Four motorbike parking spaces are proposed and a bike rack with a capacity of at least three bicycles would be provided.

**Clause 30A - Character of local area**

A consent authority must not consent to development to which this division applies unless it has taken into consideration whether the design of the development is compatible with the character of the local area.

An assessment of the proposal in terms of various aspects of its built form is outlined below:

- Building height – The height of the proposed boarding house is less than the numerical building height applicable (9 metres), and proposes two storeys, which is consistent and compatible with the height of other buildings within the vicinity of the site.
- Building bulk and scale/site coverage – The size of the building as measured by its floor space ratio is compliant with the provisions of the Affordable Housing SEPP, which requires a boarding house to comply with the maximum floor space ratio applicable for residential development permissible on the land. In this case, the maximum floor space ratio is 0.75:1, which the proposed development would comply with. The proposed building contains several protrusions and indentations, which reduce the perceived bulk of the building.

Under the Campbelltown (Sustainable City) Development Control Plan 2015, there is no site coverage ratio for residential buildings, however the site coverage of the proposed boarding house is consistent with the site coverage that a multi-dwelling development in the R3 Medium Density zone could achieve.

In this regard, the bulk, scale and site coverage of the proposed boarding house is considered to be compatible with the existing and future character of the local area.

- Setbacks – The setbacks of the proposed boarding house from front, side and rear boundaries are consistent with the setbacks specified under the Campbelltown (Sustainable City) Development Control Plan 2015 for boarding house developments.
- Architectural style/materials – The proposed boarding house has the appearance of a large two-storey dwelling, and would be visually compatible with surrounding dwellings. The external walls of the proposed building would be a mixture of exposed brick and rendered surfaces, and the façade would include several balcony balustrades. An architectural outcome similar to that proposed under this application would not be unexpected were a dwelling house or multi-dwelling development to be constructed on the site. The proposed boarding house would have a tiled roof, consistent with that of surrounding dwellings.
- Landscaping/Fencing – The proposed landscaping within the front setback of the proposed development is considered to be compatible with the streetscape of Brooks Street. The amount of impervious area proposed forward of the building line has been kept to the minimum needed to accommodate the required number of car parking spaces, and is reasonably consistent with that of surrounding dwellings.

Accordingly, it is considered that the design of the development is compatible with the character of the local area.

## **2.2 State Environmental Planning Policy 55 – Remediation of Land**

Pursuant to SEPP 55, a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. In this regard, there is no evidence to suggest that the subject land is contaminated, and the provisions of SEPP 55 are therefore satisfied.

## **2.3 State Environmental Planning Policy (Building Sustainability Index) 2004**

Whilst the BASIX SEPP applies to the whole of the State, a boarding house is not a BASIX affected building as defined by the SEPP. Therefore, an application for a boarding house is not required to be accompanied by a BASIX certificate.

## **2.4 Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment**

The Georges River REP applies to the City of Campbelltown. The general aims and objectives of this plan, which are of relevance to the application, are as follows:

- (a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the catchment.
- (b) to protect and enhance the environmental quality of the catchment for the benefit of all users through the management and use of the resources in the catchment in an ecologically sustainable manner.

The proposed development is consistent with these objectives.

## **2.5 Campbelltown Local Environmental Plan 2015**

### **Zoning/Permissibility**

The subject site is zoned R3 Medium Density Residential under the provisions of Campbelltown Local Environmental Plan 2015. The proposed development is defined as a boarding house, which is permissible within the R3 zone.

### **Zone objectives**

The proposal is consistent with the objectives of the R3 Medium Density zone, which are listed below:

- to provide for the housing needs of the community within a medium density residential environment
- to provide a variety of housing types within a medium density residential environment
- to enable other land uses that provide facilities or services to meet the day to day needs of residents
- to provide for a wide range of housing choices in close proximity to commercial centres, transport hubs and routes

- to enable development for purposes other than residential only if that development is compatible with the character and scale of the living area
- to minimise overshadowing and ensure a desired level of solar access to all properties.

### Height of buildings

The subject land has a maximum building height of 9 metres. The proposed boarding house would have a maximum height of 7.7 metres and therefore complies with this standard.

### Design Excellence

- (1) the objective of this clause is to ensure that development exhibits the highest standard of architectural and urban design as part of the built environment.
- (2) this clause applies to development involving the construction of a new building or external alterations to an existing building on land in the following zones:
  - (a) Zone R3 Medium Density Residential,
  - (b) Zone R4 High Density Residential,
  - (c) Zone B2 Local Centre,
  - (d) Zone B3 Commercial Core,
  - (e) Zone B4 Mixed Use.
- (3) development consent must not be granted to development to which this clause applies unless the consent authority considers that the development exhibits design excellence.
- (4) in considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters:
  - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
  - (c) whether the development detrimentally impacts on view corridors,
  - (d) how the development addresses the following matters:
    - (i) the suitability of the land for development
    - (ii) existing and proposed uses
    - (iii) heritage issues and streetscape constraints
    - (iv) bulk, massing and modulation of buildings
    - (v) street frontage heights
    - (vi) environmental impacts such as sustainable design, overshadowing, wind and reflectivity
    - (vii) the achievement of the principles of ecologically sustainable development
    - (viii) pedestrian, cycle, vehicular and service access, circulation and requirements
    - (ix) the impact on, and any proposed improvements to, the public domain
    - (x) the interface with the public domain
    - (xi) the quality and integration of landscape design.

It is considered that the proposed development satisfies the provisions of this clause.

## 2.6 Campbelltown (Sustainable City) Development Control Plan 2015

The general provisions of Part 2 of the plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the plan is discussed as follows:

**Sustainable building design** – A BASIX Certificate is not required for the proposed development, as the proposed boarding house is not a BASIX affected building within the meaning of the EP&A Regulation 2000. However, under the SCDCP, a 5,000 litre rainwater tank is required to be provided, based on the size of the roof area proposed. A 10,000 litre underground rainwater tank is to be provided as part of the development. In addition, rooftop solar panels are proposed.

**Landscaping** – The proposed landscaping is satisfactory and has been selected mostly from the Campbelltown Native Gardening Guide. Landscaping is proposed to be provided within the front and rear setback areas of the boarding house.

**Waste management** – The proposed development makes provision for a waste storage room within the ground floor of the building, where garbage bins would be stored. Due to the nature of the development, the number of boarding rooms and their small size, not all boarding rooms would require three bins, and a shared configuration would be implemented. Accordingly, a recommended condition of consent would require all bins to be presented to the street and collected by a building manager. Additionally, another recommended condition of consent would require all bins to be stored within the waste storage room at all times.

**Stormwater** – The application proposes to drain via gravity to Brooks Street. The application was referred to Council's Development Engineer, and appropriate engineering conditions have been included within the recommended conditions of consent.

**Cut, fill and floor levels** – There is no limit on the amount of cut proposed for a boarding house, as the Campbelltown (Sustainable City) Development Control Plan 2015's numerical cut/fill controls only apply to dwellings. Notwithstanding this, the proposed reconstitution of ground levels would be negligible and is considered to be acceptable.

**Retaining walls** – A proposed retaining wall in the rear courtyard would be greater than 0.45 metres from the property boundary and would therefore not affect the neighbouring property.

### Part 17 – Boarding Houses

Standard	Required	Proposed	Compliance
<b>Locational requirements</b>	Not permitted on a battle-axe allotment	The subject site is not a battle-axe allotment	Yes
	Not permitted within 50 metres of a cul-de-sac	The subject site is not within 50 metres of a cul-de-sac	Yes
	Only permitted on streets that provide for on-street parking	The western side of Brooks Street (where the subject site is located) contains on-street parking	Yes
<b>Streetscape design requirements</b>	The design shall complement the scale of surrounding	The design complements the scale of surrounding	Yes

	development and the locality's desired character.  Clothes lines and air conditioning units shall be screened and not visible by the public when viewed from a public area.	development and the locality's desired character.  Clothes lines and air conditioning units would not be visible by the public when viewed from a public area.	Yes
<b>Setbacks</b>	5.5 metres from the primary street boundary  0.9 metres from any side boundary at ground level  1.5 metres from any side boundary for all levels above the ground floor  5 metres from the rear boundary at ground level  6.5 metres from the rear boundary for all levels above ground level within land zoned R3	10.3 metres  1.5 metres  1.5 metres  6.5 metres  8.44 metres	Yes  Yes  Yes  Yes  Yes
<b>Shared facilities</b>	Laundry and clothes drying facilities are to be provided at a rate of:  One washing machine and washing tub for every 10 occupants or part thereof (two required based on 19 boarders)  One clothes dryer for every 10 occupants or part thereof (two required based on 19 boarders)  One fixed clothesline of at least 30 metres for every ten occupants or part thereof (60 metres required based on 19 boarders)	Two washing machines and two tubs are proposed to be provided  Two clothes dryers are proposed to be provided.  70 metres of clothesline proposed to be provided.	Yes  Yes  Yes
<b>Indoor Communal Living Areas</b>	Minimum dimension of 3 metres	3.32 metres	Yes



	Minimum area of 20sqm or 1.2 metres per resident, whichever is greater	A 23sqm communal living area is proposed (1.2 X 19)	Yes
<b>Solar Access</b>	Dwellings on adjoining properties shall receive a minimum of three hours sunlight in habitable rooms and 50 per cent of open space between 9.00am and 3.00pm on 21 June	All adjoining dwellings would receive a compliant amount of solar access	Yes
<b>Visual Privacy</b>	No window of a habitable room or balcony shall directly face a window of another habitable room, balcony or private open space of another dwelling located within 6 metres of the proposed window or balcony unless appropriately screened.	No window of a habitable room or balcony would directly face a window of another habitable room, balcony or private open space of another dwelling located within 6 metres of the proposed boarding house. Windows that face other dwellings to the side and rear would have high window sills (1.7 metres above floor level).	Yes
<b>Additional Private Open Space</b>	Where the boarding house is not within walking distance (400 metres) to a park it should provide 30 square metres of communal open space.	The proposed boarding house is within 400 metres walking distance Bunbury Curran Park.	Yes
<b>Car Parking</b>	Car parking areas shall be setback a minimum of 3 metres from the front boundary and any secondary boundary	3 metres	Yes
	Off street parking and loading shall be designed in accordance with Australian Standards 2890 (as amended), except as otherwise provided by this plan	Compliant	Yes
	No required car parking space shall be designed in a stacked Configuration	No stacked car parking spaces are proposed.	Yes
	A boarding house shall	One ingress/egress	

	have a maximum of one ingress and one egress driveway	driveway is proposed.	Yes
	The minimum width of a driveway serving a boarding house shall be 3 metres	4.22 metres	Yes
	Driveways shall be located a minimum distance of 6 metres from the tangent point of any unsignalled Intersection, and shall be sealed	Complies	Yes
	Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point turn to exit the site in a forward direction	Complies	Yes
	All car parking spaces shall be line marked and delineated with appropriate signage and pavement marking	To be conditioned	
	Car parking areas shall be designed and sized so that only one three-point turn is required for exiting/entering the site in a forward direction	Complies	Yes
			Yes
<b>Landscaping</b>	Landscaping shall be provided to a minimum of a: i) 3 metre wide strip along the primary and secondary street frontage (other than vehicle driveways); and ii) 1.5 metre wide strip along the full width of the rear setbacks.	Complies	Yes
	Native mature trees on site shall be retained	No native mature trees are present on the site.	Yes
	Car parking areas located in the front building setbacks must be screened by	Satisfactory	Yes

	appropriate hedging plant species at suitable spacing		
<b>Waste Management</b>	Boarding houses shall make provision for waste storage, allocated behind the primary and secondary setbacks and out of public view. Provision shall be made for the following rates of waste generation:	A waste storage area is proposed that is not visible from the street.	Yes
	i) Garbage: 1 x 240-litre bin for every 3 boarding rooms per week if bins are to be used on a shared basis, or 1 x 140-litre bin for every boarding room per week if bins are to be allocated to individual boarding rooms	The size of the proposed waste storage area is sufficient to accommodate the required number of waste bins, which is five general waste bins and five recycling bins. General waste would be collected weekly whilst recycling would be collected fortnightly.	Yes
	ii) Recyclables: 1 x 240-litre bin for every 3 boarding rooms per fortnight if bins are to be used on a shared basis, or 1 x 240-litre bin for every boarding room per fortnight if bins are to be allocated to individual boarding rooms.		
	All boarding house developments shall make provision for an appropriately sized waste/recycling bin storage facility that is centrally located and provides convenient access for occupants and collection contractors. Such storage shall:	The proposed waste storage area satisfies these design requirements. Conditions of consent will ensure compliance with the operational aspects of these requirements.	Yes
	i) provide for storage of a sufficient number of bins, as outlined above; ii) be no more than 25 metres from the street; iii) be covered; iv) contain a hose connection; v) have an impervious floor that is connected		

	<p>to the sewer; and</p> <p>vi) incorporate design and construction (including colours, materials and finishes) that complement the development.</p> <p>The communal waste/recycling bin storage facility shall not be located in such a place that requires any bins to be transported through any habitable part of the boarding house to reach the collection point</p> <p>All bins located within waste/recycling bin storage facility shall be presented to the kerbside for collection by a site manager, no earlier than the evening prior to scheduled collection and returned directly to the communal bin storage area within four hours of collection.</p> <p>Any development containing 20 or more rooms, and/or when the number of bins proposed cannot be accommodated within 50% of the development's frontage width on collection day, the development shall be designed to accommodate forward-in, forward-out drive-on vehicular collection for on-site servicing.</p>	<p>Complies. Bins would traverse breezeway however this is not a habitable space. The breezeway would be naturally ventilated.</p> <p>A condition is included within the recommended conditions of consent, which requires compliance with this condition.</p> <p>The proposed development would contain less than 20 rooms, and the number of bins proposed would be able to be accommodated within 50% of the development's frontage width.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>Management Plan</b>	<p>A management plan shall be prepared and lodged with the development application for any proposed boarding house.</p> <p>The management plan shall provide the following information:</p>	<p>A management plan which covers the matters required by this clause was submitted with the application.</p>	<p>Yes</p>

	i) 24 hour contact details of the manager / caretaker (including phone number and mobile phone number); ii) proposed staffing arrangements during the daytime and at nighttime; iii) proposed measures to control any potential noise or amenity impacts within the building and upon the surrounding locality; iv) proposed safety and security measures to be employed within the boarding house including prominent display boards within the building containing emergency telephone numbers and other essential telephone numbers; v) proposed management practices to prevent the use of outdoor common open space areas between 10.00pm and 7.00am.; and vi) professional cleaning and vermin control arrangements for at a minimum, the shared facilities, such as kitchens, bathrooms, laundries and indoor and outdoor common areas.		
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### 3. Planning Assessment

#### Section 94/94A

The subject site is not located within an area where a Section 94 plan applies. Further, due to the nature of the proposed development as a boarding house under SEPP (Affordable Rental Housing) 2009, Section 94A is not applicable to the proposed development in accordance with a Ministerial Direction.

**Social and Economic Impacts**

The proposed boarding house will provide a social benefit to the local community with the provision of additional housing options to low income households. The building is well designed to provide for amenity to each boarding room with private kitchen and bathroom facilities to each unit and a generous communal room and open space area.

**Natural and Built Environment**

The proposed development is not considered to result in adverse impacts upon the natural environment. The proposed removal of existing tree species will be compensated by native landscaping which will improve the natural environment.

The proposed development is not considered to result in adverse impact on the built environment, which is demonstrated in the assessment of the application.

**Site Suitability**

The subject site is conveniently located within walking distance to the Glenquarie Shopping Centre and public transport. The site is considered to be an appropriate location for a boarding house and general compliance with the SEPP and Council's controls further demonstrate this.

**3. Public Participation**

The application was notified to nearby and adjoining residents. Council has received submissions from the occupants of nine properties as well as a petition against the proposal containing 83 signatures in response to the public exhibition and notification of the proposed development, raising the following issues:

**Issue**

The proposed boarding house would have adverse parking impacts on surrounding streets. Brooks Street already has a lot of cars parking on the street because of the presence of the Police station, Fire Station, Ambulance Station and Library/Community Centre. Bus stops within the street also reduce the available on-street car parking.

**Comment**

Under the Affordable Housing SEPP, a boarding house located within an accessible area is only required to provide 0.2 car spaces per boarding room. Accordingly, as the proposed boarding house has 14 rooms, it only requires three car parking spaces. Council cannot insist that a boarding house provide additional car parking if it provides the minimum amount of parking prescribed by the SEPP.

Council's SCDP stipulates that boarding houses shall only be allowed on streets that provide for on-street parking. Whilst the eastern side of Brooks Street does not permit unrestricted parking, the western side does, and therefore the application cannot be refused on the basis of insufficient on-street parking.

**Issue**

The proposed boarding house would have adverse noise impacts on the surrounding locality.

**Comment**

An acoustic report was submitted with the application, which made several recommendations, which if adopted would ensure that the noise generated by the site would be consistent with that expected from a typical residential development. These recommendations include:

- installation of high performance acoustic glass for common area windows
- restricting the use of the outdoor communal open space area to between 7.00am and 10.00pm
- prohibiting the playing of music in outdoor areas

Conditions ensuring compliance with the recommendations of the acoustic report have been included within the recommended conditions of consent.

**Issue**

The number of boarders would be difficult to enforce.

**Comment**

A condition of consent would limit the maximum number of boarders to 19. Council is required to conduct annual inspections of boarding houses, and any exceedance of the maximum permitted occupancy would be detected upon inspection and followed up with enforcement action.

**Issue**

Garbage trucks have difficulty at present emptying bins in the street, and the extra bins associated with the proposed boarding house would make the problem worse.

**Comment**

Whilst there would be more bins associated with the proposed boarding house than there would be for a single dwelling, this would not make the emptying of bins more difficult. Council's Waste Management Officer has advised that the application is satisfactory from a waste management perspective.

**Issue**

Occupants of the proposed boarding house would have clear sight lines into adjoining properties, which would impact upon their privacy. The proposed slanted louvres are insufficient to mitigate overlooking.

**Comment**

The original plans submitted with the application showed a first-floor window configuration that would have allowed overlooking of adjoining properties to the west of the site as it relied upon louvres. However, Council required that the sill height of all first-floor west-facing windows be raised to 1.7 metres. All of the north and south facing first floor windows (those that directly face adjoining properties) would also have sill heights of 1.7 metres. Accordingly, occupants of the proposed development would not be able to overlook adjoining properties.

**Issue**

The proposed boarding house could affect the value of surrounding properties.

**Comment**

No evidence has been submitted to substantiate this claim.

**Issue**

The presence of the proposed boarding house could lead to an increase in anti-social and criminal behaviour within the area, particularly as the boarding house would not have a manager. Approval of the proposed boarding house could undo some of the recent improvements to Macquarie Fields that have created a more socially diverse community.

**Comment**

There is no evidence to suggest that the presence of a boarding house in a street increases the risk of crime and anti-social behaviour in the surrounding area. Modern purpose-built boarding houses (such as the proposed boarding house) contain rooms with their own kitchen and bathroom facilities, and are somewhat comparable to small studio apartments. It is unlikely that this form of accommodation would experience or generate greater crime or social problems than that of a residential flat building.

**4. Conclusion**

Having regard to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the issues raised above, it is considered that the application is consistent with the relevant statutory planning requirements.

The application is fully compliant with the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009, Campbelltown Local Environmental Plan 2015, and the Campbelltown (Sustainable City) Development Control Plan 2015. It is considered that the proposed development is compatible with the character of the local area and the objectives of the R3 Medium Density zone, and accordingly the application is recommended for approval.



**Attachments**

1. Recommended conditions of consent (contained within this report)
2. Locality Plan (contained within this report)
3. Plan of Management (contained within this report)
4. Site plan (contained within this report)
5. Elevations (contained within this report)
6. Perspective drawings (contained within this report)
7. Landscape plan (contained within this report)
8. Ground floor plan - confidential for privacy reasons (contained within this report)
9. First floor plan - confidential for privacy reasons (contained within this report)
10. Notification Plan - confidential for privacy reasons (distributed under separate cover)

**2549/2017/DA-BH****Recommended Conditions of Consent****GENERAL CONDITIONS**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

**1. Approved Development**

The development shall be carried out in accordance with the approved plans and documents listed in the table below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

<b>Plan/ Document No.</b>	<b>Version/ Revision</b>	<b>Prepared by</b>	<b>Date</b>
L100	A	Bruce Nguyen Design Group	August 2017
1840 – S1 to S3 (inclusive)	B	John Romanous & Associates	August 2017
1302 DA100 to DA105 (inclusive)	B	Michael Kitmiridis	October 2017
1302 DA108 and DA109	B	Michael Kitmiridis	October 2017
Boarding House Management Plan		Michael Kitmiridis	October 2017
Acoustic Report 2017027.1/0727A/R1/TT		Acoustic Logic	27 July 2017

**2. Building Code of Australia**

All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

**3. Boarding House Plan of Management**

The operator of the boarding house shall ensure that the approved Boarding House Management Plan is complied with at all times. The Boarding House Management Plan shall not be varied without the consent of Council. The Management Plan shall be revised to include details of the following:

- The indoor common room shall be signposted to remind occupants to ensure the amenity of the neighbours;
- Use of the common room is permitted by occupants; use of the common room for large parties/ groups is not permitted;
- Maintenance and fire safety requirements shall be detailed in the POM;
- Details of the Emergency evacuation plan shall be detailed in the POM;
- A record or rent receipts shall be issued to boarders;
- A complaints register shall be made available to Council;
- A lighting maintenance plan shall be detailed in the POM;

A copy of the revised POM shall be submitted to Council prior to the issue of a Construction Certificate.

A copy of the Boarding House Management Plan must be kept by the owner and the Managing Agent.

The POM shall be revised yearly and a copy of the revised POM shall be provided to Council and the Police.

A copy of the approved POM shall be distributed all new residents. Where the POM is updated or revised, a copy of the revised POM shall be distributed to all tenants. In addition, a copy of the POM shall be kept on the premises at all times, by the boarding house manager.

#### **4. Operational Conditions**

The following conditions have been applied to ensure that the use of the building is carried out in such a manner that is consistent with the Boarding Houses Act 2012, Public Health Act 2010, Regulations, Local Government Act 1993 and associated technical standards.

**REGISTRATION** - The boarding house must be registered with The Office of Fair Trading and Campbelltown City Council.

**NOTICES** - A sign indicating the permissible maximum length of time during which a person may board or lodge in the premises must be conspicuously displayed to public view outside the premises.

A schedule showing the numeral designating each bedroom and the number of persons permitted to be accommodated in each must be conspicuously displayed on the premises.

Each bedroom must be numbered in accordance with the schedule and there must be displayed clearly on the door of or in each bedroom the maximum number of persons allowed to be accommodated in the bedroom.

**CLEANLINESS** - All parts of the premises and all appurtenances (including furniture, fittings, bedsteads, beds and bed linen) must be kept in a clean and healthy condition, and free from vermin.

Any kitchen facilities and utensils for the storage or preparation of food must be kept in a clean and healthy condition, in good repair, free from foul odours and, as far as practicable, free from dust, flies, insects and vermin.

**PEST AND VERMIN** - All practicable measures are to be taken to keep the premises free from fleas, other disease-carrying insects, rats and mice (except any such animals kept as pets).

**LIGHTING AND VENTILATION** - Adequate light and ventilation must be maintained in the premises.

**LONG TERM RESIDENCES** - If persons may board or lodge for 7 days or longer, an adequate number of beds (each provided with a mattress and pillow and an adequate supply of clean blankets or equivalent bed clothing), adequate storage space and blinds, curtains or similar devices to screen bedroom windows for privacy must be provided for the occupants.

**NEIGHBOURHOOD AMENITY** - The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products.

**5. Landscaping**

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works.

**6. External Finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

**7. Fencing**

A 1.8 metre high fence shall be maintained on the site's side and rear boundaries behind the front building alignment. Boundary fences forward of the building line shall have a maximum height of 1.2 metres. 'Colorbond' style metal fences that face a public space are not permitted.

**8. Switchboards/Utilities/Air Conditioning Units**

Switchboards, air conditioning units, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

**9. Driveway**

The gradients of driveways and manoeuvring areas shall be designed in accordance with *Australian Standard AS 2890.1 and AS 2890.2 (as amended)*.

**10. Lighting**

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of *Australian Standard 4282 (as amended)* so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic.

**11. Graffiti Removal**

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

**12. Engineering Design Works**

The design of all engineering works shall be carried out in accordance with the requirements set out in the Campbelltown City Engineering Design Guide for Development (as amended).

**13. Car Parking Spaces**

Three car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1, 2 and 6 (as amended).

**14. Shoring and Adequacy of Adjoining Property**

If the development referred to in this development consent involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must at the person's own expense:

- a. Protect and support the adjoining premises from possible damage from the excavation, and
- b. Where necessary, underpin the adjoining premises to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**15. Construction Certificate**

Prior to the commencement of any works that require a construction certificate:

- a. the applicant shall obtain a construction certificate for the particular works;
- b. the applicant shall appoint a principal certifying authority; and
- c. the private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works.

**16. Noise Mitigation Measures**

All of the recommendations within the Acoustic Report prepared by Acoustic Logic dated 27 July 2017 must be adhered to at all times. In particular:

- i. The outdoor common area shall not be used between 10pm and 7am
- ii. Doors and windows to the indoor communal area are to be kept closed between 10pm and 7am
- iii. No music is to be played in outdoor areas
- iv. Radios or similar audio devices are permitted in the common area when the windows to the common area are kept closed.

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise and cause no interference to adjoining or nearby occupants.

The applicant shall place signs in the vehicle car parking and outdoor recreation areas that contain wording to the effect that residents and visitors are requested to refrain from making noise after 10pm.

**17. Waste Storage Room and Waste Management**

The waste storage room identified on the approved plans must:

- i. be provided with a concrete floor, with concrete or cement rendered internal walls coved to the floor.
- i. be provided with a floor that is graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.

- ii. be provided with a hose connector to adequately clean the room.
- iii. be vented to the external air by natural or artificial means.

The waste management plan shall adhere to the following:

- i. The bins shall be stored within the waste storage room at all times other than for collection. Waste bins must not be stored within vehicle parking, vehicle manoeuvring areas of landscaped areas.
- i. All bins shall be presented to the street and returned to the waste storage room by a building manager within four hours of waste collection. Boarding house residents are not responsible for waste bin presentation and return.
- ii. All waste and recycling generated from the premises is to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.

## 18. Acts and Regulations

The boarding house must comply with the following Acts and Regulations:

*Public Health Act 2010*

*Public Health Regulation 2012*

*Boarding Houses Act 2012*

*Local Government Act 1993*

*Local Government (General) Regulation 2005*

*Protection of the Environment (Noise Control) Regulation 2017*

## 19. Maximum Number of Lodgers per Room

The building is to contain a maximum of 19 persons. The maximum occupancy rate of each boarding room shall be in accordance with the table below:

Room Number	Maximum occupancy
<b>Ground Level</b>	
Room 1	1
Room 2	1
Room 3	1 (accessible)
Room 4	1
Room 5	1
Room 6	2 (accessible)
<b>First Floor</b>	
Room 7	1
Room 8	1
Room 9	1
Room 10	1
Room 11	2
Room 12	2
Room 13	2
Room 14	2

In order to maintain this occupancy rate, a sign is to be erected immediately adjacent to the doorway accessing the building detailing the maximum sleeping capacity of the occupancy.

The occupier of the premises must not allow any room or cubicle in the premises to be used for the purposes of sleeping accommodation unless the room or cubicle has a floor area of 5.5 square metres or more for each person sleeping in it (in the case of long-term sleeping accommodation) or 2.0 square metres or more for each person sleeping in it (in any other case) (*Public Health Regulation 2012*).

## **20. Rain Water Tank(s)**

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (eg the flushing of toilets), in accordance with the approved plans.

## **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

## **21. Utility Servicing Provisions**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

*Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.*

## **22. Geotechnical Report**

Prior to Council or an accredited certifier issuing a construction certificate, a geotechnical report prepared by a NATA registered lab shall be submitted which indicates that the land will not be subject to subsidence, slip, slope failure or erosion where excavation and/or filling exceeds 900mm in depth or identified as filled land.

## **23. Soil and Water Management Plan**

Prior to Council or an accredited certifier issuing a construction certificate, a detailed soil and water management plan shall be submitted for approval.

## **24. Stormwater Management Plan (Development)**

Prior to Council or an accredited certifier issuing a construction certificate, a plan indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for approval. Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from the site to Council's street drainage system in Brooks Street. A new kerb inlet pit is to be provided in accordance with Council's standard detail.

The silt arrestor pit shown in the north eastern corner of the lot shall capture site stormwater and direct it to the Council drainage system as shown on stormwater drainage plan 1840-S3/3 Revision B prepared by John Romanous and Associates must have flap gates on inlet pipes, and must have suitable clearance between the invert of inlet pipes and the obvert of outlet pipe for surge protection.

All proposals shall comply with the requirements detailed in the Campbelltown City Engineering Design Guide for Development (as amended).

**25. Dilapidation Report**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit a dilapidation report for all buildings on lands that adjoin the subject works.

**26. Work on Public Land**

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain written approval from Council for any proposed work on public land. Inspection of this work shall be undertaken by Council at the applicants expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

**27. Telecommunications Infrastructure**

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

**28. Sydney Water**

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to Council or an accredited certifier issuing a construction certificate.

The Sydney Water Tap In service can be accessed at [www.sydneywater.com.au](http://www.sydneywater.com.au).

**PRIOR TO THE COMMENCEMENT OF ANY WORKS**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

**29. Erosion and Sediment Control**

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

**30. Erection of Construction Sign**

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:



- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours
- b. Stating that unauthorised entry to the work site is prohibited
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent)
- d. Stating the approved construction hours in which all works can occur
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

### **31. Toilet on Construction Site**

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

### **32. Trade Waste**

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

### **33. Vehicular Access during Construction**

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

### **34. Public Property**

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs, gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

### **35. Footpath and Vehicular Crossing Levels**

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

**36. Demolition Works**

Demolition works shall be carried out in accordance with the following:

- a. Prior to the commencement of any works on the land, a detailed demolition work plan designed in accordance with Clause 1.7.3 of Australian Standard AS 2601-2001 – The Demolition of Structures, prepared by a suitably qualified person with suitable expertise or experience, shall be submitted to and approved by Council and shall include the identification of any hazardous materials, method of demolition, precautions to be employed to minimise any dust nuisance and the disposal methods for hazardous materials.
- b. Prior to commencement of any works on the land, the demolition Contractor(s) licence details must be provided to Council.
- c. The handling or removal of any asbestos product from the building/site must be carried out by a NSW Work Cover licensed contractor irrespective of the size or nature of the works. Under no circumstances shall any asbestos on site be handled or removed by a non-licensed person. The licensed contractor shall carry out all works in accordance with NSW Work Cover requirements.
- d. An appropriate fence preventing public access to the site shall be erected for the duration of demolition works
- e. Immediately prior to the commencement of the demolition or handling of any building or structure that contains asbestos, the applicant shall request that the principal certifying authority attend the site to ensure that all appropriate safety measures are in place. The applicant shall also notify the occupants of the adjoining premises and Workcover NSW prior to the commencement of any works.

**37. Fencing**

An appropriate fence preventing public access to the site shall be erected for the duration of construction works.

**38. Demolition of Existing Dwelling**

Prior to the commencement of any other works, the existing dwelling and all other improvements on the land shall be demolished in accordance with the conditions of this consent.

**DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION**

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

**39. Construction Work Hours**

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 5.00pm
Sunday and public holidays	No Work.

**40. Erosion and Sediment Control**

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*, the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

**Note:** *On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.*

**41. Work Zones**

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

**42. Excavation and Backfilling**

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a. Must preserve and protect the building from damage; and
- b. If necessary, must underpin and support the building in an approved manner, and
- c. Must, at least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

**43. Dust Nuisance**

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – *Soils and Construction (2004) (Bluebook)*. Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

**44. Excess Material**

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

**45. Public Safety**

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

**46. Compliance with Relevant Specifications**

All design and construction work shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. Campbelltown City Engineering Design Guide for Development (as amended);
- c. 'Soils and Construction (2004) (Bluebook); and
- d. Relevant Australian standards and State Government publications.

**47. Footpath**

The footpath adjoining the subject land shall be regraded, topsoiled and turfed in accordance with levels to be obtained from Council. The footpath formation may need to be extended beyond the site boundaries, to provide an acceptable transition to existing footpath levels.

**48. Footpath Kerb and Gutter**

The applicant shall re-construct all damaged bays of concrete path paving and kerb and gutter, adjacent to the site, in Brooks Street. Areas not concreted shall be re-graded, topsoiled and turfed. All works shall be in accordance with Council's *Specification for Construction of Subdivisional Road and Drainage Works (as amended)* and with the design requirements of the *Campbelltown (Sustainable City) DCP - Volumes 1 and 3 (as amended)*.

**49. Residential Driveway and Layback Crossing**

The applicant shall provide a reinforced concrete driveway and layback crossing to Council's *Residential Vehicle Crossing Specification* to the dwelling.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

**50. Associated Works**

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

**51. Redundant Laybacks**

All redundant layback/s shall be reinstated to conventional kerb and gutter to Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of the Campbelltown City Engineering Design Guide for Development (as amended).

**52. Completion of Construction Works**

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

**PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: Under this subheading, for the purpose of issuing an occupation certificate, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

**53. Section 73 Certificate**

Prior to the principal certifying authority issuing an occupation certificate (or subdivision certificate, whichever shall occur first), a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate.

**54. Completion of External Works Onsite**

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

**55. Final Inspection – Works as Executed Plans**

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall submit to Council two complete sets of fully marked up and certified work as executed plans in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements detailed in the Campbelltown City Engineering Design Guide for Development (as amended).

**56. Public Utilities**

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

**57. Lot/House Numbers**

Prior to the principal certifying authority issuing an occupation certificate the house number shall be stencilled onto the kerb at appropriate locations with black letters/numbers 75mm high on a white background using approved pavement marking grade paint.

**58. Public Area Inspection**

A compliance certificate approving the works in the public area shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

**59. Council Fees and Charges**

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

**ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

**Advice 1. Environmental Planning and Assessment Act 1979 Requirements**

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

**Advice 2. Provision of Equitable Access**

Nothing in this consent is to be taken to imply that the development meets the requirements of the *Disability Discrimination Act 1992* (DDA1992) or *Disability (Access to Premises – Buildings) Standards 2010* (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the *Building Code of Australia* (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

### **Advice 3. Inspections – Civil Works**

Where Council is nominated as the principal certifying authority for civil works, the following stages of construction shall be inspected by Council.

- a. EROSION AND SEDIMENT CONTROL –
  - i. Direction/confirmation of required measures.
  - ii. After installation and prior to commencement of earthworks.
  - iii. As necessary until completion of work.
- b. STORMWATER PIPES – Laid, jointed and prior to backfill.
- c. VEHICLE CROSSINGS AND LAYBACKS – Prior to pouring concrete.
- d. FINAL INSPECTION – All outstanding work.

### **Advice 4. Inspection within Public Areas**

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

### **Advice 5. Salinity**

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within Campbelltown City Engineering Design Guide for Development (as amended).

### **Advice 6. Dial before you Dig**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

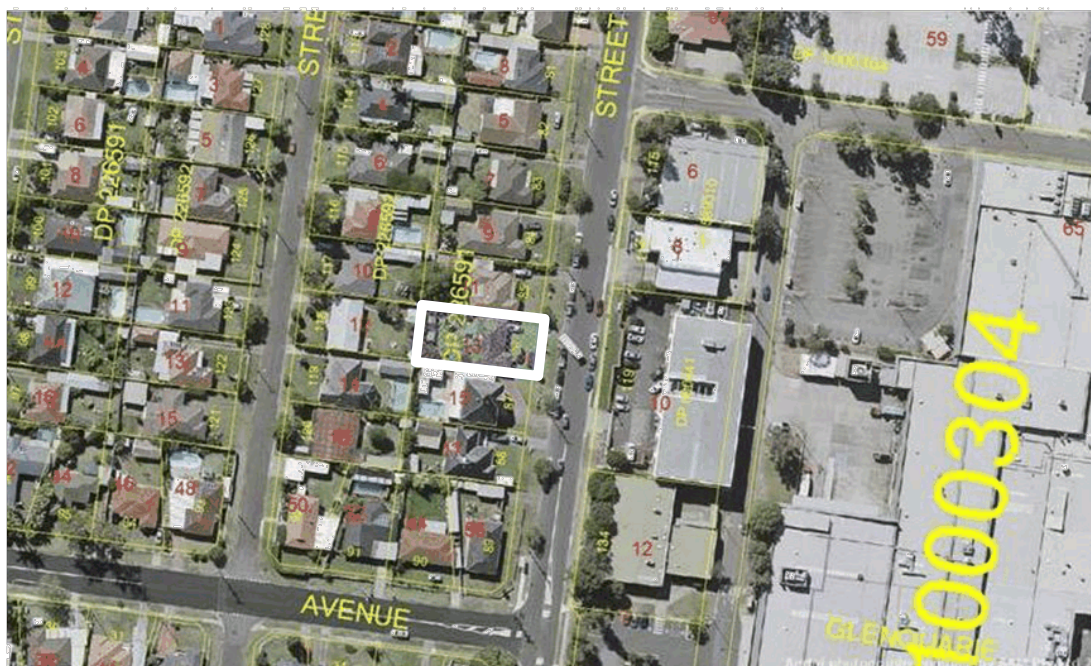
### **Advice 7. Telecommunications Act 1997 (Commonwealth)**

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

**END OF CONDITIONS**





**BOARDING HOUSE MANAGEMENT PLAN**  
**FOR A**  
**14 ROOM BOARDING HOUSE**  
**AT**  
**13 BROOKS STREET, MACQUARIE FIELDS NSW 2564**

**OCTOBER 2017**

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*Boarding House Management Plan – 13 Brooks Street, Macquarie Fields*

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**1.0 OBJECT OF THIS PLAN**

The primary purpose of this plan is to ensure the proposed boarding house at 38 Parliament Road, Macquarie Fields maintains a high level of amenity for neighbouring properties and for all lodgers residing at the premises. To achieve this, the following matters have been considered:

- Contact details of the manager/ caretaker
- Proposed staffing arrangements
- Proposed measures to ameliorate any potential noise or amenity impacts
- Proposed safety and security measures
- Proposed management practices preventing the use of the outdoor common open space during certain times
- Waste bins and waste storage
- Register of tenants' names and details
- Register of complaints

**2.0 CONTACT DETAILS OF MANAGER/ CARETAKER**

There will be one dedicated contact telephone number for lodgers and third parties alike to contact the manager/ caretaker. The manager/ caretaker will be available to be contacted 24 hours a day, seven days a week.

All lodgers will be provided with the dedicated telephone number as well as the name of the manager/ caretaker. In addition, these details will be displayed on signage in an accessible location on the premises.

Residents within a 100m radius of the site will be provided with the contact details in writing of the manager/ caretaker. If any details of the manager/ caretaker change, then residents living within a 100m radius of the site will be notified of any changes within 14 days.

### **3.0 PROPOSED STAFFING ARRANGEMENTS**

The boarding house is to be managed by a Managing Agent appointed by the owner. The Managing Agent will be available between the hours 9:00am to 5:00pm, Monday to Saturday.

The owner will appoint one Manager to oversee the day to day running of the property. The Manager will be the first point of contact for any lodgers or visitors requiring assistance. The Manager will also be the first point of contact for any third party wishing to contact the Boarding House.

It will be the responsibility of the Manager to escalate any issues arising on site to the Managing Agent (and, if the incident occurs outside of the usual hours of the Managing Agent, to the relevant authorities as required). The Manager will be available and on call seven days a week, 24 hours a day.

The owner will also hire contract staff to undertake the regular cleaning and maintenance of the boarding house, including maintenance of the gardens and the indoor and outdoor communal areas.

### **4.0 MEASURES TO AMELIORATE POTENTIAL NOISE OR AMENITY IMPACTS**

The following measures are aimed at ameliorating any potential noise or amenity impacts within the building and upon the surrounding locality:

#### ***Use of the outdoor communal area***

See section 6.0 below.

#### ***House Rules***

House rules will be displayed at the entrance to the property, behind each entry door of each room and in all indoor and outdoor common areas. House Rules as well as the Occupancy Agreement will be signed by each lodger on initial entry to the property. A 'no signature, no entry' policy applies.

Lodgers are to respect other lodgers and neighbouring residents and to keep noise at an acceptable level. Lodgers who do not respect and adhere to the House Rules, may have their Occupation Agreement terminated by the Managing Agent.

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*Boarding House Management Plan – 13 Brooks Street, Macquarie Fields*

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***Alcohol***

Alcohol is not permitted to be consumed in the indoor or outdoor communal areas.

***Smoking***

Smoking will not be permitted indoors.

***Drugs***

The boarding house is free from the use of illegal and illicit drugs and substances at all times.

The boarding house policy is that the use, sale or possession of illegal or illicit drugs, or any suspicion of such acts being performed in or about the premises or any person found using illegal or illicit drugs, shall be immediately reported to the Police and their Occupancy Agreement shall be terminated.

***Misconduct***

Any lodger failing to observe the House Rules and any cases of serious misconduct will be dealt with by the Managing Agent who may require the lodger to vacate the premises. Lodgers are instructed to call the police if any lodger or visitor is performing illegal acts on the property.

***Outdoor Communal Area***

See section 6.0 below.

***Noise***

Live music will not be permissible on the premises at any time. No amplified music is permitted at any time within the outdoor communal areas.

***Disposing of Waste***

Lodgers are to ensure all rubbish and recycling is deposited within the respective bins provided in the waste bin area.

***Pets***

No pets are allowed within the boarding house at any time.



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*Boarding House Management Plan – 13 Brooks Street, Macquarie Fields*

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***Nuisance***

The carrying out of activities likely to cause a nuisance to other lodgers, the management or neighbours will not be tolerated. This may include, but is not limited to, theft, use of illegal drugs, violence or noise-generating activities outside permissible times.

Any lodger failing to observe the House Rules and/or involved in serious misconduct will be reported to the Manager and, depending on the seriousness of the misconduct, will be reported to the Police. This may result in the termination of the Occupancy Agreement.

**5.0 PROPOSED SAFETY AND SECURITY MEASURES**

The following safety and security measures will be employed within the boarding house:

***Swipe Card Access to Premises***

New lodgers will only be permitted to have initial access to the boarding house through the Managing Agent. Access to all rooms will be controlled by an electronic swipe card provided to each lodger by the Managing Agent once the lodger has signed the Occupancy Agreement and met all of the requirements to be a lodger at the boarding house.

All accessible doors will have swipe card access. The swipe cards provide access to the rooms for the relevant period of lodging. Once the tenancy has expired (or has otherwise been terminated) the swipe card is rendered useless.

All swipe cards will contain an ID tag and be assigned by the Managing Agent to an individual lodger. The system used will allow management to read all locks to see which swipe card has been used recently on the lock, further increasing security. The relevant readers will be located at the correct height for disabled lodgers.

These cards, for security reasons, shall not be transferred to any other persons other than the authorised lodgers.

Each lodger is required to sign that they have received an electronic swipe card key, which will be placed with their Occupancy Agreement. The Managing Agent will keep a Key Register recording the issuance of the electronic swipe card (with its unique identifier) against the lodger's details.

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*Boarding House Management Plan – 13 Brooks Street, Macquarie Fields*

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***Emergency Contacts***

The Managing Agent will issue to each approved lodger an information sheet containing emergency contact details for the following:

- (a) The Managing Agent (available 9:00am to 5:00pm, Monday to Saturday);
- (b) The Manager (to be the first port of call for all lodgers and third parties); and
- (c) Emergency contact numbers for essential services such as fire, ambulance and police.

These details will also be displayed prominently within the boarding house.

***Availability of Managing Agent and Manager/ Caretaker***

The Managing Agent will be available to monitor and manage the Boarding House Mondays to Saturdays from 9.00am to 5.00pm.

The Managing Agent will be supported in its management function by the Manager who will, together, provide the day to day management of the boarding house 24 hours a day, seven days a week.

***House Rules***

Lodgers are required to observe the House Rules. See section 4.0 above.

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Boarding House Management Plan – 13 Brooks Street, Macquarie Fields

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## **6.0 PROPOSED MANAGEMENT PRACTICES REGARDING THE USE OF OUTDOOR COMMON OPEN SPACE**

The use of the outdoor communal area shall be restricted to between the hours of 7:00am and 10:00pm, 7 days per week. That is, the outdoor communal area is NOT to be used between the hours of 10:00pm and 7:00am. No amplified music is permitted at ANY time within the outdoor communal area.

Although cleaning contractors will be engaged at the premises, it is the responsibility of all lodgers to ensure that the outdoor communal area is kept clean and tidy at all times. It is expected that all lodgers using the outdoor communal area will leave it in a clean and tidy state after use.

## **7.0 WASTE BINS**

The caretaker will be responsible for presenting the waste bins to the kerb for waste collection as well as for bringing the waste bins back into the property in a timely manner following collection of the waste.

The caretaker will also be responsible for cleaning the bins as well as the maintenance of the waste storage area.

## **8.0 DISPOSAL OF BULK ITEMS**

The disposal of all bulk items including furniture, fridges and the like will be the responsibility of the management team. These items will be disposed as required.

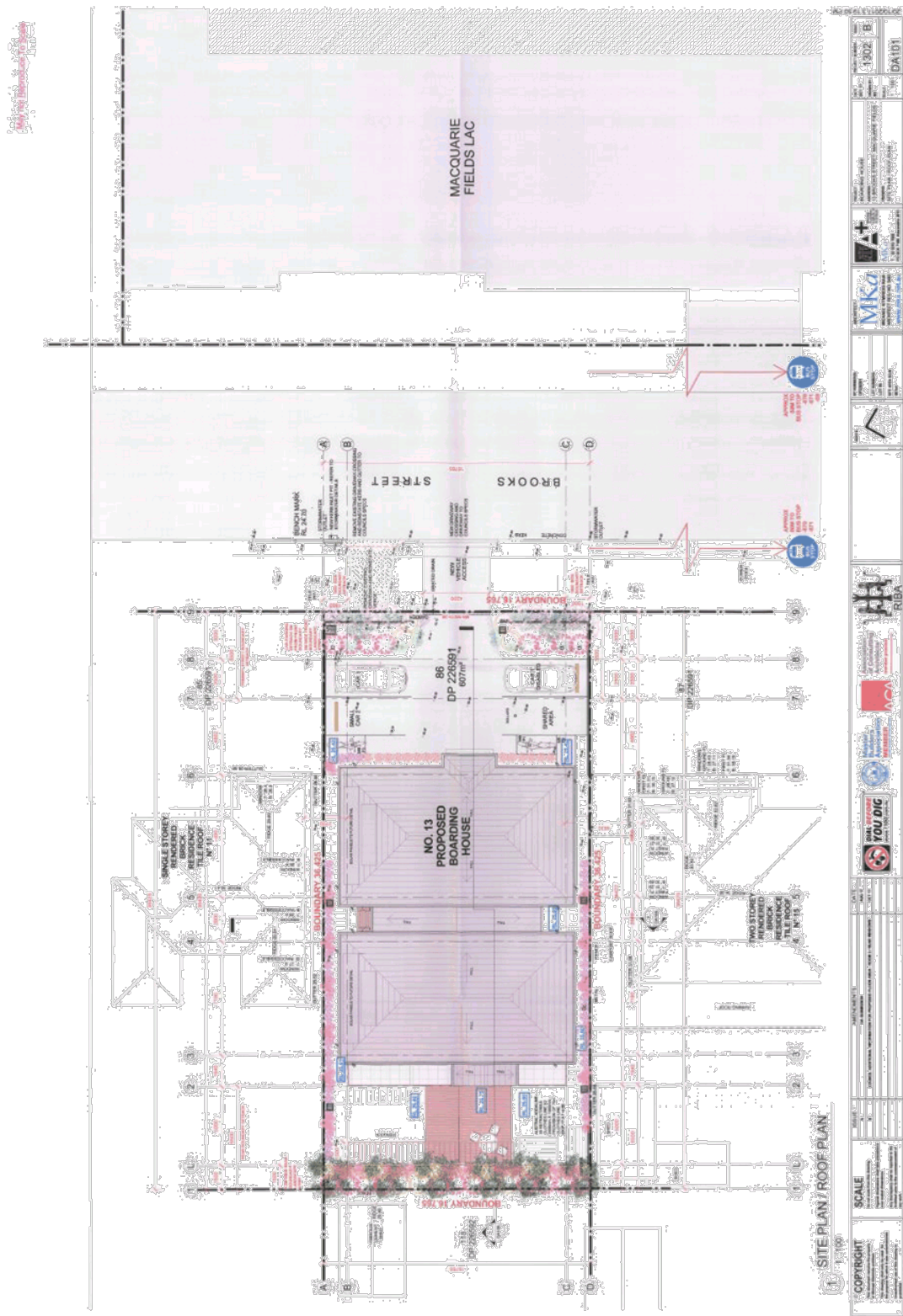
## **9.0 REGISTER OF TENANTS' DETAILS**

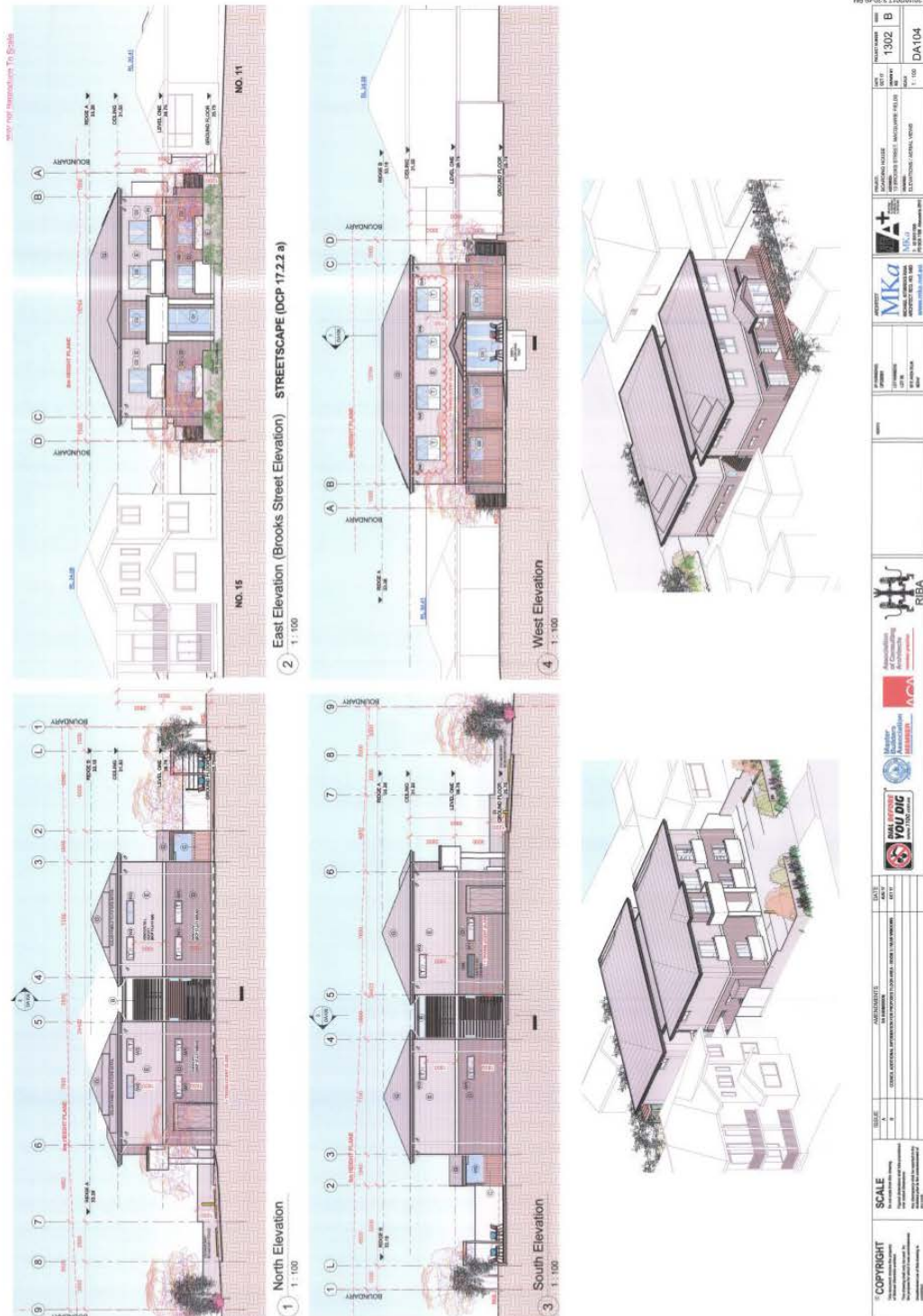
The Managing Agent will keep a register of the tenants' names and details and will be responsible for updating and maintaining the accuracy and completeness of this register. The register will be available for inspection by public authorities.

## **10.0 REGISTER OF COMPLAINTS**

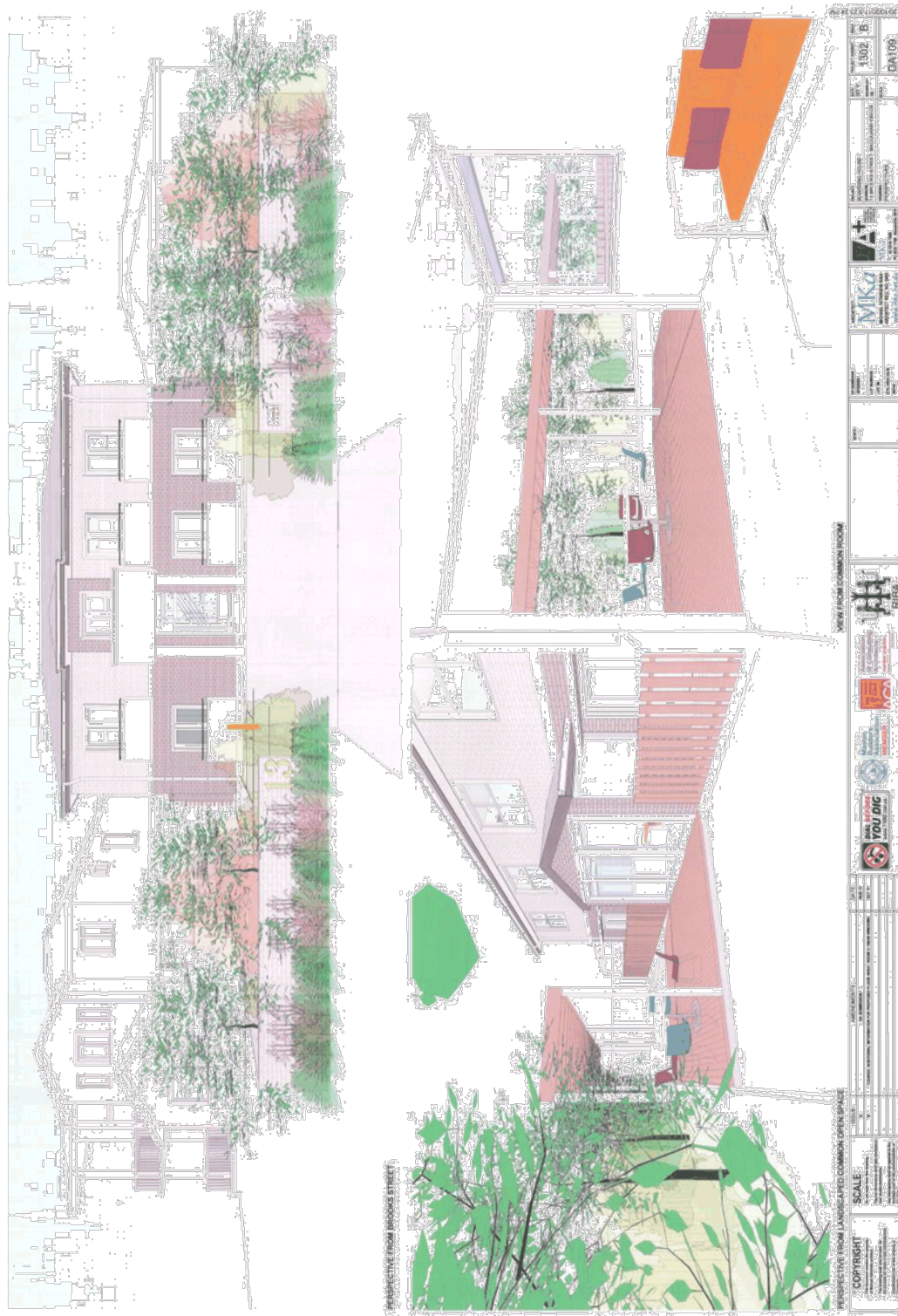
The Managing Agent will keep a register of complaints and will be responsible for updating and maintaining the accuracy and completeness of this register. The register will be available for inspection by public authorities.

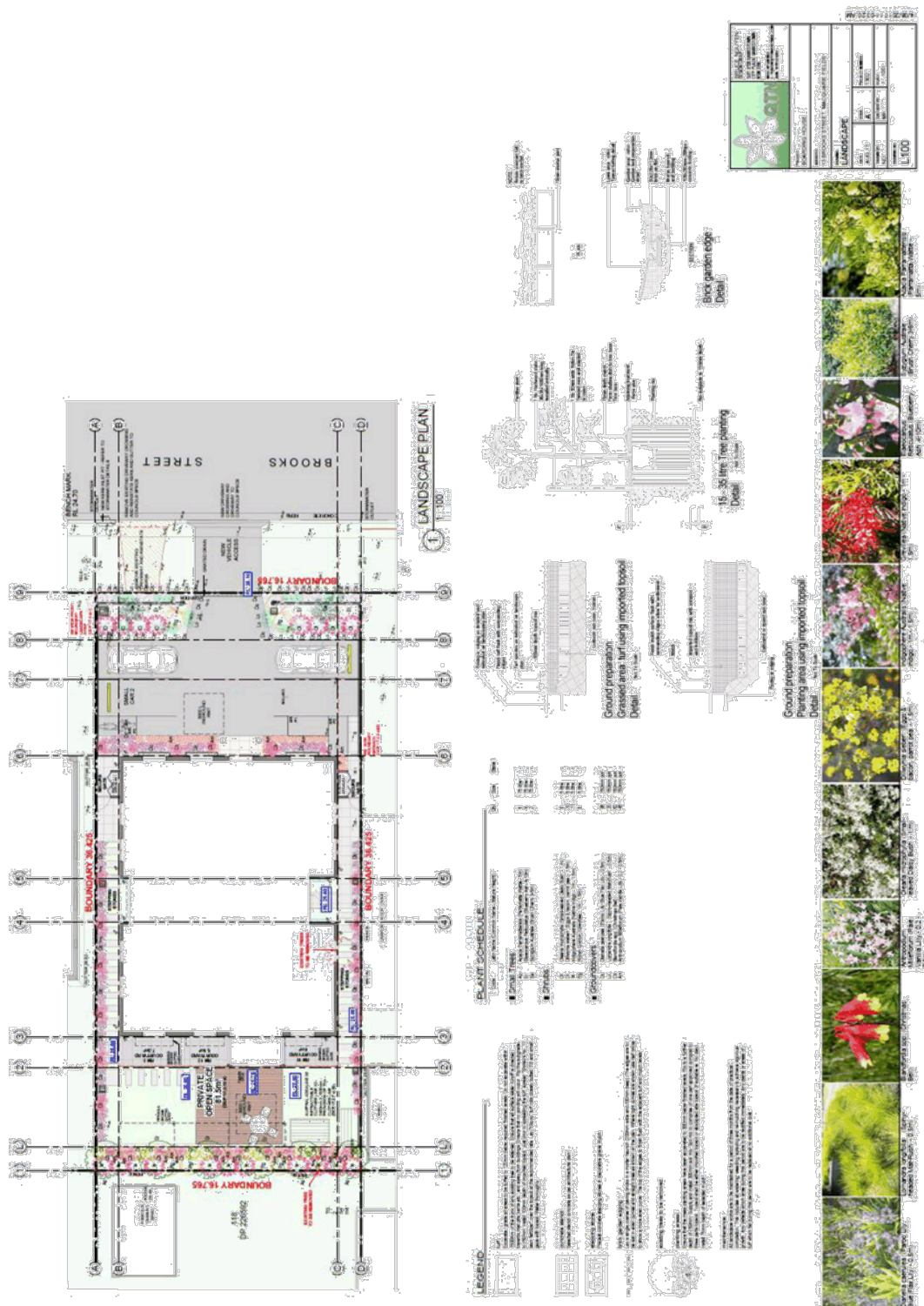




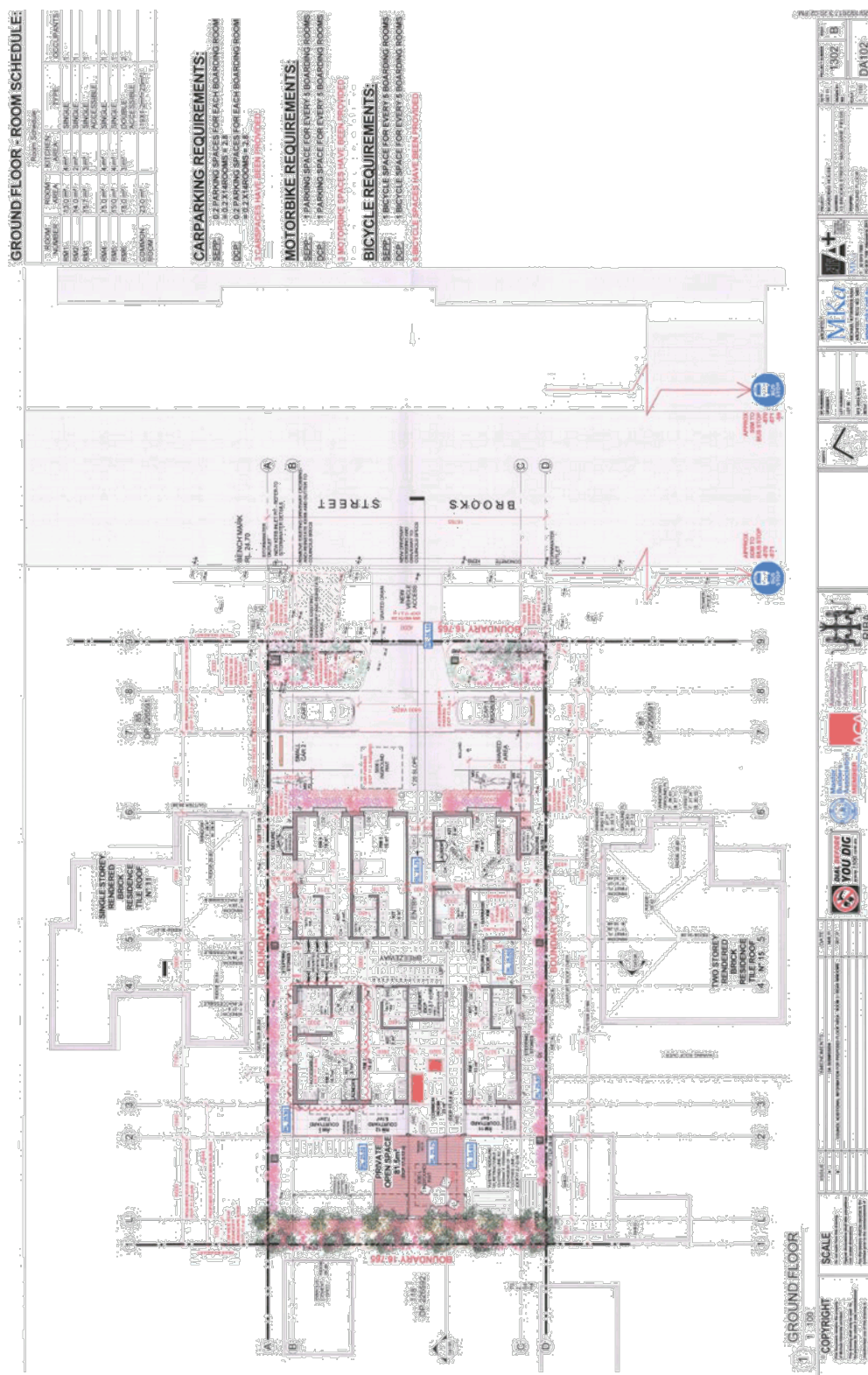


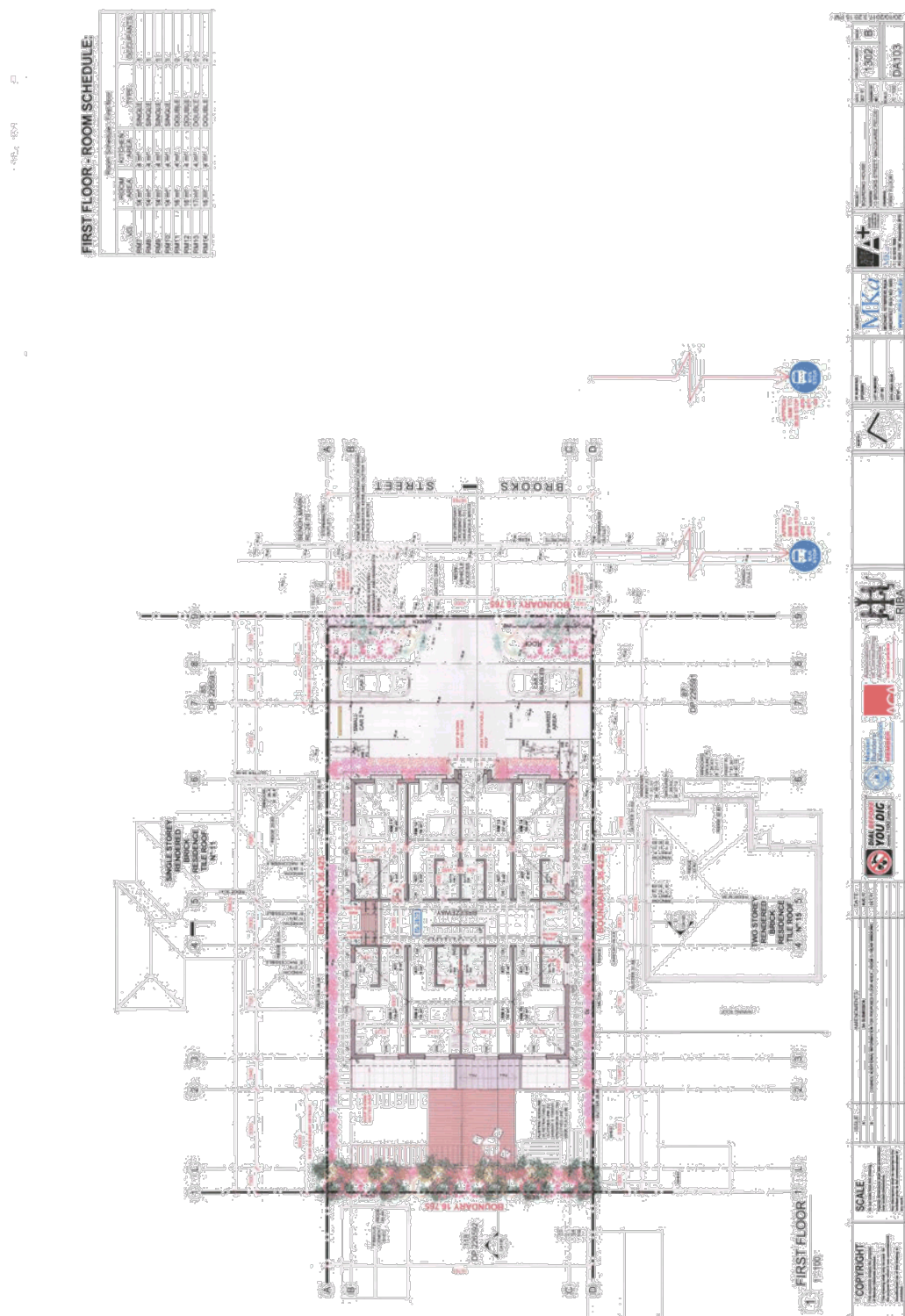












## 8.10 Use of an existing building as a secondary dwelling at No. 149A Dumaresq Street, Campbelltown

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

1. That Council allow the requested variation to Clause 22(3)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009, which relates to the total allowable floor area of dwellings and secondary dwellings.
2. That subject to recommendation No.1, development application 2401/2016/DA-U for the use of an existing building as a secondary dwelling at 149A Dumaresq Street, Campbelltown, be approved subject to the conditions detailed in attachment 1 of this report.
3. That subject to recommendations 1 and 2, approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.

### Purpose

To assist Council in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

This development application is required to be reported to Council pursuant to Department of Planning Circular PS 08-014 dated 14 November 2008 as it is seeking a variation of greater than 10 percent to a development standard contained in Campbelltown Local Environmental Plan 2015.

A variation is sought from the total floor area permitted for primary and secondary dwellings on one lot of land pursuant to Clause 22(3)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

<b>Property Description</b>	Lot 1 DP 986186, No. 149A Dumaresq Street, Campbelltown
<b>Application No</b>	2401/2016/DA-U
<b>Applicant</b>	Mr Md Moniruzzaman Sarker
<b>Owner</b>	M M and K S Sarker

<b>Provisions</b>	State Environmental Planning Policy No. 1 – Development Standards State Environmental Planning Policy (Affordable Rental Housing) 2009 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan
<b>Non Statutory</b>	Campbelltown Community Strategic Plan - Campbelltown 2027
<b>Date Received</b>	July 2016

## History

Council received notice from an accredited private certifier that a complying development certificate had been issued for the construction of a new dwelling at the subject property in January 2015. The plans approved by the certifier included a two storey dwelling and an outbuilding at the rear of the property.

The same certifier issued a second complying development certificate on the adjoining property (Lot 1 DP 982366, 149A Dumaresq Street, Campbelltown) for a very similar style of development approximately one month later.

The dwellings and outbuildings on each lot were completed generally in accordance with the approved plans by approximately July 2015. The exact date of completion cannot be certain as according to Council's records, the certifier has not issued an 'occupation certificate' for either of the two dwellings and outbuildings.

In August 2015, the dwellings were sold to separate owners. Shortly thereafter, it became apparent that the two outbuildings were being occupied as secondary dwellings. Subsequently, Council issued a Notice of Proposed Order to each owner to cease use of the outbuilding as a secondary dwelling.

As part of its investigation into the occupation of the outbuildings as secondary dwellings, Council was provided with information from the new owners that the outbuildings had been fit out and advertised by the selling agent as one bedroom granny flats.

As a consequence of the Notices issued, both owners have, to the understanding of officers, ceased occupation of the outbuildings and have sought Council's consent to use the existing buildings as secondary dwellings.

Concurrent building certificate application applications have also been made for each outbuilding, which seeks Council's approval of the unauthorised internal building works that provided for bathroom and kitchen amenities inside the outbuildings that were not part of the private certifier's approved drawings. The issue of the building certificate applications is subject to Council granting consent to the subject development application.

A briefing on the proposal for each of the buildings was presented to Council in August 2017 where the genesis of the applicant's situation was explained, as well as the unique nature of the site and the proposal's compliance (or otherwise) with planning controls.



## Report

### The Site and Surrounds

The site is an irregular allotment with an area of approximately 362.4 square metres, an average length of approximately 48.2 metres and a width of 7.33 metres. The allotment is unique within the Campbelltown area, being one of only two narrow lots that were created in the late 1880s that have not been amalgamated to create larger, more standard-sized lots over time.

The site currently contains a two storey dwelling with a single enclosed garage and a building at the rear of the lot.

A metal fence has been constructed between the dwelling and the building at the rear of the property and a concrete footpath has been provided to the building at the rear from the Dumaresq Street frontage.

Surrounding development consists of a range of low to medium density dwelling types, including detached dwellings, attached dual occupancy type dwellings and two storey residential flat buildings. A two storey privately owned medical facility is located opposite the site.

### The Proposal

The application seeks Council's consent to utilise the existing outbuilding as a secondary dwelling.

The building has for all intent and purpose been constructed as a secondary dwelling, despite its nomination as an outbuilding on complying development certificate plans that were approved by a private accredited certifier.

The building currently contains:

- a lounge/sitting room
- a single bedroom
- a combined laundry/bathroom
- a kitchenette.

The building is considered capable of being inhabited, pursuant to the Building Code of Australia.

It has an area of 35.4 square metres and the building is setback a minimum of 1 metre from the rear boundary.

### 1. Campbelltown 2027 Community Strategic Plan

Campbelltown 2027 is the Community Strategic Plan (CCSP) for the city of Campbelltown. The CSP addresses four key strategic outcomes that Council and other stakeholders will work to achieve over the next ten years:

- Outcome 1: A vibrant, liveable city
- Outcome 2: A respected and protected natural environment

- Outcome 3: A thriving, attractive city
- Outcome 4: A successful city

The key outcome relevant to the proposed development is Outcome 1: A vibrant, liveable city.

The strategic direction relevant to this application is as follows:

- Enable a range of housing choices to support different lifestyles.

The application is consistent with the above strategic direction as the proposal would provide alternate housing choices for different lifestyles within the Local Government Area.

The proposal is considered to be complementary to the CCSP as it would provide for a range of housing types in a location that is able to take advantage of amenities such as access to public transport, shopping opportunities and open spaces.

## **2. Planning Provisions**

Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979* requires Council to consider the application's compliance with planning instruments and development control plans.

### **2.1 State Environmental Planning Policy (Affordable Rental Housing) 2009**

State Environmental Planning Policy (Affordable Rental Housing) 2009 (the Affordable Housing SEPP) is relevant to the application as it is the planning instrument that makes a secondary dwelling permissible with Council's consent on the land.

A secondary dwelling is defined in the SEPP as:

secondary dwelling means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the principal dwelling), and
- (b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

The proposal to use an existing building on the subject land as a secondary dwelling meets the definition and is therefore permissible on the land.

An assessment of relevant Clauses in the SEPP follows:

Clause 22(2) requires that there be no other dwellings on the land other than the principal and secondary dwelling.

The proposal complies with that requirement as only the primary and secondary dwellings would be located on the subject allotment.

Clause 22(3)(a) requires that the total floor area of the primary and secondary dwellings does not exceed the maximum allowable floor area allowed for a dwelling house under another environmental planning instrument.

In this case, the most readily comparable maximum floor area in another environmental planning instrument is the floor space ratio contained in Council's Campbelltown Local Environmental Plan 2015. Under that plan, the maximum floor space ratio is 0.55:1.

The floor area combination of the existing dwelling and proposed secondary dwelling would generate a floor space ratio of 0.61:1, which is 11 per cent above the maximum allowable floor space at the site.

The proposal therefore does not comply with that clause and the applicant has requested that Council consider an objection to the development standard pursuant to State Environmental Planning Policy No. 1 – Development Standards, which is discussed later in the report.

Clause 22(3)(b) requires that the total floor area of the secondary dwelling does not exceed 60 square metres. The secondary dwelling complies as it has an area of only 35.4 square metres.

Clause 22(4) states that the Council must not refuse an application for a secondary dwelling if it is located within or attached to a primary dwelling or where the site is greater than 450 square metres.

In this instance, the site is less than 450 square metres and the secondary dwelling is not attached to the primary dwelling. Notwithstanding, Council may consider the application and given the relatively minor variation sought in terms of floor space provided, there is no particular reason for refusal at this time.

Clause 24 states that secondary dwellings shall not be subdivided from the primary dwelling. This proposal complies as subdivision is not proposed.

## **2.2 State Environmental Planning Policy No. 1 – Development Standards**

As mentioned in Section 2.1 of this report, the subject application's total floor is above that maximum stipulated in Clause 22(3)(a) of the Affordable Housing SEPP as it exceeds the maximum permissible floor space ratio expressed in Council's local environmental plan by 11 per cent.

Accordingly, the applicant has submitted an objection to the standard in the Affordable Housing SEPP, pursuant to SEPP No. 1. Pursuant to SEPP No. 1, the following must be considered when determining an objection to a development standard:

In determining whether enforcement of compliance with the development standard would be unreasonable or unnecessary, it is essential to consider:

1. the planning reasons/objectives behind the development standard

2. the circumstances of the case and whether the planning objectives/outcomes are best achieved by allowing departure from the standard (i.e., that the granting of consent meets the objectives of the policy)
3. if strict compliance with the development standard would tend to hinder the attainment of objects 5(a) (ii) of the Act.

In this case, the following responses are provided:

1. It is considered that the objective of the standard, being to limit the maximum permissible floor area of a secondary dwelling, would be to ensure that secondary dwellings do not unreasonably increase the floor area of buildings in residential areas.

The subject application seeks to vary the standard by 11 per cent or approximately 22sqm of floor area. This amount is not considered to be significant giving regard to nearby and adjoining development.

2. In this case, strict compliance with the standard is considered to be unwarranted on the following grounds:
  - the impact on neighbours of permitting occupation of the building as a secondary dwelling is considered to be low
  - The non-compliance with the standard is of a magnitude that would be indiscernible to neighbours and therefore reduces the impact of the precedence
  - The objective of the standard is still met as detailed above
3. Strict adherence is not the only consideration of meeting the objective of the standard in this case.

Accordingly, the objection to the standard contained in Clause 22(3) of the Affordable Housing SEPP can be supported.

It is not considered likely to create an unreasonable precedent, having regard to the relatively minor departure from the standard and the unique nature of the subject allotment in Campbelltown as detailed earlier in the report.

### **2.3 Campbelltown Local Environmental Plan 2015**

As mentioned earlier in the report, the permissibility of the secondary dwelling at the subject allotment is not reliant on compliance with the LEP as is more often the case.

As such, a brief consideration of the plan's objectives for the relevant zone and a discussion on the maximum floor area is presented.

The land is zoned R2 – Low Density Residential pursuant to the LEP.

Relevant objectives for development in the zone are:

- to provide for the housing needs of the community within a low density residential environment.
- to minimise overshadowing and ensure a desired level of solar access to all properties.

The development is considered to be complementary to these objectives as it does not compromise access to sunlight or create an overshadowing issue for neighbours owing to its height (notwithstanding the fact that the building was originally lawfully approved and constructed) and provides housing for the community in a relatively low density environment.

Pursuant to Clause 4.4 of the plan, the maximum permissible floor space ratio (to which Clause 22(3)(a) of the Affordable Housing SEPP is related) is 0.55:1 for a range of residential development types.

The proposal is considered to be complementary to the plan as it applies to the proposed development.

## **2.4 Campbelltown (Sustainable City) Development Control Plan**

Campbelltown (Sustainable City) Development Control Plan (SCDCP) applies to the site and the development type.

Specifically, Section 3.6.2 of the DCP contains Council's controls for secondary dwellings, which are discussed below:

### **3.6.2.1 – General Requirements**

- a) a secondary dwelling shall incorporate similar or complementary design and construction features, finishes, materials and colours to those of the principal dwelling house.

the buildings were constructed concurrently and feature similar colours and materials. The proposal complies.

- b) a secondary dwelling shall be designed to ensure that the entry door to the secondary dwelling is not visible from the street or other public place.

the building's entry is not visible from the street. Therefore, it complies.

- c) a BASIX certificate shall accompany a development application for a secondary dwelling.

a valid BASIX certificate accompanied the application.

### **3.6.2.2 – Setbacks**

A secondary dwelling land shall be setback a minimum of:

- i. 5.5 metres from the primary street boundary of the dwelling
- ii. 3 metres from the secondary street boundary
- iii. 0.9 metres from any side boundary; and
- iv. 3 metres from the rear boundary for any part of the building that is up to 3.8 metres in height from ground level (existing).

The proposal is compliant with all setbacks aside from the rear setback requirement of 3 metres. As the building was approved via a complying development certificate as an outbuilding, its rear setback was only required to be 0.9 metres – with which it complies.

The applicant has requested a variation to Council's development control plan setback control.

The variation is considered to be acceptable on the following grounds:

- the building was lawfully constructed in its current location and is not considered likely to disturb residents in dwellings to the rear in a more significant manner than its use as an outbuilding might
- the living area of the secondary dwelling would be located at the furthest distance to the rear boundary, again minimising the potential for noise and privacy disturbance to neighbours
- the unique nature of the allotment's existence means that it is unlikely an undesirable precedent for varying the control would be set should Council grant consent as proposed.

Accordingly, the development is considered to be complementary to the SCDCP.

## **2. Impacts and Suitability of the Site**

Sections 79C(1)(b) and (c) of the *Environmental Planning and Assessment Act 1979* require Council to consider the development's likely impacts on the natural and built environment and its suitability for the site.

In this case, the impacts of the development are not considered to be significant on the following grounds:

- the building proposed for use as a secondary dwelling was lawfully approved and constructed and would not be removed should Council not grant its consent, meaning that any impacts of the building itself are not a consideration in this instance
- occupation of the building as proposed is not considered likely to detrimentally impact on the amenity of the neighbourhood. In fact, it is likely to have a positive social and economic impact as the relatively small unit would provide affordable housing for a person or persons that might not be able to afford a larger unit or a house.

The site is considered to be suitable for the development having regard to its limited impact on neighbours and its proximity to amenities such as public transport, shopping and open space.

## **3. Public Participation**

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires Council to consider any submissions made by the public on the proposal.

Council notified the development to 20 adjoining and nearby owners and did not receive any submissions during the notification period.

## **4. Conclusion**

A development application has been received to use an existing building as a secondary dwelling. The building was approved and constructed as an outbuilding pursuant to a complying development certificate that was issued by a private certifier. The same situation has occurred on the adjoining property, No. 149 Dumaresq Street, for which a separate application has been lodged.

The outbuilding was fitted out with habitable features such as carpets, bathroom, kitchenette/laundry and was advertised to the current owner as an approved granny flat. Subsequently, the building was occupied as a secondary dwelling unlawfully and Council issued a Notice of Proposed Order to cease its occupation.

The subject application was then made to regularise the building's occupation as a secondary dwelling.

The proposal is considered to be relatively compliant with relevant planning controls and objectives, except for two items, being the rear setback and the floor area of the primary and secondary dwellings combined as referenced in the Affordable Housing SEPP.

The dwelling does not comply with Council's minimum rear setback requirement of 3 metres for secondary dwellings. In this case, strict compliance with that control is not considered to be essential, having regard to the relatively minimal impact that its position would have on neighbours.

The floor area maximum control taken from the Affordable Housing SEPP is exceeded by 11 per cent, or 22sqm. The application was prepared with a well-made objection to the control pursuant to SEPP No. 1.

Accordingly, the application is recommended for approval, subject to conditions including the receipt of a Section 149A building certificate from Council prior to occupation of the building being undertaken.

### **Attachments**

1. Recommended conditions of consent (contained within this report)
2. Site plan (contained within this report)
3. Elevations (contained within this report)
4. Notification plan - confidential for privacy reasons (distributed under separate cover)

**2401/2016/DA-U****Recommended Conditions of Consent****GENERAL CONDITIONS**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

**1. Approved Development**

The development shall be carried out in accordance with the approved plans and all associated documentation supporting this consent.

**2. Building Code of Australia**

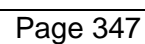
All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

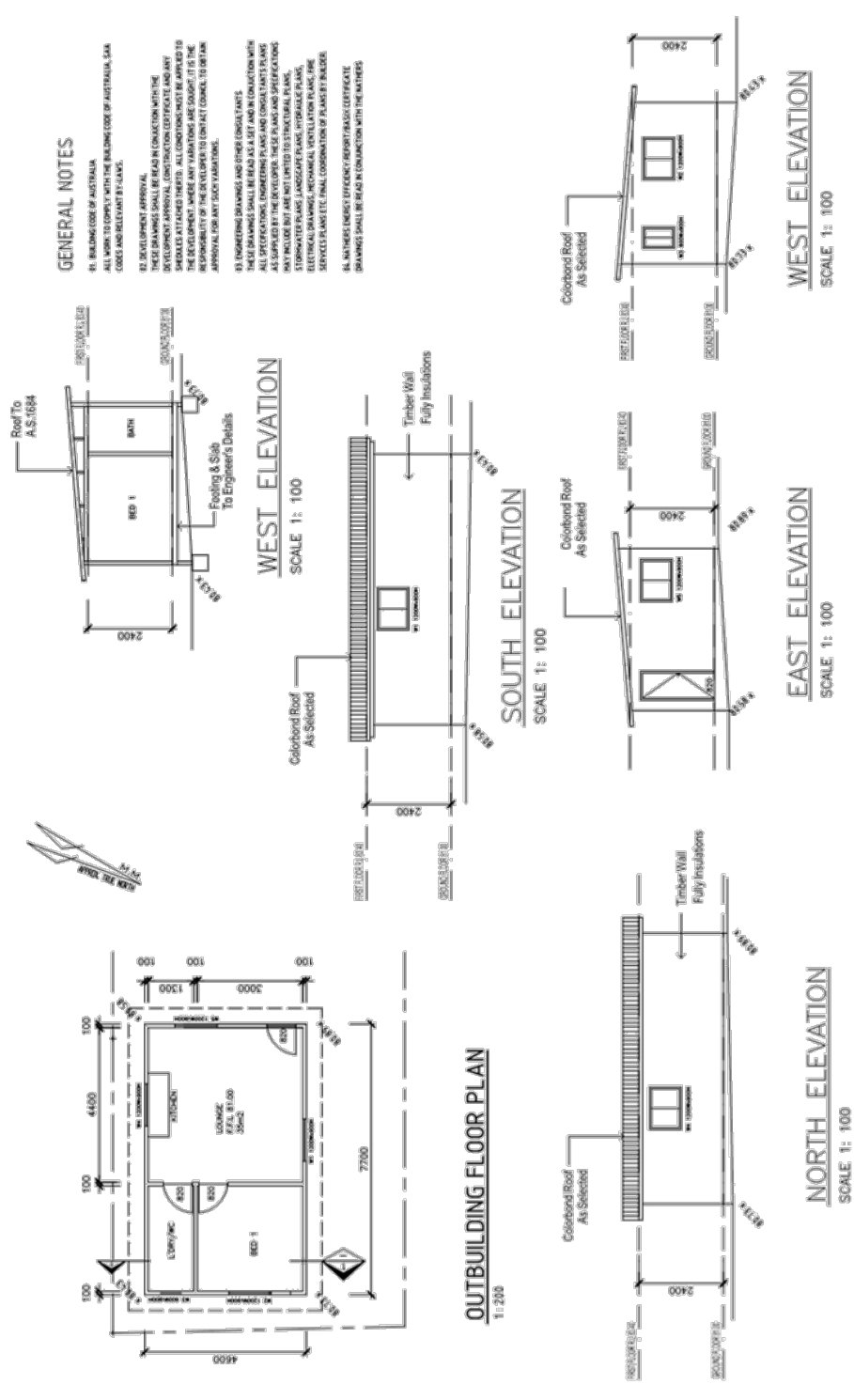
**3. Section 149A Building Certificate Application**

Prior to the use of the building, the applicant is required obtain from Council a Building Certificate made under Section 149A of the Environmental Planning and Assessment Act, 1979 which certifies that the work undertaken without prior development consent satisfies the relevant provisions of the Building Code of Australia.

**END OF CONDITIONS**







<p><b>NOT FOR CONSTRUCTION</b></p> <p><b>PROPOSED 1<sup>st</sup> RESIDENTIAL DWELLING</b></p> <p><b>PROPERTY ADDRESS:</b> 149 KUMAR STREET CAMPUK 120001</p>	<p>FOR INFORMATION ONLY</p> <p><b>DAL 1100</b></p> <p><b>800-1100</b></p>	<p><b>A3</b></p> <p><b>A3 - 1:100</b></p> <p><b>NOT FOR CONSTRUCTION</b></p>	<p>AMENDMENTS</p> <p><b>NO</b></p> <p><b>FOR VARIATION</b></p>	<p>Date</p> <p>19/02/2016</p>
			<p>LOCAL COUNCIL AREA:</p> <p>DATE FOR THE LOCAL COUNCIL AREA</p>	<p>DATE FOR THE LOCAL COUNCIL AREA</p> <p>DATE FOR THE LOCAL COUNCIL AREA</p>

## 8.11 Use of an existing building as a secondary dwelling at No. 149 Dumaresq Street, Campbelltown

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

1. That Council allow the requested variation to Clause 22(3)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009, which relates to the total allowable floor area of dwellings and secondary dwellings.
2. That subject to recommendation No.1, development application 2405/2016/DA-U for the use of an existing building as a secondary dwelling at 149 Dumaresq Street, Campbelltown, be approved subject to the conditions detailed in attachment 1 of this report.
3. That subject to recommendations 1 and 2, approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.

### Purpose

To assist Council in its determination of the subject application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*.

This development application is required to be reported to Council pursuant to Department of Planning Circular PS 08-014 dated 14 November 2008 as it is seeking a variation of greater than 10 percent to a development standard contained in Campbelltown Local Environmental Plan 2015.

A variation is sought from the total floor area permitted for primary and secondary dwellings on one lot of land pursuant to Clause 22(3)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

<b>Property Description</b>	Lot 1 DP 982366, No. 149 Dumaresq Street, Campbelltown
<b>Application No</b>	2403/2016/DA-U
<b>Applicant</b>	Mr Julian Suliman
<b>Owner</b>	J Suliman

<b>Provisions</b>	State Environmental Planning Policy No. 1 – Development Standards State Environmental Planning Policy (Affordable Rental Housing) 2009 Campbelltown Local Environmental Plan 2015 Campbelltown (Sustainable City) Development Control Plan
<b>Non Statutory</b>	Campbelltown Community Strategic Plan - Campbelltown 2027
<b>Date Received</b>	July 2016

## History

Council received notice from an accredited private certifier that a complying development certificate had been issued for the construction of a new dwelling at the subject property in February 2015. The plans approved by the certifier included a two storey dwelling and an outbuilding at the rear of the property.

The same certifier issued a second complying development certificate on the adjoining property (Lot 1 DP 982366, 149A Dumaresq Street, Campbelltown) for a very similar style of development approximately one month earlier.

The dwellings and outbuildings on each lot were completed generally in accordance with the approved plans by approximately July 2015. The exact date of completion cannot be certain as according to Council's records, the certifier has not issued an occupation certificate for either of the two dwellings and outbuildings.

In August 2015, the dwellings were sold to separate owners. Shortly thereafter, it became apparent that the two outbuildings were being occupied as secondary dwellings. Subsequently, Council issued a Notice of Proposed Order to each owner to cease use of the outbuilding as a secondary dwelling.

As part of its investigation into the occupation of the outbuildings as secondary dwellings, Council was provided with information from the new owners that the outbuildings had been fit out and advertised by the selling agent as one bedroom granny flats.

As a consequence of the notices issued, both owners have, to the understanding of officers, ceased occupation of the outbuildings and have sought Council's consent to use the existing buildings as secondary dwellings.

Concurrent building certificate application applications have also been made for each outbuilding, which seeks Council's approval of the unauthorised internal building works that provided for bathroom and kitchen amenities inside the outbuildings that were not part of the private certifier's approved drawings. The issue of the building certificate applications is subject to Council granting consent to the subject development application.

A briefing on the proposal for each of the buildings was presented to Council in August 2017 where the genesis of the applicant's situation was explained, as well as the unique nature of the site and the proposal's compliance (or otherwise) with planning controls.

## Report

### The Site and Surrounds

The site is an irregular allotment with an area of approximately 392 square metres, an average length of approximately 48.3 metres and a width of 8.3 metres. The allotment is unique within the Campbelltown area, being one of only two narrow lots that were created in the late 1880s that have not been amalgamated to create larger, more standard-sized lots over time.

The site currently contains a two storey dwelling with a single enclosed garage and a building at the rear of the lot.

A metal fence has been constructed between the dwelling and the building at the rear of the property and a concrete footpath has been provided to the building at the rear from the Dumaresq Street frontage.

Surrounding development consists of a range of low to medium density dwelling types, including detached dwellings, attached dual occupancy type dwellings and two storey residential flat buildings. A two storey privately owned medical facility is located opposite the site.

### The Proposal

The application seeks Council's consent to utilise the existing outbuilding as a secondary dwelling.

The building has for all intent and purpose been constructed as a secondary dwelling, despite its nomination as an outbuilding on complying development certificate plans that were approved by a private accredited certifier.

The building currently contains:

- a lounge/sitting room
- a single bedroom
- a combined laundry/bathroom
- a kitchenette.

The building is considered capable of being inhabited, pursuant to the Building Code of Australia.

It has an area of 35.4 square metres and the building is setback a minimum of 1 metre from the rear boundary.

### 1. Campbelltown 2027 Community Strategic Plan

Campbelltown 2027 is the Community Strategic Plan (CCSP) for the city of Campbelltown. The CCSP addresses four key strategic outcomes that Council and other stakeholders will work to achieve over the next ten years:

- Outcome 1: A vibrant, liveable city
- Outcome 2: A respected and protected natural environment

- Outcome 3: A thriving, attractive city
- Outcome 4: A successful city

The key outcome relevant to the proposed development is Outcome 1: A vibrant, liveable city.

The strategic direction relevant to this application is as follows:

- Enable a range of housing choices to support different lifestyles.

The application is consistent with the above strategic direction as the proposal would provide alternate housing choices for different lifestyles within the Local Government Area.

The proposal is considered to be complementary to the CCSP as it would provide for a range of housing types in a location that is able to take advantage of amenities such as access to public transport, shopping opportunities and open spaces.

## **2. Planning Provisions**

Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979* requires Council to consider the application's compliance with planning instruments and development control plans.

### **2.1 State Environmental Planning Policy (Affordable Rental Housing) 2009**

State Environmental Planning Policy (Affordable Rental Housing) 2009 (the Affordable Housing SEPP) is relevant to the application as it is the planning instrument that makes a secondary dwelling permissible with Council's consent on the land.

A secondary dwelling is defined in the SEPP as:

secondary dwelling means a self-contained dwelling that:

- (a) is established in conjunction with another dwelling (the principal dwelling), and
- (b) is on the same lot of land (not being an individual lot in a strata plan or community title scheme) as the principal dwelling, and
- (c) is located within, or is attached to, or is separate from, the principal dwelling.

The proposal to use an existing building on the subject land as a secondary dwelling meets the definition and is therefore permissible on the land.

An assessment of relevant Clauses in the SEPP follows:

Clause 22(2) requires that there be no other dwellings on the land other than the principal and secondary dwelling.

The proposal complies with that requirement as only the primary and secondary dwellings would be located on the subject allotment.

Clause 22(3)(a) requires that the total floor area of the primary and secondary dwellings does not exceed the maximum allowable floor area allowed for a dwelling house under another environmental planning instrument.

In this case, the most readily comparable maximum floor area in another environmental planning instrument is the floor space ratio contained in Council's Campbelltown Local Environmental Plan 2015. Under that Plan, the maximum floor space ratio is 0.55:1.

The floor area combination of the existing dwelling and proposed secondary dwelling would generate a floor space ratio of 0.56:1, which is 2.6 per cent above the maximum allowable floor space at the site.

The proposal therefore does not comply with that Clause and the applicant has requested that Council consider an objection to the development standard pursuant to State Environmental Planning Policy No. 1 – Development Standards, which is discussed later in the report.

Clause 22(3)(b) requires that the total floor area of the secondary dwelling does not exceed 60 square metres. The secondary dwelling complies as it has an area of only 35.4 square metres.

Clause 22(4) states that the Council must not refuse an application for a secondary dwelling if it is located within or attached to a primary dwelling or where the site is greater than 450 square metres.

In this instance, the site is less than 450 square metres and the secondary dwelling is not attached to the primary dwelling. Notwithstanding, Council may consider the application and given the relatively minor variation sought in terms of floor space provided, there is no particular reason for refusal at this time.

Clause 24 states that secondary dwellings shall not be subdivided from the primary dwelling. This proposal complies as subdivision is not proposed.

## **2.2 State Environmental Planning Policy No. 1 – Development Standards**

As mentioned in Section 2.1 of this report, the subject application's total floor is above that maximum stipulated in Clause 22(3)(a) of the Affordable Housing SEPP as it exceeds the maximum permissible floor space ratio expressed in Council's local environmental plan by 9 per cent.

Accordingly, the applicant has submitted an objection to the standard in the Affordable Housing SEPP, pursuant to SEPP No. 1. Pursuant to SEPP No. 1, the following must be considered when determining an objection to a development standard:

In determining whether enforcement of compliance with the development standard would be unreasonable or unnecessary, it is essential to consider:

1. the planning reasons/objectives behind the development standard

2. the circumstances of the case and whether the planning objectives/outcomes are best achieved by allowing departure from the standard (i.e., that the granting of consent meets the objectives of the policy)
3. if strict compliance with the development standard would tend to hinder the attainment of objects 5(a) (ii) of the Act.

In this case, the following responses are provided:

1. It is considered that the objective of the standard, being to limit the maximum permissible floor area of a secondary dwelling, would be to ensure that secondary dwellings do not unreasonably increase the floor area of buildings in residential areas.

The subject application seeks to vary the standard by 2.6 per cent or approximately 5.7sqm of floor area. This amount is not considered to be significant giving regard to nearby and adjoining development.

2. In this case, strict compliance with the standard is considered to be unwarranted on the following grounds:
  - The impact on neighbours of permitting occupation of the building as a secondary dwelling is considered to be low
  - The non-compliance with the standard is of a magnitude that would be indiscernible to neighbours and therefore reduces the impact of the precedence; and
  - The objective of the standard is still met as detailed above.
3. Strict adherence is not the only consideration of meeting the objective of the standard in this case.

Accordingly, the objection to the standard contained in Clause 22(3) of the Affordable Housing SEPP can be supported.

It is not considered likely to create an unreasonable precedent, having regard to the relatively minor departure from the standard and the unique nature of the subject allotment in Campbelltown as detailed earlier in the report.

### **2.3 Campbelltown Local Environmental Plan 2015**

As mentioned earlier in the report, the permissibility of the secondary dwelling at the subject allotment is not reliant on compliance with the LEP as is more often the case.

As such, a brief consideration of the plan's objectives for the relevant zone and a discussion on the maximum floor area is presented.

The land is zoned R2 – Low Density Residential pursuant to the LEP.

Relevant objectives for development in the zone are:

- to provide for the housing needs of the community within a low density residential environment.



- to minimise overshadowing and ensure a desired level of solar access to all properties.

The development is considered to be complementary to these objectives as it does not compromise access to sunlight or create an overshadowing issue for neighbours owing to its height (notwithstanding the fact that the building was originally lawfully approved and constructed) and provides housing for the community in a relatively low density environment.

Pursuant to Clause 4.4 of the plan, the maximum permissible floor space ratio (to which Clause 22(3)(a) of the Affordable Housing SEPP is related) is 0.55:1 for a range of residential development types.

The proposal is considered to be complementary to the plan as it applies to the proposed development.

## **2.4 Campbelltown (Sustainable City) Development Control Plan**

Campbelltown (Sustainable City) development Control Plan (SC DCP) applies to the site and the development type.

Specifically, Section 3.6.2 of the DCP contains Council's controls for secondary dwellings, which are discussed below:

### **3.6.2.1 – General Requirements**

- a) A secondary dwelling shall incorporate similar or complementary design and construction features, finishes, materials and colours to those of the principal dwelling house.

The buildings were constructed concurrently and feature similar colours and materials. The proposal complies.

- b) A secondary dwelling shall be designed to ensure that the entry door to the secondary dwelling is not visible from the street or other public place.

The building's entry is not visible from the street. Therefore, it complies.

- c) A BASIX certificate shall accompany a development application for a secondary dwelling.

A valid BASIX certificate accompanied the application.

### **3.6.2.2 – Setbacks**

A secondary dwelling land shall be setback a minimum of:

- 5.5 metres from the primary street boundary of the dwelling;
- 3 metres from the secondary street boundary;
- 0.9 metres from any side boundary; and
- 3 metres from the rear boundary for any part of the building that is up to 3.8 metres in height from ground level (existing)

The proposal is compliant with all setbacks aside from the rear setback requirement of 3 metres. As the building was approved via a complying development certificate as an outbuilding, its rear setback was only required to be 0.9 metres – with which it complies.

The applicant has requested a variation to Council's development control plan setback control.

The variation is considered to be acceptable on the following grounds:

- the building was lawfully constructed in its current location and is not considered likely to disturb residents in dwellings to the rear in a more significant manner than its use as an outbuilding might
- the living area of the secondary dwelling would be located at the furthest distance to the rear boundary, again minimising the potential for noise and privacy disturbance to neighbours
- the unique nature of the allotment's existence means that it is unlikely an undesirable precedent for varying the control would be set should Council grant consent as proposed.

Accordingly, the development is considered to be complementary to the SC DCP.

## **2. Impacts and Suitability of the Site**

Sections 79C(1)(b) and (c) of the *Environmental Planning and Assessment Act 1979* require Council to consider the development's likely impacts on the natural and built environment and its suitability for the site

In this case, the impacts of the development are not considered to be significant on the following grounds:

- the building proposed for use as a secondary dwelling was lawfully approved and constructed and would not be removed should Council not grant its consent, meaning that any impacts of the building itself are not a consideration in this instance
- occupation of the building as proposed is not considered likely to detrimentally impact on the amenity of the neighbourhood. In fact, it is likely to have a positive social and economic impact as the relatively small unit would provide affordable housing for a person or persons that might not be able to afford a larger unit or a house.

The site is considered to be suitable for the development having regard to its limited impact on neighbours and its proximity to amenities such as public transport, shopping and open space.

## **3. Public Participation**

Section 79C(1)(d) of the *Environmental Planning and Assessment Act 1979* requires Council to consider any submissions made by the public on the proposal.

Council notified the development to 20 adjoining and nearby owners and did not receive any submissions during the notification period.

#### **4. Conclusion**

A development application has been received to use an existing building as a secondary dwelling. The building was approved and constructed as an outbuilding pursuant to a complying development certificate that was issued by a private certifier. The same situation has occurred on the adjoining property, No. 149A Dumaresq Street, for which a separate application has been lodged.

The outbuilding was fitted out with habitable features such as carpets, bathroom, kitchenette/laundry and was advertised to the current owner as an approved granny flat. Subsequently, the building was occupied as a secondary dwelling unlawfully and Council issued a notice of proposed order to cease its occupation.

The subject application was then made to regularise the building's occupation as a secondary dwelling.

The proposal is considered to be relatively compliant with relevant planning controls and objectives, except for two items, being the rear setback and the floor area of the primary and secondary dwellings combined as referenced in the Affordable Housing SEPP.

The dwelling does not comply with Council's minimum rear setback requirement of 3 metres for secondary dwellings. In this case, strict compliance with that control is not considered to be essential, having regard to the relatively minimal impact that its position would have on neighbours.

The floor area maximum control taken from the Affordable Housing SEPP is exceeded by 2.6 per cent, or 5.7sqm. The application was prepared with a well-made objection to the control pursuant to SEPP No. 1.

Accordingly, the application is recommended for approval, subject to conditions including the receipt of a Section 149A building certificate from Council prior to occupation of the building being undertaken.

#### **Attachments**

1. Recommended conditions of consent (contained within this report)
2. Site plan (contained within this report)
3. Elevations (contained within this report)
4. Notification plan - confidential for privacy reasons (distributed under separate cover)

**2403/2016/DA-U****Recommended Conditions of Consent****GENERAL CONDITIONS**

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

**1. Approved Development**

The development shall be carried out in accordance with the approved plans and all associated documentation supporting this consent.

**2. Building Code of Australia**

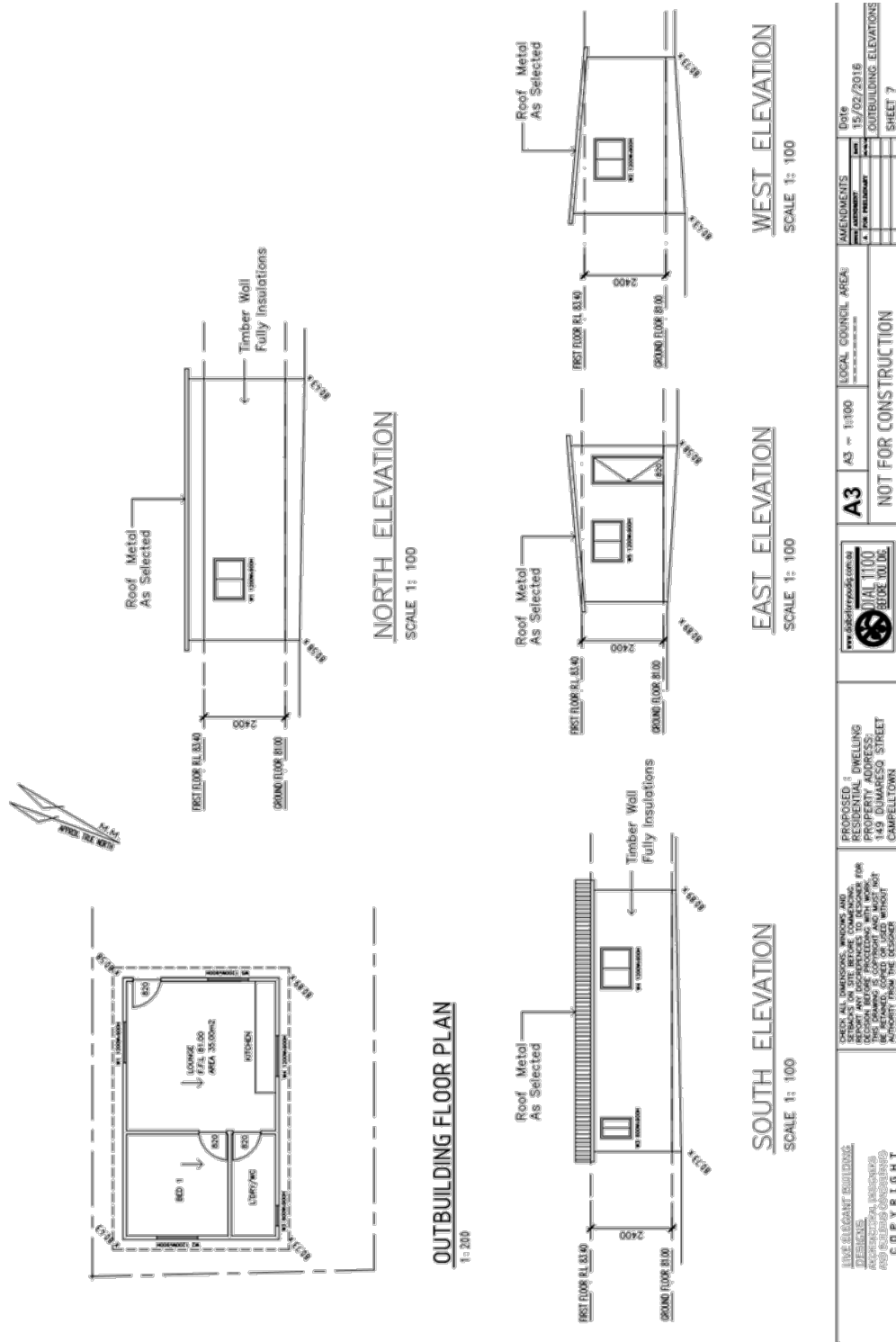
All building work must be carried out in accordance with the provisions of the *Building Code of Australia*. In this clause, a reference to the *Building Code of Australia* is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

**3. Section 149A Building Certificate Application**

Prior to the use of the building, the applicant is required obtain from Council a Building Certificate made under Section 149A of the Environmental Planning and Assessment Act, 1979 which certifies that the work undertaken without prior development consent satisfies the relevant provisions of the Building Code of Australia.

**END OF CONDITIONS**





<p>DATE: 15/02/2016</p> <p>PROJECT: OUTBUILDING ELEVATIONS</p> <p>SHEET: 7</p>		<p>AMENDMENTS</p> <p>1. 15/02/2016</p> <p>2. 15/02/2016</p>		<p>LOCAL COUNCIL AREA</p> <p>15/02/2016</p>		<p>DATE: 15/02/2016</p> <p>PROJECT: OUTBUILDING ELEVATIONS</p> <p>SHEET: 7</p>	
<p>PROPOSED: 1</p> <p>RESIDENTIAL DWELLING</p> <p>PROPERTY ADDRESS:</p> <p>149 DUMARESCO STREET</p> <p>CAMPBELLTOWN</p>		<p>NOT FOR CONSTRUCTION</p>		<p>SCALE: 1:100</p>		<p>SCALE: 1:100</p>	
<p>DATE: 15/02/2016</p> <p>PROJECT: OUTBUILDING ELEVATIONS</p> <p>SHEET: 7</p>		<p>AMENDMENTS</p> <p>1. 15/02/2016</p> <p>2. 15/02/2016</p>		<p>LOCAL COUNCIL AREA</p> <p>15/02/2016</p>		<p>DATE: 15/02/2016</p> <p>PROJECT: OUTBUILDING ELEVATIONS</p> <p>SHEET: 7</p>	

## 8.12 Draft Planning Proposal - No. 17 Percival Street, Ingleburn

### Reporting Officer

Director City Development  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

1. That Council support the draft Planning Proposal to rezone part of the land at Lot 27 DP 1096807 (17 Percival Avenue, Ingleburn) from RE1 - Public Recreation to R2 Low Density Residential.
2. That Council forward the draft Planning Proposal (refer to attachment 3) to the Department of Planning and Environment for a Gateway Determination.
3. That subject to no major issues raised by the Gateway Determination, Council proceed to public exhibition of the draft Planning Proposal.
4. That Council request that the Gateway Determination from the Department of Planning and Environment only require the public exhibition be for a period be 14 days.
5. That Council request delegation from the Department of Planning and Environment to allow Council to finalise the draft Planning Proposal.
6. That subject to no objections being received as a result of the public exhibition, Council proceed to finalising the draft Planning Proposal.
7. That Council advise the owner of the subject land of the resolution.

### Purpose

The purpose of the report is to seek Council's endorsement to forward a draft planning proposal to the Department of Planning and Environment for a Gateway Determination to facilitate the rectification of an anomaly within the Campbelltown Local Environmental Plan 2015 and rezoning of a part of the site at 17 Percival Avenue, Ingleburn from RE1 Regional Open Space to R2 Low Density Residential.

### Report

Property Description: Lot 27 DP 1096807 (17 Percival Avenue, Ingleburn)

Owners: Mr James Stewart Mayfield and Mrs Katie Elizabeth Mayfield

Applicant: Council

### **The site - Local/Regional Context**

The site that is subject to the draft planning proposal (the draft PP) is located at No 17 Percival Avenue, Ingleburn and has a total area of 950.8sqm and the part of the site that is zoned RE1 has an area of approximately 115sqm. The site is currently vacant. An aerial map of the site is shown as attachment 1 to this report.

The site is approximately 1.1 km south from Ingleburn Railway Station and is one street block from the railway line. The site adjoins Barff Reserve, which is part of the Bow Bowing Creek open space and drainage corridor. The creek is largely in natural form. There is a nearby industrial area on the western side of the railway line (refer to attachment 1).

### **Existing Zoning**

The site is zoned part RE1 - Public Recreation (RE1) and part R2 Low Density Residential (R2) under Campbelltown Local Environmental Plan 2015 (the CLEP 2015). Attachment 3 shows the existing zoning of the site.

The part of the site that is zoned RE1 has an area of approximately 115sqm and has not been identified for future acquisition by Council or any other public authority under the provisions of the CLEP 2015. As such, it is concluded that the current RE1 zoning of part of the site is most likely a result of a drafting anomaly.

### **The Planning Proposal**

The objective of this draft PP is to amend the CLEP 2015 to rezone the part of the land that is currently zoned RE1 to R2 to rectify the drafting anomaly and permit the whole of the site to be developed for a dwelling house in an orderly manner.

The part of the site that is currently zoned RE1 is still in private ownership, and as such it will not be necessary to reclassify the land as part of the PP process.

### **Land Use Development Application for the site**

Council is currently assessing a land use development application for the use of the site for a single dwelling house with a pool. Part of the footprint of the single dwelling house is proposed over the land that is currently zoned RE1. Notably, a dwelling house is not a permissible use within the RE1 zone.

Prior to Council issuing development consent for the development application for the site, a planning proposal needs to be prepared, approved by Council for Gateway determination and publicly exhibited.

### **Relationship to Strategic Planning Framework**

The draft PP is a minor matter. It is nevertheless consistent or of minor inconsistency with:

- Ministerial Directions for the preparation of PPs (S117 Directions)
- Relevant State Environmental Planning Policies



- Draft Greater Sydney Region Plan 2017
- Draft Western City District Plan
- Campbelltown Community Strategic Plan
- Campbelltown Residential Development Strategy 2013.

Comments on the consistency/inconsistency with the above documents/directions are provided in the draft PP (refer to attachment 3 of this report).

### **Infrastructure Impacts**

The development of the site would have nil impact on the demand for augmenting local infrastructure.

### **Consultation with Rural Fire Services**

As part of the assessment of the proposed development application, Council consulted with the NSW Rural Fire Service (RFS). RFS did not object to the development application, however a number of conditions that the development would need to comply with were provided. Those include matters related to the design and construction of the dwelling house, landscaping, Asset Protection Zones and water and utilities.

### **Flooding**

The subject property is a flood control lot with respect to 1 per cent Annual Exceedance Probability (AEP) flood in the adjoining Bow Bowing Bunbury Curran Creek. A Flood Control Lot is defined in the State Environment Planning Policy (Exempt and Complying Development Codes) 2008 - as a lot to which flood related development controls apply in respect of development for the purposes of industrial buildings, commercial premises, dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (other than development for the purposes of group homes or seniors housing).

In this regard, Council Engineers reviewed the proposed development application and provided a number of development conditions in relation to floor levels, the location of rainwater tanks, and the design of the stormwater drainage.

### **Consultation**

Council consulted with the Rural Fire Service in relation to the proposed development application for the use of the site for a dwelling house. Given the minor nature of the draft planning proposal it is not considered necessary to undertake any further consultation with public agencies in relation to the proposed rezoning. In addition, it is also recommended that Council request that the gateway determination only require a period of 14 days for the public exhibition of the draft PP.

### **Delegation to make the Plan**

Given that the draft PP is to correct a drafting anomaly, it is recommended that Council request that the Department provide Council with delegation to make the plan.

**Conclusion**

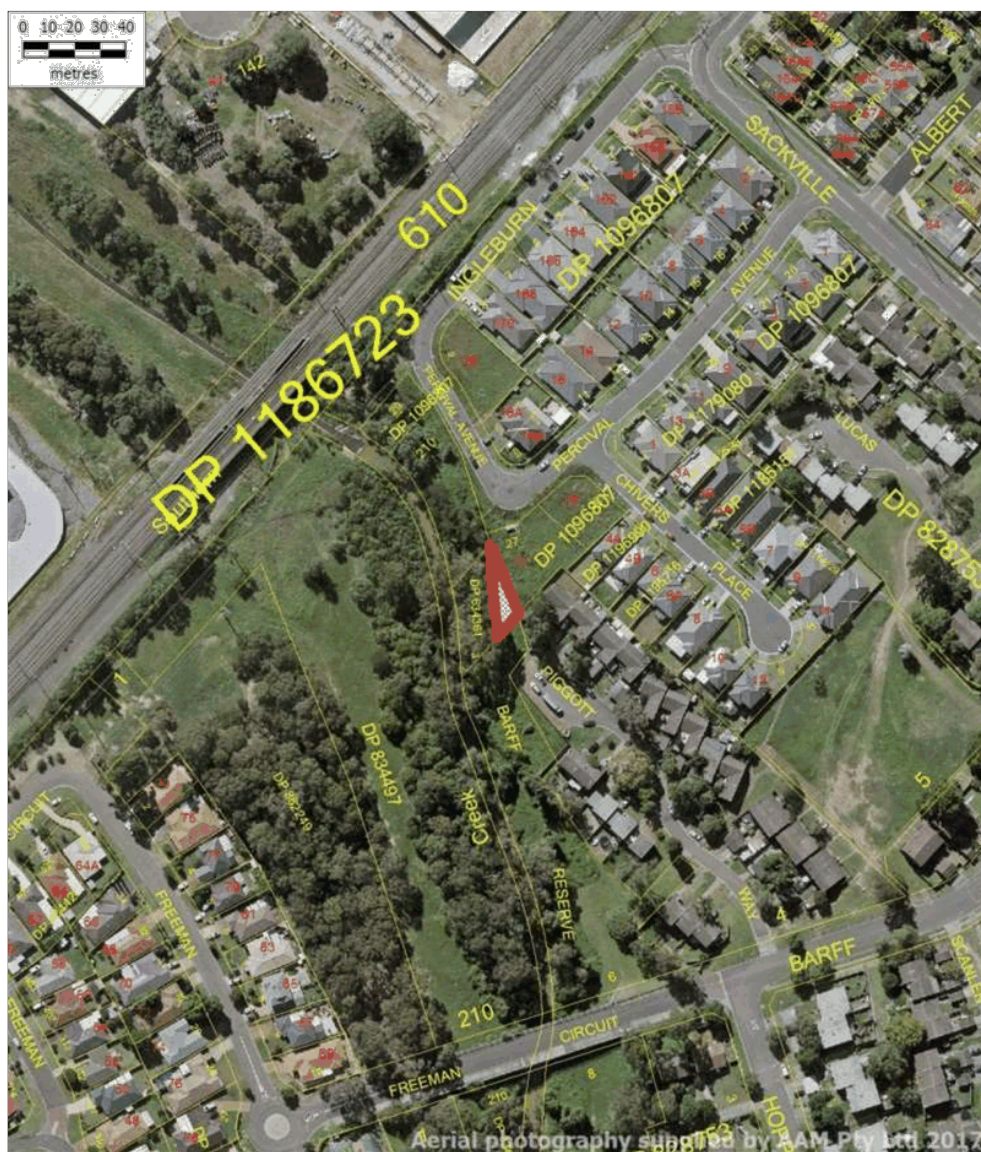
The rezoning sought with this draft PP is considered to be a minor matter and considered an acceptable planning outcome for the subject land, without any adverse impact on the surrounding private and public lands.

As such, it is recommended that Council support the draft PP and forward it to the Department of Planning and Environment for Gateway Determination.

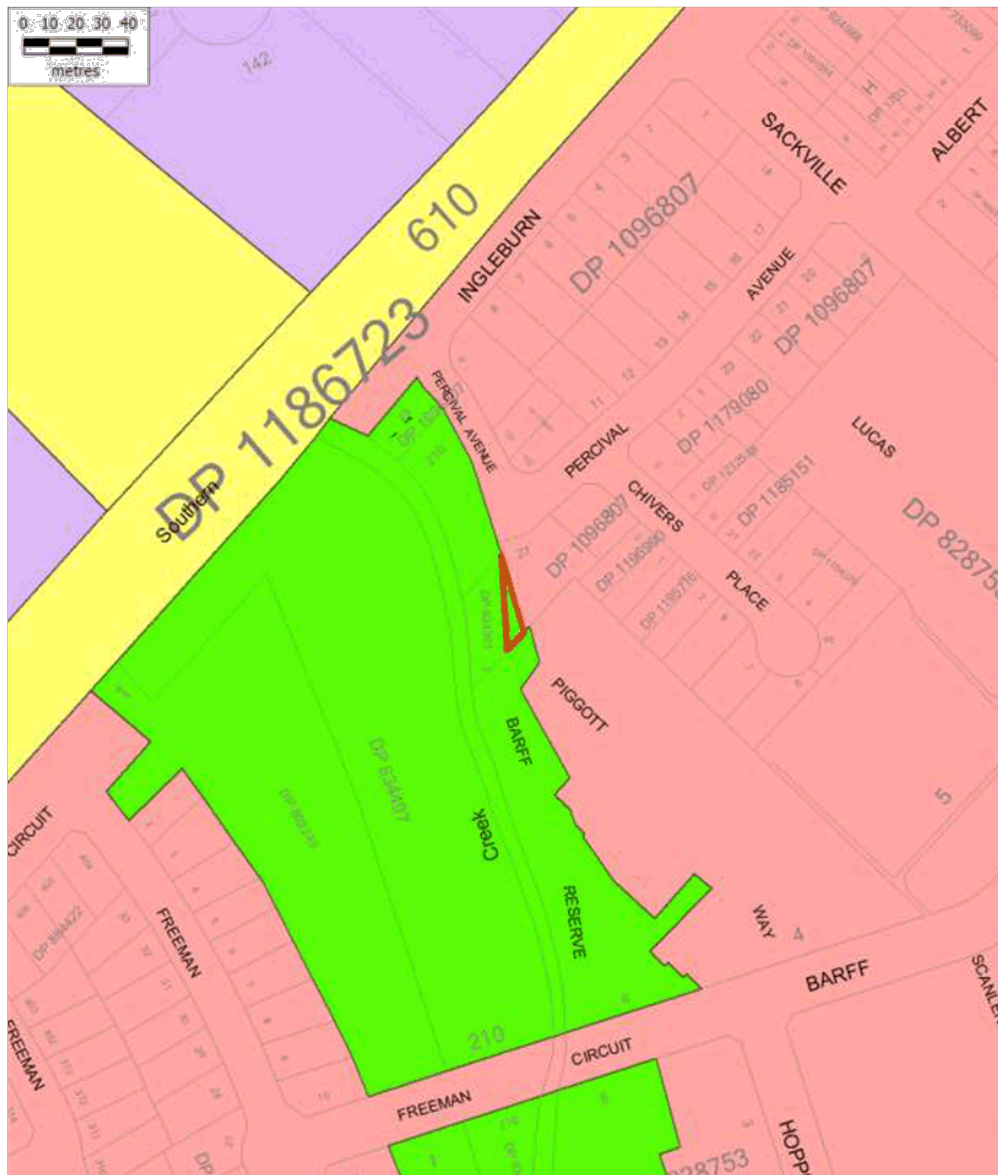
**Attachments**

1. Aerial photo of the site (contained within this report)
2. Existing zoning of the subject land (contained within this report)
3. Draft Planning Proposal - 17 Percival Street, Leumeah (contained within this report)

**Aerial photo of the site**



**Existing Zoning of the subject site**





**Draft Planning Proposal -  
17 Percival Avenue, Ingleburn**



## Percival Avenue. Ingleburn

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### Background

The site is part of a single residential lot at Percival Street, Ingleburn. It has been deemed surplus to future open space needs.

### Existing situation

The real property description of the land is Lot 27 DP 1096807 (17 Percival Avenue, Ingleburn). The property has an area of 950.8 sqm. The area that is the subject of the planning proposal has area of approximately 115 sqm.

The site is approximately 1.1 km south from Ingleburn Station and is one street block from the railway line. The site adjoins Barff Reserve, which is part of the Bow Bowing Creek open space and drainage corridor. The creek is not a concrete lined channel but largely in natural form. There is an industrial area nearby on the western side of the railway line.

Figure 1 shows an aerial photograph of the subject site in its immediate context. Figure 2 shows a street view of the site.



*Figure 1 – Subject site and immediate locality*



*Figure 2 Street view of subject site*

## **Part 1 – Objectives or intended outcomes**

The objective of the planning proposal (PP) is to amend Campbelltown Local Environmental Plan 2015 (CLEP 2015) to rectify a drafting anomaly and permit the whole of the site to be developed for a dwelling house in an orderly manner. As it is still in private ownership, it is not necessary to reclassify the land as part of the PP.

## **Part 2 – Explanation of provisions**

### **2.1 Proposed amendments to CLEP 2015**

It is proposed that CLEP 2015 be amended to reflect the envisaged land use change. In this regard the following changes are proposed:

#### **Changes to Zoning Map**

Change from RE1 - Public Recreation to R2 - Low Density Residential as shown on the Proposed Zoning Map (refer to maps 1 and 2 attached).

#### **Changes to Minimum Lot Size Map**

Extend the Minimum Lot Size of 500 sqm to the entire site as shown on the Minimum Lot Size Map (refer to maps 3 and 4 attached).

#### **Changes to Dual Occupancy Lot Size Map**

Extend the Minimum Lot Size for Dual Occupancy of 700 sqm to the entire site as shown on Minimum Lot Size for Dual Occupancy Map (refer to maps 5 and 6 attached).

**Changes to Height of Building Map**

Extend the maximum Height of Building of 9.5 m to the entire site as shown on the Height of Building Map (refer to maps 7 and 8 attached).

**Part 3 – Justification****Section A - Need for the planning proposal****1. Is the planning proposal a result of any strategic study or report?**

No, the PP is of minor environmental significance.

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

The planning proposal is considered to be the best means of achieving the planning objective and intended outcomes detailed in Part 1. There are no other relevant means of accommodating the proposed development than to amend CLEP 2015 as promoted by this PP.

**Section B - Relationship to Strategic Planning Framework****3. 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 draft Greater Sydney Region Plan 2017 was released in October 2017. The PP is considered to be consistent with the Draft Plan in that it is consistent with the following actions in the draft plan:

Objective 10: Greater housing supply

The PP will assist in provide additional housing supply.

Objective 31: Public open space is accessible, protected and enhanced

The PP will not decrease local accessibility to the open space corridor of Bow Bowling Creek. It will not reduce the existing open space accessible to local residents.

Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths

The PP will not sever any existing or potential links along the open space corridor of Bow Bowling Creek.

The draft Western City District Plan was released in October 2017. The PP is considered consistent with the draft Plan in that it is consistent with the following actions in the draft plan:

Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs and services

The land is located with the Greater Macarthur Priority Growth Area, being part of the Glenfield to Macarthur Corridor. It represents Local infill development by being an extension to the existing residential area. The site is approximately 1.1 km south from Ingleburn Station.



#### 4. Is the planning proposal consistent with the local Council's Community Strategic Plans?

##### **Campbelltown Community Strategic Plan 2013 - 2023**

This overarching Community Strategic Plan represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

The PP at a generic level maybe considered to not be inconsistent with the relevant objectives headed accordingly:

- a sustainable environment
- a strong economy
- an accessible city
- a safe, healthy and connected community.

##### **Campbelltown Local Planning Strategy 2013**

The strategy identifies a number of major growth nodes around which infill residential development is encouraged to take place. The site is close to the Ingleburn Centre, which is one of the growth nodes. The site does not require augmentation of any infrastructure. It is consistent with the timing for development anticipated by the strategy.

The PP is consistent with the Campbelltown Local Planning Strategy 2013.

##### **Campbelltown Residential Development Strategy 2013**

Same comments as above.

The PP is consistent with the Residential Development Strategy 2013.

#### 5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs). See Table 1 below.

**Table 1**

State Environmental Planning Policies	Comments on consistency
SEPP No 1 Development Standards	Not applicable as CLEP 2015 is a Standard Instrument LEP & incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 14 - Coastal Wetlands	Not applicable in the Campbelltown LGA.
SEPP No. 19 - Bushland in Urban Areas	Not applicable as there is no bushland on site.
SEPP No. 21 - Caravan Parks	Not applicable to this PP.
SEPP No. 26 - Littoral Rainforests	Not applicable in the Campbelltown LGA.
SEPP No. 30 - Intensive Agriculture	Not applicable to this PP.
SEPP No. 33 - Hazardous and Offensive Development	Not applicable to this PP.
SEPP No. 36 - Manufactured Home Estates	Not applicable in the Campbelltown LGA.

State Environmental Planning Policies	Comments on consistency
SEPP No. 44 - Koala Habitat Protection	Consistent, as there is no tree cover on the subject land. While the adjacent parkland has been identified as marginal habitat, it is noted it is located within an urban area and is remote from the preferred habitat to the east of the urban areas of Campbelltown. It should be noted that there are no trees on the subject land, including the portion of the site currently zoned RE1
SEPP No. 47 - Moore Park Showground	Not applicable in the Campbelltown LGA.
SEPP No. 50 - Canal Estates Development	Not applicable to this PP.
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable in the Campbelltown LGA.
SEPP No. 55 - Remediation of Land	Consistent as it is considered unlikely that the land is contaminated as there is no history of land use on the land to suggest the likelihood of contamination.
SEPP No. 62 - Sustainable Aquaculture	Not applicable to this PP.
SEPP No. 64 - Advertising and Signage	Not applicable to this PP.
SEPP No. 65 - Design Quality of Residential Flat Development	Not applicable to this PP as residential flat buildings are not proposed on the site.
SEPP No. 70 - Affordable Housing (Revised Schemes)	Not applicable in the Campbelltown LGA
SEPP No. 71 - Coastal Protection	Not applicable in the Campbelltown LGA.
SEPP (Affordable Rental Housing) 2009	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Educational Establishments and Child Care Facilities) 2017	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Housing for Seniors or People with a Disability)	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Infrastructure) 2007	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Integration and Repeals) 2016	Not applicable to this PP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable in the Campbelltown LGA.
SEPP (Kurnell Peninsula) 1989	Not applicable in the Campbelltown LGA.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable to this PP.
SEPP (Miscellaneous Consent Provisions) 2007	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Penrith Lakes Scheme) 1989	Not applicable in the Campbelltown LGA.

State Environmental Planning Policies	Comments on consistency
SEPP (Rural Lands) 2008	Not applicable to this PP.
SEPP (State and Regional Development) 2011	Not applicable to this PP.
SEPP (State Significant Precincts) 2005	Not applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable in the Campbelltown LGA.
SEPP (Sydney Region Growth Centres) 2006	Not applicable to this PP.
SEPP (Three Ports) 2013	Not applicable in the Campbelltown LGA.
SEPP (Urban Renewal) 2010	Not applicable to this PP.
SEPP (Vegetation in Non-Rural Areas) 2017	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Western Sydney Employment Area) 2009	Not applicable to this PP.
SEPP (Western Sydney Parklands) 2009	Not applicable to this PP.
REP No.2 – Georges River Catchment	Consistent, as the PP has minimal impact on the issues of REP No.2 – Georges River Catchment.
REP No.9 - Extractive Industry (No 2)	Not applicable to this PP.
REP No.20 - Hawkesbury-Nepean River (No 2 1997)	Not applicable to this PP.
Drinking Water Catchments REP No.1	Not applicable in the Campbelltown LGA.

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

The planning proposal is consistent with applicable Ministerial Directions. See Table 2 below.

**Table 2**

Ministerial Direction	Comments on consistency
<b>1. Employment and Resources</b>	
1.1 Business and industrial Zones	Not applicable to this PP.
1.2 Rural Zones	Not applicable to this PP.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable to this PP.
1.4 Oyster Production	Not applicable to this PP.
1.5 Rural Lands	Not applicable to this PP.
<b>2. Environment and Heritage</b>	
2.1 Environmental Protection Zones	Not applicable to this PP. There is no vegetation on the site.
2.2 Coastal Protection	Not applicable to this PP.
2.3 Recreation Vehicle Area	Not applicable to this PP.

Ministerial Direction	Comments on consistency
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	The PP seeks to provide an opportunity for housing. It can be readily and economically serviced and social infrastructure impacts appropriately addressed.
3.2 Caravan Parks & Manufactured Home Estates	Caravan Parks are currently not permitted in the R2 zone, proposed to apply to the site.
3.3 Home Occupations	The R2 Low Density Residential zone permits "Home occupations" without consent.
3.4 Integrating Land Use & transport	Consistent as the PP seeks to rezone land adjoining an existing urban area for residential development. The site is proximate to public transport.
3.5 Development Near Licensed Aerodromes	Not applicable to this PP.
3.6 Shooting Ranges	Not applicable to this PP.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulphate Soils	Consistent as the land is not known to exhibit acid sulphate qualities.
4.2 Mine Subsidence and Unstable Land	Not applicable to this PP.
4.3 Flood Prone Land	Inconsistent, although the inconsistency can be justified as the subject land is only small, on the periphery of Bow Bowing Creek and advice has been received from Council's City Delivery Division that a development can take place satisfactorily through filling and minimum floor levels. The CLEP 2015 already includes provisions that give effect to the Floodplain Development Manual 2005.
4.4 Planning for Bushfire Protection	Inconsistent, although the inconsistency can be justified as the subject land is only small, on the periphery of Bow Bowing Creek. Advice from a qualified consultant and from Rural Fire Service has indicated that development can, subject to conditions, be satisfactorily constructed without increasing risk to property.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Not applicable in the Campbelltown LGA
5.2 Sydney Drinking Water catchments	Not applicable in the Campbelltown LGA
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable in the Campbelltown LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable in the Campbelltown LGA.
5.5 -5.7	Revoked.
5.8 Second Sydney Airport	Not applicable in the Campbelltown LGA
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	Consistent as the PP does not alter the provisions relating to approval and referral requirements.

Ministerial Direction	Comments on consistency
6.2 Reserving Land for Public Purposes	The land is of limited magnitude and utility and not required for recreation purposes. Although the subject land is zoned RE1, there is no acquisition authority identified by the mapping layer in the LEP. In the circumstances it is likely that Council would effectively be the acquisition authority. As Council is the proponent to rezone the land to R2 it is considered that the PP is consistent with this Direction.
6.3 Site Specific Provisions	Not applicable in the Campbelltown LGA
<b>7. Metropolitan Planning</b>	
7.1 Implementation of a Plan for Growing Sydney	Consistent as the PP seeks to increase housing supply at a local scale in a location that is generally consistent with the locational commentary of the Plan.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to this PP.

### Section C - Environmental, Social and Economic Impact

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

There are no trees on the subject site and accordingly it is considered that there would not be any adverse impacts.

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

There are no significant other environmental impacts, which require resolution in the context of the PP. The impacts in terms of stormwater water quantity and quality, traffic are considered very minor and will not require augmentation of any existing infrastructure.

While there is no known contamination of the site, SEPP 55 - Contaminated Land, will require this to be further assessed before any proposed use of the site.

**9. How the planning proposal adequately addressed any social and economic effects?**

The rezoning for residential purposes will result in additional potential for housing supply. No adverse social impacts are anticipated.

### Section D - State and Commonwealth Interests

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

The scale of the PP is very minor and unlikely to require any augmentation of public infrastructure.

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

These views will be documented after the Gateway Determination is actioned.

## Part 4 – Mapping

In seeking to achieve the PP objective and outcomes the following map amendments are proposed:

- Amendments to Zoning Map (refer map 2 proposed)
- Amendments to Lot Size Map (refer to map 4)
- Amendments to Lot Size for Dual Occupancy Development Map (refer to map 6)
- Amendments to Building Height Map (refer to map 8)

It is noted that it is not proposed to amend the existing:

- Land Reservation Acquisition Map.

## Part 5 - Community Consultation

Public consultation will take place in accordance with a relevant Gateway determination.

All relevant agencies and local community will also be consulted during the mandated minimum public exhibition period.

## Part 6 - Project Timeline

The following notional project timeline is proposed:

Council endorsement of Planning Proposal	December 2017
Referral for a Gateway Determination	January 2018
Gateway Determination	February 2018
Completion of additional supporting documentation	March 2018
Public Exhibition	April 2018
Consideration of submissions (Report to Council)	May 2018
Finalisation of LEP amendment	May 2018
Plan amendment made	June 2018

**Campbelltown Local Environmental Plan 2015 (CLEP 2015)**

**Proposed Amendment 17**  
Percival Avenue, Ingleturn

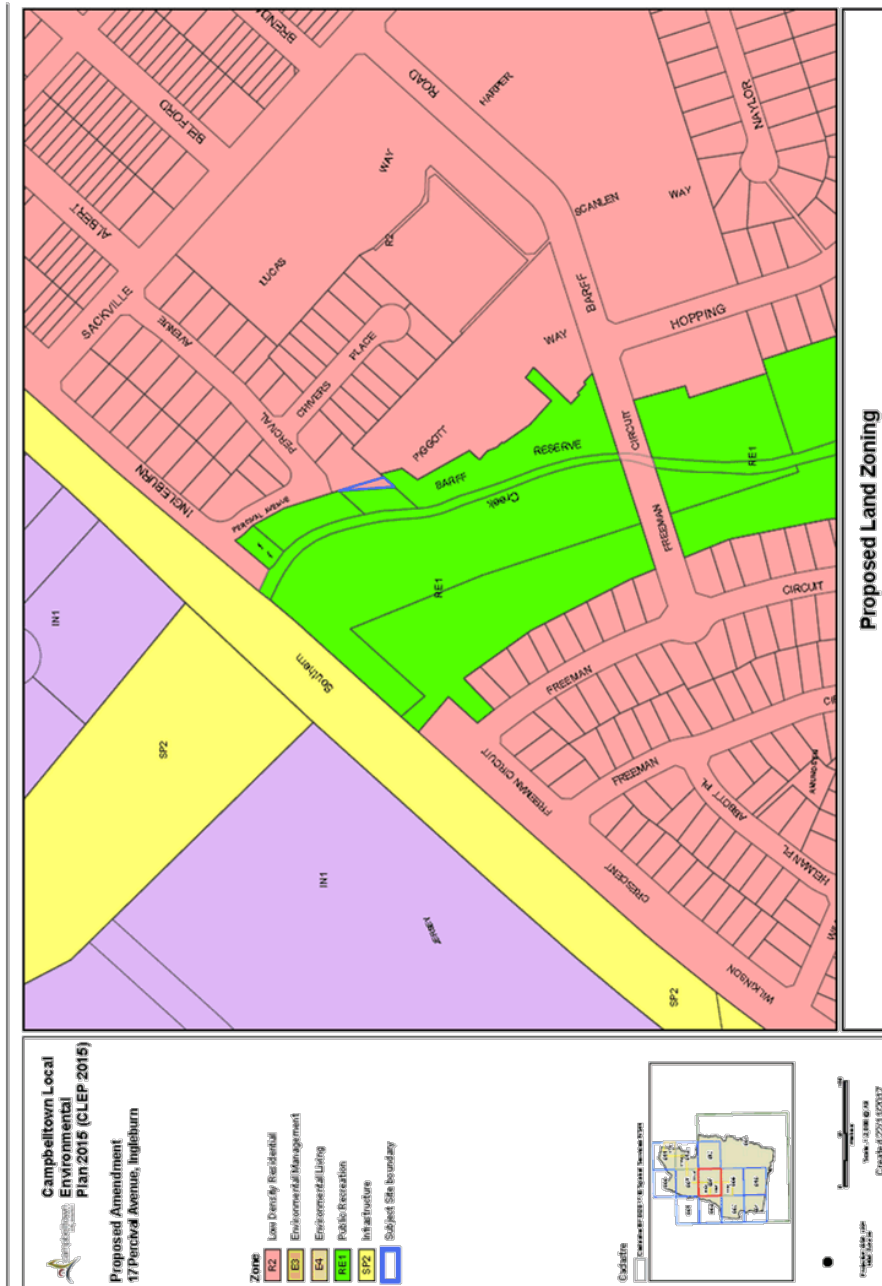
**Zone**

- E2 Low Density Residential
- E3 Environmental Management
- E4 Environmental Living
- RE1 Public Recreation
- SP2 Infrastructure
- Subject Site boundary

**Scale**  
0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150 160 170 180 190 200 210 220 230 240 250 260 270 280 290 300 310 320 330 340 350 360 370 380 390 400 410 420 430 440 450 460 470 480 490 500 510 520 530 540 550 560 570 580 590 600 610 620 630 640 650 660 670 680 690 700 710 720 730 740 750 760 770 780 790 800 810 820 830 840 850 860 870 880 890 900 910 920 930 940 950 960 970 980 990 1000 1010 1020 1030 1040 1050 1060 1070 1080 1090 1100 1110 1120 1130 1140 1150 1160 1170 1180 1190 1200 1210 1220 1230 1240 1250 1260 1270 1280 1290 1300 1310 1320 1330 1340 1350 1360 1370 1380 1390 1400 1410 1420 1430 1440 1450 1460 1470 1480 1490 1500 1510 1520 1530 1540 1550 1560 1570 1580 1590 1600 1610 1620 1630 1640 1650 1660 1670 1680 1690 1700 1710 1720 1730 1740 1750 1760 1770 1780 1790 1800 1810 1820 1830 1840 1850 1860 1870 1880 1890 1900 1910 1920 1930 1940 1950 1960 1970 1980 1990 2000 2010 2020 2030 2040 2050 2060 2070 2080 2090 2100 2110 2120 2130 2140 2150 2160 2170 2180 2190 2200 2210 2220 2230 2240 2250 2260 2270 2280 2290 2300 2310 2320 2330 2340 2350 2360 2370 2380 2390 2400 2410 2420 2430 2440 2450 2460 2470 2480 2490 2500 2510 2520 2530 2540 2550 2560 2570 2580 2590 2600 2610 2620 2630 2640 2650 2660 2670 2680 2690 2700 2710 2720 2730 2740 2750 2760 2770 2780 2790 2800 2810 2820 2830 2840 2850 2860 2870 2880 2890 2900 2910 2920 2930 2940 2950 2960 2970 2980 2990 3000 3010 3020 3030 3040 3050 3060 3070 3080 3090 3100 3110 3120 3130 3140 3150 3160 3170 3180 3190 3200 3210 3220 3230 3240 3250 3260 3270 3280 3290 3300 3310 3320 3330 3340 3350 3360 3370 3380 3390 3400 3410 3420 3430 3440 3450 3460 3470 3480 3490 3500 3510 3520 3530 3540 3550 3560 3570 3580 3590 3600 3610 3620 3630 3640 3650 3660 3670 3680 3690 3700 3710 3720 3730 3740 3750 3760 3770 3780 3790 3800 3810 3820 3830 3840 3850 3860 3870 3880 3890 3900 3910 3920 3930 3940 3950 3960 3970 3980 3990 4000 4010 4020 4030 4040 4050 4060 4070 4080 4090 4100 4110 4120 4130 4140 4150 4160 4170 4180 4190 4200 4210 4220 4230 4240 4250 4260 4270 4280 4290 4300 4310 4320 4330 4340 4350 4360 4370 4380 4390 4400 4410 4420 4430 4440 4450 4460 4470 4480 4490 4500 4510 4520 4530 4540 4550 4560 4570 4580 4590 4600 4610 4620 4630 4640 4650 4660 4670 4680 4690 4700 4710 4720 4730 4740 4750 4760 4770 4780 4790 4800 4810 4820 4830 4840 4850 4860 4870 4880 4890 4900 4910 4920 4930 4940 4950 4960 4970 4980 4990 5000 5010 5020 5030 5040 5050 5060 5070 5080 5090 5100 5110 5120 5130 5140 5150 5160 5170 5180 5190 5200 5210 5220 5230 5240 5250 5260 5270 5280 5290 5300 5310 5320 5330 5340 5350 5360 5370 5380 5390 5400 5410 5420 5430 5440 5450 5460 5470 5480 5490 5500 5510 5520 5530 5540 5550 5560 5570 5580 5590 5600 5610 5620 5630 5640 5650 5660 5670 5680 5690 5700 5710 5720 5730 5740 5750 5760 5770 5780 5790 5800 5810 5820 5830 5840 5850 5860 5870 5880 5890 5900 5910 5920 5930 5940 5950 5960 5970 5980 5990 6000 6010 6020 6030 6040 6050 6060 6070 6080 6090 6100 6110 6120 6130 6140 6150 6160 6170 6180 6190 6200 6210 6220 6230 6240 6250 6260 6270 6280 6290 6300 6310 6320 6330 6340 6350 6360 6370 6380 6390 6400 6410 6420 6430 6440 6450 6460 6470 6480 6490 6500 6510 6520 6530 6540 6550 6560 6570 6580 6590 6600 6610 6620 6630 6640 6650 6660 6670 6680 6690 6700 6710 6720 6730 6740 6750 6760 6770 6780 6790 6800 6810 6820 6830 6840 6850 6860 6870 6880 6890 6900 6910 6920 6930 6940 6950 6960 6970 6980 6990 7000 7010 7020 7030 7040 7050 7060 7070 7080 7090 7100 7110 7120 7130 7140 7150 7160 7170 7180 7190 7200 7210 7220 7230 7240 7250 7260 7270 7280 7290 7300 7310 7320 7330 7340 7350 7360 7370 7380 7390 7400 7410 7420 7430 7440 7450 7460 7470 7480 7490 7500 7510 7520 7530 7540 7550 7560 7570 7580 7590 7600 7610 7620 7630 7640 7650 7660 7670 7680 7690 7700 7710 7720 7730 7740 7750 7760 7770 7780 7790 7800 7810 7820 7830 7840 7850 7860 7870 7880 7890 7900 7910



Map 2 - Proposed Land Zoning Map





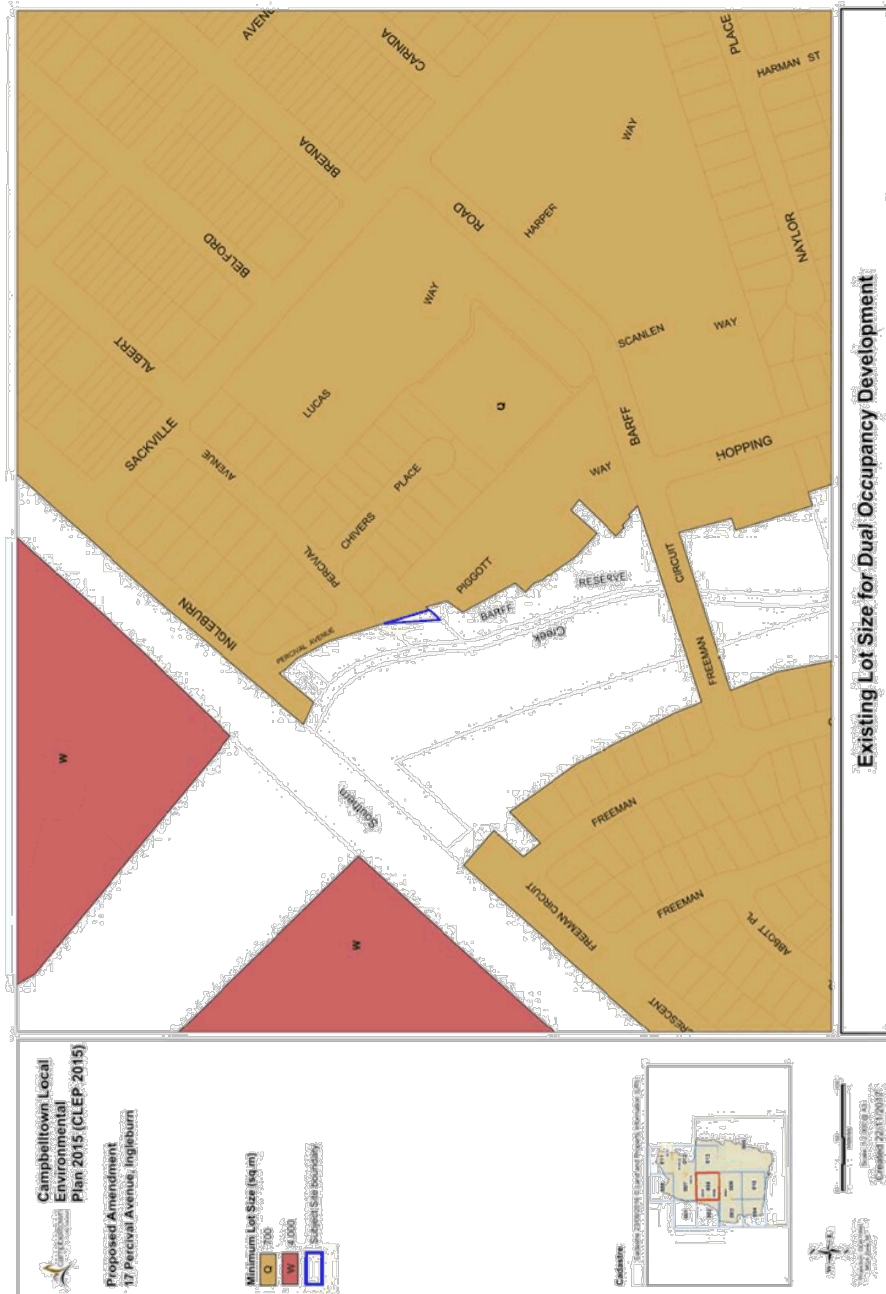
**Map 3 - Existing Minimum Lot Size Map**



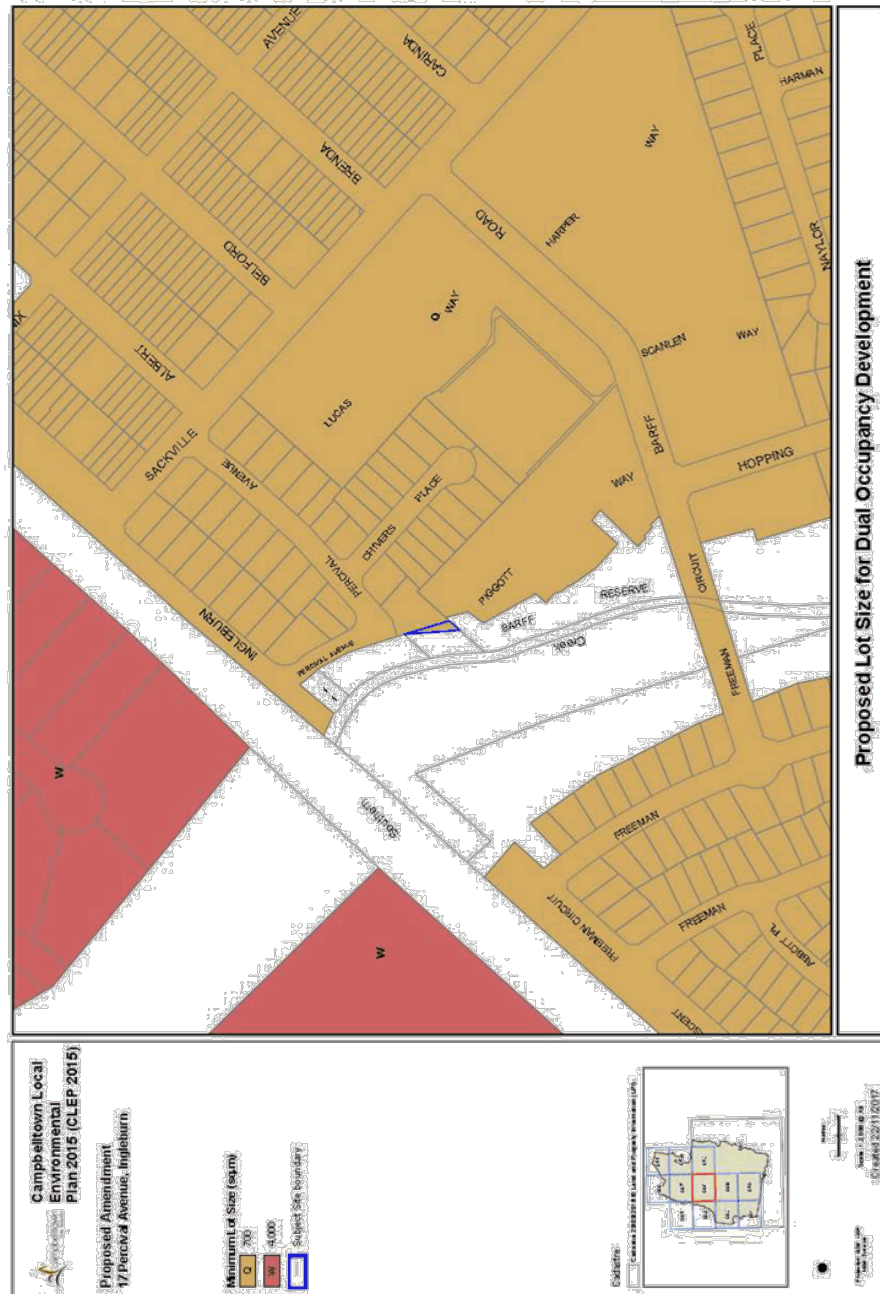
Map 4 - Proposed Minimum Lot Size Map



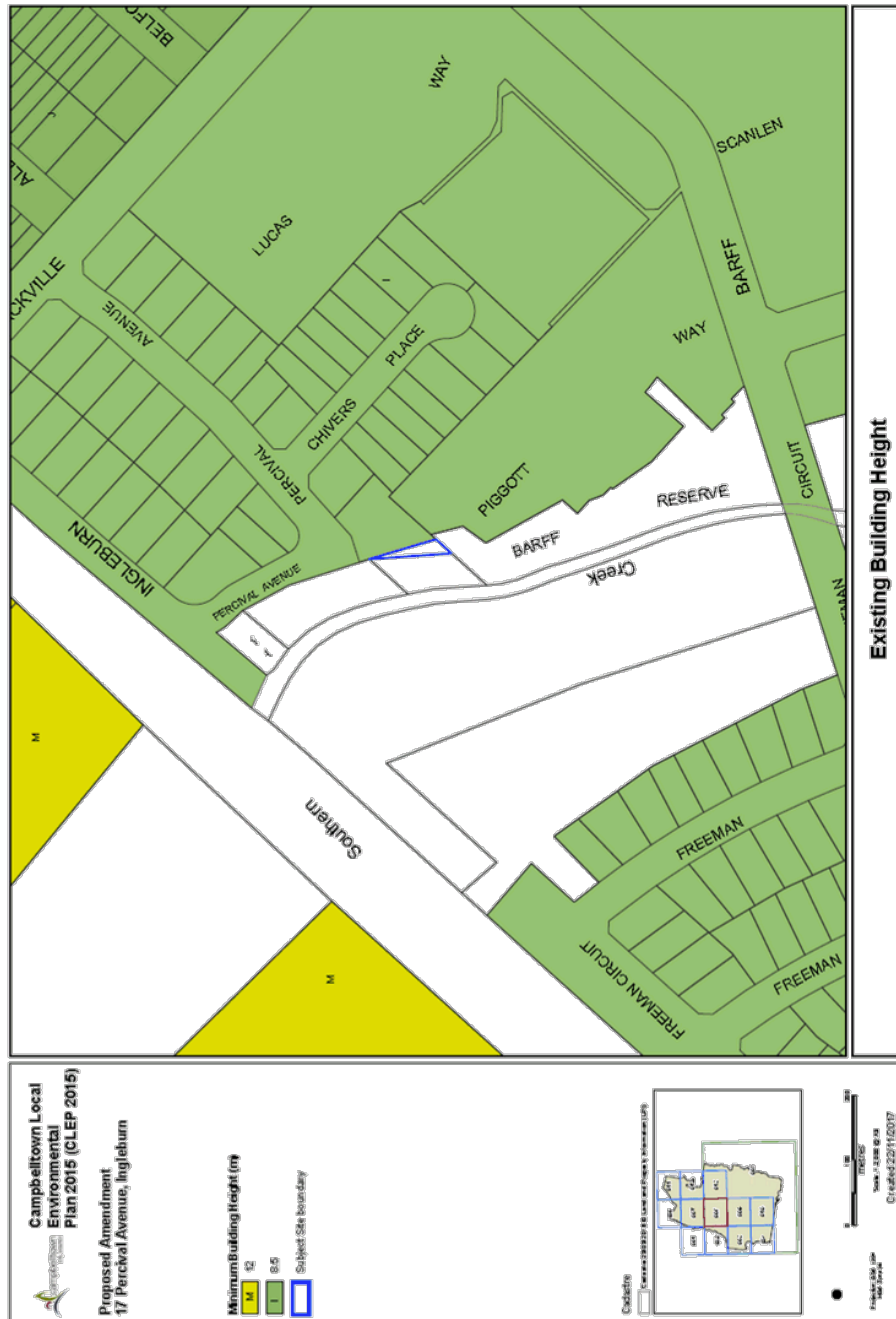
**Map 5 - Existing to Dual Occupancy Lot Size Map**



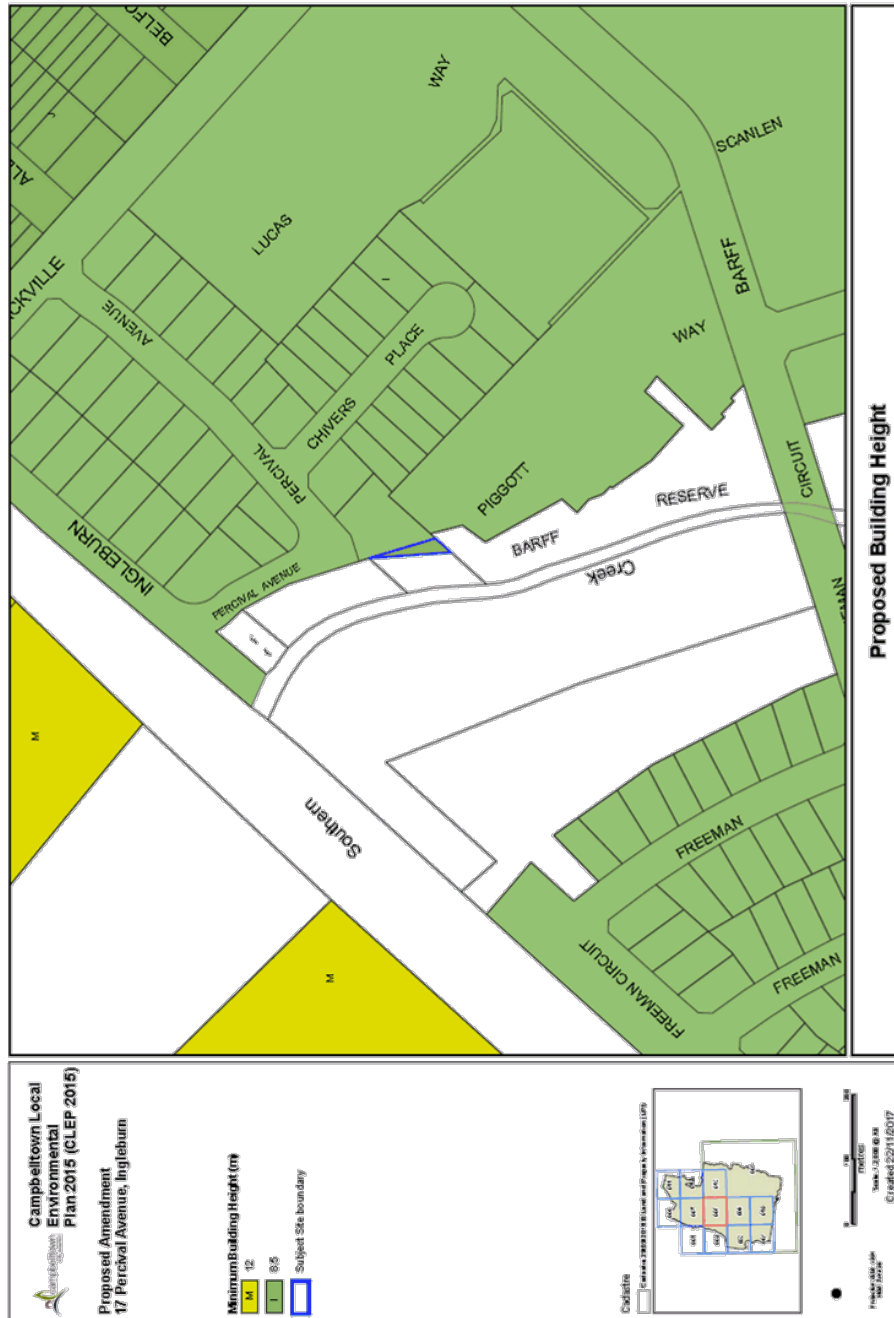
**Map 6 - Proposed to Dual Occupancy Lot Size Map**



**Map 7 – Existing to Height of Buildings Map**



**Map 8 – Proposed to Height of Buildings Map**





## 8.13 Evaluation of the Macarthur Night Food Markets Pilot

### Reporting Officer

Executive Manager Community Life  
City Lifestyles

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.4 - Provide and support exciting and curious events and festivals for the local community and visitors

### Officer's Recommendation

1. That Council continue the Macarthur Night Markets as a permanent bi-monthly event, subject to development consent and annual review.
2. That Council continue with the operating model utilised for the pilot, with Council as host and an experienced market operator as operator.
3. That Council pursue a formal procurement process for a market operator to enter into a contract for operation of the night markets, subject to development consent and annual review.
4. That Council extend the existing contract with Eat Shop Love to April 2018 to enable the markets to continue until finalisation of the procurement process.
5. That Council officers work with the market operator to develop a program to build capacity of interested local food businesses to operate successfully in a market setting, as well as make improvements as suggested through community feedback.
6. That Council officers, in partnership with the market operator, undertake annual evaluation of night markets, including but not limited to customer satisfaction, attendance, vendor satisfaction, and ongoing financial feasibility.
7. That a report be presented to Council in early 2018 to propose a new market pilot in a further location within the Local Government Area.

### Purpose

To report on the results of the evaluation and feasibility study of the Macarthur Night Markets pilot and to assist Council to determine the future operation of the night markets.

### History

Council at its meeting held 14 March 2017 resolved:

That a report be presented investigating the feasibility of operating night food markets in Mawson Park, or on the Council forecourt, or the Arts Centre forecourt or any other location considered suitable by Council staff.

In order to assess feasibility as per the Council resolution, a pilot of night food markets was proposed for Mawson Park to test community interest in a market of this kind, ideal frequency, commercial viability, and social and economic benefits to the City and particularly to the Campbelltown Central Business District (CBD).

Council officers applied for development consent for the pilot, and advertised for an Expression of Interest for an experienced operator to run the pilot markets. Eat Shop Love was the successful operator.

The pilot commenced on 6 June 2017 with an end date of 15 December 2017. Two market events were cancelled due to inclement weather during this period (to mid November 2017).

## Report

The evaluation has involved assessing a range of quantitative and qualitative data.

Face to face and online surveys have been conducted to determine community satisfaction with the markets and opinion as to their future operation. The market operator Eat Shop Love has also provided data as to costs and revenues. An indication of wider economic benefit from the markets has also been modelled using the id Economy website to which Council subscribes. Other social and economic benefits from the Macarthur Night Markets and other studies of similar market events have also been considered.

### Cost Benefit Analysis

Financial data provided from Eat Shop Love costs an average market event, at approximately \$4,500. This includes wages, event management, event administration, security, toilet and bin hire and generator hire.

Revenue from the markets varies slightly depending on the number of stallholders and associated fees. Stallholder charges vary according to the size of the vendors, however analysis of one market event, considered to represent an average event, as an indicator was undertaken. On 6 October 2017 the operator received \$3,335 in stallholder fees and a further \$750 in electrical charges for use of generators, resulting in total revenue of approximately \$4,085.

The financial analysis indicates that based on the fees agreed between Council and the operator, and being mindful of ensuring an appropriate number of vendors to appropriately meet supply and demand, that the markets are yet to break even as a standalone event.

Despite this, the operator has advised that they believe the markets to be commercially viable based on:

- value of exposure to the operator's brand and patron satisfaction as part of a wider overall business offering throughout the region
- potential for the event to grow, thereby increasing revenue potential
- potential opportunities to review stallholder fees should the event become permanent thereby increasing certainty for vendors.



It is important to note that the market operator has an established brand and large social media following. This means that they are able to attract drawcard vendors with their own social media followings, and exposure outside of the Campbelltown and Macarthur areas. No attempts have been made to place a value on the brand proposition, however any change of operating model (such as for Council to run the markets in-house) would impact on the commercial viability of the markets, at least in the short term.

### Wider Economic Benefit

Data was provided by the operator to help model the wider economic flow on effects that the markets create. Information from vendors indicates an average spend per transaction of \$13.50 and average number of transactions per stallholder of 250. This creates an average stallholder take of \$3,375. On an average stallholder number of 30 vendors, this indicates an overall average spend for each market of \$101,250.

An assessment of the cumulative or flow on economic impacts of the night markets has been undertaken utilising the Economic Impact Assessment Tool in the Economy ID product to which Council subscribes. Economic impact modelling enables Council to explore how change in employment or output (sales) in one sector of the local economy will impact on all other sectors of the economy, by modelling the flow-on effects across different industries. This method of modelling uses a number of multipliers to demonstrate how spending creates wider economic gain. Simply stated, economic activity generates economic activity like a ripple effect, and this modelling demonstrates the flow-on and cumulative impact.

Assuming average sales at one Night Market event of \$100,000, the following flow-on benefits are indicated from the eleven market events during the pilot period (assuming no further weather cancellations):

<b>Impact Summary</b>				
<b>Campbelltown City - Modelling the effect of adding \$1.1m sales in Food Retailing - Inflation adjusted</b>				
<b>Summary</b>	<b>Output (\$m)</b>	<b>Value-added (\$m)</b>	<b>Local jobs</b>	<b>Residents jobs</b>
Starting position Campbelltown City (year ended June 2016)				
Food Retailing	156.41	88.05	1,933	2,981
All industries	10,891.02	4,639.16	49,857	76,052
Impacts on Campbelltown City economy				
Direct impact on Food Retailing sector	1.10	0.62	14	
Industrial impact	0.54	0.20	2	
Consumption impact	0.49	0.21	2	
Total impact on Campbelltown City economy	2.12	1.03	17	12
Type 1 multiplier (direct & industrial)	1.49	1.33	1	
Type 2 multiplier (direct, industrial & consumption)	1.93	1.67	1	
Impact on Australian economy				
Total impact outside Campbelltown	1.00	0.42	4	8

City				
Total impact on Australian economy	3.12	1.45	21	20

Source: [National Institute of Economic and Industry Research \(NIEIR\)](#) ©2016. Compiled and presented in economy.id by [.id](#), the population experts.

Note: All \$ values are expressed in 2014-2015 base year dollar terms.

### Other Social and Economic Benefits

In addition to the economic benefits which can be reliably quantified and modelled, observations and anecdotal evidence from the operator, Council officers and social media suggest the following additional economic flow on effects:

- the markets are being used as a meeting place after work, where people have a meal and then go out in the local area to venues such as Rydges and Wests Leagues Club
- there are people purchasing food from surrounding shops and eating their food in Mawson Park for the entertainment and ambience
- there are people purchasing drinks and other accompaniments from surrounding businesses
- up to eight of the average thirty stalls are run by businesses from the surrounding area
- two local start-ups have been established that were incubated by the night markets.

The general proximity of businesses such as the Bowling Club combined with coming Council initiatives such as Live and Local, present an opportunity to use the markets as a catalyst for developing further economic growth in the night time economy of the CBD of Campbelltown. In addition, should the markets operate permanently, there is an opportunity to work with interested local businesses or residents to build capacity and skills to operate a successful food stall.

A number of other case studies were undertaken as part of the evaluation, which further confirm the social and economic benefits that derive from markets, including bringing life to an otherwise underutilised area, providing a venue for arts and music, and bringing people into the CBD in the evening.

Discussions with staff at Wollongong City Council about the Eat Street Night Food Markets indicate that since the commencement of the markets, mall visitation has increased by almost 300 per cent on a Thursday night, and perceptions of safety have improved. A high proportion of attendees indicated they only visited the mall on these evenings due to the markets, however this has now changed to closer to fifty/fifty split of people attending to go shopping, indicating a positive impact on local retail.

An economic impact study of the Sage Farmers Market in Moruya, a weekly produce market, calculated a total immediate annual economic benefit of more than \$3.2m to the local economy before the application of any multipliers, with less average vendors per market than at the Macarthur Night Markets.

### Patron and Community Feedback

Estimating crowd numbers in a space with multiple entry points is difficult. The overall sense of crowd numbers is that they exceeded the expectations of Council officers, the operators, and many stallholders who often sold out of stock early in the events.

The above economic analysis assumes that on average, if all units are sold out, that 7,500 units are being served. Conservatively assuming that each patron purchased two units, this is an indication of a crowd size of 3,500. This is not an exact science, but gives an indication of the scale of crowd numbers that can and has been achieved at the night markets.

Overall, the data collected by the operator further indicates that:

- the markets are increasing in popularity with each event (as measured at early November 2017)
- the markets hit their peak between 6.00pm and 7.00pm, which is in line with feedback from attendees that the markets are a good meeting place after work and an interesting and convenient starting point for a night out in the area
- the markets are attracting adequate attendees to suggest they can be commercially viable, with some review of fees and charges and ongoing balance of vendor numbers to ensure that there is an optimum level of supply to meet demand. This is important to continue to attract quality vendors through maximising the commercial benefit to them
- attendance at the markets is in line with the expectations of Council with regards to the development application
- around half of attendees live in the suburb of Campbelltown and three quarters in the Campbelltown Local Government Areas (LGA)
- around one quarter of attendees are from outside the LGA, with patrons travelling from as far as the Wollongong, Wollondilly and Wingecarribee LGAs.

Surveys were conducted during the pilot period, including an online survey with 325 responses. The results demonstrated that:

- social media is the way that the majority of people heard about the markets, accounting for two thirds of online survey participants. Word of mouth is the second more frequent way
- over 80 per cent of people reported that they would not usually come into the Campbelltown CBD on a Friday night
- 41 per cent of people indicated that they would spend around \$40-60 on an event such as this, and 35 per cent would spending \$20-40 (this is different to transactions calculated above as this question would account for people spending on multiple transactions, for example to feed a family)
- almost 90 per cent of people are satisfied with the variety of stalls at the markets, rating them as either varied or excellent
- 82 per cent of people rated the experience as meeting or exceeding their expectations
- 98 per cent of those surveyed would like to see the markets continue after the pilot ends in December.

Suggestions for improvements can be grouped into the following opportunities:

- greater variety of stalls and affordability
- more entertainment, including live music and activities for children
- other infrastructure and amenities, including lighting, seating, tables, and heating during the winter months
- increase advertising across variety of audiences, including shopfronts, schools, university and letter box drop, and more promotion of the vendors who are booked to attend each market event

- desire to see the markets continue.

### **Operating Model**

The six month pilot was a partnership between Council as host and Eat Shop Love as the operator of the markets.

Council as host secured development consent for the markets, let an Expression of Interest for an experienced commercial operator for the pilot, and dedicated resources to establishing the event, promotion (primarily through social media), and undertaking the evaluation of the markets.

Eat Shop Love as operator of the markets has taken on all operational aspects, including marketing and promotion, vendor liaison, bookings of stallholders and requisite services for the markets, all administration, and event delivery. The effective operation of markets is a specialised and time-consuming function, and it is therefore more cost effective for Council to outsource the management of these events to specialist operators who have recognised brands, industry reputation, and vendor contacts.

Partnering with an experienced market operator provides Council as host with a range of benefits not easily achievable if the operation of the markets were to be undertaken in-house, including:

- an established and recognised brand, the value of which has not been attempted to be quantified, together with a significant social media following
- a network of existing vendor relationships, which has seen the attraction of drawcard vendors with large social media following
- knowledge and experience in what is a competitive industry with tight profitability margins, as is discussed further in the report
- the arms-length approach means that the operator assumes all financial risk.

Similar markets in both metropolitan and regional NSW are typically managed and organised by private individuals, companies and, in some cases, not-for-profit organisations.

### **Opportunities for Improvement**

In considering the operation of the markets to date, and feedback from the community, vendors, local business owners and staff, the following opportunities for improvement have been identified as increasing the long term sustainability of the event, maximising benefit to the local economy, community and to Council:

- working with the operator to ensure that the markets are financially sustainable through review of costs and revenues
- ensuring that branding and promotion of the events fully reflect Council's role in the markets
- business engagement and capacity building to ensure that local businesses and individuals have the opportunity to participate and compete effectively in the markets
- infrastructure and amenity improvements to increase comfort and ambience of the events to encourage more patrons, meeting a range of needs, and supporting longer stays at the events
- ensuring ongoing evaluation and review of the night markets to ensure they remain popular, commercially viable and that their benefits to the local economy and community continue to be measured.

These considerations will be built into any future contract with a market operator where appropriate.

### **Attachments**

Nil

## 8.14 Campbelltown Bicentenary 2020

### Reporting Officer

Executive Manager Community Life  
City Lifestyles

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.7 - Promote the city's heritage and history, with strong respect for our Aboriginal and Torres Strait Islander history

### Officer's Recommendation

1. That Council adopt the high level project plan for Campbelltown Bicentenary 2020 for project establishment in January 2018.
2. That a report be presented to Council in March 2018 outlining the proposed:
  - a. project governance structure, including external and internal working groups
  - b. community and stakeholder engagement to prepare for the commemoration of the City's Bicentenary 2020.
3. That resourcing for the planning phase of Bicentenary 2020 be considered as part of the budget planning process for the 2018-2019 budget.

### Purpose

To seek Council adoption on a high level project plan to establish, plan and deliver the Bicentenary Commemorations for Campbelltown in 2020, which is proposed to commence in January 2018.

### History

Council at its ordinary meeting of 16 August 2016 resolved:

That Council be provided with a report outlining how the 200th anniversary of Campbelltown's founding in 1820 will be celebrated.

A Council briefing was held on 6 June 2017 to seek initial feedback on the 200 year commemorations.

Councillors and Council officers have been approached by various individuals and groups within the community enquiring as to the plans for the Bicentenary and how community participation will be undertaken.

## Report

### Strategic Objective and Outcomes

At the Council briefing on 6 June 2017, Councillors discussed the opportunity to use the celebration of where Campbelltown has come from (the past) to highlight what the City of Campbelltown has become (the present), and where the City of Campbelltown is going (the future).

The following strategic objectives were considered, for the Bicentenary 2020 commemorations to:

- Advance the community's vision for the city – Ambition, Innovation, Opportunity
- Tell the good story of Campbelltown
- Bring the community together
- Develop a shared understanding of our history (Aboriginal and European) as our story of who we are as a city and community today.

### Elements

Marking and celebrating Bicentenary in 2020 may take many forms and some of the key elements which will form the basis of the detailed community engagement and planning phases include:

Element	Opportunities
1. Partnerships and Engagement	<ul style="list-style-type: none"> <li>• Corporate</li> <li>• Education</li> <li>• Sporting</li> <li>• Cultural</li> <li>• Community</li> <li>• Renowned Campbelltown identities, past and current</li> </ul>
2. Signature Infrastructure	<ul style="list-style-type: none"> <li>• Council – for example Sports and Health Centre of Excellence, new parks</li> <li>• Developers – for example new parks, road naming</li> <li>• State Government – for example hospital redevelopment, new schools</li> <li>• Corporate Partners – for example WSU, Macarthur Square, Wests Tigers</li> </ul>
3. Aboriginal Celebration and Cultural Elements	<ul style="list-style-type: none"> <li>• Early, meaningful and broad engagement and participation with the Aboriginal community</li> <li>• Ceremonial features throughout the year, across all events, including opening and closing commemorations.</li> </ul>
4. Arts and Culture	<ul style="list-style-type: none"> <li>• Participate in Vivid during June, lighting installations that reflect Campbelltown's history and community</li> <li>• Arts Centre exhibitions – artwork and photography, artist in residence</li> <li>• Commissioning works including artworks, public art, poetry, stories, photographic history</li> <li>• Celebrating the cultural diversity of the community</li> </ul>
5. Education	<ul style="list-style-type: none"> <li>• Work with the NSW Department of Education and local school principals to consider curriculum opportunities</li> </ul>

	<ul style="list-style-type: none"> <li>• Programs and theming in Council's libraries</li> <li>• School reunions and alumni</li> </ul>
6. Program of Events	<ul style="list-style-type: none"> <li>• Festival of Fisher's Ghost as Campbelltown's signature event, consider moving to coincide with Bicentenary day (1 December)</li> <li>• Leverage NRL Pacific Invitational Test</li> <li>• Consider other large signature events, such as a concert</li> <li>• Use and enhance existing calendar of Council events with Bicentenary themes</li> <li>• Coordinate the development and publication of an annual calendar of all Bicentenary events across the community</li> <li>• Consider funding options to provide financial support to community groups wanting to conduct Bicentenary activities and events</li> </ul>
7. Branding and Theming	<ul style="list-style-type: none"> <li>• Develop Campbelltown Bicentenary 2020 branding</li> <li>• Develop a branding and promotion strategy to identify opportunities to promote the celebrations</li> <li>• Consider opportunities for branding and promotion in open space and public domain such as through planting/landscaping and public art</li> <li>• Consider commemorative memorabilia, such as coin or medallion</li> </ul>
8. Civic	<ul style="list-style-type: none"> <li>• Celebrate and acknowledge civic history of the City</li> <li>• Sister City opportunities and events</li> <li>• Ceremony and events on Bicentenary 1 December 2018</li> <li>• Recognise founding families and long family histories</li> </ul>

## Project Plan

Given the significance and potential scale of the project, a formal project structure will be needed to ensure effective and efficient project governance, community and stakeholder engagement, detailed planning, resourcing and delivery.

Following is a high level project plan of the key phases required for the project.

Project Phases	Key Activities	Timeline
1. Project establishment	<ul style="list-style-type: none"> <li>• Agree project governance and control</li> <li>• Agree project planning resourcing</li> <li>• Establish internal working group, terms of reference, membership and delegation</li> <li>• Establish external working group, including terms of reference, membership and delegation</li> <li>• Determine evaluation measures and methods</li> <li>• Plan community engagement phase</li> <li>• Develop early phase communication and marketing strategy</li> </ul> <p>Council report – March 2018</p>	January to March 2018
2. Community engagement and research	<ul style="list-style-type: none"> <li>• Undertake engagement with the Aboriginal community to develop partnerships and participation</li> <li>• Undertake broad community engagement to gain feedback as to ideas and ways community wants to</li> </ul>	April to June 2018



	<p>see Bicentenary recognised</p> <ul style="list-style-type: none"> <li>• Undertake stakeholder engagement with industry, business, corporate partners, community groups, education, and media to identify key partnership opportunities</li> <li>• Undertake research and consultation with key groups such as the Historical Society to identify and document key aspects of Campbelltown's history that can be highlighted as part of the Bicentenary</li> <li>• External and internal working groups meet to consider feedback and opportunities</li> <li>• Finalisation and adoption of Council budget for 2018/19</li> </ul> <p>Council report – July 2018</p>	
3. Detailed Planning	<ul style="list-style-type: none"> <li>• Utilising the ideas, partnerships and opportunities identified through Phase 2, undertake detailed project planning and associated resourcing plan, including: <ul style="list-style-type: none"> <li>• Define full program of events, both Council and other partners</li> <li>• Formalise partnerships through agreements where appropriate</li> <li>• Develop sponsorship models and source corporate sponsors</li> <li>• Consider Council funding opportunities to assist groups within the community to organise events and celebrations</li> <li>• Source other external funding opportunities such as grant funding</li> <li>• Determine other resourcing opportunities such as volunteers</li> <li>• Prepare Bicentenary branding and detailed communication strategy</li> <li>• Budget prepared for consideration as part of 2019/20 budget cycle</li> <li>• Develop evaluation measures</li> </ul> </li> </ul> <p>Council report – December 2018</p>	July 2018 – December 2018
4. Pre-Delivery	<ul style="list-style-type: none"> <li>• Undertake detailed event planning, partnership development and implementation including: <ul style="list-style-type: none"> <li>• Formalise partnership agreements</li> <li>• Undertake relevant procurement including contracts and agreements</li> <li>• Establish volunteer base</li> <li>• Undertake all specific event and commemoration planning</li> <li>• Develop annual calendar of events</li> <li>• Commence promotion and marketing</li> <li>• Administer grant funding program for community groups (if appropriate)</li> <li>• Budget adopted for 2019/20</li> <li>• Budget prepared for consideration as part of 2020/21 budget cycle</li> </ul> </li> </ul>	January to December 2019

	Council milestone reports quarterly	
5. Delivery	<ul style="list-style-type: none"> <li>• Deliver all elements of the Bicentenary Calendar prepared at Phases 3 and 4, including elements such as:               <ol style="list-style-type: none"> <li>1. Partnerships and engagement</li> <li>2. Signature infrastructure</li> <li>3. Aboriginal celebration and culture</li> <li>4. Arts and culture</li> <li>5. Education</li> <li>6. Program of events</li> <li>7. Branding and promotion</li> <li>8. Civic</li> </ol> </li> </ul>	January to December 2020
6. Project Close and Evaluation	<ul style="list-style-type: none"> <li>• Finalise project and complete all administration and governance tasks</li> <li>• Finalise stakeholder engagement</li> <li>• Undertake evaluation of the Bicentenary commemorations to measure:               <ul style="list-style-type: none"> <li>• Achievement of objectives and outcomes</li> <li>• Community satisfaction</li> <li>• Partner benefit</li> <li>• Economic benefit</li> <li>• Social benefit</li> </ul> </li> </ul> <p>Report to Council June 2021</p>	January to June 2021

The high level project plan aims to create sufficient certainty and structure for the project in 2017, whilst ensuring a robust community engagement process to inform the detailed project planning, and an associated project governance structure to ensure effective project management, resource management and community and stakeholder participation.

## Attachments

Nil

## 8.15 Feasibility of Murals on Silos on Appin Road

### Reporting Officer

Executive Manager Community Life  
City Lifestyles

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.7 - Promote the city's heritage and history, with strong respect for our Aboriginal and Torres Strait Islander history

### Officer's Recommendation

1. That Council write to the Minister for Roads, Maritime and Freight requesting formal owner's consent to undertake further feasibility regarding potential artworks on the historic silos on Appin Road.
2. That the letter to the Minister for Roads, Maritime and Freight request copies of previous engineering and heritage reports of the silos.
3. That a further report be presented to Council following outcomes of discussions with the Roads and Maritime Services.
4. That the Appin Road Silos Project and other opportunities for public art on existing structures be considered as part of the development of the city wide Cultural Plan being undertaken in early 2018.

### Purpose

To update Council on the progress of investigations into feasibility and funding options to undertake proposed murals on the historic silos on Appin Road.

### History

Council at its meeting held 14 March 2017 resolved:

That a report be presented investigating the feasibility and funding options to commission a suitably qualified muralist artist to create portraits of local Aboriginal and colonial residents on the historic silos located on Appin Road.

## **Report**

### **Location and Ownership**

The silos are located on the northern side of the road reserve owned by the NSW Roads and Maritime Service (RMS) on Appin Road, Bradbury. Appin Road forms part of the State Significant highway route B69 linking the M31 at Mt Annan with the M1 at Madden Plains near Bulli lookout.

The portion of Appin Road adjacent to the silos is a dual carriageway road with a speed limit of 80 km/h. The site is difficult to access for pedestrians due to the nature of the roadway, the lack of pedestrian pathways, and the topography and uneven landscape immediately surrounding the structure.

The silos are 7.7 metres tall and can primarily be seen by passing traffic and adjacent suburbs. Due to the orientation of the silos, they are best viewed by traffic traveling from the south on Appin Road. This view provides the best vantage to appreciate the size and character of the structure.

Multiple attempts have been made by Council officers to identify a suitable contact person within the RMS to discuss the possibility of murals on the silos and to ascertain the appropriate approvals process however a response has not been received to date. Formal engagement with RMS is crucial for this project as without owner's consent, works cannot proceed. It is recommended that Council write to the Minister for Roads, Maritime and Freight for assistance on this matter.

### **Heritage**

The silos are listed on the State Heritage Inventory due to their historic significance as evidence of dairying in the Campbelltown District. As noted on the register, the site of the silos and its vicinity is of archaeological research significance as there may be unfound evidence of a former 1828-1830 homestead and/or the 1852 site of The Sussex Arms.

The silos are also listed in Schedule 5 (Environmental Heritage) of the Campbelltown Local Environmental Plan 2015 and will therefore require formal approval for any major works undertaken. This would require a formal heritage assessment of the structure and the planned works. Following that assessment, a Heritage Conservation Management Plan may also be required. All applications would require consent by the RMS as owner. As a consequence of this listing, any works proposed on the site are subject to assessment and a development application would be required.

Due to the age and condition of the building, it is expected that an engineer's report on the building structure be prepared before any works begin on the site. This will ensure the safety of those working on the site and the preservation of the structure.

## **Artwork**

Investigation has been undertaken to identify the most appropriate images to display as artwork on the silos. Following consultation with the local Aboriginal Community, Council's Aboriginal Community Partnerships Officer has advised that any proposal to use portraits on the silos will need to be managed carefully. It is recommended that should the project proceed, Aboriginal community members should be included as participants and advisors, and that the artwork include depictions of Aboriginal culture as a preference to portraits. There are many examples of artworks across Australia that include and sensitively depict Aboriginal people and culture that can inform any mural artists commissioned for this project.

A further consideration for the type of artwork to be chosen for the proposed project is ensuring that the murals are in keeping with and representative of the heritage nature of the silos. Feedback on social media to newspaper articles about the proposal support this consideration, with some desire to see the farming history of the area represented.

## **Consultation and Participation**

As the proposed project is a high-profile gateway to Campbelltown, it has the opportunity to showcase the history, current and future identity of this transforming city. It is important that this proposed project integrate with other work being undertaken in the City, including the Reimagining Campbelltown to Macarthur Strategic Centre and an upcoming city wide Cultural Plan.

Community engagement will be a critical component of the project, as it is anticipated that the project will generate a level of interest in the community. This will include residents with an interest in colonial heritage, neighbouring residents, and the Aboriginal community.

As the silos are adjacent to a major dual carriageway, works on the site are expected to have an impact on road users. Possible lane closures and traffic redirection for safety of the site while preparation and painting are underway could cause travelling delays depending on the times they are undertaken. If such closures are necessary it will also be important to ensure that a comprehensive communication plan is implemented to minimise disruption.

## **Site Challenges and Constraints**

The silos have a number of constraints. They include heritage, traffic and topography.

As noted previously, the site is constrained by heritage considerations for both the structure and the surrounding grounds. If pathways or other accessibility infrastructure is included as part of the project, consideration will need to be given to the possible disturbance of archaeologically significant ground.

The siting of the silos immediately adjacent to a state significant road with 80km/h speed limit also represents challenges for undertaking of the works, and viewing or visiting the site once the project is completed. The silos are less than ten metres from this roadway.

There is currently no provision for vehicles to stop at the site or for pedestrians to walk to or around the site. If it was proposed to include a visitor's element to the project then a significant increase of infrastructure would be needed to make the area safe for motorists and accessible for pedestrians. This could include a slowdown lane and layback, marked parking, pedestrian paths and accessible ramps or decks around the silos.

Challenges regarding traffic and topography also exist for the artists undertaking the project. Any work undertaken on the site will need specialist equipment that is stable and safe in these conditions. Scaffolding may be required, subject to engineering and heritage assessments.

### Estimated Costs

Due to the constraints of the site, and the heritage nature of the structure, detailed project costings will require extensive work which should be undertaken following an indication of approval from the RMS as the owner.

Indicative costings have been assembled using standard industry pricing and some direct feedback and informal quotes from artists and contractors.

Table 1 – Silo Mural Project Estimated Costs

Item	Estimated cost
Engineer's assessment of silo structure	\$5,000
Heritage assessment	\$5,000
Surface treatment	\$10,000
Development application	\$1,823
Mural with final sealant	\$45,000
Traffic management	\$20,000
Safety and site equipment (incl fencing)	\$13,000
Advertising and tender costs	\$3,800
<b>Total Estimated Cost</b>	<b>\$103,623</b>

There is a possible additional cost of \$15,000 should a heritage conservation plan be required as a result of the heritage assessment.

These costs relate only to the treatment of the surface and artwork, and do not include any associated infrastructure to allow the site to be accessed by pedestrians or for passers-by to stop and view the silos.

### Funding Options

Funding for the proposed project, should relevant RMS approval and development consent be granted, include one or a combination of the following options:

- Council funding, considered as future budget planning cycles
- State or Federal grant funding programs as they arise, such as Create NSW or NSW Heritage Grants
- Funding assistance from the RMS as asset owner and key stakeholder

**Campbelltown Cultural Plan**

Council officers are in early stages of developing a Cultural Plan for the City, which will include consideration of public art. An audit of cultural groups, assets and services is in development and will be completed in the first half of 2018, along with extensive community engagement. It will be important for proposed projects such as this one and consideration of further murals on silos in other locations to be considered as part of broader cultural strategy for the city, and prioritised and resourced accordingly.

**Attachments**

Nil

## 8.16 A metropolis of three cities - the draft Greater Sydney Region Plan

### Reporting Officer

Director City Growth and Economy  
City Growth and Economy

### Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.5 - Work in partnership with the State Government to achieve positive planning outcomes

### Officer's Recommendation

1. That Council endorse the preparation and lodgement of a submission to The Greater Sydney Commission by the 15 December 2017 concerning the draft Greater Sydney Region Plan and consistent with the issues, suggestions and other items raised in this report, and incorporating any other matters Council deems necessary for inclusion.
2. That Council request a meeting between the Mayor and General Manager with the Minister for Planning, the Chief Commissioner of the Greater Sydney Commission and the Secretary of the Department of Planning and Environment to discuss Council's endorsed submission and the items raised therein.
3. That Council refer copies of Council's endorsed submission to local members of State and Federal Parliament seeking support for Councils' position.

### Purpose

To inform Council of a new metropolitan plan for Greater Sydney that has been prepared by the Greater Sydney Commission (the Commission) and which is currently on public exhibition until 15 December 2017, the date when submissions from interested parties must be lodged with the Commission.

To explain how the new metropolitan Plan relates to other strategic planning documents recently released for public exhibition including the draft Transport 2056 Strategy and the draft Western City District Plan.

To advise Council of the strategic implications of the new plan for Campbelltown and the Macarthur Region generally.

To present for Council's consideration for endorsement, a draft submission to the exhibition that details Council's position and concerns, requests for review, proposals and amendments, together with a request to the Minister for Planning and the Chief Commissioner to meet with the Mayor and senior council officers.



## History

The Greater Sydney Commission which was established under the *Greater Sydney Commission Act 2015*, is responsible for leading metropolitan planning for Greater Sydney with the aims of making Sydney a more liveable, productive and sustainable city.

In November 2016, the GSC released *Towards Our Greater Sydney 2056* - a draft update to the metropolitan strategy A Plan for Growing Sydney and six draft district plans for the six planning districts that it had identified for metropolitan Sydney. At the time, the Campbelltown Local Government Area (LGA) was included in the South West District.

On 28 March 2017, Council considered a detailed report on the draft amendment to A Plan for Growing Sydney and the Draft South West District Plan and a substantial and detailed submission was made. The main issues addressed in Council's original submission are summarised as follows:

- the role of the Commission
- planning presumptions regarding future urban growth
- structure planning and spatial organisation
- alignment of agency planning, funding and delivery with District priorities
- infrastructure funding and delivery
- economic and employment development
- inter and intra district connectivity
- housing affordability
- sustainability, including the importance of the Scenic Hills, waste facilities, air quality, open space, the Green Grid and environmental/recreation enhancements
- the importance of the Ingleburn centre, freight and logistics, engagement with Indigenous communities, planning for schools and other State facilities, designing for place and liveability, metropolitan rural areas (MRAs) and heritage protection.

In May 2017, the Commission released *Directions for a Greater Sydney 2017-2056*, which provided 10 guiding principles for the future development of Greater Metropolitan Sydney.

On 22 September 2017, the GSC announced the merging of the South West and West Districts to create the Western City District. The aim of the merger is to better facilitate planning around the proposed Western Sydney Airport. Council was informed about this merger at its meeting on 28 November 2017.

On 22 October 2017, the GSC released a new draft metropolitan strategy for Greater Sydney called *Our Greater Sydney 2056 – A Metropolis of Three Cities – Connecting People*. This document is also referred to as the Draft Greater Sydney Region Plan. Importantly, this strategy (for the purposes of organising planning) divides the metropolitan area into three cities:

- Eastern Harbour City
- Central River City
- Western Parkland City.

Transport for NSW's draft strategy, NSW's Future Transport 2056 was released concurrently with this draft metropolitan strategy (draft Greater Sydney Region Plan). These documents are available for public comment until 15 December 2017 and 3 December 2017 respectively.

The draft Future Transport 2056 strategy was reported to Council at its meeting on 28 November 2017 and a submission has been subsequently lodged.

On 26 October 2017, the GSC released five revised district plans for its Sydney planning districts, including one for the newly created Western City District. Submissions close on 15 December 2017. A report considering the draft Western City District Plan is listed as part of this same Council Meeting Agenda. The draft district plans add a further level of detail in respect of districts across Sydney but remain consistent with the overall draft Greater Sydney Region Plan.

## **Report**

### **Introduction**

It is clear that there is tangible strategic value in the draft Greater Sydney Region Plan (draft Sydney Plan) with transport and land use planning being integrated for the whole of the Sydney metropolitan area for the first time in many years and in setting out a clear narrative for the structural growth and change of the city.

However, and disappointingly, the draft Sydney Plan is seen as a missed opportunity for the Commission and NSW Government to confirm their commitment to assist Campbelltown and the Macarthur Region to realise their full urban development and economic potential, in ways which could add real value to the future of the Western City, and moreover Sydney as a true global city, and at a scale that other local government areas may not have the opportunity to deliver.

The City of Campbelltown would seek that the draft Sydney Plan better align with the aspirations of the our community, including social, commercial and non-government interests, as far as the following key outcomes are concerned:

- connectivity
- liveability
- jobs and productivity
- creativity and innovation
- social justice and equity
- environmental sustainability
- resilience.

It is believed that there is tangible strategic value in the draft Greater Sydney Region Plan, with the integration of land use and transport planning being most appropriate and long overdue.

The new draft Sydney Plan confirms a new three city model to organise planning and management for the future of the Sydney metropolis. This is a model that places the Campbelltown Local Government Area (LGA) within one of those three cities, the Western Parkland City, and with Campbelltown-Macarthur identified as a Metropolitan Cluster Centre.

This report provides Council with a summary of the draft Sydney Plan and identifies and comments on significant items that have specific relevance to the City of Campbelltown. It recommends that Council lodge a submission to pursuant to the exhibition as well as seek a meeting between the Mayor and senior officers of Council with the Minister for Planning and the Chief Commissioner of the Greater Sydney Commission to discuss Council's suggestions.

### **Summary of the draft Greater Sydney Region Plan**

The Chief Commissioner in her foreword to the draft Plan makes clear a number of important statements concerning the status of the draft Plan, its goals and what it seeks to deliver that are directly relevant to planning for the future urban growth of the City of Campbelltown and the Macarthur Region:

- the draft Plan is not Government policy
- the draft Plan has been developed with a range of state agencies and Councils so that the delivery of new housing and jobs can be supported by transport and local infrastructure
- It's strategies will foster jobs, services, cycling and walking paths and quality public spaces which will ease congestion, take the pressure off housing affordability....
- .....by spreading the benefits of growth to all its residents....

The draft Plan presents a vision for the future of the Sydney metropolis at 2056. The key premise to this vision is embodied within what could be described as perhaps one of the most significant goals for Sydney to achieve by 2056:

"live within 30 minutes of their jobs, educational and health facilities, services and great places...."

The overarching challenge for Sydney has been highlighted in the draft Sydney Plan as the need to accommodate a future population of over eight million people which converts into the need for the draft Plan to facilitate 725,000 new dwellings and 817,000 additional jobs.

The draft Plan organises a Sydney into a metropolis of three cities, and seeks to spread the benefits of growth across the whole metropolitan area to boost its liveability, productivity and sustainability.

The three cities are the:

- Eastern Harbour City (focussed around the Sydney CBD)
- Central River City (focussed around the Parramatta CBD) and
- Western Parkland City (focussed around the proposed Sydney Airport/Aerotropolis and supported by a metropolitan cluster city centres at Campbelltown-Macarthur, Liverpool and Penrith). The Western City is described by the draft Plan as an emerging city.

The draft Plan sets out ten strategic directions that establish the Commission's aspirations for the city's future. They are:

- a city supported by infrastructure
- a collaborative city
- a city for people
- housing the city

- a city of great places
- a well-connected city
- jobs and skills for the city
- a city in its landscape
- an efficient city
- a resilient city.

Embodied within those strategic directions are a series of acknowledged values that reflect a set of aspirations for the future of Sydney including:

- infrastructure supporting new developments
- working together to grow a Greater Sydney
- celebrating diversity and putting people at the heart of planning
- giving people housing choices
- designing places for people
- developing a more accessible and walkable city
- creating the conditions for a stronger economy
- valuing green spaces and landscape
- using resources wisely
- adapting to a changing world.

A number of points made in the narrative of draft Sydney Plan are complementary to these overall directions that are also worthy of note:

- There is an expressed desire to enable the majority of people to gain access to jobs, services like schools, health care and employment within 30 minutes of where they live (30 minute city). The draft Sydney Plan has been prepared by the Commission concurrently with the Government's Future Transport Strategy 2056 and the State Infrastructure Strategy to align land use, transport and infrastructure outcomes for Greater Sydney, aiming to provide the right transport connections across the city and within neighbourhoods.
- There is an aspiration to encourage the benefits of growth to be distributed more equally and equitably across Greater Sydney, and that the WSA will be the determinative catalyst to generate a diversity of jobs in the Western City.
- Plan and prioritise infrastructure early to support a growing Sydney through Growth Infrastructure Compacts.
- A new centres hierarchy has been established for Sydney comprising:
  - Metropolitan Centres (Sydney CBD, Parramatta CBD, and the Western City Metropolitan Cluster (Campbelltown-Macarthur, Liverpool, Penrith and the Badgerys Creek Aerotropolis)
  - Strategic Centres (in the Western City these include Narellan, Leppington, Fairfield, St Marys, Marsden Park, Richmond, Windsor and Katoomba)
  - Local Centres.

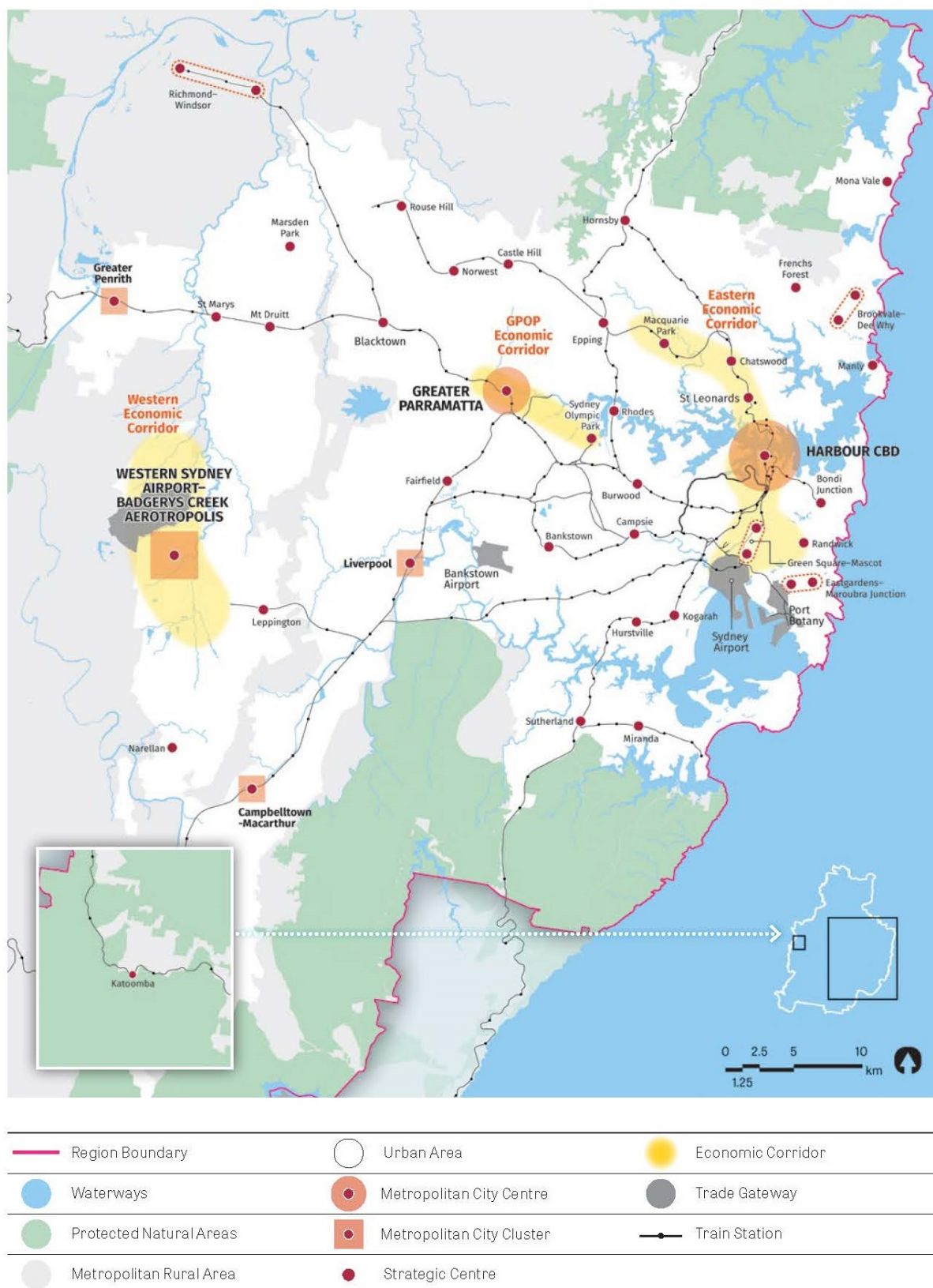


Figure: Centres Hierarchy

**Key metropolitan planning objectives**

There is an extensive range of planning objectives laid out in the draft Sydney Plan, a number of which are reproduced below that have been identified as having strategic significance for the City of Campbelltown.

**a. Strategic Direction: A city supported by infrastructure**

Objectives:

- infrastructure aligns with forecast growth - growth infrastructure compact
- infrastructure adapts to meet future needs
- infrastructure use optimised.

**b. Strategic Direction: A collaborative city**

Objective:

- benefits of growth realised by collaboration.

**c. Strategic Direction: A city for people**

Objectives:

- services and infrastructure meet community's changing needs
- communities are healthy, resilient and socially connected
- communities are culturally rich with diverse neighbourhoods
- Greater Sydney celebrates the arts and supports creative industries + innovation.

**d. Strategic Direction: Housing the city**

Objectives:

- greater housing supply
- housing is more diverse and affordable.

**e. Strategic Direction: A city of great places**

Objectives:

- great places that bring people together
- environmental heritage is conserved and enhanced.

**f. Strategic Direction: A well connected city**

Objectives:

- a metropolis of three cities - integrated land use and transport creates walkable and 30 minute cities
- the Eastern, GPOP and western Economic Corridors are better connected and more competitive
- freight and logistics network is competitive and efficient

- regional transport is integrated with land use.

**g. Strategic Direction: Jobs and skills for the city**

Objectives:

- Harbour CBD is stronger and more competitive
- Greater Parramatta is stronger and better connected
- WSA and Aerotropolis are economic catalysts for the Western Parkland City
- internationally competitive health, education, research and innovation precincts
- investment and business activity in centres
- industrial land is planned, protected and managed
- economic sectors are targeted for success.

**h. Strategic Direction: A city in its landscape**

Objectives:

- the coast and waterways are protected and healthier
- a cool and green Parkland City in the South Creek Corridor
- biodiversity is protected, urban bushland and remnant vegetation is enhanced
- scenic and cultural landscapes are protected
- values in rural areas are maintained
- public open space is accessible, protected and enhanced
- Green Grid links parks, open spaces, bushland and walking and cycle paths.

**i. Strategic Direction: An efficient city**

Objectives:

- low carbon city contributes to net zero emissions by 2050 and mitigates climate change
- energy and water flows are captured, used and reused
- more waste is reused and recycled.

**j. Strategic Direction: A resilient city**

Objectives:

- people and places adapt to climate change and future shocks and stresses
- exposure to natural and urban hazards is reduced
- heatwaves and extreme heat are managed.

So in an overall sense, it is considered that the draft Sydney Plan is founded on a sound platform of aspirations, values, goals and objectives that are reflected in a range of proposed (and positive) outcomes which address the longer term challenges that are likely to confront the future Sydney.

However, in a spatial sense there emerges, through the Structure Plan for Greater Sydney (included in the draft Greater Sydney Region Plan), an expression of some uncertainty over the level of commitment to deliver on these values, aspirations et al. in ways that would be expected to benefit the whole of the metropolitan area, including the City of Campbelltown.



## Structure Plan for Greater Sydney Region

The draft Sydney Plan presents a spatial representation of key planning initiatives that go together to describe future outcomes for Sydney at 2056, as described by the plan. This structure plan has been reproduced below.

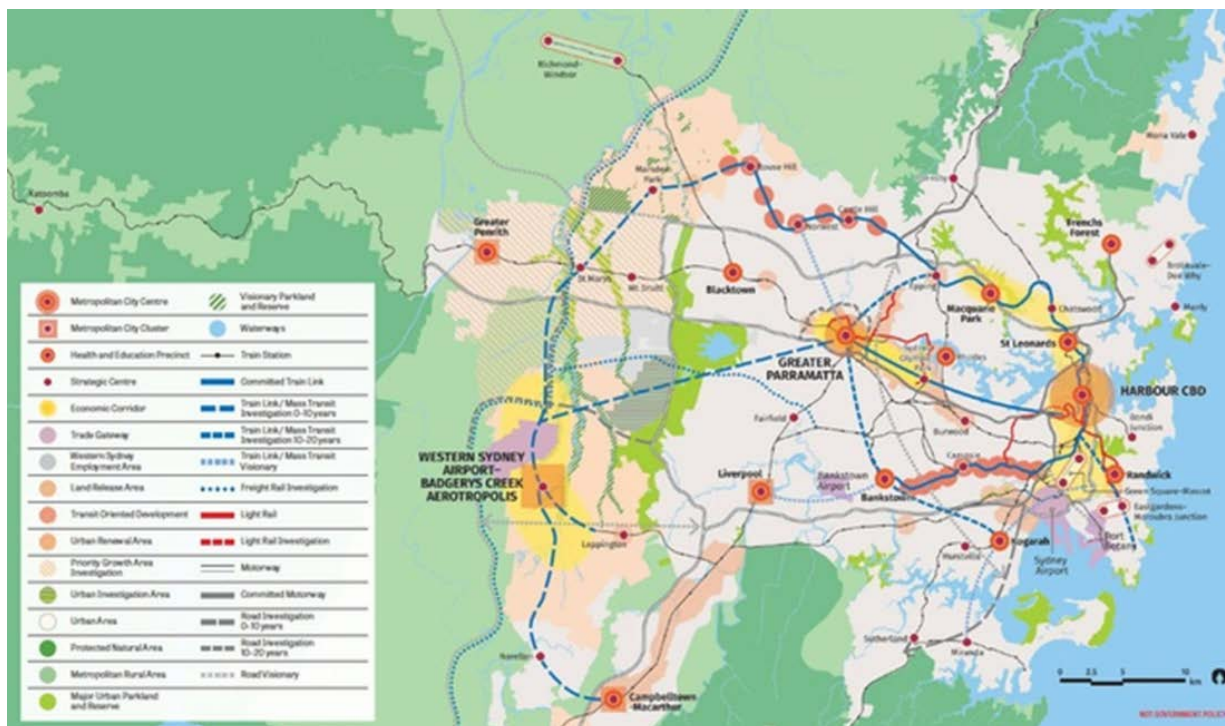


Figure: Structure Plan

Key items appearing on the structure plan, drawn to Council's attention include the:

- Western Sydney Airport (WSA)
- Badgers Creek Aerotropolis
- Proposed Western Economic Corridor
- Campbelltown-Macarthur Metropolitan City Cluster Centre
- Glenfield to Macarthur Priority Urban Renewal Corridor
- Investigation (0-10 years) of a north-south rail (mass transit) link connecting Campbelltown-Macarthur to the proposed WSA/Aerotropolis and St Marys through to Marsden Park and Rouse Hill
- Investigation (0-10 years) of an extension of the South West Rail Link from Leppington to the WSA/Aerotropolis
- Proposed M9 link (freight rail and visionary road)
- Classification of the Scenic Hills as part of the Metropolitan Rural Area.

Disappointingly, the Structure Plan does not fully describe the extensive areas being earmarked for future urban growth south west of the Campbelltown-Macarthur Centre, being those areas currently being investigated and planned by NSW Government Agencies for urban land release as part of the proposed Greater Macarthur Priority Growth Area, as well as the urban area occupied by the Wilton New Town Priority Growth Area. Together, these areas have a baseline potential to accommodate in the order of more than 55,000 dwellings.



**Where the City of Campbelltown sits within the draft Greater Sydney Region Plan**

As stated above, the City of Campbelltown is located within the new Western Parkland City which is ostensibly made up of the following local government areas:

- Campbelltown
- Wollondilly Shire
- Camden
- Liverpool
- Fairfield
- Penrith
- Hawkesbury
- Blue Mountains.

These are the Councils that comprise the Western City District and which are collaborating in the negotiation with the Federal and NSW Governments for a Western Sydney City Deal.

The City of Campbelltown is recognised by the draft Plan in a number of important ways, the most noteworthy including the:

- Campbelltown - Macarthur Centre is recognised as being one of four large metropolitan scale centres that comprise the Western City metropolitan cluster. The other centres are Penrith, Liverpool and the Badgerys Creek Aerotropolis (yet to be developed)
- Campbelltown - Macarthur Centre is earmarked as a university city and recognised as a metropolitan scale health and education precinct, the NSW Government's recent commitment to expand Campbelltown Public Hospital being noted. The centre is also now recognised as a Collaboration Area, a status that was only previously awarded to Liverpool and Penrith in the previous iteration of metropolitan and district plans. Collaboration areas are designated places where a significant strategic outcome can be better achieved through the collaboration of different levels of government and in some cases with the private sector and landowners. The draft Plan indicates that work on the Campbelltown - Macarthur Collaboration is scheduled to commence in 2018/2019
- City of Campbelltown includes a major proposed urban growth area - the Greater Macarthur Priority Growth Area which comprises the Glenfield to Macarthur Priority Urban a Renewal Corridor and the Greater Macarthur urban land release areas including Menangle Park, Mt Gilead and Campbelltown South
- draft Sydney Plan raises the proposition of a new north - south railway (mass transit) corridor linking Campbelltown - Macarthur with the Western Sydney Airport, Badgerys Creek Aerotropolis, St Marys, and a Rouse Hill thereby connecting to the North West Rail link (metro), and other new centres along its proposed route
- draft Sydney Plan raises the proposition of a new east-west rail (mass transit) corridor being an extension of the South - West rail from Leppington to connect with the abovementioned north-south corridor to give access to the WSA/Aerotropolis from Glenfield

- longer term regional connectivity and transport upgrades such as western Sydney freight Line, M9, possible Maldon - Dombarton link etc. that would significantly influence land release opportunities in Wilton, Appin, west Appin, Gilead and Campbelltown - Macarthur and their economic relationships to Wollongong
- the centres of Campbelltown - Macarthur, Liverpool and Penrith providing foundations for growing health and education precincts, complemented by the Badgerys Creek Aerotropolis, in the long term creating a ring of university cities around the WSA/Aerotropolis
- importance of these three centres in providing a focus for commercial activities and population services as the Western Parkland City develops over the next 20 years. There is opportunity to substantially enhance the city's economic growth through their development as a ring of university cities building on existing tertiary facilities in each
- strategy to deliver these university cities which will seek to:
  - enable each campus to focus on a full faculty or university presence with 10,000 students in each co-located with TAFE facilities where there is adjoining land (such as Campbelltown)
  - anchor the university presence around the NSW Government's hospital investments and facilitate the emergence of health and education precincts in each location
- new north - south rail (mass transit) link creating a new Western Economic Corridor in the vicinity of the WSA/Aerotropolis linking to St Marys, Rouse Hill in the north to Campbelltown - Macarthur in the south
- three centres including Campbelltown - Macarthur being better connected to the rail network and leveraging the associated benefits to drive their education and commercial strengths
- prioritisation of public transport investments to improve north - south and east - west connections to the metropolitan city cluster centres
- development of land use and infrastructure plans for the metropolitan city cluster centres
- development and implementation of land use and infrastructure plans for health and education precincts
- focus for metropolitan centres and metropolitan cluster centres (including Campbelltown) to deliver very high levels of development with high levels of amenity....the focus will also be on improving access to Liverpool, Penrith and Campbelltown - Macarthur
- protection and management of existing industrial lands in Campbelltown
- support for Councils to lead consideration of permitting office uses in industrial areas in the Western City - where such change does not compromise industrial activities

- support of targeted economic sectors for economic development in the Western City including advanced manufacturing, aerospace and defence industries, agricultural processing and export, construction and infrastructure, the visitor economy and education and training
- protection of the Western Parkland City's historic homesteads and significant views under State heritage provisions. Other significant scenic landscapes such as the Scenic Hills around Campbelltown are to be protected through local environmental plans
- map of the existing urban area within the draft Plan appearing to describe land generally described as being the Scenic Hills and the George's River Corridor/Edge Scenic Protection Lands as being contained within the Metropolitan Rural Area.

**Actions arising from the draft Plan applicable to the City of Campbelltown and the Macarthur Region:**

**a. Infrastructure**

- identify, prioritise and deliver Collaboration Areas (Campbelltown - Macarthur 2018/19)
- prioritise infrastructure investments to support the vision of a metropolis of three cities
- sequence growth across the three cities to promote north-south and east-west connections
- align forecast growth with infrastructure
- sequence infrastructure across a Sydney using a place based approach.

**b. Liveability**

- Councils to prepare local or District Housing Strategies to respond to housing targets set by the GSC and to inform LEPs within 2-3 years
- develop 6-10 year housing targets/strategies to be set by the GSC in consultation with Councils
- implement affordable Rental Housing Targets
- prepare Affordable Rental Housing Target Schemes (responsibility is not clear)
- State agencies to consider initiatives for housing diversity/affordable rental housing when developing or disposing surplus land.

**c. A city for people**

- deliver social infrastructure to reflect the needs of the community now and in the future
- optimise the use of available public land for social infrastructure
- provide walkable places with active street life and a human scale
- co-locate schools, social, health, sporting, cultural and shared facilities
- facilitate opportunities for creative and artistic expression and participation, including creative arts and cultural enterprises/facilities; creative interim and temporary uses; and development of the night time economy.

**d. City of great places**

In Collaboration Areas, Priority Precincts and planning for centres:

- investigate precinct based adaptable car parking infrastructure in lieu of private parking
- ensure parking availability takes into account public transport access
- consider opportunities for future proofing places to adapt to change.

**e. Productivity**

- protect industrial lands for port, intermodal and logistics uses from the encroachment of commercial, residential and other non-compatible uses
- accommodate advanced manufacturing where appropriate by zoning that reflects emerging development models
- protect current and future freight corridors.

**f. Jobs and skills**

- develop and implement land use and infrastructure plans for health and education precincts
- provide access to jobs, goods and services in centres by:
  - attracting significant investment and business activity to provide jobs growth
  - diversifying range of activities in centres
  - creating vibrant safe places and quality public realm
  - improving walkability within and to centres
  - completing and improving cycle networks within and connecting to centres
  - improving public transport services to all strategic centres.

**g. Sustainability**

- enhance sustainability and liveability by improving and managing access to waterways for recreation, tourism, cultural events and water based transport
- reinstate more natural conditions in modified urban waterways
- protect and enhance biodiversity by supporting landscape-scale conservation and restoration of bushland corridors
- identify and protect scenic and cultural landscapes
- enhance and protect views of scenic and cultural landscapes from the public realm
- expand urban tree canopy in the public realm
- maximise the use of existing open space and protect, enhance and expand public open space by:
  - investigating opportunities to provide new open space so that all residential areas are within 400 metres of open space and all high density areas are within 200 metres of open space
  - delivering shared and co-located sports and recreational facilities including shared school grounds and repurposed golf courses
  - delivering on the Greater Sydney Green Grid
  - support initiatives that contribute to the aspirational objective of achieving net-zero emissions by 2050
- protect existing and identify new locations for waste recycling and management

- mitigate the urban heat island effect and reduce vulnerability to extreme heat.

### **Significant Issues for the City of Campbelltown and the Macarthur Region**

There is a range of issues and implications that arise from the draft Sydney Plan for the City of Campbelltown, and the most important are:

- properly detailed recognition of future urban growth potential
- the missed opportunity to grow Sydney through planning for and supporting and enabling extensive future urban development within the City of Campbelltown and the Macarthur Region
- inadequate infrastructure arrangements to enable sustainable urban growth and achieve outcomes desired by the draft Sydney Plan
- an absence of commitment to deliver connectivity between communities and economic hubs in a timely manner
- a disproportionate focus on planning, infrastructure, and support for the Aerotropolis in the face of an absence of recognition by the draft Sydney Plan of the opportunity to grow employment and productivity by retaining and taking advantage of existing investment in the capacity, infrastructure, skilled workforces, enterprise and expertise evident in existing manufacturing areas.

#### **a. Recognition of Future Urban Growth Potential**

The draft Sydney Plan does not consistently and properly acknowledge the extent of the potential for future metropolitan scale urban growth, currently being planned by the NSW Department of Planning and Environment for the Greater Macarthur Priority Growth Area and the Wilton Priority Growth Area. This is demonstrated in a number of ways:

- the “Plan on a Page” appearing at pages 10 and 11 truncates the central and southern components of the Greater Macarthur Urban Land Release Areas as well as totally omits the Wilton Priority Growth Area. These release areas have, together, an anticipated development potential of more than 55,000 dwellings
- this omission is repeated on Pages 12 and 13 on the maps entitled Principal Spatial Elements. This is concerning given that it would seem appropriate to acknowledge these areas as principle spatial element of the future Greater Sydney Metropolitan Area
- the omission is again repeated on maps included on page 23 entitled “Greater Sydney’s Changing Urban Form: 1996-2036. This again is considered a shortcoming given that it could reasonably be expected that the Macarthur Priority Growth Urban release Areas would have significantly developed in part by that time
- the map at Page 41 depicts the two urban release areas as achieving significant population ageing, similar in percentage terms to Camden, Liverpool, Penrith, Parramatta and even the City of Sydney. The issue is that it is confusing and

concerning as to the reason why the Greater Macarthur and Wilton New Town Urban release Areas are shown on tis map and not others

- the map at page 47 entitled Historic and Future Housing Supply depicts in full the Greater Macarthur and the Wilton Priority Growth Areas
- the map at page 51 entitled Housing Targets 2016 - 2036 states a 20 year target for the Western City as 184,500 new dwellings including the depiction of the Greater Macarthur and Wilton Priority Growth Areas
- the Map at page 53 entitled “Future Housing; government programs and preferred locations for consideration” depicts part of the Greater Macarthur Priority Growth Area and the Wilton Priority Growth Area as Land Release Area
- the Map at page 105 entitled Metropolitan and Strategic Centres depicts the Greater Macarthur and Wilton Priority Growth Area but shows no proposal to identify a strategic centre within either of these areas, considerably deviating from the pattern shown for other parts of the Western City including centres at Marsden Park, Leppington, and Narellan
- the map at page 140 entitled Boundary of the Urban Area includes the Greater Macarthur and Wilton Priority Growth Areas shown as “urban areas”
- the map shown at page 157 entitled Greater Sydney Structure Plan includes the Greater Macarthur and Wilton Priority Growth Areas but excises them from detailed representation from the map on the following page (pages 158-159). This is important because these areas appear not to be sufficiently and equally respected as urban release areas in the north west of the Western City, nor the Priority Growth Investigation Areas depicted northwards of the Western Economic Corridor.

**b. A missed opportunity to grow Sydney at Campbelltown and the Greater Macarthur**

Council considers that through planning for, supporting and enabling extensive future urban development within the City of Campbelltown and the Macarthur Region, including those land release areas discussed above, the Commission and the NSW Government have a strategic opportunity to achieve urban and economic development outcomes at a metropolitan scale, that other parts of Sydney and their communities may not be able to sustain.

The absence of any clear depiction and/or commitment to the delivery of key transformational regional transport infrastructure in the City of Campbelltown and the southwards of the Campbelltown-Macarthur Centre suggests that despite current government agency planning investigations and the draft Sydney Plan’s acknowledgement of the Greater Macarthur Priority and Wilton Priority Growth Area, taken together with the potential of these areas to yield 55,000 dwellings or more, there is no or very little translated confidence that these areas will develop within 20 years, or at best there will be some development, but at a scale not worthy of supporting with investment in critically enabling infrastructure.

This is concerning to Council especially when the NSW Government, Council and the private and institutional sector has invested significantly in the Campbelltown-Macarthur Centre. These new communities and the 'market', as they emerge, deserve the draft Sydney Plan to express a much greater degree of certainty on behalf of the Commission and the NSW Government, that transport infrastructure in particular would link them to Campbelltown-Macarthur quickly and efficiently. This would enable them to appropriately access their regional city centre within 30 minutes and take benefit of the key infrastructure that already exists there such as regional scale shopping facilities, the Campbelltown Public Hospital which is earmarked for a \$632m dollar upgrade, Western Sydney University including the School of Medicine and recently opened Clinical School Campbelltown TAFE, Campbelltown Regional Arts Centre, the proposed Macarthur Regional Centre for Sports and Health Excellence, and the Campbelltown Sports Stadium.

Signalling the identification of the need and planning (such as for example by preserving rail, light rail, rapid bus corridors), and the commitment to deliver that infrastructure to enable such transport connectivity would be a positive boon for the City of Campbelltown and the Greater Macarthur and Wilton Priority Growth Areas.

This would build greater incentive across the private sector to invest in the future Campbelltown-Macarthur Centre to more truly sustain its role and function as a Metropolitan Cluster Centre, and grow investment in enterprise and employment.

Council is prepared to commit to a detailed review of its development and population estimates to confirm the extent and likely timing of the Greater Macarthur Priority Growth Area and the contribution this and other areas will make to the ongoing role of the Campbelltown-Macarthur Centre. This will help to confirm whether there is a case for early commitment by Government to enabling transport infrastructure.

**c. Delivering better regional Connectivity between Key Economic Hubs**

The draft Sydney Plan appears to confirm that there is little intention to commit to planning and delivering key future transport connections between

- the southern areas and economic hubs of the Western City and
- the economic hubs in the southern areas of the Western City and others in the Western City

.....such that the "30 minute city" can be realised in the southern parts of the Western City. This compromises the achievement of "A well connected city" strategic direction and the draft Sydney Plan's Objective nos. 14, 15, and 17.

**Public Transport Connectivity**

Consistent with the draft Future Transport 2056 Strategy, there appears to be a constrained approach included in the draft Sydney Plan, with the only action described for this essential connectivity infrastructure being for investigation 0-10 years, the most noteworthy being the proposal for a north-south rail link connecting Campbelltown-Macarthur to the WSA/Aerotropolis through the Western Sydney Employment Area to St Marys and beyond to Marsden Park and Rouse Hill, linking with the NW Metro.

Similarly the proposal to extend a mass transit connection between Leppington and the WSA/Aerotropolis is only earmarked for investigation (0-10 years). Further, this connection does not incorporate a “Y link” at Glenfield to facilitate direct connectivity between Campbelltown-Macarthur and the WSA/Aerotropolis, which has been presented by Council to the Western Sydney Rail Needs Scoping Study and as part of its submission to the draft Future Transport 2056 Strategy.

All of this can be demonstrated by perusal of a number of maps within the draft Sydney Plan including the map at:

- pages 10 and 11 entitled The Plan on Page where only investigation of critical mass transit links between the WSA /Aerotropolis with Campbelltown-Macarthur and with Leppington. There is also no depiction of any Bus Rapid Transport (BRT) connectivity between the WSA/Aerotropolis and Campbelltown-Macarthur. The early delivery of these links is critical to the well-being of the City of Campbelltown, its economy and community.

Similar comment can be made with respect to an absence from the map of any mention of intra-regional public connectivity between Picton, Wilton New Town, the Greater Macarthur Priority Growth Area Urban Land Releases to the Campbelltown-Macarthur Centre. This is concerning given the geographical isolation of these areas and the need to at the least, commence planning for corridor preservation to accommodate public transport connectivity with their respective regional city centre. Council would urge the Commission to redress this omission as a matter of urgency in conjunction with Transport for NSW and the Department of Planning and Environment and in collaboration with The City of Campbelltown and Wollondilly Shire Council.

Without these critical intra-regional transport links in place, our communities will be isolated from the economic investment and new jobs being created at the WSA/Aerotropolis and Campbelltown – Macarthur.

- page 13 entitled Connectivity shows only the same information as depicted on The Plan on a Page
- page 75 entitled Future Transport 2056 vision for the Greater Sydney Mass Transit Network which shows no mass transit links south of Campbelltown-Macarthur
- pages 157, 158 and 159 entitled Greater Sydney Structure Plan 2056 which show a similar absence of lack of commitment to intra-regional transport.

There is also a lack of commitment to directly investigate the potential for enhanced mass transit connectivity between the Western City and the Illawarra Region including the South Coast. The South Western Illawarra Rail Line proposal currently being promoted by the Illawarra Business Chamber has considerable merit justifying immediate investigation, especially give the potential provided by this initiative to activate the Greater Macarthur and Wilton Priority Growth Areas as well as directly link the Illawarra with Campbelltown-Macarthur and the WSA/Aerotropolis.



### Strategic Road Connectivity

The draft Sydney Plan does not recognise any significant road connectivity needs in the southern parts of the Western City, although some limited and non-specific attention is given to this issue by the draft Western City District Plan.

There are a number of critical road corridors that would provide strategic linkages from which significant economic benefit would be generated, for not just the City of Campbelltown but also for the whole of the Western City. There are primary examples of this:

- the upgrade and extension of Badgally Road linking Gregory Hills Drive and the South West Growth Centre to the Campbelltown-Macarthur CBD (as perhaps the Growth Centre's most important regional city centre) and incorporating a bridge crossing over the Southern Railway Line directly into the CBD core. This would give critical road and on-road public transport access directly into the CBD and assist in the greater connectivity of the two sides of the centre which is currently dissected by the railway line. This is important given the presence of key facilities and services such as the Campbelltown Public Hospital, Western Sydney University, Campbelltown TAFE, Campbelltown Health and Education Precinct, Macarthur Square regional shopping centre, Campbelltown Sports Stadium, Campbelltown Arts Centre and the Sports and Health Centre of Excellence (which is currently in design phase) within the Campbelltown-Macarthur Centre and there being only one east-west access route linking to the centre via Narellan Road.
- Spring Farm Road Link
- Appin Road Upgrade
- Cambridge Avenue Upgrade.

**d. Balance government attention, investment and support for the Aerotropolis and Western Economic Corridor by supporting economic development opportunities that are currently available in western Sydney's established manufacturing and employment zones**

The overwhelming spatial focus of the draft Sydney Plan, as far as the Western City is concerned, is upon the Western Sydney Airport/Aerotropolis. Consequently, there is conversely disproportionate attention granted to some other centres and places in terms of recognising and making the most of their economic and employment development potential.

Such potential can be facilitated by investing in enabling infrastructure, economic planning, incentives to encourage the retention and renewal of older employment areas, environmental enhancement priorities etc.

This issue is an especially important matter for the Commission and the draft District Plan to be concerned with, especially given the historic and positive legacy of extensive manufacturing areas for example, employing significant numbers of people, being located within the district at places such as the Ingleburn and Minto industrial areas. These manufacturers need the pro-active attention and support of all levels of Government in the form of assistance to identify, leverage and implementing new opportunities for their transformation into local advanced manufacturing precincts.

These precincts should be positioned, linked (both physically and in an enterprise network sense) and strengthened to assist their incumbent manufacturers to maximise the opportunity being afforded by the WSA Gateway and supply chain opportunities generated by new investment into the Aerotropolis.

The draft District Plan appears quiet on this significant issue. The capacity exists in these areas, and is currently underutilised. The opportunity must be exercised to assist the growth and development of the whole of the Western City.

**e. Miscellaneous matters**

Supplementary to the above, there are a number of more detailed matters that officers believe Council should seek to discuss further with the Commission before the draft Sydney Plan is finalised. These issues, whilst they may be considered minor on an overall metropolitan scale, have specific relevance to the City of Campbelltown and should be reviewed for accuracy and /or to ensure that the draft Sydney Plan is reflective of metropolitan outcomes that can be achieved locally. These items include:

- recognition of Ingleburn as a Strategic Centre
- review of the positioning of Glenfield in the proposed centres hierarchy given its strategic location in terms of transport connectivity
- correction of errors contained within the graphic depicting the future land use structure of the Campbelltown-Macarthur Centre.

There are some additional smaller items worthy of discussion.

**The draft Greater Sydney Region Plan should be supported and strengthened**

The Draft Sydney Plan is worthy of Council's firm support and commitment, but at the same time given the issues discussed above, Council is encouraged to seek support for enhancements to the Plan to strengthen its capacity to reflect and better deal with the opportunities, issues and challenges confronting the future of the City of Campbelltown and the Macarthur region more generally.

Such enhancements must be supplemented by:

- a review of the statutory architecture of the planning system as it currently stands to ensure that the aspirations and outcomes sought by the draft Plan once enhanced (in terms of the items that have been raised in this report) and endorsed by the NSW Government, are achieved and not thwarted by complicating and competing statutory planning instruments such as State Environmental Planning Policies, many of which are not 'spatially' based like the draft Sydney Plan but often issue and sector based

The relationship between the Sydney Plan, District Plans, and local environmental plans must achieve clear lines of sight and be outcome focused....to ensure development assessment and approvals reflect positively on the aspirations of the Sydney Plan. Similar observations and assurances must be built into the planning proposal preparation and assessment process.

- the empowerment and resourcing of the Greater Sydney Commission and the NSW Department of Planning and Environment to oversee the finalisation and roll out of the Sydney Plan, including further and on-going collaboration with Councils.
- the empowerment and resourcing of the Greater Sydney Commission and the NSW Department of Planning and Environment, including being granted authority to co-ordinate, align and sequence the array of government infrastructure and land use planning and delivery, building on the proposed Growth Compact Model.

Appreciation is considered due to the Greater Sydney Commission in producing a renewed metropolitan planning strategy for Sydney, and in particular for seeking to incorporate for the first time since perhaps the late 1960s, an earnest attempt to integrate land use with transport planning into the strategy making process.

Key areas of the draft Sydney Plan that staff believe are worthy of Council's strong support include:

- the endorsement of Campbelltown-Macarthur as a University City
- the recognition of Campbelltown-Macarthur as incorporating a metropolitan scale Health and Education Precinct
- the announcement of Campbelltown-Macarthur Centre as a Collaboration Area
- recognition of Glenfield to Macarthur Priority Urban Renewal Corridor
- articulation of key liveability outcomes recognising the significance of creating diverse and interesting 'places' and embracing creative arts and culture leading to innovation
- protection of Sydney's environmental assets including biodiversity and landscapes, including those such as the Scenic Hills
- planning for resilience and mitigating climate change
- planning to establish an interconnected green grid of environmental and recreational opportunities across Sydney, although the emphasis granted in the draft Sydney Plan to the South Creek Corridor should be balanced by more attention to the opportunities afforded by the Georges and Nepean Rivers for a range of benefits including visitor experience, tourism, recreation, protection and enhancement of environmental assets, the preservation and improvement to wildlife corridors, as well as a more active and healthy community.

## Conclusion

The draft Greater Sydney Region Plan is a newly proposed overarching strategy for metropolitan Sydney that has been prepared by the Greater Sydney Commission.

This plan has been prepared in conjunction with the draft Future Transport 2056 Strategy recently released for public comment and which has been separately reported to Council.

This latest proposed metropolitan strategy is the first such strategy in many years that has seriously sought to embrace the concept of integrating transport with land use planning, and for that it is worthy of some commendation. However, and disappointingly, the plan does not demonstrate that it has adopted transport holistically as a comprehensive enabler of major city shaping outcomes that would benefit the whole of metropolitan Sydney. This may indeed be more a reflection of existing transport (particularly public transport) commitments by the NSW Government, which overwhelmingly are focussed in the Eastern Harbour and Central River Cities.

On the draft Sydney Plan's own narrative, the City of Campbelltown and the Macarthur region demonstrates clearly the case and need for and economic and community benefits that could be taken from a more definite commitment to plan for, fund and deliver critically enabling transport infrastructure including mass transit, on-road bus/light rail, and strategic road connectivity.

The absence of any clear representation in the plan to a commitment beyond investigation (0-10 years) with respect to critical enabling metropolitan scale infrastructure to facilitate future urban and economic development in the City of Campbelltown and beyond, is very disappointing, especially in light of the extensive redevelopment of existing lower density centres and residential areas and greenfield development of new urban precincts that is set to take place here, and as acknowledged in the draft Sydney Plan.

This Council's position has always to accept and promote urban growth that is of a high quality and which can be serviced by appropriate infrastructure. Campbelltown has absorbed an extraordinary share of Sydney's metropolitan urban growth over many years, often without the commensurate support of other levels of government or the private sector to invest in much needed 'enabling' infrastructure such as for example children's services, arts and culture, sporting facilities and even entertainment facilities such as the Dumaresq Street Cinema.

The Council has built and continues to build upon the goal to maximise the City of Campbelltown's self-containment, for the benefit of its current and future community, trying to minimise its dependence upon other places to access services, facilities and jobs.

The draft Sydney Plan whilst laudable, is constrained in terms of its understanding and commitment to Campbelltown City's aspiration of community and self-containment, and further, does not deliver on intra-regional connectivity to drive community accessibility to the economic and employment opportunities that stand to be played out in the WSA/Aerotropolis precinct.

Critical connectivity infrastructure that would work in Campbelltown City's best economic and social interests is either not recognised or not articulated as a commitment for delivery. This is an important matter for Government to deal with, and is especially relevant when an audit of the draft Future Transport Strategy 2056 and associated plans and strategies demonstrate the extent and value of connectivity that has been and is being committed to in other parts of Sydney.

Council is currently working hard to establish a strategic framework to guide future planning for its regional city centre, Campbelltown-Macarthur, to generate new enterprise and local jobs. And for this reason, the Council can be well pleased with the declaration of this centre as a University City and the support that will be forthcoming to establish the Health and Education precinct and the Collaboration Area. These add real value to Councils commitment to grow local enterprise and employment and bolster the City's self-containment.

It is recommended to Council that it prepare a submission in response to the exhibition of the draft Greater Sydney Region Plan, to reflect the issues and suggestions presented in the above report. It is further suggested that Council consider the proposition for the Mayor and General Manager to open a dialogue with the Minister for Planning – The Hon. Anthony Roberts MP, the Chief Commissioner – Mrs Lucy Turnbull and the Secretary of the NSW Department of Planning and Environment – Ms Carolyn McNally at a meeting to be scheduled as soon as possible. This meeting should seek to further explain how the draft Greater Sydney Region Plan can make more of the economic, social and development opportunity that Campbelltown represents for the whole of the metropolitan area.

It would also be appropriate for Council to send a copy of its submission on the draft Greater Sydney Region Plan to local members of State and Federal Parliament to seek their support and advocacy.

### **Attachments**

1. A metropolis of three cities - connecting people - draft Greater Sydney Region Plan (due to size of document - 170 pages) (distributed under separate cover)

## 8.17 Draft Western City District Plan

### Reporting Officer

Executive Planner  
City Growth and Economy

### Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.5 - Work in partnership with the State Government to achieve positive planning outcomes

### Officer's Recommendation

1. That Council note the information regarding the draft Western City District Plan.
2. That Council endorse the draft submission on the draft Western City District Plan.
3. That Council refer a copy of the above submission to all local State and Federal Members of Parliament for their information and request for support for Council's position.

### Purpose

The purpose of this report is to inform Council about the new draft Western City District Plan and to seek Council's endorsement of a submission on this matter prior to the submission being lodged with the Greater Sydney Commission.

### History

The Greater Sydney Commission (GSC), which was established under the *Greater Sydney Commission Act 2015*, is responsible for leading metropolitan planning for Greater Sydney with the aims of making it more liveable, productive and sustainable.

In November 2016, the GSC released *Towards Our Greater Sydney 2056* - a draft update to the metropolitan strategy "A Plan for Growing Sydney" and six draft district plans for the six planning districts that it had identified for metropolitan Sydney. At the time, the Campbelltown Local Government Area (LGA) was included in the South West District.

On 28 March 2017, Council considered a detailed report on the draft amendment to A Plan for Growing Sydney and the "Draft South West District Plan" and a substantial and detailed submission was made. The main issues covered in Council's original submission are summarised as follows:

- the role of the GSC
- planning presumptions regarding future urban growth
- structure planning and spatial organisation

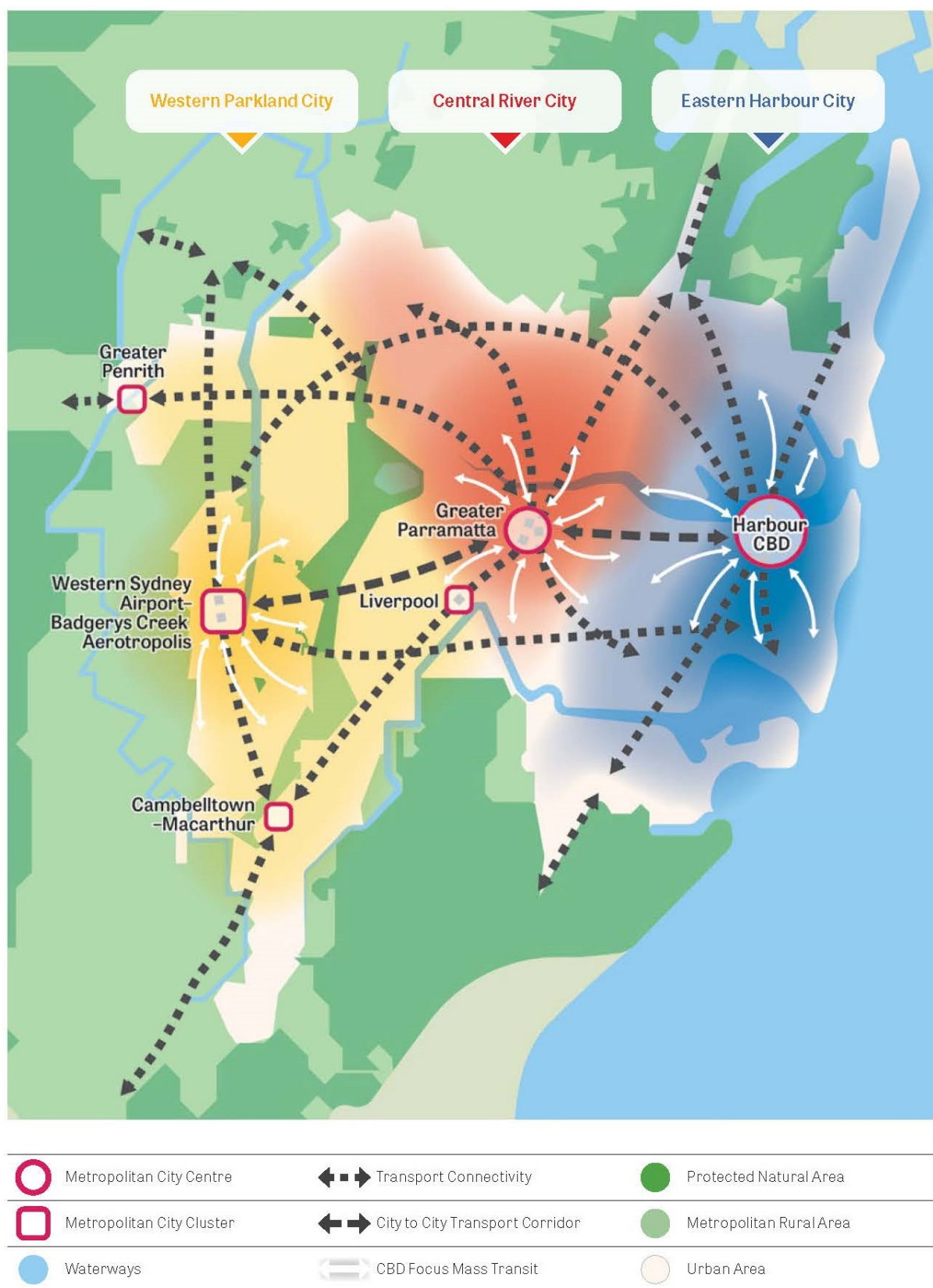
- alignment of agency planning, funding and delivery with District priorities
- infrastructure funding and delivery
- economic and employment development
- inter and intra district connectivity
- housing affordability
- sustainability, including the importance of the Scenic Hills, waste facilities, air quality, open space, the Green Grid and environmental/recreation enhancements
- the importance of the Ingleburn centre, freight and logistics, engagement with Indigenous communities, planning for schools and other State facilities, designing for place and liveability, metropolitan rural areas (MRAs) and heritage protection.

In May 2017, the GSC released Directions for a Greater Sydney 2017-2056, which provides ten guiding principles for the future development of Greater Metropolitan Sydney.

On 22 September 2017, the GSC announced the merging of the South West and West Districts to create the Western City District. The aim of the merger is to better facilitate planning around the proposed Western Sydney Airport. Council was informed about this merger at its meeting on 28 November 2017.

On 22 October 2017, the GSC released a new draft metropolitan strategy for Greater Sydney called "Our Greater Sydney 2056 – A Metropolis of Three Cities – Connecting People". This document is also referred to as the "Draft Greater Sydney Region Plan". Importantly, this strategy (for the purposes of organising planning) divides the metropolitan area into three cities:

- Eastern Harbour City
- Central River City
- Western Parkland City





Transport for NSW's draft strategy, NSW's Future Transport 2056 was released concurrently with the draft metropolitan strategy. These documents are available for public comment until 15 December 2017 and 3 December 2017 respectively. Both of these draft strategies are subject to separate reports to Council.

On 26 October 2017, the GSC released five revised district plans for its Sydney planning districts, including one for the newly created Western City District. Submissions close on 15 December 2017.

The Draft Greater Sydney Region Plan and the revised draft district plans are based on the ten guiding principles established in the Directions for Greater Sydney 2017-2056.

## **Report**

### **Introduction**

The Campbelltown LGA is part of the GSC's Western City District. This District is part of what the GSC describes as the Western Parkland City and is significantly larger than all other districts within Greater Sydney. The Western City District comprises the following eight local government areas:

- Blue Mountains
- Camden
- Campbelltown
- Fairfield
- Hawkesbury
- Liverpool
- Penrith
- Wollondilly.



Due to its extensive size, it is clear that significant and integrated transport infrastructure will be required to facilitate intra and inter District and City access and connectivity for both people and freight. This transport connectivity, via both rail, light rail/metro, bus and road, is critical for shaping and developing the Western Parkland City, leveraging the benefits of the proposed Western Sydney Airport, and to achieve the goal of creating a 30 minute city whereby residents will be able to access jobs services, and facilities in centres, within 30 minutes of where they live.

### **Context – Directions and Draft Greater Sydney Region Plan**

Directions for a Greater Sydney 2017-2056 outlines a set of common planning principles (strategic directions) that have been used to guide the preparation of both the draft Greater Sydney Region Plan and the revised draft district plans.

The ten principles are as follows:

1. a city supported by infrastructure
2. a city for people
3. housing the city
4. a city of great places
5. jobs and skills for the city
6. a well-connected city
7. a city in its landscape

8. an efficient city
9. a resilient city
10. a collaborative city.

### **Content of the draft Western City District Plan**

The draft Western City District Plan replaces the original draft South West and West district plans which were released in November 2016.

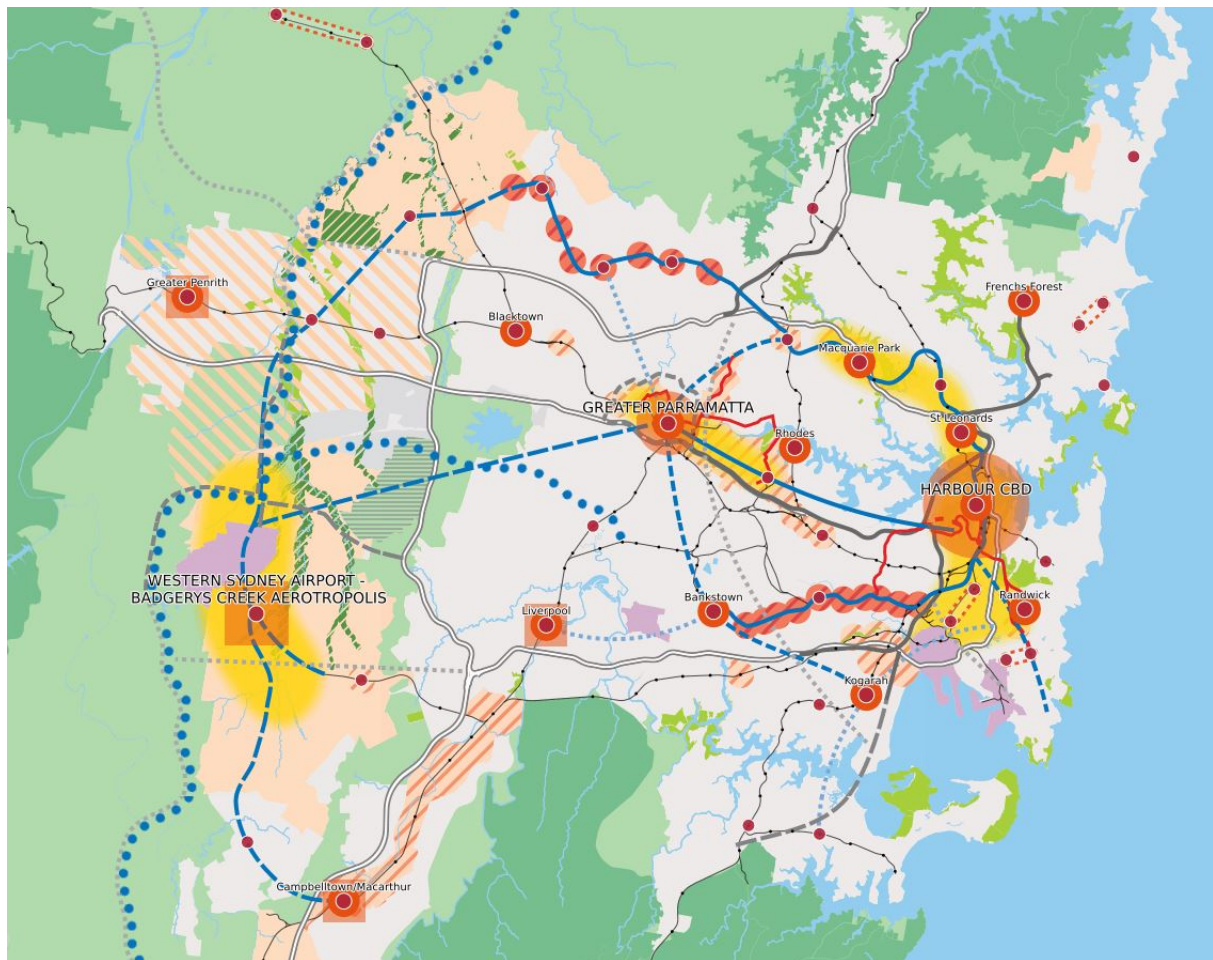
The Draft District Plan includes a vision for the Western Parkland City and specific chapters on:

- Infrastructure and Collaboration
- Liveability
- Productivity
- Sustainability
- Implementation.

These chapters align with those in the Draft Greater Sydney Region Plan and link back to the ten strategic directions set to guide the future of Greater Sydney.

### **Key points about the District**

The draft District Plan affirms the importance of centres to the liveability and productivity of the whole of Greater Sydney and reflects a new centres hierarchy comprising of metropolitan centres, strategic centres and local centres, as determined by the GSC and set out in the draft Greater Sydney Region Plan. Instead of a single metropolitan centre core such as for example the Parramatta CBD for the Central River City, the Western City has a metropolitan city cluster which consists of the proposed Western Sydney Airport (WSA)-Badgerys Creek Aerotropolis, Campbelltown-Macarthur, Liverpool and Greater Penrith centres.



The draft District Plan is strongly focused on the WSA and its associated Aerotropolis as the major source of productivity and employment generation for the District as a whole.

The draft District Plan also identifies the three existing cluster centres, including Campbelltown - Macarthur as Collaboration Areas. Work on the Liverpool and Greater Penrith Collaboration Areas has already commenced and the draft District Plan states that work on the Campbelltown-Macarthur Collaboration Area is set to commence in 2018-2019. Collaboration Areas are designated centres or places where a significant productivity, liveability or sustainability outcome can be better achieved through the collaboration of different levels of government and in some cases the private sector or land owners. They are locations that either hold great potential or that face complex challenges in meeting the demands of urban growth. They are localities where the GSC will seek to lead or be a major player in facilitating the collaboration. In addition, most nominated Collaboration Areas include at least one major hospital and a university, which together have the potential to enhance economic outputs and generate a range of quality jobs.

Being awarded Collaboration Area status is considered a prestigious achievement and major benefit for Campbelltown and this will build on the significant work currently being undertaken by Council relating to the Campbelltown-Macarthur Health and Education Precinct and the Reimagining Campbelltown project. It is also considered that work on the Collaboration Area should commence immediately and that appropriate representations be made to the GSC in this regard.

The next level (lower) of centres that sit beneath metropolitan core/metropolitan cluster centres are termed strategic centres. For the Western Parkland City, the nominated strategic centres are Fairfield, Katoomba, Leppington, Narellan, Richmond-Windsor and St Marys. Ingleburn is notably absent but no reasons are provided for this omission. The draft Greater Sydney Region Plan describes Strategic Centres as thirty-four centres across Sydney where the mix of activities, size and location enable the community to access a wide range of goods, services and jobs. It also acknowledges that each of the identified Strategic Centres differs in scale and opportunities to provide jobs and services, and also has the ability contribute towards the achievement of a 30 minute city.

All other centres have been classified by the GSC as local centres, seemingly by default. These are considered important as centres where people can access day-to-day goods and services, with some of them providing a supermarket.

The GSC predicts that the Western City District is likely to experience significant population growth between now and 2036 and sets some targets for the creation of new housing and jobs:

<b>Western City District Feature</b>	<b>2016</b>	<b>2036</b>	<b>Increase</b>
Population	1,070,000	1,534,450	464,450
Housing (dwellings)	388,000	572,000	184,500 (39,850 by 2021)
Jobs (main centres only)	122,900	188,000 -221,000	65,100 - 98,100

Campbelltown specific targets include the creation of an additional 6,800 dwellings within the Campbelltown Local Government Area (LGA) by 2021 and an increase in jobs for the Campbelltown-Macarthur Centre of between 27,000 and 31,000 (from a 2016 base of 20,400). The GSC has also advised that it will commence working with Council next year to set 6-10 year dwelling targets.

Based on the dwelling and jobs targets established in the draft plan, there is a clear mismatch between the number of jobs and dwellings available in the District with a ratio of approximately 0.3:1 remaining consistent both now and in the future. This could be explained in part however, in that the draft District Plan only establishes jobs targets for the Metropolitan Cluster and Strategic Centres and not for other important employment and potential employment generating areas and sectors within the District such as industrial areas like Minto and Ingleburn.

The draft District Plan's narrative raises the issue of the extraordinary future residential growth planned for the District. Specific growth areas and projects across the area are listed. Growth areas specific to the Campbelltown LGA include the Greater Macarthur Priority Growth Area (GMPGA) including the Glenfield to Macarthur Corridor, the Glenfield Priority Precinct and Menangle Park and Gilead. Growth at Appin (part of the GMPGA), and the WSA, South West, Wilton and North West Priority Growth Areas is also mentioned. However, the draft District Plan does not include any reference to the predicted lot/dwelling numbers or any employment targets for these areas. This is an important omission in so far (for example) that the estimated yield of dwellings for the Greater Macarthur Priority Growth Area and the Wilton New Town Priority Growth Area alone is estimated by Council to be in the vicinity of more than 75,000 dwellings. The urban renewal areas of Minto, Airds-Bradbury and Claymore are also mentioned in the draft District Plan but once again no dwelling or employment figures are provided.

In terms of addressing housing affordability, the draft District Plan discusses both general affordability and the need for affordable rental housing, but no LGA specific targets are set. The draft District Plan discusses how smaller lots, more compact housing and innovative developer/ownership models can potentially improve general affordability. It also recommends that the NSW Government adopt Affordable Rental Housing Targets for very low to low-income households in Greater Sydney as a mechanism to deliver a supply of affordable housing.

Further, the GSC suggests that targets requiring in the range of 5-10 per cent of new residential floor space to be made available for Affordable Rental Housing are viable. Action 16 in the draft District Plan is specifically focused on preparing Affordable Rental Housing Target Schemes and the responsibility for undertaking this action is allocated to councils and other planning authorities but there is limited detail on how these schemes would be developed. It is understood that these targets could potentially be implemented through inclusionary zoning mechanisms whereby a certain percentage of dwellings within new residential areas/developments must be provided as Affordable Rental Housing – however, this is not clearly articulated in the draft District Plan.

The draft District Plan's narrative acknowledges the importance of transport, infrastructure and connectivity for shaping and developing the Western Parkland City, for its economic productivity and to enhance its liveability and environmental sustainability. This co-ordinated approach to integrate land use and transport planning is commendable, however, the draft District Plan is short on commitment to delivery and coordination of sequenced land use and transport outcomes. This is disappointing given the significance of the need for transport to be acknowledged and dealt with as 'an enabler' of city shaping. The most critical infrastructure identified for the District and Campbelltown in the draft District Plan includes the:

- north-south and east-west transport infrastructure including the North-South Rail Link and extension of the South West Rail Line from Leppington to the WSA/Aerotropolis
- extension of Badgally Road to Campbelltown (but not specifically across the Southern Railway and into the CBD)
- Spring Farm Arterial linking Camden and the southern parts of the Campbelltown LGA
- M9/Outer Sydney Orbital – a future north-south corridor that could ultimately co-locate a future motorway and freight rail between the Central Coast and the Illawarra with connections to the Western City District and Badgerys Creek Aerotropolis
- a Western Sydney Freight Line – a freight line which connects the Southern Sydney Freight Line to a potential new intermodal site in Western Sydney and the Outer Sydney Orbital (motorway and freight rail) and which would provide a connection with the Main West Railway Line.

It is important to note that the draft District Plan does not make reference to the Georges River Parkway Corridor Reservation, which is almost entirely in NSW Government ownership, nor the future intended construction and purpose of this corridor.

## District Specific Planning Priorities

The draft District Plan includes 20 District specific planning priorities and a range of actions and responsibilities aimed at delivering each of the priorities. The priorities are listed as follows:

Priority	
<b>For Infrastructure and Collaboration:</b>	
W1	Planning for a city supported by infrastructure
W2	Working through collaboration
<b>To achieve Liveability:</b>	
W3	Providing services and social infrastructure to meet people's changing needs
W4	Fostering healthy, creative, culturally rich and socially connected communities
W5	Providing housing supply, choice and affordability, with access to jobs and services
W6	Creating and renewing great places and local centres, and respecting the District's heritage
<b>To achieve Productivity:</b>	
W7	Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City
W8	Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis
W9	Growing and strengthening the metropolitan city cluster
W10	Maximising freight and logistics opportunities and planning and managing industrial and urban services land
W11	Growing investment, business opportunities and jobs in strategic centres
<b>To achieve Sustainability:</b>	
W12	Protecting and improving the health and enjoyment of the District's waterways
W13	Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element
W14	Protecting and enhancing bushland and biodiversity
W15	Increasing the urban tree canopy cover and delivering Green Grid connections
W16	Protecting and enhancing scenic and cultural landscapes
W17	Better managing rural areas
W18	Delivering high quality open space
W19	Reducing carbon emissions and managing energy, water and waste efficiently
W20	Adapting to the impacts of urban and natural hazards and climate change

Although it is acknowledged that these are priorities, and that they are commendable, they are in essence planning policies. They are general in nature and are not supported (in the draft District Plan) by any specific commitment by the Commission or government to realise their achievement. A detailed response to each of these priorities is included as part of the draft submission which is provided as attachment 1 to this report.

## Key Issues raised in the draft submission

Council officers have undertaken a detailed review of the draft District Plan and note with some disappointment that some, but not all of the matters raised in Council's original submission on the draft South West District Plan have been addressed:

Issue previously raised:	How issue is addressed in the new draft plan:
Role of the GSC	<ul style="list-style-type: none"> <li>• additional discussion on GSC's role</li> <li>• some actions are the responsibility/joint responsibility of the GSC.</li> </ul>
Planning presumptions regarding future urban growth	<ul style="list-style-type: none"> <li>• growth is taken to be a given, with very limited discussion of the District's capacity to absorb the projected growth.</li> </ul>
No apparent structure planning and spatial organisation	<ul style="list-style-type: none"> <li>• a structure plan and spatial mapping have been included in the new draft District Plan.</li> </ul>
Alignment of agency planning, funding and delivery with District priorities	<ul style="list-style-type: none"> <li>• while some responsibility has been assigned to particular actions to deliver priorities, both the actions and responsibilities are in most cases general rather than specific, and they are limited in number.</li> </ul>
Infrastructure funding and delivery	<ul style="list-style-type: none"> <li>• no clear articulation of, or commitment to, actual funding and delivery of most identified (required) infrastructure.</li> </ul>
Economic and employment development	<ul style="list-style-type: none"> <li>• significant discussion about actual employment targets, but only set for metropolitan cluster and strategic centres</li> <li>• employment growth not shown to be commensurate with existing and expected dwelling numbers.</li> </ul>
Inter and intra district connectivity	<ul style="list-style-type: none"> <li>• significant discussion but no substantial commitment to funding, timing and delivery of integrated transport network infrastructure – only investigation.</li> </ul>
Housing affordability	<ul style="list-style-type: none"> <li>• potential mechanisms including a proposed 5 -10 per cent requirement is discussed.</li> </ul>
Sustainability	<ul style="list-style-type: none"> <li>• extensive chapter included.</li> </ul>
<ul style="list-style-type: none"> <li>• importance of the Scenic Hills</li> </ul>	<ul style="list-style-type: none"> <li>• discussed but no solid delivery and enforcement mechanisms provided.</li> </ul>
<ul style="list-style-type: none"> <li>• waste facilities</li> </ul>	<ul style="list-style-type: none"> <li>• discussed but no new sites for waste management identified.</li> </ul>
<ul style="list-style-type: none"> <li>• air quality</li> </ul>	<ul style="list-style-type: none"> <li>• discussed in the context of the urban tree canopy, Green Grid</li> <li>• states Greater Sydney had excellent air quality with some localised problems.</li> <li>• not specifically addressed as an impediment to growth or as a significant health issue.</li> </ul>
<ul style="list-style-type: none"> <li>• open space, Green Grid and environmental/recreation enhancements</li> </ul>	<ul style="list-style-type: none"> <li>• significant discussion on the importance of the Green Grid and Open Space</li> <li>• no Priority Green Grid Projects identified for land in Campbelltown City.</li> </ul>
Other Matters	<ul style="list-style-type: none"> <li>• the draft plan discusses a wide range of matters.</li> </ul>
<ul style="list-style-type: none"> <li>• importance of Ingleburn (Centre)</li> </ul>	<ul style="list-style-type: none"> <li>• Ingleburn is not recognised as a strategic centre or otherwise specifically mentioned-defaults to being treated as a local centre.</li> </ul>



Issue previously raised:	How issue is addressed in the new draft plan:
<ul style="list-style-type: none"> <li>freight and logistics</li> </ul>	<ul style="list-style-type: none"> <li>significant discussion</li> <li>raises development of a possible Western Sydney Intermodal at some time in the future which is a potential new intermodal terminal to be investigated by 2036 with its location not yet determined but expected to be close to the Western Sydney Freight Line</li> <li>no clear commitment to the Western Sydney Freight Line or description of route but graphics suggest it linking with the Southern Sydney Freight Line at Campbelltown.</li> </ul>
<ul style="list-style-type: none"> <li>engagement with Indigenous communities</li> </ul>	<ul style="list-style-type: none"> <li>importance of Aboriginal communities is discussed and action 12 specifically relates to inclusion and economic self-determination.</li> </ul>
<ul style="list-style-type: none"> <li>planning for schools and other State facilities</li> </ul>	<ul style="list-style-type: none"> <li>importance of schools to service the expected population is discussed</li> <li>co-location, shared-use, innovation and role in shaping communities are discussed.</li> </ul>
<ul style="list-style-type: none"> <li>designing for place and liveability</li> </ul>	<ul style="list-style-type: none"> <li>significant discussion on place and place making in the chapter on liveability.</li> </ul>
<ul style="list-style-type: none"> <li>metropolitan Rural Areas (MRAs)</li> </ul>	<ul style="list-style-type: none"> <li>importance of the MRAs is noted but boundaries and permitted land uses need further clarification.</li> </ul>
<ul style="list-style-type: none"> <li>heritage protection</li> </ul>	<ul style="list-style-type: none"> <li>respecting heritage and its importance in “identity and place” is discussed</li> <li>action 18 is specifically focused on conserving and enhancing environmental heritage</li> <li>importance of heritage to tourism is also noted in action 34</li> <li>the role of heritage in the Campbelltown-Macarthur CBD is noted and addressed in action 39.</li> </ul>

In light of this review, the following section of this report summarises the main points raised in a draft submission to the GSC on the exhibited draft Western City District Plan that has been prepared by officers. The draft submission, which provides significantly more detail, is provided as an attachment to this report.

**1. In terms of the strategic positioning of Campbelltown, the centres hierarchy and the importance of the Campbelltown-Macarthur Centre and other centres:**

- a. The draft District Plan places significant emphasis and attention on the WSA and Aerotropolis which is important, but it is also critical that equal attention and support is granted to the other metropolitan cluster city centres such as Campbelltown-Macarthur, to grow the whole Western City.
- b. The vast geographical extent together with the future population and economic growth potential of the Western City District provides a major strategic opportunity for Campbelltown, and particularly the Campbelltown-Macarthur CBD.

- c. The Campbelltown-Macarthur Centre needs to be identified as both part of the metropolitan city cluster and also as a regional centre in its own right.
  - d. The size of the Western City and its location make Campbelltown-Macarthur the key regional centre for the Greater Macarthur, the Southern Highlands and parts of the Illawarra, and the main focus of job density and access to major health and education services for the southern part of the Western City and beyond.
  - e. Campbelltown-Macarthur's strategic locational advantage gives it the potential ability to be the major servicing centre for the proposed Western Sydney Intermodal.
  - f. Council appreciates Campbelltown-Macarthur being identified as a Collaboration Area, but is disappointed that it was not originally identified as such in the draft South West District Plan and urgently seeks immediate commencement of work on this collaboration.
  - g. Ingleburn is an important centre for the district and needs to be identified as strategic centre as Council believes that it has the potential to provide significant job opportunities and services in a mixed used environment within 30 minutes of many growing areas.
  - h. While Glenfield has been identified as a Priority Growth Area, a review of the positioning of the Glenfield Centre is required in light of its strategic location at the junction of multiple metropolitan rail lines and connectivity to the Western Sydney Airport, Liverpool, Parramatta, Kingsford Smith Airport and the Sydney CBD, and the potential that the centre has for significant employment development.
- 2. In terms of the urgent and critical need for strategic infrastructure and corridor preservation:**
- a. There is an immediate and urgent need for the detailed planning and delivery of significant city shaping transport infrastructure to service and 'enable' the growth and development the Western City, including the preservation of critical corridors such as for rapid bus and rail connectivity.
  - b. North-south and east-west connecting transport infrastructure is critically important, including the North-South Rail Link, extension of the South West Rail Line to the Western Sydney Airport and strategic y-links (one to connect the Southern Line with the South West Rail link between Glenfield and Macquarie Fields stations) to complete the transport circuit. This is critical in growing the Western City economy; linking economic hubs in the Western City; providing equal and much deserved direct connectivity to the proposed Western Sydney Airport and Aerotropolis for South West Sydney residents in particular; and providing direct access to new job opportunities to be generated in the Aerotropolis for workers living in the South West.
  - c. Provision of electrified rail to Wilton New Town is essential, and at least there must be a commitment to identify and preserve rail, light rail/rapid bus corridors to service public transport access to the southern areas of the Greater Macarthur Urban Land Release precinct and the Wilton New Town Precinct, which are currently being planned to accommodate more than 55,000 new dwellings. The omission of the Greater Macarthur Urban Land Release Areas and the Wilton

New Town Priority Growth Area from certain maps within the draft District Plan is at best unfortunate, but signals an absence of the recognition of the significance of these areas and the high level planning that is currently being undertaken by NSW Government Agencies including the Department of Planning and Environment, the City of Campbelltown and Wollondilly Shire Councils.

d. There is an urgent and essential need for:

- the extension and upgrade of Badgally Road over the Main Southern Rail Line and into the eastern side of the Campbelltown CBD to support the centre and provide an important and much needed link with the South West Growth Centre. This connectivity will drive the economic development of the Campbelltown-Macarthur Centre and help realise the opportunities for investment in services, facilities and jobs and achieving the goals set for the centre by the draft District Plan. Clarity is sought about the exact nature and reach of the road extension identified by the draft District Plan. Greater certainty over the Commission's, and even more critically the NSW Government's commitment to the extension and upgrade of Badgally Road is a precursor to enhanced private sector investment into Campbelltown-Macarthur to drive much needed job creation
- construction of the Spring Farm Arterial linking Camden and the southern parts of the Campbelltown LGA, facilitating the delivery of significant new housing numbers as part of the Greater Macarthur Priority Growth Area and improved regional interconnectivity
- a decision about the future of the Georges River Parkway
- commitment to the location and configuration of the corridor for the M9/Outer Sydney Orbital
- commitment to the location and configuration of a Western Sydney Freight Line corridor, designed in collaboration with Council
- commitment to the upgrading and extension of Cambridge Avenue linking the proposed Moorebank Intermodal with the Hume Highway
- expediting Stage 2 of the Campbelltown Hospital upgrade and expansion

e. recognition of the importance of, and a solid commitment by government to, the provision of world class digital infrastructure and connectivity to metropolitan, strategic and local centres, employment areas and both existing and new residential areas to enable full participation in the growing digital and global network and economy.

### **3. In terms of the District's vision and local identity:**

- a. The vision for the District needs to be more ambitious and describe the benefits that people will be able to gain from living, working and investing in the area and experiencing its unique opportunities, character, qualities, culture and vitality.
- b. The Western Parkland City needs to be clearly defined spatially and via the narrative as it appears to be broader than just the Western City District.

- c. The merging of the South West and West Districts to create the Western City District has resulted in the loss of significant local detail from the draft plan (compared to what was included in the original South West District Plan) and this needs to be rectified particularly given the draft District Plan's renewed focus on place and identity.

**4. In terms of housing and employment targets:**

- a. Dwelling and jobs targets are unbalanced (with a current and proposed future jobs to dwellings ratio of approximately 0.3:1 based on the draft District Plan's targets) and the GSC and Department of Planning and Environment must develop a policy and targets to achieve a 1:1 ratio of jobs to dwellings (both existing and new) to address the existing and future jobs deficit and work more convincingly towards the achievement of regional/district employment self-containment and the 30 minute city.
- b. The significant growth in population and dwellings expected in the District, particularly in the Priority Growth Areas and Precincts, needs to be reinforced by the inclusion of lot/dwelling targets/estimates which provide a quantifiable measure of the extent and impacts of growth. This information is already available from the work undertaken by the NSW Department of Planning on the proposed Greater Macarthur Priority Growth Area. The recognition of the extent and location of future urban growth across the whole of the Western City, including in particular, the Campbelltown and Wollondilly LGAs is essential in conveying to the community the significance and enormity of the challenge that confronts planning and delivering sustainable and resilient development outcomes for the Macarthur Region.
- c. Stronger and broader employment targets need to be established not just for the metropolitan cluster and strategic centres but also for local centres, industrial areas and other out of centre areas that have the potential to create new jobs. Job retention is also important for economies such as Campbelltown's, and the lack of attention to specific planning strategies to help retain and grow jobs in industrial areas such as Minto and Ingleburn, supporting the opportunities being created as part of the Aerotropolis, is disappointing.
- d. The District Plan needs to focus more on the quantity, quality, type and distribution of economic activities and employment opportunities to be grown across the whole District, recognising the significance of transport access to job opportunities.
- e. The planning system needs to focus on developing additional opportunities for people to work from home and from business incubator/hubs within their local communities.
- f. Council is confident that it has the capacity to achieve its five year housing target of 6,800 new dwellings by 2021.
- g. Council is committed to partnering with the GSC to establish further targets and strategies for general and affordable housing within Campbelltown but seeks clarification on specific requirements.

- h. Council seeks clarification of whether preparation of strategies and commitments to housing provision could exempt it from the provisions of the Affordable Rental Housing SEPP and any other relevant SEPP provisions.

**5. In terms of servicing the growing population:**

- a. The GSC and the Department of Planning and Environment need to be empowered by Government to align and sequence planning and delivery of infrastructure priorities spatially, so that the planning priorities, actions and the “narrative” of the draft District Plan can be achieved.
- b. The GSC needs to coordinate departments and agencies across Government to deliver the facilities, services, and transport accessibility to encourage greater investment in economic and employment growth that will be required by the District’s significant and growing population.
- c. In the event that the required infrastructure and servicing is not provided by Government, the draft District Plan will become a **missed opportunity** to:
  - grow the Western Sydney community and economy
  - rely upon the Western City to accommodate much of Sydney’s demand for new development and housing in particular
  - support the ongoing resilience of Sydney as a true global city, and
  - redress the historic social injustice and inequity that has long prevailed in South Western and Western Sydney.
- d. Finalisation of what has now been a seemingly “never ending” review of the current limitations of the developer contributions system, is required as a matter of urgency. Questions surrounding issues of value capture, voluntary planning agreements, section 94 planning, land tax and the like must be resolved immediately in order to build greater certainty for both the market and governments, including local Councils. This is an imperative, so to enable the NSW Government and councils to better organise the funding and delivery of community infrastructure to enable the City’s growth to continue and be sustainable.

**6. In terms of sustainability:**

- a. A balanced approach to growth is required that respects waterways, bushland and biodiversity and addresses environmental issues such as climate change and the urban heat island effect. The tree canopy initiatives are supported with enthusiasm and Councils have an important role to play in this area.
- b. Council supports initiatives to expand Sydney’s Green Grid and open space networks although would express some disappointment that more attention is not scheduled for the Georges River and the upper reaches of the Nepean River, to supplement the innovative ideas put forward for the South Creek corridor. The City of Campbelltown would actively encourage the GSC to partner with it on priority initiatives for these two important environmental opportunities and balance the priority green grid project distribution evenly across the District.

- c. Measures aimed at integrating more trees and natural landscape elements into new developments and redevelopment areas and protection of the Metropolitan Rural Area are also supported.

**7. In terms of other significant matters:**

- a. Specific mechanisms for protecting major environmental assets, such as Campbelltown's Scenic Hills and significant bushland areas, need to be included in the draft District Plan.
- b. The District Plan needs to more strongly consider and protect heritage assets and landscapes.
- c. Councils need to be provided with a statutory planning framework that will allow place based planning to be effectively implemented. Historic "template" approaches have been limited in their effectiveness as previously admitted to by representatives of the GSC.
- d. Acknowledgement of the existing specific opportunities, assets, events and facilities that exist within the Campbelltown LGA is required as these make a significant contribution towards our liveability and productivity – major District and Region outcomes sought by both the draft District Plan and the draft Greater Sydney Region Plan.
- e. The proposal to allow office development on industrially zoned land is not considered locally appropriate, where there is often a more significant and justified position to concentrate such development in centres.
- f. The issue of regional air quality, monitoring and mechanisms for ameliorative action needs to be addressed. Such mechanisms need to take account of the extent and nature of future development within the Western City, which are and will only be exacerbated by higher car dependency in the shadow of poor public transport accessibility.
- g. There needs to be a commitment to identifying regional scale sites for waste management, including recycling and disposal, to service the growing District population.
- h. Maps included within the draft District Plan are often difficult to read/interpret and need to be improved in terms of accuracy and useability.
- i. All centres along the Glenfield to Macarthur Rail Line, including Leumeah and Glenfield, need to be clearly identified and labelled on the relevant maps.
- j. The map for the Campbelltown-Macarthur Centre needs to be corrected to include all relevant land on the western side of the railway line, and to correct a number of errors/anomalies.

**8. In terms of implementation:**

- a. There is concern that the draft Metropolitan Plan and the District Plans are identified as not being Government Policy or at the least "proposed" Government

Policy. This is considered to be a major shortcoming and creates some degree of uncertainty.

- b. There is significant concern about the hierarchy of plans within the NSW Planning System that allows State Environmental Planning Policies (SEPPs) to override Region and District Plans.
- c. Specific, measurable and time focused actions and appropriate resourcing are required if the ambitious plans for developing the Western City are to be achieved.

## Conclusion

The draft Western City District Plan provides an overview of the District and sets out a range of priorities and actions that are considered necessary going forward.

The planning narrative embodied within the District Plan and the strategic integration of transport planning with land use/development planning, is long overdue. This change can be welcomed by Council.

Notwithstanding, Council is advised that unfortunately, the draft District Plan suffers a number of drawbacks which have been highlighted in some detail above.

There are three significant shortcomings associated with the draft District Plan which work together to 'hold back' the future growth and development of the City of Campbelltown.

These are:

- The overwhelming spatial focus of the draft District Plan and draft Greater Sydney Region Plan on the Western Sydney Airport/Aerotropolis and the conversely disproportionate attention granted to some other centres and places in terms of required infrastructure investment, economic planning, retention and renewal of older employment areas, environmental enhancement priorities and the like.

This issue is an important matter for the Commission and the draft District Plan to be concerned with, especially given the historic and positive legacy of extensive manufacturing areas for example, employing significant numbers of people, being located within the District at places such as the Ingleburn and Minto industrial areas. These manufacturers deserve the pro-active attention and support of Government in the form of assistance to identify, leverage and implement new opportunities for transformation into local advanced manufacturing precincts. The draft District Plan appears quiet on this significant issue. The capacity exists in these areas, and is currently underutilised. Again there is a question of spatial equity and opportunity that must be addressed by the Commission in the first instance, and not relegate the much needed opportunity to bolster the transformation and longer term resilience of such areas, to avoid further decline and loss, especially in the face of new investment by Government and the private sector to support new enterprises like advanced manufacturing, seemingly focussed primarily on the Aerotropolis precinct and Western Economic Corridor.

- The remarkable absence of any real recognition as part of the draft District Plan and the draft Sydney Region Plan, of the scale and location of future urban growth potential currently being planned for by the NSW Department of Planning and other agencies in

the south of the City of Campbelltown and in the Wollondilly Shire (significant catchments for the Campbelltown-Macarthur Metropolitan Cluster Centre). This lack of recognition is unfortunately reflected in the absence of any certainty of commitment to planning for and delivering much required regional transport infrastructure that would connect these areas with their regional city centre, the proposed Western Sydney Airport and Aerotropolis, thereby providing these communities with access to much needed services and facilities (many of which have and will be funded by the Government such as the Campbelltown Hospital upgrade) and jobs.

- The need for greater and targeted commitment by the NSW Government to deliver on the strategic enabling infrastructure needs of the Macarthur Region, to enable the City of Campbelltown to grow and accommodate the scale of new housing and other urban development that can be achieved in ways that are acceptable to our community, but which other communities in inner and middle Sydney will be likely to resist.

Council officers have undertaken a detailed review of the draft plan and a detailed draft submission has been prepared for Council's consideration.

Council is asked to consider and endorse the draft submission for finalisation and lodgement with the Greater Sydney Commission, and referral to all local State and Federal Members of Parliament for their information and request for support for Council's position.

## **Attachments**

1. Draft Submission on the Draft Western City District Plan (contained within this report)
2. Our Greater Sydney 2056 – Campbelltown City Council – Council Snapshot of the draft Western City District Plan (contained within this report)
3. Our Greater Sydney 2056 – Draft Western City District Plan – Overview (contained within this report)
4. Our Greater Sydney 2056 – Draft Western City District Plan – Connecting Communities (due to size of document - 132 pages) (distributed under separate cover)



12 December 2017

Ms Lucy Turnbull  
Chief Commissioner Greater Sydney Commission  
Draft Western City District Plan  
PO Box 257  
PARRAMATTA NSW 2124

Dear Ms Turnbull

**Draft Western City District Plan – Submission from Campbelltown City Council**

The Council of the City of Campbelltown would like to express its appreciation to the Greater Sydney Commission for the opportunity to provide feedback on the draft Western City District Plan and for the Commission's effort in providing a briefing on the draft plan to local government representatives in Western Sydney on 31 October 2017.

Council acknowledges the significant effort made by the Commission in working together with local government and a range of other stakeholders to bring the draft District Plan to public exhibition in just a relatively short period of time. As a strategic plan guiding the future development of the Western City District, the draft District Plan is commendable. However, there a number of concerns and issues that Council has identified that are worthy of formal consideration by the Commission, and these matters are raised in this submission.

Council has considered a detailed review of the draft Western City District Plan, and endorsed this submission at its meeting on 12 December 2017. A copy of the relevant officer's report to Council is provided at appendix 1, which should be read in conjunction with this submission.

The draft Western City District Plan forms a bridge between the draft Greater Sydney Region Plan and local environmental plans. It sets priorities and actions required to deliver a successful third city with a cluster of metropolitan centres focussed around the proposed Western Sydney Airport (WSA) and its associated Aerotropolis.

The Western City District, and the broader yet undefined Western Parkland City, cover a vast area, particularly when compared to the Eastern Harbour City and the Central City.

Council sees this as both a challenge as a major strategic opportunity for Campbelltown, its economy and community. The strategic significance, location and advantages of Campbelltown, and particularly the Campbelltown-Macarthur Centre, position it to play a critical role not only as part of the Western City District's metropolitan cluster but also as a strategic regional centre in its own right. The Campbelltown-Macarthur Centre will play a pivotal role in servicing the existing and expanding District population, particularly until such time as the WSA and Aerotropolis are fully operational, and also as the key Regional Centre for the Greater Macarthur, the Southern Highlands and the Illawarra both now and for the long-term future. This role places Campbelltown-Macarthur as the main centre for job density and access to major health and education services for the southern part of the Western City and beyond. Campbelltown-Macarthur's higher order role is necessary and will succeed as surrounding centres will not be able to service the exponential population growth on their own and achieve the goal of creating a 30 minute city. Furthermore, if the proposed Western Sydney Intermodal is established, Campbelltown-Macarthur's strategic location would potentially allow it to provide a major service administration centre for the facility.

Council is delighted that Campbelltown-Macarthur Centre is identified as a Collaboration Area. Although somewhat delayed, the opportunity provided by the identification of Campbelltown-Macarthur as a Collaboration Area to shape, enable and build on:

- existing and expanding infrastructure, facilities and services
- world class health and education facilities
- recently completed work by Council and Deloitte on a vision and strategy for the Campbelltown-Macarthur Health and Education Precinct
- cutting-edge, evidence based analytics and investigations (currently being undertaken by Council in conjunction with a consortium of urban specialist consultants led by Deloitte and including Deloitte, Cox, Jacobs and Kenesis),

....must not be underestimated. Council looks forward to working in partnership with the Commission to unlock and develop Campbelltown's potential and strategic advantages, for the benefit of not just the Campbelltown Local Government Area but for the Western City and Greater Sydney as a whole. A list of preliminary actions for the Collaboration Area is included in appendix 2.

The opportunity to make Campbelltown an economic, social and cultural powerhouse for the south west and southern areas can be further enhanced by ensuring appropriate infrastructure and connectivity are delivered to support Campbelltown's capacity to serve the District and the broader Region.

This requires an upfront commitment immediately by the Commission and governments at all levels including Council, to the provision of "enabling" and city shaping infrastructure. There is an absolute need for the NSW Government to work to urgently preserve corridors and sites for major catalytic transport and other infrastructure and to commit to the delivery of this infrastructure in the short-term.

If these corridors are not preserved now whilst largely undeveloped in many areas, and recognising that land use planning is taking place for these areas right now, acquisition of improved land later will become cost prohibitive and unpalatable to the community as recent projects around Sydney requiring land acquisition can attest.

For a District and City of this magnitude to be successful, infrastructure and connectivity must be addressed. What is required is an urgent and firm commitment to the planning, funding and delivery of critical north-south and east-west transport infrastructure. Links, and

particularly public transport and regional road corridors that efficiently connect communities with economic hubs - jobs and services/facilities will be critical to the success of the delivery of the District Plan.

This infrastructure must include:

- The delivery (and not just investigation) of the North South Rail Link from Campbelltown-Macarthur through Narellan to the Western Sydney Airport and beyond to Penrith, St Marys and Rouse Hill. This needs to be coupled with an extension of the South West Rail Line from Leppington to the WSA, inclusive of y-links that allow direct connections between the two lines. This is critical in growing the Western City economy; linking economic hubs in the Western City; providing equal and much deserved connectivity to the proposed Western Sydney Airport and Aerotropolis for South West Sydney residents in particular; and providing direct access to new job opportunities to be generated in the Aerotropolis for workers living in the South West.
- Provision of electrified rail to Wilton New Town which is essential, and at least there must be a commitment to identify and preserve rail, light rail/rapid bus corridors to service public transport access to the southern areas of the Greater Macarthur Urban Land Release precinct and the Wilton New Town Precinct, which are currently being planned to accommodate more than 55,000 new dwellings. The omission of the Greater Macarthur Urban Land Release Areas and the Wilton New Town Priority Growth Area from certain maps within the draft District Plan is at best unfortunate, but signals an absence of the recognition of the significance of these areas and the high level planning that is currently being undertaken by NSW Government Agencies including the Department of Environment and Planning, the City of Campbelltown and Wollondilly Shire Councils.
- "the provision by Government of world class digital infrastructure and connectivity to metropolitan, strategic and local centres, employment areas and both existing and new residential areas to enable full participation in the growing digital and global network and economy."

In addition, Council reinforces the urgent and essential need for:

- The extension and upgrade of Badgally Road over the Main Southern Rail Line and into the eastern side of the Campbelltown CBD to support the centre and provide an important and much needed link with the South West Growth Centre. This connectivity will drive the economic development of the Campbelltown-Macarthur Centre and help realise the opportunities for investment in services, facilities and jobs and achieving the goals set for the centre by the draft District Plan. Clarity is sought about the exact nature and reach of the road extension identified by the draft District Plan. Greater certainty over the Commission's, and even more critically the NSW Government's commitment to the extension and upgrade of Badgally Road is a precursor to enhanced private sector investment into Campbelltown-Macarthur to drive much needed job creation.
- Construction of the Spring Farm Arterial linking Camden and the southern parts of the Campbelltown LGA, facilitating the delivery of significant new housing numbers as part of the Greater Macarthur Priority Growth Area and improved regional interconnectivity.
- A decision about the future of the Georges River Parkway.

- Commitment to the location and configuration of the corridor for the M9/Outer Sydney Orbital.
- Commitment to the location and configuration of a Western Sydney Freight Line corridor, designed in collaboration with Council.
- Commitment to the upgrading and extension of Cambridge Avenue linking the proposed Moorebank Intermodal with the Hume Highway.
- Expediting Stage 2 of the Campbelltown Hospital upgrade and expansion.

Sydney's Central City (centred on Parramatta and the Olympic Park Peninsula) is currently requiring significant infrastructure investment to not only address current and future growth but also the existing infrastructure backlog existing within that City. By taking a strategic approach to providing for the city shaping, connectivity and servicing infrastructure for the Western City now, will work towards preventing a similar situation developing for this emerging City. It is imperative that Government move away from the policy of only providing infrastructure once a particular demand threshold has been met to justify its provision. Instead, city shaping infrastructure needs to be provided up-front to stimulate demand and drive economic growth on the back of conveying greater certainty to the marketplace and the community.

The Commission and the NSW Government should be providing the market with incentives now to reserve land for optimal use and uptake once the infrastructure is operational. If this is not done, land within and along the infrastructure corridors will likely be developed for inappropriate land uses or uses at inappropriate densities and the once in a lifetime opportunity to capitalise on proximity to infrastructure will effectively be lost.

In terms of the centres hierarchy that is put forward for the Western City, Council is pleased for Campbelltown-Macarthur to be part of the Metropolitan City Cluster but believes that (for reasons outlined above), Campbelltown-Macarthur should also retain its Regional City status.

Council also believes that Ingleburn should be identified as a strategic centre, and that the strategic positioning of Glenfield in the centres hierarchy requires further review. Further detail in relation to these matters is provided in appendix 2.

The merging of the South West and West Districts to form the new Western City District has resulted in the loss of much of the local identity and content from the original draft South West District Plan. This is disappointing, particularly as the draft District Plan is heavily focused on place based planning. In this regard, the Western Parkland City needs to be clearly defined spatially and via the narrative as it appears to be broader than the Western City District. Further, the vision for the District needs to be more ambitious and describe the benefits that people will be able to gain from living, working and investing in the area and experiencing its unique opportunities, character, qualities, culture and vitality. Additional suggestions for the GSC to consider reinstating more local context are provided in appendix 2.

The areas that now constitute the Western City District have a long history of relatively low employment self-containment. It is disappointing that the draft District Plan does not provide jobs targets to address the existing and future imbalance. Council strongly encourages the Commission and the Department of Planning and Environment to establish a policy and targets to achieve a 1:1 ratio of jobs to dwellings (both existing and new). Five year dwelling

and jobs targets need to be established for each local government area within the District. Stronger and broader employment targets need to be established not just for the metropolitan cluster and strategic centres but also for local centres, industrial areas and other out of centre areas that have the potential to generate jobs. The District Plans' focus needs to be on quantity, quality, type and distribution of economic activities and employment opportunities across the whole District, rather than being so heavily focused on the WSA and Aerotropolis. The planning system also needs to focus on developing additional opportunities for people to work from home and from business incubator/hubs within their local areas.

The draft District Plan's narrative relating to advanced manufacturing refers to a number of sectors which could leverage from the development of the WSA. Opportunities for advanced manufacturing to leverage from both the airport and the health and education precincts should also be noted and explored. There is scope and potential for precision engineering and advanced manufacturing to develop medical and other products within the District for use domestically and for international export.

This issue is an important matter for the Commission and the draft District Plan to be concerned with, especially given the historic and positive legacy of extensive manufacturing areas, employing significant numbers of people, being located within the District at places such as the Ingleburn and Minto industrial areas. These manufacturers deserve the proactive attention and support of Government in the form of assistance to identify, leverage and implement new opportunities for transformation into local advanced manufacturing precincts. The draft District Plan appears quiet on this significant issue. The capacity exists in these areas, and is currently underutilised. Again there is a question of spatial equity and opportunity that must be addressed by the Commission in the first instance, and not relegate the much needed opportunity to bolster the transformation and longer term resilience of such areas, to avoid further decline and loss, especially in the face of new investment by Government seemingly focussed on the Aerotropolis precinct and Western Economic Corridor.

In terms of its contribution towards housing Sydney's population growth, Council is confident that the City of Campbelltown has the capacity to achieve its five year housing target of 6,800 new dwellings by 2021. However, it is concerned that the draft plan's narrative on the significant growth that is expected in the Priority Growth Areas and Precincts does not include the predicted lot/dwelling numbers or any clear employment figures for these areas, including in particular the Greater Macarthur Priority Growth Area and the Wilton New Town Priority Growth Area. These two growth areas together have the potential to provide for more than 75,000 new dwellings. Whilst it is acknowledged that these figures are included in project specific documentation, they need to be included in the District Plan to provide a quantifiable overall measure of expected growth within the District, and the basis upon which to understand, acknowledge, and provide for critical infrastructure needs.

Council is also committed to working with the Commission to establish further targets and strategies for general and affordable housing within Campbelltown. However, it seeks clarification of the need for preparation of an extensive housing strategy and a further significant contribution to affordable housing given that most of its growth will occur in urban renewal areas and as part of the Greater Macarthur Priority Growth Area for which housing targets have already been considered. To balance housing and jobs (as discussed above), significant land and opportunities for employment need to be included in this renewal and growth corridor. Council also seeks clarification of whether preparation of strategies and commitments to housing provision could potentially exempt it from the provisions of the Affordable Rental Housing SEPP and any other relevant SEPP provisions.

Council firmly believes that the GSC and the Department of Planning and Environment need to be empowered to align and sequence the planning and delivery of infrastructure priorities spatially, so that the planning priorities, actions and narrative of the draft District Plan can be achieved. Additionally, Government agencies need to be coordinated to deliver the facilities and services that will be required by the growing population.

In the event that the required infrastructure and servicing is not provided by Government, the draft District Plan will become a **missed opportunity** to:

- grow the Western Sydney community and economy,
- rely upon the Western City to accommodate much of Sydney's demand for new development and housing in particular,
- support the ongoing resilience of Sydney as a true global city, and
- redress the historic social injustice and inequity that has long prevailed in South Western and Western Sydney.

Council also requests finalisation of what has now been a seemingly "never ending" review of the current limitations of the developer contributions system, is required as a matter of urgency. Questions surrounding issues of value capture, voluntary planning agreements, section 94 planning, land tax and the like must be resolved immediately in order to build greater certainty for both the market and governments, including local Councils. This is an imperative, so to enable the NSW Government and councils to better organise the funding and delivery of community infrastructure to enable the City's growth to continue and be sustainable.

The exponential growth expected in the Western City District will occur in the context of a sensitive natural environment and the distinctive topography of the Western Parkland City. Council wishes to stress the importance of a balanced approach to growth that respects waterways, bushland and biodiversity and addresses environmental issues such as climate change and the urban heat island effect. Council supports the Commission's initiatives to expand Sydney's Green Grid and open space networks. It also supports measures aimed at integrating more trees and natural landscape elements into new developments and redevelopment areas and protection of the Metropolitan Rural Area.

The other main points that Council respectfully raises with the GSC are summarised below and discussed in more detail in appendix 2:

- Specific mechanisms for protecting major environmental assets, such as Campbelltown's Scenic Hills and significant bushland areas, need to be included in the plan.
- Council supports initiatives to expand Sydney's Green Grid and open space networks although would express some disappointment that more attention is not scheduled for the Georges River and the upper reaches of the Nepean River, to supplement the innovative ideas put forward for the South Creek corridor. The City of Campbelltown would actively encourage the GSC to partner with it on priority initiatives for these two important environmental opportunities and balance the priority green grid project distribution evenly across the District.
- The District Plan needs to more strongly consider and protect heritage assets and landscapes.

- Councils need to be provided with a statutory planning framework that will allow place based planning to be effectively implemented. Historic “template” approaches have been limited in their effectiveness as previously admitted to by representatives of the GSC.
- Acknowledgement of the existing specific opportunities, assets, events and facilities that exist within the Campbelltown LGA is required as these make a significant contribution towards liveability and productivity – major District and Region outcomes sought by both the draft District Plan and the draft Greater Sydney Region Plan.
- The proposal to allow office development on industrially zoned land is not considered locally appropriate, where there is often a more significant and justified position to concentrate such development in centres.
- The issue of regional air quality, monitoring and mechanisms for ameliorative action needs to be addressed. Such mechanisms need to take account of the extent and nature of future development within the Western City, which are and will only be exacerbated by higher car dependency in the shadow of poor public transport accessibility.
- There needs to be a commitment to identifying sites for waste management, including recycling and disposal, to service the growing population.
- Maps needs to be improved in terms of accuracy and useability.
- All centres along the Glenfield to Macarthur Rail Line, including Leumeah and Glenfield, need to be clearly identified and labelled on the relevant maps.
- The map for the Campbelltown-Macarthur Centre needs to be corrected to include all relevant land on the western side of the railway line, and to correct a number of errors/anomalies.
- There is scope for greater accountability for plan implementation through the incorporation of a wider range of meaningful metrics, to be built into the draft District Plan.

In terms of implementation Council is committed to working collaboratively across the District and with the Commission and NSW Government to achieve the best outcomes for Campbelltown, the Macarthur and the broader District. However, Council holds serious concerns about the ability to achieve full implementation of the visions, planning priorities and actions whilst ever the Region and district plans remain subservient to SEPPs. Council therefore urges the GSC to work with the Department of Planning and Environment to rectify this systematic problem.

There is also some concern that the draft Metropolitan Plan and the District Plans are identified as not being Government Policy or at the least “proposed” Government Policy. This is considered to be a major shortcoming and creates some degree of uncertainty.

Creation of the Western Parkland City is an ambitious plan that needs to be delivered through specific, measurable and time focused actions. These actions also need to be adequately resourced and funded if the vision is to be achieved.

In conclusion, the draft Western City District Plan provides an overview of the District and sets out a range of priorities and actions that are considered necessary going forward.

The planning narrative embodied within the District Plan and the strategic integration of transport planning with land use/development planning, is long overdue. This change is welcomed by Council.

Notwithstanding, Council believes that unfortunately, the draft District Plan suffers a number of drawbacks which have been highlighted in some detail above.

There are three significant shortcomings associated with the draft District Plan which work together to 'hold back' the future growth and development of the City of Campbelltown, in ways which the Council see as being necessary for the City's successful and resilient future.

These are:

- The overwhelming spatial focus of the draft District Plan and draft Greater Sydney Region Plan on the Western Sydney Airport/Aerotropolis and the conversely disproportionate attention granted to some other centres and places in terms of required infrastructure investment, economic planning, retention and renewal of older employment areas, environmental enhancement priorities and the like.

This issue is an important matter for the Commission and the draft District Plan to be concerned with, especially given the historic and positive legacy of extensive manufacturing areas for example, employing significant numbers of people, being located within the District at places such as the Ingleburn and Minto industrial areas. These manufacturers deserve the pro-active attention and support of Government in the form of assistance to identify, leverage and implementing new opportunities for transformation into local advanced manufacturing precincts. The draft District Plan appears quiet on this significant issue. The capacity exists in these areas, and is currently underutilised. Again there is a question of spatial equity and opportunity that must be addressed by the Commission in the first instance, and not relegate the much needed opportunity to bolster the transformation and longer term resilience of such areas, to avoid further decline and loss, especially in the face of new investment by Government and the private sector to support new enterprises like advanced manufacturing, seemingly focussed primarily on the Aerotropolis precinct and Western Economic Corridor.

- The remarkable absence of any real recognition as part of the draft District Plan and the draft Sydney Region Plan, of the scale and location of future urban growth potential currently being planned for by the NSW Department of Planning and Environment as well as other agencies, in the south of the City of Campbelltown and in the Wollondilly Shire (significant catchments for the Campbelltown-Macarthur Metropolitan Cluster Centre). This lack of recognition is unfortunately reflected in the absence of any certainty of commitment to planning for and delivering much required regional transport infrastructure that would connect these areas with their regional city centre, the proposed Western Sydney Airport and the Aerotropolis, thereby providing these communities with access to much needed services and facilities (many of which have and will be funded by the Government such as the Campbelltown Hospital upgrade) and jobs.
- The need for greater and targeted commitment by the NSW Government to deliver on the strategic enabling infrastructure needs of the Macarthur Region, to enable the City



of Campbelltown to grow and accommodate the scale of new housing and other urban development that can be achieved in ways that are acceptable to our community, but which other communities in inner and middle Sydney will be likely to resist.

Council would also like to invite the Interim District Commissioner to discuss the matters raised in this submission with the Mayor and Senior Council Officers, as a matter of urgency.

If you have any queries or require any further information in regards to this submission, please do not hesitate to contact Jeff Lawrence, Director City Growth and Economy on (02) 4545 4656.

Council looks forward to meeting with the Interim District Commissioner in the near future to discuss matters raised in this submission. My personal assistant, Hazel Neville, is available to assist in organising this meeting and can be contacted on (02) 4645 4659.

Yours sincerely

Lindy Deitz  
**General Manager**

DRAFT

## **APPENDIX 2**

### **Detailed comments on the Draft Western City District Plan – Vision, Planning Priorities, Implementation and Metrics**

#### **The Vision for the Western City District**

The new vision for the Western City District is considered to be much less ambitious and forward thinking than the vision that was contained in the Draft South West District Plan. The new vision reads more like a general planning description of how the area will work structurally rather than a statement of what the District is aiming to become over the next 40 years.

As a consequence of the merging of the South West and West Districts to create the Western City District, much of the local expression of place also appears to have been lost from the visions that appeared in the separate district plans. This is considered unfortunate, particularly given the emphasis on the importance of place and place-making in the draft Greater Sydney Regional Plan and the new draft district plans.

#### **General Overall Comments**

The Draft Western City District Plan (the draft plan) states that the Western City District is part of the Western Parkland City, however, it does not elaborate on what other areas form part of the Western Parkland City. This needs to be clarified to facilitate appropriate planning for the District within its broader city context.

Size, scale, colours and notations on the maps make them difficult to interpret and this needs to be rectified to ensure accurate delivery and understanding by the community and others of the District Plan's priorities and actions. Additionally, some maps contain actual errors and omissions, despite accurate information having been previously provided by Council to the GSC. Council would be happy to discuss these matters further with the Commission's staff. It is suggested that a larger scale map atlas (both electronic and hard-copy/printable) be created for the District to make the maps more useful and enable finer-grain interpretation of map details and area boundaries.

#### **Comments on each planning priority**

The draft District Plan includes 20 District specific planning priorities and a range of actions and responsibilities aimed at delivering each of the priorities. The priorities are listed as follows:

#### **Infrastructure and Collaboration**

The draft plan acknowledges the importance of infrastructure in shaping, connecting and servicing a growing city, and that cross-government and private sector collaboration is required to facilitate this growth.

#### **W1 - Planning for a city supported by infrastructure**

The Council of the City of Campbelltown is fully supportive of the need for catalytic, enabling and servicing infrastructure for the Western Parkland City and the Western City District. However, while the draft District Plan provides ambitious statements of intent, there is no

solid commitment to the funding and delivery of the required infrastructure. Many of the actions and responsibilities contained within the draft District Plan are non-specific and none have assigned timeframes for delivery. Additionally, there are no specific metrics for measuring the performance of Government in the funding and delivery of the infrastructure required to shape, develop and service the Western Parkland City and the Western City District.

## **W2 - Working through collaboration**

Collaboration is considered as fundamental to successful strategic planning for Sydney's future. In this regard Council's Director City Growth and Economy has played a pivotal role in coordinating and facilitating the Western Sydney City Deal aimed at achieving good governance, infrastructure and investment, jobs and skills, innovation, connectivity, productivity, liveability and sustainability for the Western City District.

Campbelltown City Council is delighted that Campbelltown-Macarthur has been identified as a collaboration area but also disappointed that this area was not provided with the opportunity to be considered a collaboration area at the same time as the other two existing centres that form part of the metropolitan city cluster for the Western City – namely Penrith and Liverpool. This difference in timing is considered a disadvantage for Campbelltown and a potential loss of ability to secure the opportunities that have been embraced by the other centres.

Nevertheless, Council has been undertaking its own background work to set a vision and develop a strategy for the Campbelltown-Macarthur Health and Education Precinct, and to gather data, analytics, ideas and a solid evidence base to frame further collaborative work for the Campbelltown-Macarthur CBD. It is anticipated that the Commission will embrace the opportunity to partner with Council, to expedite commencement of this project and utilise Council's current work to facilitate positive and appropriate outcomes for the Campbelltown-Macarthur Collaboration Area.

Council is committed to working constructively and in partnership with the Commission and the NSW Department of Planning and Environment to facilitate the Greater Macarthur Priority Growth Area including the Glenfield to Macarthur Urban Renewal Corridor and the land releases at Menangle Park, Mount Gilead and Greater Gilead. It is also committed to delivering an optimal planning outcome for the Glenfield Priority Precinct that achieves both housing supply and a significant contribution to local employment opportunities.

### **Liveability**

The draft Western City District Plan estimates that the population of the District will increase by 464,000 persons by 2036, requiring an additional 184,000 dwellings. It also places an emphasis on walkability, place based planning and social interaction. It is Council's view that an added emphasis needs to be placed on opportunities to work from or close to home – as this factor alone can greatly improve people's lives and their ability to balance multi-faceted responsibilities.

The draft District Plan correctly identifies Campbelltown-Macarthur as a diverse and distinctive urban centre and Council is actively working to enhance liveability and opportunities within the centre and throughout the Campbelltown LGA and wider Macarthur Region.

**W3 - Providing services and social infrastructure to meet people's changing needs**

The draft District Plan properly recognises that the area's population is not only growing but that the demographic profile of this population is also changing and that the correct services and social infrastructure need to be provided to address these needs. It notes that children and young people and older people will form a significant part of the growing population. It also acknowledges that population growth will have significant impact on demand for sport and recreation facilities.

The draft District Plan acknowledges that residents require the right local mix of services, programs, and social infrastructure in walkable neighbourhoods so that they can live socially connected, active and healthy lives. It also acknowledges the importance of co-locating land uses and activities (particularly in centres) in improving safety, accessibility and inclusion for residents and visitors, and opportunities for increased shared use and flexible use of facilities, and multi-purpose and intergenerational facilities. It stresses the importance of accessibility (particularly walkability), joint and shared use, improved connectivity, and the use of streets for community events. Council is supportive of this important narrative.

Council concurs with the draft District Plans' sentiment that "Integrated and targeted delivery of services and infrastructure is needed to support growth and respond to the different needs of population groups." More innovative ways to use existing facilities and additional new facilities and services will also be required. Residents will need schools, TAFEs and universities, diverse housing, walkable neighbourhoods, increased opportunities for cycling as a connective form of transport, and coordinated and additional health, social and aged care services, local aged care facilities, respite services and home care.

Council requests that the Commission assists in coordinating government departments and agencies to deliver these facilities and services in an appropriate and timely manner, commensurate with population growth and emerging needs. Local government also requires additional mechanisms that enable financing of increasing demands for facilities many which serve not only the local population but also broader District and Regional populations.

**W4 - Fostering healthy, creative, culturally rich and socially connected communities**

The draft District Plan states that a multi-faceted and place-based approach, inclusive of appropriate opportunities for community engagement and participation, is required to deliver healthy, creative, culturally rich and socially connected communities. Council concurs with this view and believes that infrastructure, and particularly transport infrastructure, is critically important in creating great places and making them accessible to all user groups. This infrastructure can also stimulate both the day time and night time economies within the District's centres and other important places, and importantly generate jobs and/or provide access to where jobs are located (within the "30 minute city").

The importance of walkable streets and places, access to diverse open spaces and opportunities for recreational physical activity are noted and agreed.

The draft District Plan also acknowledges the importance of Aboriginal people, culture and economic self-determination, the rich and diverse multi-cultural nature of much of the District, and the importance of the District as home to migrants and refugees from all over the world.

Council holds great respect for its indigenous community –the Tharawal peoples and the many other cultures that make up our diverse and distinctive community. Council appreciates that its commitment to being a Refugee Welcome Zone has also been noted.

Opportunities to co-locate artistic and creative organisations, to support creative enterprises, and to create multi-functional and shared spaces, is also noted as important to the future of the City of Campbelltown. In terms of the artistic and cultural experiences identified in the draft District Plan, Council appreciates acknowledgement of the Campbelltown Arts Centre and would also appreciate acknowledgement of its annual Fisher's Ghost and Ingleburn Alive festivals and the Campbelltown Sports Stadium and Club Menangle (Harness Racing Track and associated facilities). Council believes that these local assets and attractions add, and will continue to add, significant value to the District and to Greater Sydney.

**W5 - Providing housing supply, choice and affordability, with access to jobs and services**

Council supports the draft District Plan's focus on and position that housing supply, choice and affordability are important for the future. Council is confident that the City of Campbelltown has the capacity to achieve its five year housing target of 6,800 new dwellings in the period between 2016 and 2021. This is consistent with data provided to the GSC by Council Officers earlier this year. It is also noted that this target is set as a minimum to be achieved, not an indicator of maximum achievable potential.

Council also understands that it will be likely to be required to:

- work with the Commission to determine 6-10 year housing targets
- review its current housing strategy and either produce a new local housing strategy or participate in the preparation of a housing strategy for the District
- make some form of contribution towards affordable housing.

Council seeks clarification of the need for it to prepare comprehensive housing targets and a detailed housing strategy given that almost all or at the least, the majority of significant growth expected to occur within the Campbelltown LGA will occur within the Greater Macarthur Priority Growth Area, for which preliminary dwelling yields/targets have already been established. It is understood that these yields/targets will be reviewed once more detailed planning has been undertaken.

Council has decided to reserve its comment on the appropriateness of a suggested 5-10 per cent affordable rental housing target until such time as it has the opportunity to work with the GSC and the Department to review its current contribution to affordable housing and to establish whether or not requiring additional supply within the Campbelltown LGA is equitable, necessary and/or required.

In addition, Council also seeks clarification of whether the preparation of new housing targets, a housing strategy and mechanisms to address affordable housing will allow it to be exempted from the provisions of the Affordable Rental Housing SEPP and other relevant SEPP provisions in as far as they relate to the provision of affordable housing and particularly boarding houses and secondary dwellings.

While Council accepts its responsibility to contribute towards Sydney's future housing supply, it is mindful of the related resourcing implications and would be appreciative of financial or other resource based assistance to deliver what is to be required within the specified timeframes. A review of the current limitations of the developer contributions system should also be considered to enable councils to better fund community needs. The whole debate over the various options to deal with infrastructure funding must be brought to a head as soon as possible to avoid speculation and market uncertainty, thereby adding risk and pressures on housing and development affordability.

Council also believes that increases in housing supply need to be accompanied by equal increases in economic and employment opportunities and this position is explored further in the comments provided on the productivity priorities.

In terms of current housing initiatives and opportunities within the District, the Greater Macarthur Priority Growth Area which traverses much of the Campbelltown LGA, has the capacity to provide significant housing stock. Council believes that this significant urban renewal and land release potential provides a perfect opportunity to balance housing stock with employment opportunities.

Some land at Glenfield has also been identified as a Priority Precinct and Council demands that the Commission and the Department of Planning and Environment ensure that a balanced mix of dwellings and jobs are provided in this strategically located precinct and that these are supported by a special infrastructure contribution or a similar mechanism to ensure that productivity liveability outcomes are maximised.

The Commission and Department are also asked to note that Council is currently exploring opportunities to reimagine the Campbelltown-Macarthur Central Business Precinct and that part of this project will include opportunities for extensive mixed use development, including in-centre living.

**W6 - Creating and renewing great places and local centres, and respecting the District's heritage**

Council welcomes the draft District Plan's acknowledgement that place making occurs at various levels and that places encompass a wide spectrum of the public realm including open spaces, streets, centres (including local centres) and neighbourhoods, and that heritage and character are important in helping to establish local identity. Council concurs with the statement in the draft District Plan that great places include the following elements:

- well-designed built environment
- social infrastructure and opportunity
- fine grain urban form.

Council agrees that mixed uses, co-located activities, high quality and multi-modal access and connectivity (including public transport, walking and cycling), activation and opportunities for social connection and interaction can assist in creating great urban places.

Council also notes and concurs with the importance of place-based planning as one of the key principles to underpin the development of strategies in Collaboration Areas.

Council is not opposed to the notion raised in the draft District Plan that councils should consider developing a local centres hierarchy to inform decisions about the unique identity, size, land use mix, catchment and potential of each centre and to also inform local housing strategies. Developing this hierarchy will also be useful in determining the appropriateness of the types and scale of various land uses within different centres. Once again, it will be resourcing issues that hinder local councils' ability to develop these kinds of strategic policy documents in a timely and responsive manner.

Council is disappointed to note that within the narrative on European heritage and character there is no mention of Campbelltown's history and heritage assets. Campbelltown is a Macquarie Town with Governor Macquarie laying the foundations for the township in 1820. A

number of historic buildings dating back to this early period still exist within the Campbelltown centre precinct and are important not only locally, but to the District, Greater Sydney and NSW. Appropriate acknowledgement of these important features would be both appropriate and appreciated.

### **Productivity**

The draft Greater Sydney Region Plan and the draft district plans establish and reflect the notion of Greater Sydney as a metropolis of three cities to improve productivity, investment and jobs growth, support economic diversity, support internationally competitive sectors, and rebalance the region's eastern economic focus so that all three cities benefit from growth.

Council believes that Campbelltown and particularly the Campbelltown-Macarthur Centre have a significant and strategic role to play in fostering the economic growth, employment capacity, skills base and productivity for the Western City District, particularly the southern part, and in linking to and serving the population and economic catchments of the Southern Highlands, parts of the Illawarra, Canberra and beyond.

### **W7 - Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City**

The draft District Plan acknowledges the importance of establishing a structure for the management of land use and transport infrastructure to deliver a liveable, productive and sustainable Western Parkland City. Commitment to the significant east-west and north-south transport infrastructure needs to be made now before additional development within the District is approved, particularly if the goal of achieving a 30-minute city is to be achieved. It is Council's view that the North-South Rail Line joining Rouse Hill to Campbelltown-Macarthur via the WSA is the most critical element that will shape the Western City and the corridor for its construction must be preserved now. It is imperative that this corridor, east-west links to this corridor, and corridors for the Western Sydney Freight Line, the Outer Sydney Orbital (motorway and freight rail), and the Leppington to WSA rail link, be preserved as a matter of urgency.

Secondly, the Council is of the view that the South West Rail Line should be extended beyond Leppington to directly access the WSA and Aerotropolis and connect with the North-South Rail Line. This link must be complemented with "y" links, one between Glenfield and Macquarie Fields stations, and the others at the junction between the two lines.

These works must be committed for delivery within the short term, and not delayed for the purposes of further investigation. They must be treated with urgent priority.

Further, the provision of electrified rail to Wilton New Town is essential, and at least there must be a commitment to identify and preserve rail, light rail/rapid bus corridors to service public transport access to the southern areas of the Greater Macarthur Urban Land Release precinct and the Wilton New Town Precinct, which are currently being planned to accommodate more than 55,000 new dwellings. The omission of the Greater Macarthur Urban Land Release Areas and the Wilton New Town Priority Growth Area from certain maps within the draft District Plan is at best unfortunate, but signals an absence of the recognition of the significance of these areas and the high level planning that is currently being undertaken by NSW Government Agencies including the Department of Planning and Environment, the City of Campbelltown and Wollondilly Shire Councils.

The draft plan states that "Building the foundations of the Western Parkland City will involve establishing a land use and transport structure which enables the development and growth of

new and existing economic agglomerations." Creating economic agglomerations, and a new Western Economic Corridor, as proposed by the draft plan, will only be successful if corridors for connectivity are preserved now and major transport infrastructure is funded and delivered at an early stage in the WSA's development, when businesses are looking to locate near the airport and access, movement and connectivity patterns are being determined. In particular, the North-South Rail Line joining Rouse Hill to Campbelltown-Macarthur via the WSA will catalyse the proposed Greater Sydney's Western Economic Corridor.

Inter-city and inter-regional transport linkages are also required to ensure that the metropolitan city cluster and each of the existing centres within this cluster, including Campbelltown-Macarthur, can establish a unique role servicing not only the District but also Australia's broader economic systems and international opportunities.

Council also seeks commitment to the delivery of the extension of Badgally Road across the Main Southern Railway Line and into eastern side of the Campbelltown CBD, the Spring Farm Parkway, and clarification of the future of the Georges River Parkway. The committed upgrades to Narellan Road, Campbelltown Road and Appin Road (with intersection upgrades at Menangle Park) need to be delivered immediately to service rapid population growth.

The draft District Plan states that by 2036, the Western Sydney Employment Area will be a key destination for cargo and to facilitate increases in freight more targeted infrastructure is required. It also states that consideration will be given to "Duplication of the Port Botany Rail Line and a dedicated freight line and intermodal terminal for Western Sydney that connects to the Outer Sydney Orbital will support economic growth, driving employment and increasing the amount of freight carried on rail that will reduce heavy vehicle trips on the Sydney Road Network."

If the NSW Government is serious about establishing the Western City to be economically independent, this critically 'enabling' infrastructure needs to be committed to and delivered rather than simply "investigated".

Council agrees that the proposed new intermodal in Western Sydney is essential as it will act as an inland port and strengthen the Western City District's connections to Port Botany and Port Kembla, and support container movements by rail in Greater Sydney and beyond.

#### **W8 - Leveraging industry opportunities from the Western Sydney Airport and Badgery's Creek Aerotropolis**

The Western Sydney Airport and its associated Aerotropolis are considered to be the economic catalyst for the Western Parkland City, laying at the heart of the proposed Western Economic Corridor. Council agrees that more jobs and a diversity of jobs are required for the District and that the WSA and Aerotropolis have a significant role in influencing economic and employment development, however, other areas and sectors also need to be considered.

Council notes with some disappointment that the Western Economic Corridor does not extend from the WSA/Aerotropolis southwards of a position just north of Narellan (as shown on relevant maps) sufficiently to include Campbelltown-Macarthur Centre. This corridor will be a direct focus of future large scale economic activity and commensurate government attention.

The strongest point that Council wishes to make in regards to employment is that employment growth needs to match population growth – this has not historically been the case. This non-alignment between population growth and local and accessible employment



opportunities needs to be addressed immediately with a commitment by government to adopt a policy position of creating one new job for every dwelling within the District (both existing and new) – a ratio of 1:1. This is considered essential to help redress the current under provision of jobs and consequent social inequity, creating greater self-containment and achieving the goal of a 30 minute city. Further, the draft District Plan discusses “integrated land use and transport planning” which, in broad terms, means that not only should housing be integrated with transport but the land uses should also be integrated with each other and with transport (particularly public transport) to achieve the ideal of a liveable, productive and sustainable city.

The draft District Plan discusses potential job creation numbers associated with the WSA/Aerotropolis and for different areas within the District but only sets actual employment targets for the key centres. It is imperative that actual job targets for local centres, industrial areas and other key areas with employment generating potential also be set. This will help work against any perception that the benefits of the proposed WSA are to be distributed across the whole of the Western City. Further, the District Plan should be bold and set job creation targets for the industries in which the WSA will create opportunities for growth such as those identified for the Western Parkland City in the draft Greater Sydney Region Plan:

- advanced manufacturing
- aerospace and defence industries
- agricultural processing and export
- construction and infrastructure
- transport and warehousing
- visitor economy
- education and training.

In terms of the key economic sectors identified, health and social services is noticeably absent and needs to be included as a key sector, particularly given that the Western City District contains three significant and expanding health and education precincts linked to its metropolitan centres. Council does not understand the reasoning behind such an omission.

These requested job targets also need to be measured at five year intervals and with specific metrics, much like those local councils will need to report on to demonstrate whether or not they are meeting jobs targets for metropolitan and strategic centres and key housing targets. This may go some way towards ensuring that job creation is keeping pace with housing development.

The full benefits of the WSA, Aerotropolis and its broader economic impacts will only be realised if the required passenger rail, freight rail and multi-modal road transport is provided to link these economic catalysts to other key places and facilities within the District, Greater Sydney and beyond. A commitment needs to be made now to preserving the corridors for the North-South Rail Line, the extension of the South West Rail Line to WSA and the Outer Sydney Orbital (including road and potential freight rail lines). A commitment to funding this infrastructure and a timeframe for its construction and delivery is mandatory.

Council is concerned that the narrative on the visitor economy is restrictively selective and needs to be expanded to discuss other important visitor destinations such as the Dharawal National Park, the Georges River Regional Open Space Corridor, Campbelltown Arts Centre and the Campbelltown Sports Stadium at Leumeah. Tourist accommodation available in the Campbelltown LGA should also be noted in the narrative. This section of the draft plan should also be expanded to mention the potential of medical tourism and education related

tourism for international students and their families, particularly given the fact that the District contains three significant health and education precincts.

In terms of education and training and the Aboriginal Centre for Excellence in Western Sydney, there is a significant case that can be made to locate another facility of this nature within the Campbelltown LGA. The City of Campbelltown and the Macarthur region have a large indigenous population that could gain significant benefit from such a facility. This facility would service the southern part of the Western City and support the Aboriginal Pathways Centre at Campbelltown TAFE which focuses on providing opportunities for Aboriginal and Torres Strait Islander people to learn in a culturally safe environment. The current TAFE offering includes pre-course planning, Aboriginal career mentoring and coaching, vocational tutorial learning support, post-course study and career planning, and employment and work placement support.

The narrative relating to advanced manufacturing refers to a number of sectors which could leverage from the development of the WSA. Opportunities for advanced manufacturing to leverage from both the airport and the health and education precincts should also be noted and explored. There is scope and potential for precision engineering and advanced manufacturing to develop medical products within the District for use domestically and for international export.

This issue is an important matter for the Commission and the draft District Plan to be concerned with, especially given the historic and positive legacy of extensive manufacturing areas, employing significant numbers of people, being located within the District at places such as the Ingleburn and Minto industrial areas. These manufacturers deserve the proactive attention and support of Government in the form of assistance to identify, leverage and implement new opportunities for transformation into local advanced manufacturing precincts. The draft District Plan appears quiet on this significant issue. The capacity exists in these areas, and is currently underutilised. Again there is a question of spatial equity and opportunity that must be addressed by the Commission in the first instance, and not relegate the much needed opportunity to bolster the transformation and longer term resilience of such areas, to avoid further decline and loss, especially in the face of new investment by Government seemingly focussed on the Aerotropolis precinct and Western Economic Corridor.

Council is also both surprised and concerned that the draft District Plan refers to Campbelltown-Macarthur, Liverpool and Penrith becoming "a ring of university cities" in the long-term. These centres already function as university cities to some degree and the focus should be on developing this university city status as an immediate short-term goal with the medium to long term goal being to expand and consolidate this role.

The draft District Plan also states that "...strategic land use planning needs to respond by providing a regulatory environment which enables the economic opportunities created by changing technologies." In order to facilitate this, councils need to be provided with the appropriate legislative and policy framework and a more flexible approach to the preparation of local environmental plans than that currently possible under the restrictive Standard Instrument LEP. This must be a priority for the Commission to work in partnership with the Department of Planning and Environment to resolve.

#### **W9 - Growing and strengthening the metropolitan city cluster**

The draft District Plan identifies the centre of the Western City District as a cluster of four centres being the Western Sydney Airport (WSA) and Aerotropolis, Campbelltown-Macarthur, Liverpool and Penrith. This is not considered ideal as it is likely that the existing

three centres will their establish identities as strategic regional city centres in their own right. To this end, it is considered that in addition to being part of the metropolitan city cluster, the three existing centres should retain their regional city status, which has a stronger and direct resonance with markets and the broader community.

The draft District Plan acknowledges that "Campbelltown-Macarthur is developing into Greater Sydney's newest health and medical hub with research and specialist community-based care in paediatrics and gastrointestinal disorders." This acknowledgement is noted and appreciated. However, the description of the extent of the health and education precinct and the Collaboration Area needs to be expanded to make reference to Campbelltown CBD's main street – Queen Street.

It also states that "The centre has the potential to grow up to 31,000 new jobs..." which is misleading as it is understood that this figure reflects the total target of jobs for the centre, with the increase being in the order of 6,600 to 10,600 new jobs. This needs to be clarified.

In terms of opportunities to generate growth and economic activity stemming from the Collaboration Area, an additional point needs to be added that states "link the health and education resources to opportunities for local advanced manufacturing both in and around the centre and in local industrial precincts."

It is disappointing that the actions and responsibilities relating to the Campbelltown-Macarthur Centre are non-specific and not tied to delivery time frames. In terms of the action for the Campbelltown-Macarthur Centre (Action 39) it is recommended that points (a) and (g) be amended to read as follows:

- "(a) protect, develop and expand the mixed use commercial centre in and around Queen Street;
- (g) improve east-west public transport, motor vehicle and pedestrian connectivity across the main southern railway line."

The above action should also be augmented by the addition of the following specific actions:

Action	Responsibility
Extend Badgally Road as a multi-mode transport route across the Main Southern Railway Line and into the Campbelltown CBD on the western side of the railway.	Transport for NSW/RMS
Expedite Stage 2 of the Campbelltown Hospital Upgrade and Expansion.	NSW Health, Infrastructure NSW and Council
Transformation of the Campbelltown Strategic Centre and Queen Street to create an active, liveable mixed use centre for the University City that leverages and builds on opportunities provided by the growing health and education precinct.	Council, Greater Sydney Commission, Department of Planning and Environment
Construct an elevated walkway (and potential cycleway) linking the eastern and western sides of the Campbelltown CBD across the Main Southern Railway Line.	Transport for NSW, Greater Sydney Commission, Department of Planning and Environment and Council

Action	Responsibility
Enhancement of the Campbelltown Arts Centre and heritage precincts.	Council, relevant Federal and State Government departments and agencies

It is also disappointing to note that the map of the Campbelltown-Macarthur centre as provided in the draft plan is not accurate and does not reflect information previously provided by Council. Council would therefore appreciate the opportunity to work with the Commission to amend the map.

#### **W10 - Maximising freight and logistics opportunities and planning and managing industrial and urban services land**

An increasing population requires increased goods and services and also has the productive capacity to create economic products for wider distribution. An effective and efficient freight and logistics system and land for industrial uses and urban services is therefore essential.

The protection of existing employment lands and industrial areas from inappropriate land uses and from rezoning to create additional housing supply is also paramount.

In discussing industrial land supply the draft District Plan states that land at various locations, including "...Hurlstone Agricultural College will complement business activities around the Badgery's Creek Aerotropolis. Council seeks clarification about whether this refers to the Agricultural College in its current location at Glenfield or to the College once it has been relocated to Richmond. If the Glenfield location is being referred to, planning for the Glenfield Priority Precinct will require a significant economic and employment focus.

The draft District Plan also states that "Further land is proposed to be rezoned for industrial and urban services..." in a number of locations including the "Greater Macarthur Priority Growth Area." Council again seeks clarification of the nature and extent of the proposed rezonings in this area.

The map titled "Western City District Industrial and Urban Services Land Approaches" is also somewhat misleading in that it identifies a significant proportion of Campbelltown City's urban area as being set aside for industrial and/or urban services land. It is requested that the map be reviewed and/or accompanied by text that clearly explains its purpose, and Council would be happy to assist further with this item.

The draft Greater Sydney Region Plan and the draft Western City District Plan suggest that it may be appropriate, in certain circumstances, to consider offices as permissible land uses in industrial precincts to grow local office markets and support local jobs. Council is not supportive of this approach being applied to any land within the Campbelltown LGA. Campbelltown's existing centres, and particularly Campbelltown-Macarthur, and to a lesser extent Ingleburn and Glenfield, have the capacity to accommodate significant office development, potentially in a mixed use scenario, and this type of development would encourage centre revitalisation and activation. These centres are also highly accessible via public transport. It is also suggested that Action 49 be reworded to read "Consider office development in industrial zones only in areas where it does not compromise industrial activities or affect the viability of existing centres." The more significant opportunity rests with the renewal of older industrial precincts such as Ingleburn and Minto by targeted action to support the take up of existing industrial resources, investment and capacity for advanced manufacturing to generate and retain local employment.

In terms of freight and logistics, the draft plan notes that the District has the potential to become a Nationally significant freight and logistics hub via its connections to the National and Regional NSW transport networks. It is therefore considered appropriate for the District Plan to detail how the District, its intermodals, airport and freight and logistics capabilities connect with the road and rail networks (both existing and proposed) not only through the District but also through Greater Sydney, NSW and the Australia. For instance, the District Plan should include maps and specific actions illustrating the freight movement network via both roads and rail links from Port Botany through to the Moorebank Intermodal, the WSA and to Port Kembla.

#### **W11 - Growing investment, business opportunities and jobs in strategic centres**

The important role of second order centres within the Western City District is acknowledged. However, it is concerning that two important locations within the Campbelltown Local Government Area, namely Ingleburn and Glenfield, have not been identified as having strategic importance.

Ingleburn, which is located at a central point along the Glenfield to Macarthur Priority Urban Renewal Corridor, has long been considered as the Campbelltown LGA's second central business district and as an important centre serving the central part of the LGA. Ingleburn has a true "urban village" feel and the potential to develop into a strategic centre for business and office based commercial development. There is also potential for the centre to become activated via mixed use development and to develop its own distinctive night-time economy in the existing open forum town centre environment.

Glenfield is located at the northern end of the Glenfield to Macarthur Priority Urban Renewal Corridor. It has also been identified as a Priority Growth Precinct by the NSW Department of Planning and Environment. The importance of Glenfield as a location with direct rail linkages to many parts of Sydney, KSA and potentially to the WSA and its associated Aerotropolis needs to be acknowledged. Council believes that a review of the positioning of the Glenfield Centre is required in light of its strategic location and the potential that the centre has for significant employment development. Further, focus of development on land within the Hurlstone Agricultural High School site should be for a more appropriate balance of housing and employment opportunities. Glenfield has substantial economic development potential that should be complemented by mixed use development opportunities and not just designated as a commuter dormitory.

#### **Sustainability**

Council agrees that environmental sustainability is important both now and in the future for the Western City District and the broader Greater Sydney Region. Identifying the importance of waterways, urban bushland, urban tree canopy and green ground cover, parks and open spaces as Green Infrastructure is also supported, but appropriate mechanisms to fund the acquisition and management of this infrastructure are required to be put into place as soon as possible.

#### **W12 - Protecting and improving the health and enjoyment of the District's waterways**

The draft District Plan acknowledges the importance of waterways throughout the District but focuses mainly on one of the three primary waterways being South Creek. While this waterway is significant to the Western City, The Georges and Nepean Rivers also shape the landscape and form defining elements for the District. They and other waterways also need to be considered as being important.

There is a focus on improving public access to waterways and foreshores for recreation, tourism, cultural events and water based transport. Whilst acknowledged as being important to improve liveability outcomes, access needs to be balanced with ensuring that water quality and environmental processes are not adversely affected by allowing excessive human intrusion, particularly into highly sensitive areas, including surrounding riparian and bushland areas.

**W13 - Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element**

The draft plan places significant emphasis on South Creek as a defining component of the spatial structure of the Western City. Whilst this is acknowledged as being important, funding and resourcing should not be focused so heavily on this creek and its environs so as to result in other environmental assets and growth areas within the District becoming disadvantaged. Council has previously raised its concerns about South Creek with the Minister for Planning during consultation on the release of land in South Creek West.

**W14 - Protecting and enhancing bushland and biodiversity**

Protecting and enhancing bushland and biodiversity is important for the future of Sydney, the District and for each of the local government areas within it. It is disappointing that much of the focus of this section of the draft plan is on the Blue Mountains when there are significant National Park, Nature Reserve, Water Catchment and other high value natural assets located elsewhere that should also be acknowledged in the narrative.

In terms of bushland within the identified Greater Macarthur Priority Growth Area, there needs to be a commitment not only to bio-banking and bio-certification but also to the retention of important biodiversity corridors, particularly in Gilead and the surrounding areas where there is significant pressure to increase lot and dwelling yields and increase development density. A specific action to address this issue would be welcomed, and Council would be pleased to speak further to this item in collaboration with the Commission and the Department of Planning and Environment.

**W15 - Increasing the urban tree canopy cover and delivering Green Grid connections**

The importance of trees in the urban environment cannot be overstated. Council is committed to the protection of trees and is investigating mechanisms for inclusion of greening and cooling elements within the Campbelltown-Macarthur City Centre as part of its Reimagining Campbelltown initiative.

Street trees in residential areas are also important, particularly given the decreasing size of residential lots, the increase in the number of apartments and multi-dwelling developments and the consequential reduction in numbers of backyards able to accommodate trees. The resourcing and maintenance burden and the potential safety implications associated with increased tree numbers in urban areas are however, of concern. Additionally, in older urban areas, electricity suppliers need to be made aware of the detrimental impact that their extensive pruning activities have on street trees and their effectiveness in providing urban tree canopy coverage and mitigating urban heat.

Council is also supportive of the urban Green Grid initiative aimed at linking green spaces across Greater Sydney. However, it is disappointed that none of the projects previously put forward by Council have been identified as Priority Green Grid Projects but instead have been classified as "Other Important Projects". For example, the opportunities surrounding bushwalking trail enhancement and extension and the Glenfield to Wedderburn Recreation

Trail within the Georges River Recreation Area could significantly increase public access, environmental stewardship and provides economic development opportunities through increased visitation.

The draft District Plan states that "Councils will lead delivery of the Greater Sydney Green Grid through land use planning and infrastructure investment mechanisms...". Council is committed to developing, enhancing and maintaining green spaces within Campbelltown and across the District and would appreciate opportunities for recognition and associated funding support and resourcing from Government in this regard.

The draft District Plan also states that "Where feasible, planning and investment must consider opportunities for connections across rail lines, roads and other linear infrastructure." This approach needs to be mandatory rather than simply a consideration and asset owners need to be made to work collaboratively and productively with local councils in order to allow this cross-connectivity to be achieved.

#### **W16 - Protecting and enhancing scenic and cultural landscapes**

Scenic and cultural landscapes are an important part of the Western City District and the Campbelltown LGA. Council appreciates the Commission's acknowledgement of the importance of Campbelltown's Scenic Hills, located between Campbelltown and Camden and would stress that it is not just the ridgelines of this important landscape element that add to scenic quality but the overall area and its undulating landscape setting that need to be valued and protected. It is also considered imperative that measures to link the Scenic Hills with the Western Sydney Parklands and the Australian Botanic Garden at Mount Annan are set in place now as specific priorities and set as specific actions within the District Plan. This action could lead to a regionally distinctive active walking/cycling initiative with significant visitation and subsequent economic development impacts.

Council must also express its disappointment that the Dharawal National Park and Georges River Regional Open Space Corridor are not acknowledged along with similar features in the Wollondilly, Blue Mountains and Hawkesbury LGAs. These are important assets of the Western City and must be identified as such by the District Plan.

This priority also acknowledges that protecting the scenic and cultural landscape can assist in preserving links to Aboriginal cultural heritage, but this idea is not discussed in any significant detail or developed into meaningful actions that could be readily implemented.

#### **W17 - Better managing rural areas**

The draft District Plan discusses the importance of rural areas in terms of their contribution to habitat and biodiversity, productive agriculture, mineral and energy resources and in sustaining rural towns and villages. It also refers to the WSA as a catalyst for agricultural exports from the Region.

The draft District Plan states that "Urban development is not consistent with the values of the Metropolitan Rural Area" (MRA) but later on the same page refers to "...limiting urban development in the Metropolitan Rural Area...". The intent of the MRA and its relationship with urban development needs to be clarified.

Further, the draft plan states that some rural-residential and urban development may be permitted within the MRA if considered appropriate under a place-based planning approach and this is specifically reflected in this priority's actions. This is confusing and concerning as intensification of non-agricultural related development within the MRA has significant

potential to erode its integrity and result in quasi-urban development that can undermine agricultural and resource productivity and potential of the area, and adversely affect its environmental qualities. In addition, the maps which identify the MRA are produced at a scale and level of detail that creates ambiguity about what land actually constitutes the MRA and what land falls within the urban area – particularly around the edges. This mapping needs to be produced at a much more detailed level to enable local government to accurately interpret and protect the MRA area.

#### **W18 - Delivering high quality open space**

The Campbelltown Local Government Area contains a vast network of formal and informal open space and recreation areas for both active and passive uses. Council has a long tradition of delivering and maintaining high quality open space and recreation facilities and is committed to continuing this provision into the future. However, commitment by Government to funding and resourcing open space and recreation is required for Council to continue to provide for a growing and diversifying population.

It is also important that in new development areas and in redevelopment areas, enforceable standards for open space provision are set by Government, in conjunction with input from local councils, to ensure that developers comply with the provision. The suggestions made for the provision of open space relevant to planning for urban renewal areas (and densification) need further discussion with Council. Standards of provision relating to walking distance parameters whilst optimal, may be difficult to achieve, especially at “in –centre” locations where little opportunity exists for new open space acquisition. Resourcing such standards beyond the capacity of development contributions could potentially be prohibitive in many circumstances, especially in light of other local infrastructure demands driven by densification.

#### **W19 - Reducing carbon emissions and managing energy, water and waste efficiently**

Efficient management of the district in the face of exponential population growth needs to be managed by ensuring that no further land is rezoned for housing until such time as a commitment has been made to the delivery of appropriate public transport to meet the needs of the forecast population. This is the only way to ensure that new development is not totally car dependent.

The issue of waste management is also critical for the future of Greater Sydney and the Western City District. According to the Department of Environment and Energy's Australian National Waste Report 2016, waste disposal per capita in NSW is increasing on average by 3.3% per annum. Concurrently, the provision of existing waste management infrastructure in the Sydney Region is dwindling despite ever increasing population and housing growth. The Sydney Metropolitan Area's landfill disposal capacity is currently accommodated through two landfills at Lucas Heights and Woodlawn. In the past decade, putrescible landfill availability in the Sydney Metropolitan Area has reduced from four facilities to one with the closure of disposal sites at Belrose, Jacks Gully and Eastern Creek. The Woodlawn facility is located near Goulburn, approximately 200km from Sydney and accessible by rail only. The Lucas Heights facility will have exhausted its capacity before or by 2036.

The Australian National Waste Report 2016 also notes that NSW is attempting to reach a resource recovery target of 70% by 2021 for Municipal Solid Waste (waste from households), which currently sits at 59%. Irrespective of when additional resource recovery capacity becomes available, landfill disposal of contaminants from organics and recycling streams in addition to normal household waste will always be required.



When the NSW Government privatised WSN Environmental Solutions in 2010/2011, it removed itself from the provision of a major public and environmental health service. The private sector has capability in developing and operating the technology required for the Government to achieve its objectives in reducing carbon emissions, however, the location of suitable sites has, and will remain, a major impediment to the realisation of a low-carbon future.

Council considers that the fulfilment of Planning Priority W19 will only be achievable through a firmer commitment in the District Plan to the identification of land for the purposes of waste management, reprocessing, re-use and recycling.

#### **W20 - Adapting to the impacts of urban and natural hazards and climate change**

Climate change and urban and natural hazards are real and need to be factored into future planning for Greater Sydney and the Western City District. The capacity of the District to absorb exponential growth in population and urbanisation does not appear to have been considered when developing plans for the Western City. Extreme heat, bushfire and flooding are significant in Western Sydney and specific actions that investigate the impact of these and other related issues on urban capacity, population health and area liveability need to be examined before more land is identified, released, rezoned and developed for urban purposes.

Threats to the District's biosecurity and exposure to terrorism related activities are also likely to increase with the development of the WSA, which will potentially and more directly expose the District and surrounding areas to direct overseas influences. The Federal and NSW Governments need to develop plans for dealing with these issues quickly, and appropriate and detailed actions need to be included in the District Plan.

#### **Implementation**

It is agreed that an implementation strategy needs to form a significant part of any region and district plans. It is understood that once finalised, district plans will give effect to the Greater Sydney Region Plan and outline the planning priorities consistent with the Region Plan and the actions to achieve the priorities.

It is believed that in order to be successful and to enable accurate monitoring and evaluation, the actions need to be specific in the outcome that needs to be achieved, the responsible authorities, the funding mechanisms and the timeframe for delivery.

Council also understands that finalisation of the Region Plan and District Plan will require it to update its local environmental plan to give effect to the District Plan within either two years or three years of the District Plan being finalised – with priority councils who receive funding required to meet the shorter timeframe. However, it is unclear how this can be achieved without the District Plan being more specific; the Standard Instrument LEP being more flexible to allow place-based planning and support for innovation; and with State Environmental Planning Policies (SEPPs) still being able to override region (metropolitan), district and local plans. The rigidity and limitations imposed on councils by the Standard Instrument LEP, and the ability of SEPPs to override LEP provisions has been raised by many councils with both the Commission and the Department of Planning and Environment. These matters need to be addressed urgently if the successful implementation of the Region and district plans is to be achieved.

Whilst ever Region and district plans are located below SEPPs in the NSW planning systems' hierarchy, the ability to achieve full implementation of the visions, planning priorities

and actions within these lower order plans will be able to be compromised. This is a fundamental and systematic problem that could undermine the success of the Commission's vision. Council urges the Commission to advocate for the status of the Region and district plans to at least be raised to the same level as SEPPs rather than being subservient to them. Ideally, as the Region and district plans set the direction for the future, they should have the ability to override SEPPs that are not consistent with them. This is an important and strategic administration imperative.

Council also understands that planning proposals will need to have regard to the draft and final district plans. For councils to be able to give due regard to these higher order planning documents, clear guidance needs to be provided. This needs to be via both clearer and more accurate mapping within the regional and district plans and via detailed practice notes.

Mapping needs to be clear and accurate so that it is easy to identify which parcels of land fall within certain areas and categories. Broad scale mapping, such as that currently provided in the draft District Plans and the draft Greater Sydney Region Plan, is not useful for the purposes of assessment and will create ambiguity and delays in the proposal assessment process. Practice notes need to clearly articulate how planning proposals need to be assessed against the higher order plans and what (if any) level of inconsistency will be tolerated – this is similar to the current process of assessing planning proposals against Ministerial Directions made under Section 117 of the Environmental Planning and Assessment Act, 1979.

The Commission is to be congratulated on introducing metrics into the draft Region and district plans to enable annual performance monitoring. It is noted, however, that the required reporting may have significant resourcing impacts on councils.

In terms of the actual metrics put forward in the draft Western City District Plan, it is considered that these should be more specific and focused on delivery. The following suggestions are made:

**1. A city supported by infrastructure**

Instead of, or perhaps in addition to, measuring how many land use plans are supported by infrastructure plans, the metric needs to assess how many strategic infrastructure projects have been committed to, funded, constructed, delivered and become operational within the preceding year.

**2. A collaborative city**

The metric for this direction focuses on measuring the proportion of agreed outcomes "achieved" in a collaboration area. This should be strengthened by explaining that "achieved" means delivered on the ground and in operation.

**3. A city for people**

While the proposed annual survey of community sentiment is considered useful, this can be considered to be somewhat subjective and should be complemented by more objective measures such as whether or not there is an increase in the number of people using specific facilities and spaces and attendance at events.

#### **4. Housing the city**

Both proposed metrics for this direction rely on local councils delivering housing targets and affordable rental housing targets. These metrics not only place an unfair burden on local government but do not take into consideration the role of the private sector and the economy/property market in determining how many lots or dwellings become available within a given timeframe. The significance of critical enabling infrastructure also comes into play. Further, while councils have the capacity to plan for housing delivery, developers and wider economy as well as local market conditions determine actual land and dwelling uptake and price points.

#### **5. A city of great places**

The metrics for this direction are focused solely on how many dwellings are within walking distance of strategic and local centres and open space but do not factor in the quality of, or the offer available within, the centres or open spaces, or other opportunities, facilities and services that make places liveable and attractive.

#### **6. A well-connected city**

Both metrics for this direction focus on the number of dwellings that can connect to a metropolitan centre/cluster or a strategic centre within 30 minutes via public transport. Additional metrics are required that focus on monitoring connectivity to places outside of centres, many of which provide substantial opportunities for education, recreation, entertainment, and employment. There must be metrics that count the number of strategic transport projects that have been delivered on time and within budget, and improvements in inter and intra-regional, district and local connectivity that links important places across the city – for example public transport that links WSA to the metropolitan city cluster and other centres.

#### **7. Jobs and skills for the city**

The two metrics respectively measure the growth in jobs in metropolitan and strategic centres and the number of people employed locally. There also needs to be recognition that not all jobs are located within higher order centres as industrial areas, local centres, local schools, home businesses and other out of centre uses are also significant job creators. Additionally, many land release areas will have their own new local centres that will create significant local jobs and these also need to be counted.

#### **8. A city in its landscape**

The landscape comprises more than just trees and tree canopy cover but the only metric for measuring this direction focuses solely on this aspect of landscape. Additional metrics should also be added that measure the proportion of green area that has been retained/that is not subject to planning proposals or other redevelopment over the period, the proportion/number of Green Grid projects that have been delivered, the retention or increase in water quality in the District's key waterways, and there is the potential to add many more.

#### **9. An efficient city**

The only metric for this direction focuses on the number of precincts with low carbon initiatives. However, it is unclear how precincts will be determined. Other measures should also potentially be added such as the increase in the amount of recyclables per capita and the reduction in the amount of waste per capita going to landfill.

**10. A resilient city**

The sole metric for measuring resilience is to monitor the number of local government areas undertaking resilience planning. As planning a resilient city requires a whole of government approach, additional metrics should be added to measure what the Commission, Department of Planning and Environment and other relevant government departments and agencies are doing to facilitate the creation of a resilient district, city and region.

DRAFT

## OUR GREATER SYDNEY 2056

# Campbelltown City Council

Council snapshot of the draft *Western City District Plan*

**The vision for Greater Sydney as a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City – means residents in the Western City District will have quicker and easier access to a wider range of jobs, housing types and activities.**

The Western City District is part of the Western Parkland City. It connects to the Central River City through Blacktown and Hawkesbury local government areas. The Western Sydney Airport and Badgerys Creek Aerotropolis will create a once-in-a-generation economic boom, bringing infrastructure, businesses and knowledge-intensive jobs for residents.

The draft *Western City District Plan* guides the growth of the District within the context of Greater Sydney's three cities to improve the District's social, economic and environmental assets.

The District's unique and rich tapestry of urban, rural and natural environments, combined with access to jobs, quality health care, education, recreation, cultural and natural

experiences creates a great quality of life for its communities.

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

The draft District Plan guides the District's transformation into the Western Parkland City over the next 20 to 40 years by building on the communities and natural assets that exist today. In contrast to the dormitory neighbourhoods of the past, the new Western Parkland City will be more contained, with a greater choice of local jobs, and transport and services aligned with growth.

The District will be polycentric, with the strong relationship and collaboration between Liverpool, Greater Penrith and Campbelltown-Macarthur reinforced by the emerging Badgerys Creek Aerotropolis. This unique metropolitan city cluster will be connected by high quality public transport.

Unprecedented transport investments will provide major links for people and

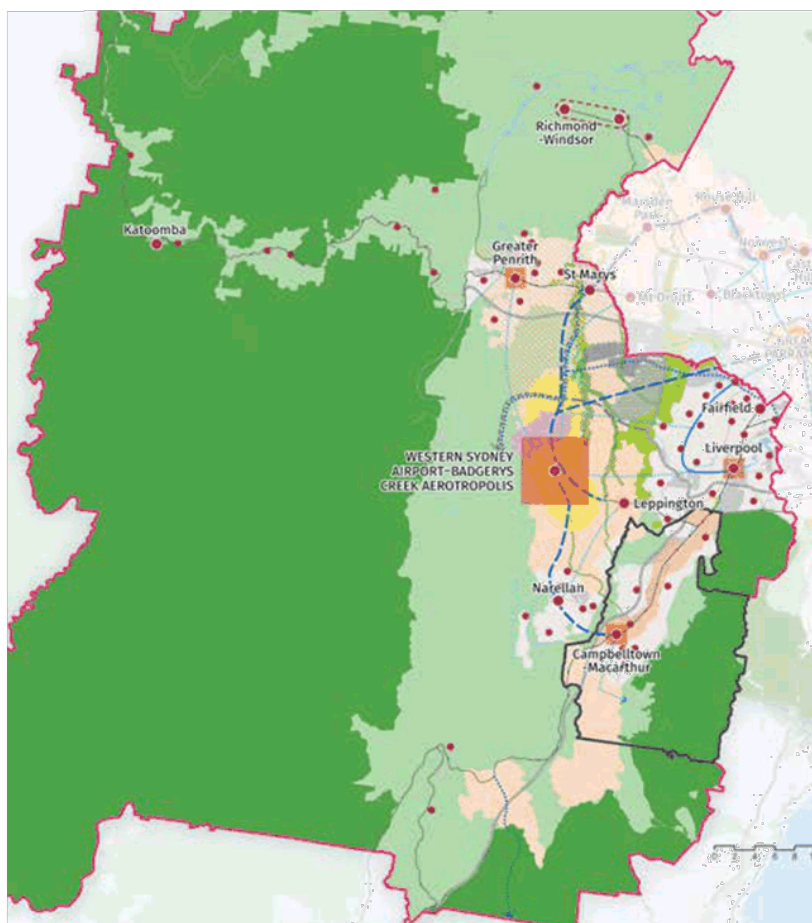
freight between the District's strategic centres, and to Greater Sydney's north and south, not only to traditional economic anchors in the east.

The South Creek, Georges River and Hawkesbury-Nepean River systems will become the spatial framework for the District, with attractive and safe walking and cycling paths, bushland and a green, urban landscape framed by the Greater Blue Mountains World Heritage Area.

Extensive urban tree canopy will mitigate the heat island effect and provide cooler, more beautiful places. The substantial land release areas to house the District's new residents will become neighbourhoods with a range of housing types, access to public transport and infrastructure including schools, hospitals and community facilities.

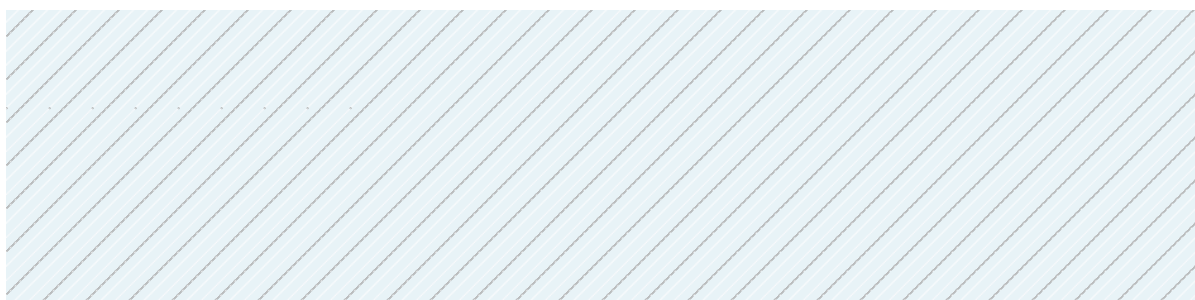
The District will retain its unique rural areas and the economic benefits of rural land so close to a metropolis, and protect its natural areas, heritage and tourism assets and the unique character of its smaller centres and villages.

# Campbelltown City Council




Local Government Boundary	Trade Gateway	Urban Area	Train Link/ Mass Transit Investigation 10-20 years
District Boundary	Western Sydney Employment Area	Protected Natural Area	Freight Rail Investigation
Metropolitan City Cluster	Industrial Land	Metropolitan Rural Area	On Street Rapid Transit
Health and Education Precinct	Land Release Area	Major Urban Parkland and Reserve	Rapid Bus
Strategic Centre	Urban Renewal Area	Visionary Parkland and Reserve	Motorway
Local Centre	Priority Growth Area Investigation	Train Station	Road Investigation 0-10 years
Economic Corridor	Urban Investigation Area	Train Link/ Mass Transit Investigation 0-10 years	Road Investigation 10-20 years

NOTE: Committed projects of: Western Harbour Tunnel & Beaches Link, F6 – WestConnex to President Avenue Kogarah, Parramatta Light Rail Stage 2 and Sydney Metro West are subject to final business case, no investment decision yet. Routes and stops for some transport corridors/projects are indicative only.



## Housing Campbelltown City Council

 **Housing supply target (2016-2021): 6,800**

 Actions	Responsibility
<b>15. Prepare local or district housing strategies that address the following:</b> <ul style="list-style-type: none"> <li>a. the delivery of five-year housing supply targets for each local government area</li> <li>b. the delivery of 6-10 year (when agreed) housing supply targets for each local government area</li> <li>c. capacity to contribute to the longer term 20-year strategic housing target for the District</li> <li>d. housing strategy requirements outlined in Objective 10 of the draft <i>Greater Sydney Region Plan</i> that include: <ul style="list-style-type: none"> <li>i. creating capacity for more housing in the right locations</li> <li>ii. supporting planning and delivery of priority growth areas and precincts as relevant to each local government area</li> <li>iii. supporting investigation of opportunities for alignment with investment in regional and district infrastructure</li> <li>iv. supporting the role of centres.</li> </ul> </li> </ul>	Campbelltown City Council
<b>16. Prepare Affordable Rental Housing Target schemes.</b>	Councils and other planning authorities


## Campbelltown–Macarthur Metropolitan City Cluster

 **Job targets**

**2016 estimate:**  
**20,400**

**2036 baseline target:**  
**27,000**

**2036 higher target:**  
**31,000**

 Actions	Responsibility
<b>39. In addition to the Collaboration Area process, carry out the following:</b> <ul style="list-style-type: none"> <li>a. protect, develop and expand the commercial core</li> <li>b. protect and grow the health, medical and education core precincts</li> <li>c. investigate opportunities for the growth of allied health and medical related businesses, research, science and advanced manufacturing</li> <li>d. enhance the centre's civic, cultural and heritage role</li> <li>e. increase opportunities for creative, digital and technology businesses and employees</li> <li>f. encourage new lifestyle and entertainment uses to activate streets and grow the night-time economy</li> <li>g. improve east-west pedestrian connectivity across the southern rail line</li> <li>h. support mixed-use development and surrounding high quality apartment and medium density residential development</li> <li>i. capitalise on the Western Sydney Airport and Western Sydney City Deal initiatives.</li> </ul>	Campbelltown City Council, Greater Sydney Commission and other planning authorities



The draft *Western City District Plan* implements the objectives, strategies and actions of the draft *Greater Sydney Region Plan*, by outlining how they will be applied through a set of planning priorities and actions for the District.

## Planning Priorities for the Western City District

- **Planning Priority W1:** Planning for a city supported by infrastructure
- **Planning Priority W2:** Working through collaboration
- **Planning Priority W3:** Providing services and social infrastructure to meet people's changing needs
- **Planning Priority W4:** Fostering healthy, creative, culturally rich and socially connected communities
- **Planning Priority W5:** Providing housing supply, choice and affordability, with access to jobs and services
- **Planning Priority W6:** Creating and renewing great places and local centres, and respecting the District's heritage
- **Planning Priority W7:** Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City
- **Planning Priority W8:** Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis
- **Planning Priority W9:** Growing and strengthening the metropolitan city cluster
- **Planning Priority W10:** Maximising freight and logistics opportunities and planning and managing industrial and urban services land
- **Planning Priority W11:** Growing investment, business opportunities and jobs in strategic centres
- **Planning Priority W12:** Protecting and improving the health and enjoyment of the District's waterways
- **Planning Priority W13:** Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element
- **Planning Priority W14:** Protecting and enhancing bushland and biodiversity
- **Planning Priority W15:** Increasing the urban tree canopy cover and delivering Green Grid connections
- **Planning Priority W16:** Protecting and enhancing scenic and cultural landscapes
- **Planning Priority W17:** Better managing rural areas
- **Planning Priority W18:** Delivering high quality open space
- **Planning Priority W19:** Reducing carbon emissions and managing energy, water and waste efficiently
- **Planning Priority W20:** Adapting to the impacts of urban and natural hazards and climate change

## How to be involved

The draft *Western City District Plan* is on formal public exhibition until 15 December 2017. You can read the entire updated draft District Plan at: [www.greater.sydney](http://www.greater.sydney)

Find out more about making a submission by visiting: [www.greater.sydney/submissions](http://www.greater.sydney/submissions)

Before making a submission, please read the privacy statement at: [www.greater.sydney/privacy](http://www.greater.sydney/privacy)

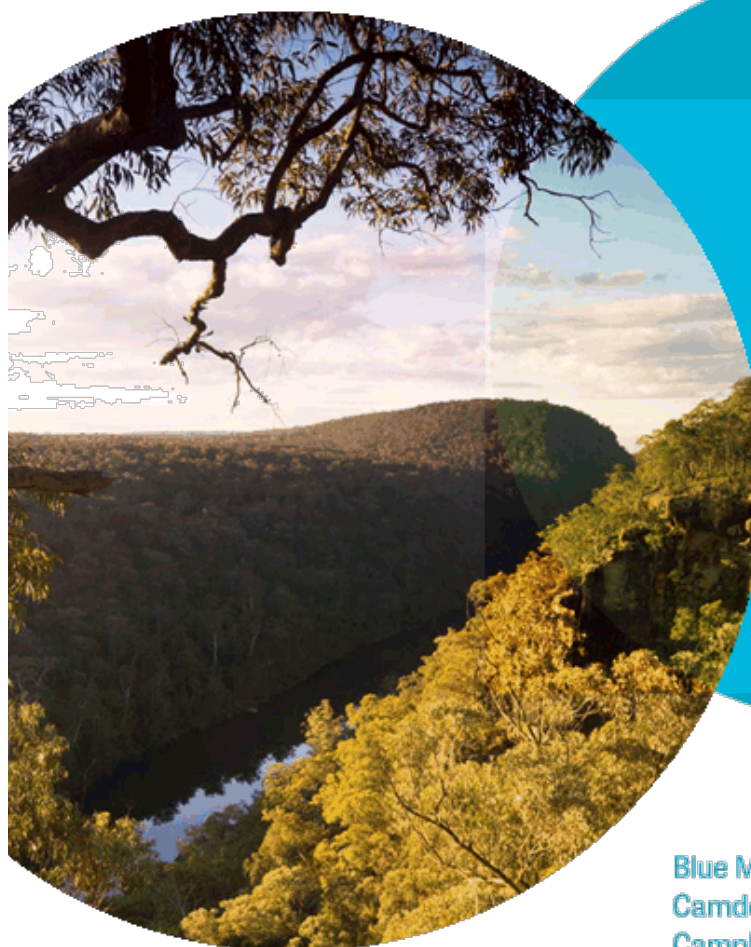
Greater Sydney Commission | Campbelltown City Council snapshot | October 2017



OUR GREATER SYDNEY 2056

# Draft Western City District Plan

## OVERVIEW



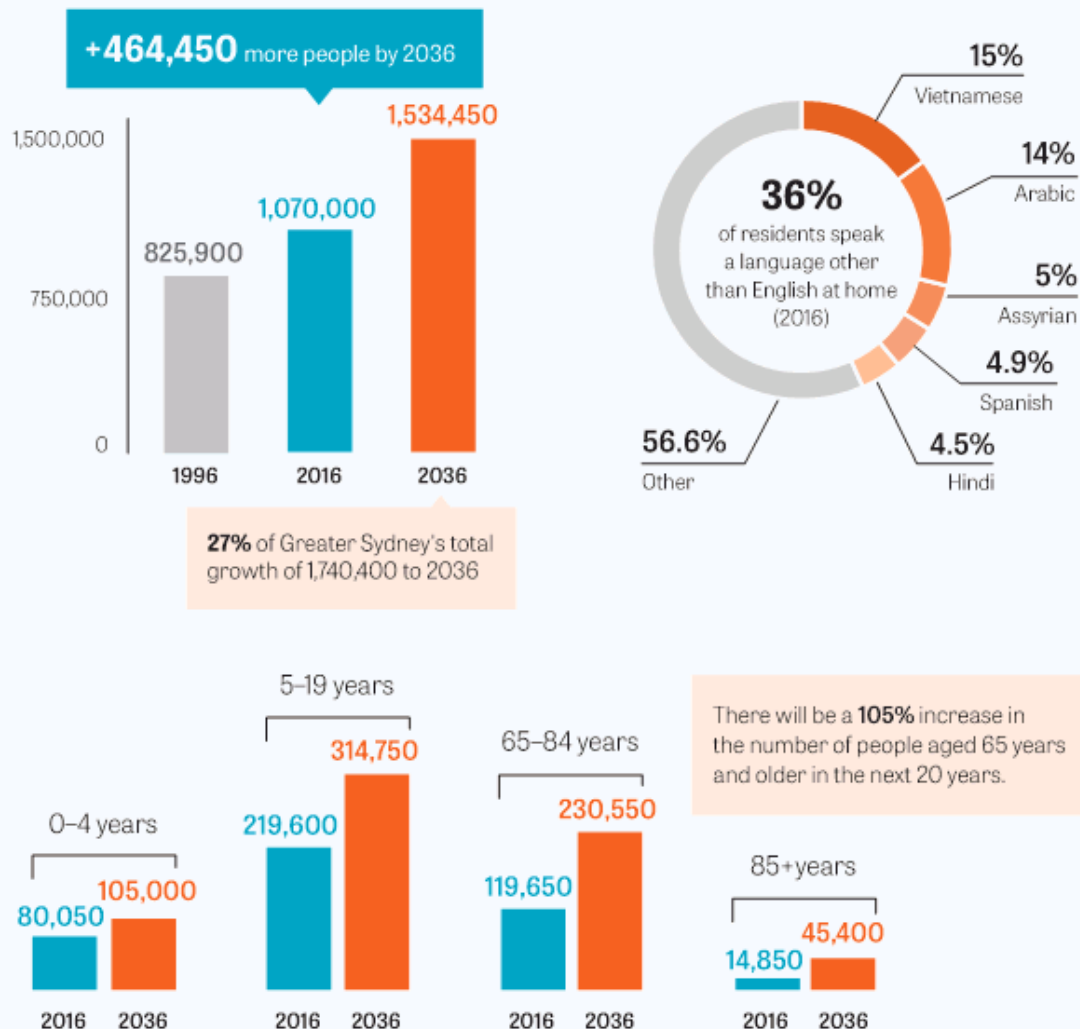
Blue Mountains  
Camden  
Campbelltown  
Fairfield

Hawkesbury  
Liverpool  
Penrith  
Wollondilly

## Snapshot of the Western City District – today and into the future



### People – Population, age and languages spoken



The Greater Sydney Commission acknowledges the traditional owners of the lands that include the Western City District and the living culture of the traditional custodians of these lands. The Commission recognises that the traditional owners have occupied and cared for this country over countless generations, and celebrates their continuing contribution to the life of Greater Sydney.

# Planning for the future of Greater Sydney

The Greater Sydney Commission leads metropolitan planning for Greater Sydney. Our plans will make Greater Sydney more liveable, productive and sustainable and make the most of future opportunities and challenges.

The Commission currently has the draft *Greater Sydney Region Plan*, four revised draft District Plans and a new draft District Plan for the Western City District on public exhibition.

Importantly, and for the first time, the draft *Greater Sydney Region Plan* has been prepared in conjunction with the NSW Government's *Future Transport 2056 Strategy* and informs Infrastructure NSW's *State Infrastructure Strategy*.

## The draft Greater Sydney Region Plan

We live in a beautiful, vibrant city – a true global city that is home to 4.7 million people. As the population grows over the next 40 years, we need a plan that protects the things

we love about this city and delivers homes, jobs and economic prosperity for current and future generations. The draft *Greater Sydney Region Plan*, based on a 40-year vision, is that plan.

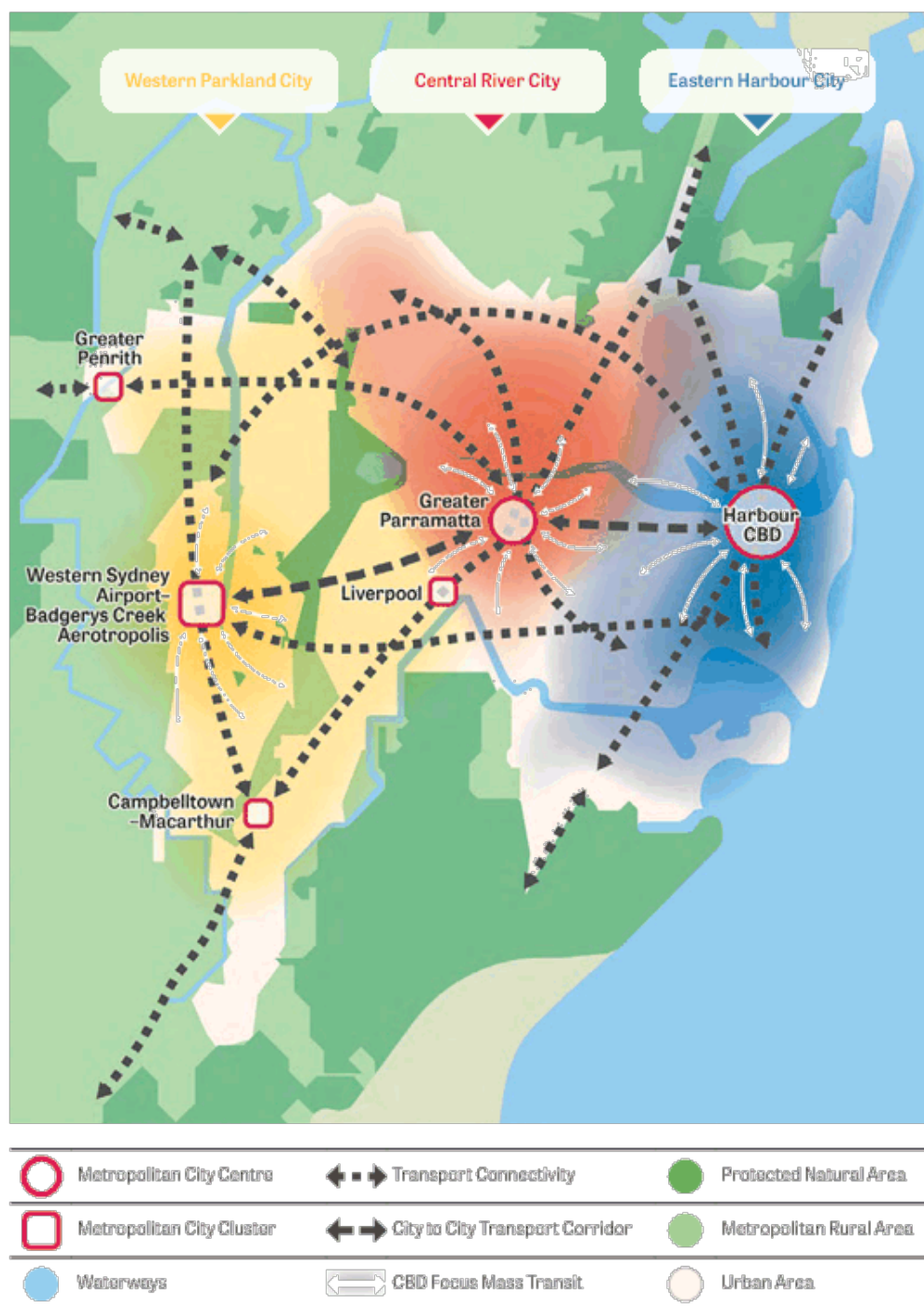
The Commission sees Greater Sydney's future as a metropolis of three unique but connected cities; a **Western Parkland City** west of the M7, a **Central River City** with Greater Parramatta at its heart and an **Eastern Harbour City**. With the cities well-connected by transport links and infrastructure, more people will live within 30 minutes of their jobs and have easier access to schools, hospitals and services.

For more details, or to have your say about the draft *Greater Sydney Region Plan* visit [www.greater.sydney](http://www.greater.sydney)

This is an overview of the draft Western City District Plan – for a full copy visit [www.greater.syd.nsw](http://www.greater.syd.nsw)

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## A metropolis of three cities



**4** This is an overview of the draft Western City District Plan — for a full copy visit [www.westerncouncil.nsw.gov.au](http://www.westerncouncil.nsw.gov.au)

## District Plans

While the draft *Region Plan* presents the overarching vision and strategy for Greater Sydney, it will be implemented at a local level through District Plans.

District Plans will set out how the *Region Plan* will:

- inform local councils' plans
- guide assessment of local planning proposals
- inform infrastructure agencies, the development sector and wider community of expectations for growth, change and infrastructure provision within the District.



This is an overview of the draft Western City District Plan — for a full copy visit [www.greater-sydney.gov.au](http://www.greater-sydney.gov.au)

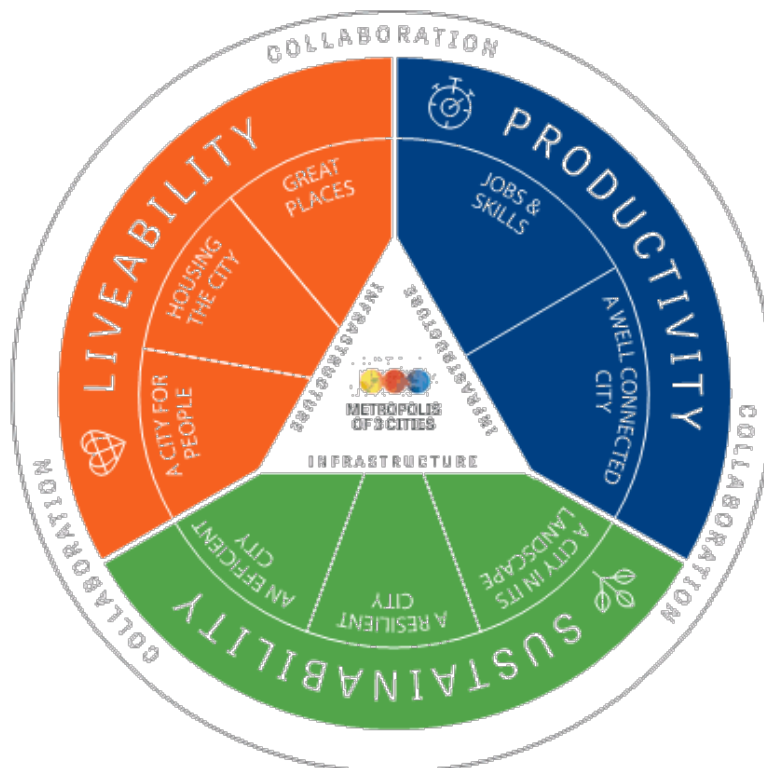


## Structure of the District Plans

Each District Plan contains:

- **Four key themes** – infrastructure and collaboration, liveability, productivity and sustainability
- **Ten Directions** – to guide delivery of the theme in a balanced way
- **Metrics** – to measure successful delivery of the plans
- **District-specific Planning Priorities and Actions** – to achieve results that provide a great quality of life for people in the District.

They have been designed in consultation with councils and local communities to enhance the positive elements of the District.



## Why is there a new draft Plan for the Western City?

In September 2017, the West and South West Districts were merged to better facilitate planning around the Western Sydney Airport, creating the Western City District.

A new draft District Plan has been prepared for the Western City District and revised draft District Plans have been prepared for the remaining four Districts. These five Plans have been placed on public exhibition.

The Plans respond to feedback from the November 2016 to March 2017 public exhibition period and are aligned with the new draft *Greater Sydney Region Plan* and *Future Transport 2056*.



This is an overview of the draft Western City District Plan — for a full copy visit [www.greater-sydney.gov.au](http://www.greater-sydney.gov.au)

# The Western City District Plan

## About the Western City District

The Western City District is a major part of the Western Parkland City. It is made up of the local government areas of Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly.

The draft *Western City District Plan* puts forward a vision for a metropolitan city cluster connected over time by mass transit. The current centres of Liverpool, Greater Penrith and Campbelltown-Macarthur form the existing economic structure of the Western City and are home to health and education precincts.

The Western Sydney Airport and Badgerys Creek Aerotropolis will transform the District, creating a once-in-a-generation economic boom for residents, bringing infrastructure,

businesses and knowledge-intensive local jobs to residents.

The District will continue to build on its economic strengths in advanced manufacturing, aerospace and defence industries, agricultural processing and export, construction and infrastructure, transport and warehousing, visitor economy and education and training to create a new Western Economic Corridor.

The Western City District has enviable natural assets including the Western Sydney Parklands, the Hawkesbury-Nepean River and Greater Blue Mountains World Heritage Area; economic centres and health and education precincts at Liverpool, Greater Penrith and Campbelltown-Macarthur.

Its population is forecast to grow from just over 1 million people to 1.53 million people over the next 20 years. Thirty-four per cent of the Western City District's people were born overseas.

Working with the draft *Greater Sydney Region Plan*, the draft *Western City District Plan* aims to ensure future generations have excellent connections to local jobs, housing, services, and great places.

The interim Western City District Commissioner is Geoff Roberts.



This is an overview of the draft *Western City District Plan* — for a full copy visit [www.westerncity.nsw.gov.au](http://www.westerncity.nsw.gov.au)





This is an overview of the draft Western City District Plan — for a full copy visit [www.greater-sydney.gov.au](http://www.greater-sydney.gov.au)

## What the District Plan will do

The draft *Western City District Plan* guides growth while enhancing the District's liveability, productivity and sustainability into the future. Below are some key features of the Plan. The District's Planning Priorities can be found on pages 12–13 of this document. For the full draft *Western City District Plan* visit **[www.greater.sydney](http://www.greater.sydney)**

### The draft District Plan aims to:

#### • Collaboration

Guide collaboration across government and the private sector to optimise outcomes in areas with great potential including the Western Sydney Airport and Badgerys Creek Aerotropolis and health and education precincts at Liverpool, Greater Penrith and Campbelltown-Macarthur.

#### • Great places

Guide the provision of well-designed local centres, enhanced open spaces and new 'eat streets' that reflect local diversity and provide opportunities for social interaction.

#### • Housing

Identify potential substantial land release areas to help house the District's new residents with a range of housing types, incorporating access to public transport and infrastructure including schools, hospitals and community facilities.

**10** This is an overview of the draft *Western City District Plan* — for a full copy visit **[www.greater.sydney](http://www.greater.sydney)**

## Delivering the Western City District Plan

Mapped against each of the ten Directions in the draft *Western City District Plan* there are:

- Metrics which will monitor the success of the Plan and its objectives for the Western City District
- 20 District specific Planning Priorities.

These are outlined in the table on the following page.

For full details of the Western City District's metrics and Planning Priorities please view the full draft *Western City District Plan* at [www.greater.sydney](http://www.greater.sydney)

### • Jobs and skills

Respond to plans for the Western Sydney Airport and Badgerys Creek Aerotropolis which will foster tens of thousands of diverse, local jobs and create significant economic growth, supported by Liverpool, Greater Penrith, Campbelltown-Macarthur and the Western Sydney Employment Area.

### • Connections







Deliver a 30-minute city through integrating major transport initiatives with land use planning, providing efficient links to existing major centres for people and freight, improving access to the Western Economic Corridor.

### • Landscape

Protect bushland, scenic hills, national parks and aquatic ecosystems including major rivers and waterways at Hawkesbury-Nepean, South Creek and Georges River.

This is an overview of the draft *Western City District Plan* — for a full copy visit [www.greater.sydney](http://www.greater.sydney)

## Ten Directions and Planning Priorities

DIRECTIONS	METRICS	WESTERN CITY DISTRICT PLANNING PRIORITIES
 <p><b>A city supported by infrastructure</b></p> <p>Infrastructure supporting new developments</p>	Number of land use plans supported by infrastructure plans (NSW Department of Planning and Environment, Greater Sydney Commission and councils)	<b>Planning Priority W1</b> Planning for a city supported by infrastructure
 <p><b>A collaborative city</b></p> <p>Working together to grow a Greater Sydney</p>	Proportion of agreed outcomes achieved in Collaboration Areas	<b>Planning Priority W2</b> Working through collaboration
 <p><b>A city for people</b></p> <p>Celebrating diversity and putting people at the heart of planning</p>	Annual survey of community sentiment	<b>Planning Priority W3</b> Providing services and social infrastructure to meet people's changing needs  <b>Planning Priority W4</b> Fostering healthy, creative, culturally rich and socially connected communities
 <p><b>Housing the city</b></p> <p>Giving people housing choices</p>	<ul style="list-style-type: none"> <li>Number of councils on track to deliver housing targets</li> <li>Number of councils with schemes that implement Affordable Rental Housing Targets</li> </ul>	<b>Planning Priority W5</b> Providing housing supply, choice and affordability, with access to jobs and services
 <p><b>A city of great places</b></p> <p>Designing places for people</p>	<ul style="list-style-type: none"> <li>Percentage of dwellings within walking distance of a local or strategic centre</li> <li>Percentage of dwellings within walking distance of open space</li> </ul>	<b>Planning Priority W6</b> Creating and renewing great places and local centres, and respecting the District's heritage
 <p><b>A well connected city</b></p> <p>Developing a more accessible and walkable city</p>	<ul style="list-style-type: none"> <li>Percentage of dwellings located within 30 minutes by public transport of a metropolitan city centre/cluster</li> <li>Percentage of dwellings located within 30 minutes by public transport of a strategic centre</li> </ul>	<b>Planning Priority W7</b> Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City

WESTERN CITY DISTRICT PLANNING PRIORITIES		
DIRECTIONS	METRICS	
 <p><b>Jobs and skills for the city</b></p> <p>Creating the conditions for a stronger economy</p>	<ul style="list-style-type: none"> <li>• Growth in jobs in targeted metropolitan and strategic centres.</li> <li>• Change in number of people employed locally (five yearly)</li> </ul>	<p><b>Planning Priority W8</b> Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis</p> <p><b>Planning Priority W9</b> Growing and strengthening the metropolitan city cluster</p> <p><b>Planning Priority W10</b> Maximising freight and logistics opportunities and planning and managing industrial and urban services land</p> <p><b>Planning Priority W11</b> Growing investment, business opportunities and jobs in strategic centres</p>
 <p><b>A city in its landscape</b></p> <p>Valuing green spaces and landscape</p>	<p>Proportional increase in Greater Sydney covered by urban tree canopy</p>	<p><b>Planning Priority W12</b> Protecting and improving the health and enjoyment of the District's waterways</p> <p><b>Planning Priority W13</b> Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element</p> <p><b>Planning Priority W14</b> Protecting and enhancing bushland and biodiversity</p> <p><b>Planning Priority W15</b> Increasing urban tree canopy cover and delivering Green Grid connections</p> <p><b>Planning Priority W16</b> Protecting and enhancing scenic and cultural landscapes</p> <p><b>Planning Priority W17</b> Better managing rural areas</p> <p><b>Planning Priority W18</b> Delivering high quality open space</p>
 <p><b>An efficient city</b></p> <p>Using resources wisely</p>	<p>Number of precincts with low carbon initiatives</p>	<p><b>Planning Priority W19</b> Reducing carbon emissions and managing energy, water and waste efficiently</p>
 <p><b>A resilient city</b></p> <p>Adapting to a changing world</p>	<p>Number of local government areas undertaking resilience planning</p>	<p><b>Planning Priority W20</b> Adapting to the impacts of urban and natural hazards and climate change</p>

This is an overview of the draft Western City District Plan — for a full copy visit [www.westerncouncil.nsw.gov.au](http://www.westerncouncil.nsw.gov.au)

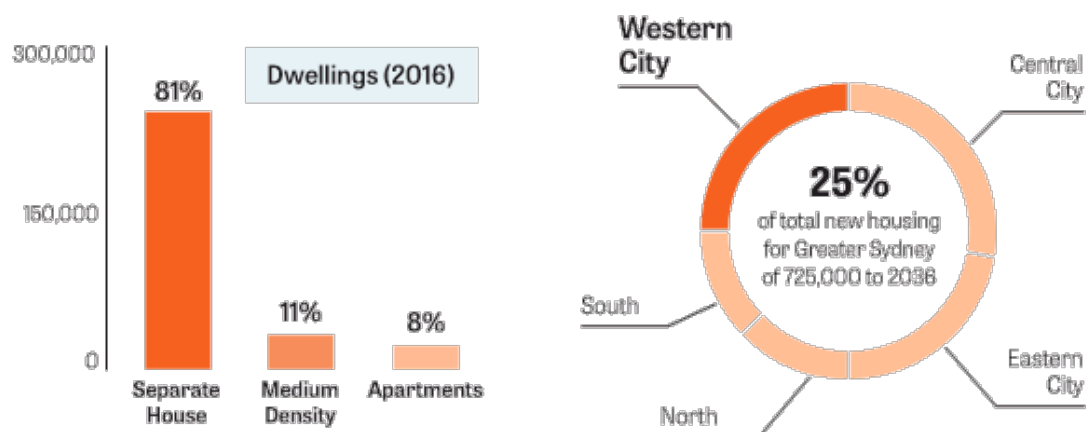




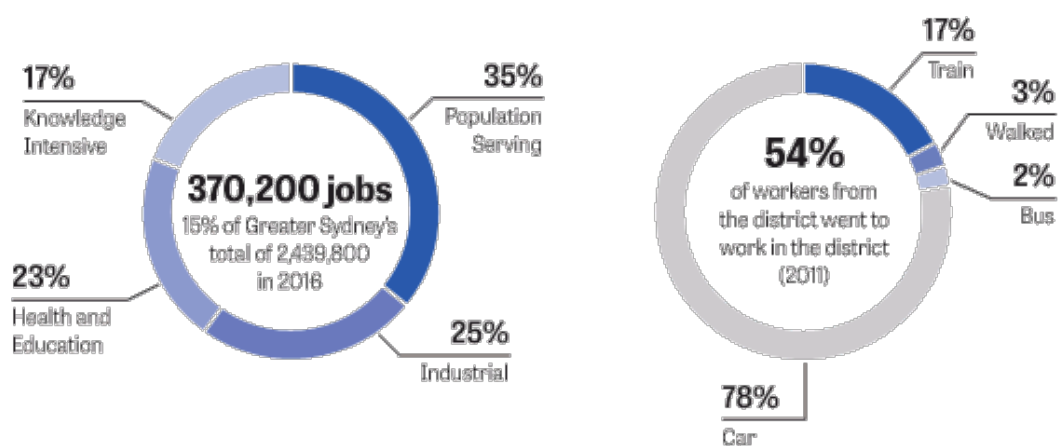
## More about the Western City District



### Dwelling demand and dwelling types



### Jobs and journey to work



This is an overview of the draft *Western City District Plan*



## Connect with us and have your say

The revised draft *Western City District Plan* is on exhibition until 15 December 2017. This is an excellent opportunity to have your say on the future of your District.

Visit [www.greater.sydney](http://www.greater.sydney) for a full version of the draft Plan, to make a formal submission or for upcoming community engagement activities and events.

Background material and information notes are also available on the website.

For more information on the Commission and draft Plans, follow us on **Facebook, LinkedIn, Twitter** and **Instagram**.



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[/greater-sydney-commission](https://www.linkedin.com/company/greater-sydney-commission)



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**9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

## **11. NOTICE OF MOTION**

### **11.1 Vardy's Estate Silo's - Menangle Park**

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Councillor Warren Morrison has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 12 December 2017.

1. That a report be presented investigating the feasibility and funding options to use the silos known as Vardy's Estate on the eastern side of Menangle Road, Menangle Park for art work associated with the use of Menangle Park by the Defence Forces during the first (Beersheba) and second world wars.
  2. That discussions be commenced with the Dahua Group for the preservation of the silos as a heritage listed item. The silos could be used for parklands Incorporating and commemorating Menangle Park history during both world wars as a training ground for our Defence Forces. The parklands could be called Lighthorse Park commemorating Beersheba.
-

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## 11.2 Proposed Jacaranda Lane - Campbelltown

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Councillors Rey Manoto and Meg Oates have given Notice in writing of their intention to move the following Motion at the next meeting of Council on 12 December 2017.

1. That Council investigate an area in Campbelltown where Jacaranda trees can be planted contiguously and prominently on both sides of the street or road, including the median strip if possible with a minimum of 45 trees should there be a median strip or 50 trees if just both sides of the road.
  2. That Council maintain the name of the street however the section where the Jacaranda trees are planted to be called Jacaranda Lane with appropriate signage and/or markings at both ends of the said lane.
  3. That it is noted that there is a Jacaranda Avenue in Bradbury and that several Jacaranda trees are already evident in Campbelltown. However, the trees along Jacaranda Avenue are no longer prominent.
  4. That in new developments, Council collaborate with developers to include, as part of their landscaping plans, the planting of Jacaranda trees on major entry roads into the subdivision development.
-

### **11.3 176 St Andrews Road, Varroville**

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Councillor Ben Moroney has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 12 December 2017.

1. That the public exhibition period for development application 3293/2017/DA-C, for construction and use of a new cemetery and parklands at 176 St Andrews Road Varroville, be extended until close of business on the 23 March 2018.
  2. That the relevant public documents for development application 3293/2017/DA-C, for construction and use of a new cemetery and parklands at 176 St Andrews Road Varroville, be displayed on Campbelltown City Council's website as part of the public exhibition process for the development application.
-

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## **11.4 Proposed additional bus services to benefit the community**

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Councillor Paul Lake has given Notice in writing of their intention to move the following Motion at the next meeting of Council on 12 December 2017.

1. That a report be presented to Council investigating the feasibility of extending the current bus service from Campbelltown Public Hospital through Parkside Crescent past Campbelltown Private Hospital to Macarthur Square.
  2. That a further report be presented to Council on the possibility of a new bus service being established to service the businesses along Blaxland Road and that Council Staff contact the individual businesses along Blaxland Road for their input on the benefits of a bus service including the hours and days of service
-

**12. URGENT GENERAL BUSINESS**

**13. PRESENTATIONS BY COUNCILLORS**

## **14. CONFIDENTIAL REPORTS FROM OFFICERS**

### **14.1 Council Land - Proposed Exclusivity Agreement**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

### **14.2 Lease, Shop 1 Milgate Arcade Queen Street Campbelltown**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

### **14.3 Council Land - Proposed Exclusivity Agreement**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

### **14.4 Council Land - Proposed Development**

#### **Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

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## Minutes of the Ordinary Meeting of the Campbelltown City Council held on 12 December 2017

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**Present**

The Mayor, Councillor G Brticevic  
 Councillor M Chivers  
 Councillor M Chowdhury  
 Councillor R George  
 Councillor B Gilholme  
 Councillor G Greiss  
 Councillor K Hunt  
 Councillor P Lake  
 Councillor D Lound  
 Councillor R Manoto  
 Councillor B Moroney  
 Councillor W Morrison  
 Councillor M Oates  
 Councillor B Thompson

### 1. ACKNOWLEDGEMENT OF LAND

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

#### Council Prayer

The Council Prayer was presented by the General Manager.

### 2. APOLOGIES

Nil

**Note:** Councillor T Rowell has been granted a leave of absence from Council incorporating all Council meetings until further notice.

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### 3. CONFIRMATION OF MINUTES

#### 3.1 Minutes of the Ordinary Meeting of Council held 28 November 2017

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

That the Minutes of the Ordinary Meeting held 28 November 2017 copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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

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

##### **Pecuniary Interests - Nil**

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

Councillor Gilholme - Item 8.12 - Draft Planning Proposal - No 17 Percival Street, Ingleburn - Councillor Gilholme advised that the applicant is known to him and that he will leave the Chamber.

Councillor Morrison - Item 11.4 - Proposed additional bus services to benefit the community - Councillor Morrison advised that he is a business owner in the area and that he will leave the Chamber.

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

Councillor Moroney - Item 8.5 - Fitout and use of premises as a neighbourhood shop for the purpose of a liquor shop at 6/9 Bradfield Street, Leumeah - Councillor Moroney advised that he resides in the area.

Councillor Greiss - Item 11.3 - 176 St Andrews Road, Varroville - Councillor Greiss advised that he is a member of the Sydney South West Planning Panel and that he will leave the Chamber.

Councillor Lound - Item 11.3 - 176 St Andrews Road, Varroville - Councillor Lound advised that he is a member of the Sydney South West Planning Panel and that he will leave the Chamber.

Councillor Oates - Item 11.3 - 176 St Andrews Road, Varroville - Councillor Oates advised that she is an alternate member of the Sydney South West Planning Panel and that she will leave the Chamber.

##### **Other Disclosures - Nil**

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

Nil

#### **6. PETITIONS**

Nil

#### **7. CORRESPONDENCE**

Nil

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## 8. REPORTS FROM OFFICERS

### 8.1 Urban Development Industry of Australia National Congress - Melbourne 2018

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

That the General Manager or her nominee, the Director City Growth and Economy, the Director City Development, relevant staff and any interested Councillors be authorised to attend the 2018 UDIA Congress in Melbourne.

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

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### 8.2 Review of bushwalking tracks and associated facilities within the Campbelltown Local Government Area

---

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

That Council endorse the Review of Bushwalking Tracks and Associated Facilities within the Campbelltown Local Government Area to guide future works and funding strategies for activation of bushland areas within the Campbelltown Local Government Area.

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

---

### 8.3 Georges River Recreational Trail initial scoping/feasibility report

---

**Meeting Note:** Mrs Michie and Ms Makowski addressed the meeting.

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

1. That Council endorse the Georges River Recreational Trail initial Scoping Report.
2. That Council support the undertaking of a detailed feasibility study for a River Recreational Trail subject to available funding.

A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers and P Lake.

Voting against the Resolution were Councillors B Moroney, W Morrison, B Thompson, G Greiss and R George.

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

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#### 8.4 Demolition of existing structures and construction of an attached dwelling development comprising three dwellings at No. 39 Euroka Street, Ingleburn

---

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

1. That Council permit the requested variation to Clause 4.1C of Campbelltown Local Environmental Plan 2015 which relates to the minimum allotment size required for a dwelling.
2. That subject to recommendation 1, development application 1584/2017/DA-M for the demolition of existing structures and construction of an attached dwelling development at 39 Euroka Street, Ingleburn, be approved, subject to the conditions detailed in attachment 1 of this report.
3. That subject to recommendation 1 and 2, approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.
4. That a housekeeping amendment to the Campbelltown Local Environmental Plan 2015 be prepared to facilitate the development of existing narrow lots within the R2 Low Density Residential zone for the purpose of attached dwellings, consistent with previous planning controls that were in place prior to the commencement of the Campbelltown Local Environmental Plan 2015.

A Division was recorded in regard to the Resolution for Item 8.4 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison, B Thompson, G Greiss and R George.

Voting against the Resolution were Nil.

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

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### 8.5 Fitout and use of premises as a neighbourhood shop for the purpose of a liquor shop at 6/9 Bradfield Street, Leumeah

---

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

That the proposed development be approved for 12 months subject to the recommended conditions of consent as outlined in attachment 1 with an amendment to condition 12 to read operation of hours of 10.00am to 10.00pm.

A Division was recorded in regard to the Resolution for Item 8.5 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison, G Greiss and R George.

Voting against the Resolution were Councillor B Thompson.

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

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### 8.6 Draft Amendment No 5 - Campbelltown (Sustainable City) Development Control Plan 2015

---

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

1. That Council endorse draft Amendment No 5 to Campbelltown (Sustainable City) Development Control Plan 2015 (contained in attachment 1) as outlined in this report for public exhibition in accordance with the *Environmental Planning and Assessment Act 1979* and associated regulation.
2. That at the conclusion of the public exhibition, a separate report be provided to Council on the outcome of the public exhibition of the draft Amendment No 5 to Campbelltown (Sustainable City) Development Control Plan 2015.

A Division was recorded in regard to the Resolution for Item 8.6 with those voting for the Motion being Councillors G Brticevic, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison, G Greiss and R George.

Voting against the Resolution were Councillors M Oates and B Thompson.

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

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## 8.7 Quarterly Legal Status Report July to September 2017

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

That the information be noted.

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

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## 8.8 Draft Section 94 Development Contributions Plan - Menangle Park

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

1. That Council endorse the draft Section 94 Development Contributions Plan - Menangle Park – November 2017.
2. That the draft Section 94 Development Contributions Plan - Menangle Park – November 2017 be placed on public exhibition for a minimum of 28 days.
3. That Council receives a further report that outlines the responses to any submissions received during the exhibition period, and seeks the lodgement of an IPART Application to assess the draft Section 94 Development Contributions Plan – Menangle Park.

A Division was recorded in regard to the Resolution for Item 8.8 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison, B Thompson, G Greiss and R George.

Voting against the Resolution were Nil.

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

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## 8.9 Demolition of existing structures and construction of a boarding house containing 14 boarding rooms - No. 13 Brooks Street Macquarie Fields

---

**Meeting Note:** Mr Sorenson and Mr Kitmiridis addressed the meeting.

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

That development application 2549/2017/DA-BH for the demolition of existing structures and construction of a boarding house containing 14 boarding rooms at No. 13 Brooks Street Macquarie Fields be approved, subject to the conditions detailed in attachment 1 of this report.

A Division was recorded in regard to the Resolution for Item 8.9 with those voting for the Motion being Councillors G Brticevic, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison and G Greiss.

Voting against the Resolution were Councillors M Oates, B Thompson and R George.

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

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## 8.10 Use of an existing building as a secondary dwelling at No. 149A Dumaresq Street, Campbelltown

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

1. That Council allow the requested variation to Clause 22(3)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009, which relates to the total allowable floor area of dwellings and secondary dwellings.
2. That subject to recommendation No.1, development application 2401/2016/DA-U for the use of an existing building as a secondary dwelling at 149A Dumaresq Street, Campbelltown, be approved subject to the conditions detailed in attachment 1 of this report.
3. That subject to recommendations 1 and 2, approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.

A Division was recorded in regard to the Resolution for Item 8.10 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, W Morrison, B Thompson, G Greiss and R George.

Voting against the Resolution were Councillors P Lake and B Moroney.

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

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### 8.11 Use of an existing building as a secondary dwelling at No. 149 Dumaresq Street, Campbelltown

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

1. That Council allow the requested variation to Clause 22(3)(a) of State Environmental Planning Policy (Affordable Rental Housing) 2009, which relates to the total allowable floor area of dwellings and secondary dwellings.
2. That subject to recommendation No.1, development application 2405/2016/DA-U for the use of an existing building as a secondary dwelling at 149 Dumaresq Street, Campbelltown, be approved subject to the conditions detailed in attachment 1 of this report.
3. That subject to recommendations 1 and 2, approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.

A Division was recorded in regard to the Resolution for Item 8.11 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, W Morrison, B Thompson, G Greiss and R George.

Voting against the Resolution were Councillors P Lake and B Moroney.

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

---

Having declared an interest in regard to Item 8.12, Councillor Gilholme left the Chamber and did not take part in debate nor vote on this item.

### **8.12 Draft Planning Proposal - No. 17 Percival Street, Ingleburn**

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

1. That Council support the draft Planning Proposal to rezone part of the land at Lot 27 DP 1096807 (17 Percival Avenue, Ingleburn) from RE1 - Public Recreation to R2 Low Density Residential.
2. That Council forward the draft Planning Proposal (refer to attachment 3) to the Department of Planning and Environment for a Gateway Determination.
3. That subject to no major issues raised by the Gateway Determination, Council proceed to public exhibition of the draft Planning Proposal.
4. That Council request that the Gateway Determination from the Department of Planning and Environment only require the public exhibition be for a period be 14 days.
5. That Council request delegation from the Department of Planning and Environment to allow Council to finalise the draft Planning Proposal.
6. That subject to no objections being received as a result of the public exhibition, Council proceed to finalising the draft Planning Proposal.
7. That Council advise the owner of the subject land of the resolution.

A Division was recorded in regard to the Resolution for Item 8.12 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, M Chivers, P Lake, B Moroney, W Morrison, B Thompson, G Greiss and R George.

Voting against the Resolution were Nil.

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

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At the conclusion of the discussion regarding Item 8.12, Councillor Gilholme returned to the Chamber for the remainder of the meeting.

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### 8.13 Evaluation of the Macarthur Night Food Markets Pilot

---

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

1. That Council continue the Macarthur Night Markets as a permanent bi-monthly event, subject to development consent and annual review.
2. That Council continue with the operating model utilised for the pilot, with Council as host and an experienced market operator as operator.
3. That Council pursue a formal procurement process for a market operator to enter into a contract for operation of the night markets, subject to development consent and annual review.
4. That Council extend the existing contract with Eat Shop Love to April 2018 to enable the markets to continue until finalisation of the procurement process.
5. That Council officers work with the market operator to develop a program to build capacity of interested local food businesses to operate successfully in a market setting, as well as make improvements as suggested through community feedback.
6. That Council officers, in partnership with the market operator, undertake annual evaluation of night markets, including but not limited to customer satisfaction, attendance, vendor satisfaction, and ongoing financial feasibility.
7. That a report be presented to Council in early 2018 to propose a new market pilot in a further location within the Local Government Area.

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

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## 8.14 Campbelltown Bicentenary 2020

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**Meeting Note:** Mr Bellman addressed the meeting.

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

1. That Council adopt the high level project plan for Campbelltown Bicentenary 2020 for project establishment in January 2018.
2. That a report be presented to Council in March 2018 outlining the proposed:
  - a. project governance structure, including external and internal working groups
  - b. community and stakeholder engagement to prepare for the commemoration of the City's Bicentenary 2020.
3. That resourcing for the planning phase of Bicentenary 2020 be considered as part of the budget planning process for the 2018-2019 budget.

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

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## 8.15 Feasibility of Murals on Silos on Appin Road

---

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

1. That Council write to the Minister for Roads, Maritime and Freight requesting formal owner's consent to undertake further feasibility regarding potential artworks on the historic silos on Appin Road.
2. That the letter to the Minister for Roads, Maritime and Freight request copies of previous engineering and heritage reports of the silos.
3. That a further report be presented to Council following outcomes of discussions with the Roads and Maritime Services.
4. That the Appin Road Silos Project and other opportunities for public art on existing structures be considered as part of the development of the city wide Cultural Plan being undertaken in early 2018.

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

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**8.16 A metropolis of three cities - the draft Greater Sydney Region Plan**

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

1. That Council note the information regarding the draft Greater Sydney Region Plan.
2. That Council endorse the preparation of one combined submission to the Greater Sydney Commission by the 15 December 2017 concerning the draft Greater Sydney Region Plan and the draft Western Sydney District Plan, consistent with the issues, suggestions, and other items raised in the Officers' reports at Item 8.16 and Item 8.17 on this Business Paper.
3. That the submission referred to as Item 1 above express Council's support to work in partnership with the Commission to maximise the opportunities that these draft plans present for the City of Campbelltown to make a valuable economic, social and environmental contribution to the future growth, liveability and resilience of metropolitan Sydney.
4. That Council request a meeting between the Mayor and the General Manager with the Minister for Planning, the Chief Commissioner of the Greater Sydney Commission, the CEO of the Greater Sydney Commission and the Secretary of the Department of Planning and Environment to discuss Council's submission.
5. That Council refer copies of Council's submission to local members of State and Federal Parliament seeking support for Council's position.

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

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## 8.17 Draft Western City District Plan

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

1. That Council note the information regarding the draft Western City District Plan.
2. That Council endorse the preparation of one combined submission to the Greater Sydney Commission by the 15 December 2017 concerning the draft Greater Sydney Region Plan and the draft Western Sydney District Plan, consistent with the issues, suggestions, and other items raised in the Officers' reports at Item 8.16 and Item 8.17 on this Business Paper.
3. That the submission referred to as Item 1 above express Council's support to work in partnership with the Commission to maximise the opportunities that these draft plans present for the City of Campbelltown to make a valuable economic, social and environmental contribution to the future growth, liveability and resilience of metropolitan Sydney.
4. That Council request a meeting between the Mayor and the General Manager with the Minister for Planning, the Chief Commissioner of the Greater Sydney Commission, the CEO of the Greater Sydney Commission and the Secretary of the Department of Planning and Environment to discuss Council's submission.
5. That Council refer copies of Council's submission to local members of State and Federal Parliament seeking support for Council's position.

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

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## 9. QUESTIONS WITH NOTICE

Nil

## 10. RESCISSION MOTION

Nil

## 11. NOTICE OF MOTION

### 11.1 Vardy's Estate Silos - Menangle Park

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

1. That a report be presented investigating the feasibility and funding options to use the silos known as Vardy's Estate on the eastern side of Menangle Road, Menangle Park for art work associated with the use of Menangle Park by the Defence Forces during the first (Beersheba) and second world wars.
2. That discussions be commenced with the Dahua Group for the preservation of the silos as a heritage listed item. The silos could be used for parklands incorporating and commemorating Menangle Park history during both world wars as a training ground for our Defence Forces. The parklands could be called Lighthouse Park commemorating Beersheba.

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

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## 11.2 Proposed Jacaranda Lane - Campbelltown

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

1. That a report be presented to Council investigating an area in Campbelltown where Jacaranda trees can be planted contiguously and prominently on both sides of the street or road, including the median strip if possible with a minimum of 45 trees should there be a median strip or 50 trees if just both sides of the road.
2. That Council maintain the name of the street however the section where the Jacaranda trees are planted to be called Jacaranda Lane with appropriate signage and/or markings at both ends of the said lane.
3. That it is noted that there is a Jacaranda Avenue in Bradbury and that several Jacaranda trees are already evident in Campbelltown. However, the trees along Jacaranda Avenue are no longer prominent.
4. That in new developments, Council collaborate with developers to include, as part of their landscaping plans, the planting of Jacaranda trees on major entry roads into the subdivision development.

A Division was recorded in regard to the Resolution for Item 11.2 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison and R George.

Voting against the Resolution were Councillors B Thompson and G Greiss.

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An **Amendment** was **Moved** Councillor Greiss, **Seconded** Councillor George:

That in new developments Council collaborate with developers to consider planting Jacaranda trees as part of their landscaping plan.

### LOST

A Division was recorded in regard to the Amendment for Item 11.2 with those voting for the Amendment being Councillors B Moroney, G Greiss and R George.

Voting against the Amendment were Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, W Morrison and B Thompson.

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

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Having declared an interest in regard to Item 11.3, Councillors Greiss, Lound and Oates left the Chamber and did not take part in debate nor vote on this item.

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### 11.3 176 St Andrews Road, Varroville

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**Meeting Note:** Ms Kirkby addressed the meeting.

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

That the public exhibition period for development application 3293/2017/DA-C, for construction and use of a new cemetery and parklands at 176 St Andrews Road Varroville, be extended until close of business on the 23 March 2018.

A Division was recorded in regard to the Resolution for Item 11.3 with those voting for the Motion being Councillors G Brticevic, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison, B Thompson and R George.

Voting against the Resolution were Councillor P Lake.

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

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At the conclusion of the discussion regarding Item 11.3, Councillors Greiss, Lound and Oates returned to the Chamber for the remainder of the meeting.

Having declared an interest in regard to Item 11.4, Councillor Morrison left the Chamber and did not take part in debate nor vote on this item.

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### 11.4 Proposed additional bus services to benefit the community

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

1. That a report be presented to Council investigating the feasibility of extending the current bus service from Campbelltown Public Hospital through Parkside Crescent past Campbelltown Private Hospital to Macarthur Square.
2. That a further report be presented to Council on the possibility of a new bus service being established to service the businesses along Blaxland Road and that Council Staff survey the individual businesses along Blaxland Road for their input on the benefits of a bus service including the hours and days of service.
3. That Council investigate the feasibility of reintroducing the free bus service with the State Government.

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

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At the conclusion of the discussion regarding Item 11.4, Councillor Morrison returned to the Chamber for the remainder of the meeting.

## **12. URGENT GENERAL BUSINESS**

## **13. PRESENTATIONS BY COUNCILLORS**

1. Councillor Greiss advised that he recently attended the Local Government Conference, he also noted that at the conference he was voted in as one of the Local Government NSW Board of Directors, Councillor Greiss thanked Councillors for their support. Councillor Greiss noted that it was an interesting conference and will be an interesting year ahead.
2. Councillor Greiss, wished all staff, the media and Councillors a very Merry Christmas and a Happy New Year and also passed on best wishes from Councillor Rowell. Councillor Greiss noted that we are expecting a very hot season, and wished emergency services and volunteers the very best.
3. Councillor Thompson thanked all staff for their hard work throughout the year and wished staff and Councillors a Merry Christmas and Happy New Year.
4. Councillor Morrison passed on his congratulations to Councillor Griess on his election to the Local Government NSW Board.
5. Councillor Morrison thanked the Directors for their ongoing support and hard work he also noted that it has been great to work with the Councillors throughout the year. Merry Christmas to everyone.
6. Councillor Moroney echoed the sentiments of the other Councillors to wish staff and the media a Happy Holiday Season.
7. Councillor Moroney advised that the Georges River Combined Committee recently held their Annual General Meeting and formally adopted the renaming of the Committee to Georges River Keeper Committee.
8. Councillor Moroney advised that today represents the first day of Hanukkah which is the Jewish festive season.
9. Councillor Lake wished all staff and the media a very holy and Merry Christmas.
10. Councillor Lake congratulated the Executive Group for the farewell to Paul Tosi especially the guard of honour which was a fitting farewell.
11. Councillor Lake wished Council and the Mayor all the very best for their bid to secure an A-League team for the area.
12. Councillor Chivers advised that she recently attended the Little Koalas Playgroup Christmas Party which was a combined Christmas Party with Eagle Vale and Claymore Playgroups at the Ron Moore Community Centre.
13. Councillor Chivers advised that she recently attended the Sarah Redfern Public School presentation day.

14. Councillor Chivers advised that she recently attended the Campbellfield Public School Presentation day and presented the Citizenship Award.
15. Councillor Chivers advised that she recently attended the Community Christmas Party at Rosemeadow Playing Fields which was organised by Council.
16. Councillor Chivers advised that she recently attended the Passfield Park School Graduation Awards to present HSC recipients with awards. This was a fantastic event.
17. Councillor Chivers wished all staff a Merry Christmas and Happy New Year and thanked the Executive Group for their ongoing support and assistance.
18. Councillor Gilholme advised that he recently attended the Broughton Anglican College Annual Awards Presentation.
19. Councillor Gilholme advised that he recently attended the Briar Road Public School for their annual presentation. Councillor Gilholme noted that it was fantastic to see the school celebrate indigenous culture through the singing of the National Anthem in an Aboriginal language.
20. Councillor Gilholme advised that he recently attended Kentlyn Public School for their annual presentation and noted that it was again fantastic to see the school celebrate indigenous culture through the singing of the National Anthem in an Aboriginal language.
21. Councillor Gilholme advised that he recently represented the Mayor at the Ingleburn High School Presentation day and it was amazing to see the growth of the school and learn about their Autism program.
22. Councillor Gilholme wished all staff a Merry Christmas and a Happy New Year and thanked all Councillors and the Executive Group for their support.
23. Councillor Manoto advised that he recently attended the last Citizenship Ceremony for 2017 and congratulated staff for their hard work throughout the year.
24. Councillor Manoto wished all staff a Merry Christmas and a Happy New Year.
25. Councillor Lound wished all staff a Merry Christmas and a Happy New Year and thanked the Executive Group for their support throughout the year.
26. Councillor Lound passed on his congratulations to Councillor Griess on his election to the Local Government NSW Board.
27. Councillor Lound advised that he recently attended the Minto on the Go Christmas Awards at Minto Marketplace and noted that it was a fantastic event for the community.
28. Councillor Hunt passed on her congratulations to Councillor Griess on his election to the Local Government NSW Board.

29. Councillor Hunt advised that she recently attended the St Peters Annual Presentation, and noted that it is amazing to see the talented kids in the Orchestra.
30. Councillor Hunt advised that she recently attended the Campbelltown North Public School Presentation and noted that it was amazing to see the children singing the National Anthem in the Aboriginal language.
31. Councillor Hunt advised that she recently attended the Campbelltown Performing Arts High School Annual Presentation where there was lots of singing and dancing.
32. Councillor Hunt wished all staff and Councillors a Merry Christmas and a Happy New Year and thanked the Executive Group for their support throughout the year.
33. Councillor Chowdhury advised that he recently attended the Campbelltown Golf Club at the mixed men and womens championship.
34. Councillor Chowdhury advised that he recently attended the Grange Public School Presentation Day and acknowledged the success of students and teachers.
35. Councillor Chowdhury advised that he together with a number of Councillors attended the Refugee Youth Achievement Awards.
36. Councillor Chowdhury thanked the Executive Group and all staff for their hard work and wished everyone a Merry Christmas.
37. Councillor Chowdhury passed on his congratulations to Councillor Griess on his election to the Local Government NSW Board.
38. Councillor Oates passed on her congratulations to Councillor Griess on his election to the Local Government NSW Board.
39. Councillor Oates advised that she recently represented the Mayor at the Sarah Redfern High School Presentation Day and noted that it was an emotional event.
40. Councillor Oates advised that she recently represented the Mayor at the Mary Brooksbank School Presentation and noted that it is an amazing school and was a fantastic event.
41. Councillor Oates advised that she recently represented the Mayor at the Lomandra School Presentation.
42. Councillor Oates thanked the General Manager, Mayor and the Executive Group for all of their hard work and the time they put in to make the role of a Councillor easier. Councillor Oates wished all a Merry Christmas and Happy New Year.
43. Councillor Brticevic wished all staff, the Executive Group, the media and the gallery a Merry Christmas and Happy New Year.
44. Councillor Brticevic thanked all staff for showing their respect and lined Queen Street, with a guard of honour for Paul Tosi. Councillor Brticevic thanked all staff that worked to set up the area for guard of honour, Xavier for printing the Order of Service booklets and noted that it was all greatly appreciated by the family.

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45. Councillor Brticevic passed on his congratulations to Councillor Griess on his election to the Local Government NSW Board.
  46. Councillor Brticevic passed on the best wishes of the Council to Councillor Rowell and his wife for festive season.
  47. Councillor Brticevic thanked all Councillors for their cohesiveness and hard work throughout the year. It has been great working with you all. Councillor Brticevic also thanked the General Manager and the Executive Group for their hard work to promote our City.
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## Confidentiality Recommendation

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

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

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

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**The Ordinary Meeting of Council was adjourned at 9.29pm and reconvened as a meeting of the Confidential Committee at 9.30pm.**

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### 14.1 Council Land - Proposed Exclusivity Agreement

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

1. That Council enters into a six month Exclusivity Agreement with the entity nominated in this report, for the purposes and on the terms outlined below.
2. That all documentation be executed under the Common Seal of Council, if required.

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

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## 14.2 Lease, Shop 1 Milgate Arcade Queen Street Campbelltown

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

1. That Council enters into a new lease for Shop 1 Milgate Arcade, Queen Street, Campbelltown, based on the terms and conditions outlined in the body of the report.
2. That all documentation associated with the lease be executed under the Common Seal.

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

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## 14.3 Council Land - Proposed Exclusivity Agreement

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

1. That Council enters into a six month Exclusivity Agreement (EA) with the entity nominated in this report, to undertake investigation and due diligence for the purposes and on the terms outlined below.
2. That all documentation be executed under the Common Seal of Council, if required.

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

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## 14.4 Council Land - Proposed Development

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

1. That Council commits to the investment opportunity with the entity nominated in this report and on the terms and conditions contained within the Summary section.
2. That all documentation be executed under the Common Seal of Council, if required.

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

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## Motion

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

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

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

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 9.32pm**

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## Motion

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

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

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

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There being no further business the meeting closed at 9.32pm.

Confirmed by Council on

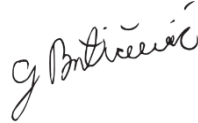
..... General Manager ..... Chairperson

## **CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES**

**At the Council Meeting held 13 February 2018 the following Council minutes were adopted:**

There being no further business at the meeting of 12 December 2017, the meeting closed at 9.32pm.

Confirmed by the Chairperson:

A handwritten signature in black ink, appearing to read 'G. Anticic', is written over the text 'Confirmed by the Chairperson:'.