



18 October 2016

You are hereby notified that the next Ordinary Meeting of the Council will be held at the Civic Centre, Campbelltown on Tuesday 25 October 2016 at 6.30pm.

Lindy Deitz
General Manager

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1. APOLOGIES

Nil at time of print.

2. CONFIRMATION OF MINUTES

2.1 Minutes of the Ordinary Meeting of Council held 16 August 2016

Attachments

Minutes of the Ordinary Meeting of Council held 16 August 2016 (contained within this report)

Report

That the Minutes of the Ordinary Meeting of Council held 16 August 2016 are presented to Council for confirmation.

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 16 August 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

ATTACHMENT 1

Minutes Summary 16 August 2016

| ITEM | TITLE |
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| 1. | APOLOGIES |
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| 2. | CONFIRMATION OF MINUTES |
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| 2.1 | Minutes of the Ordinary Meeting of Council held 19 July 2016 |
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| 3. | DECLARATIONS OF INTEREST |
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Pecuniary Interests - nil

Non Pecuniary – Significant Interests - nil

Non Pecuniary – Less than Significant Interests

Other Disclosures - nil

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| 4. | MAYORAL MINUTE |
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| 4.1 | Eric Kontos and Mandy Perrin |
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| 5. | PETITIONS |
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No Petitions this round

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| 6. | CORRESPONDENCE |
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| 6.1 | Facilities at the Service NSW Macarthur Service Centre |
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| 6.2 | Parliamentary Secretary for Corrections, Emergency Services, Veterans and the Centenary of ANZAC |
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| 6.3 | NSW State Emergency Services |
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| 6.4 | Replacement of Firefighting Truck |
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| 7. | REPORTS FROM COMMITTEES |
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PLANNING AND ENVIRONMENT

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| 7.1 | Minutes of the Planning and Environment Committee Meeting held 9 August 2016 |
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CITY WORKS

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| 7.2 | Minutes of the City Works Committee Meeting held 9 August 2016 |
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COMMUNITY SERVICES

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| 7.3 | Minutes of the Community Services Committee Meeting held 9 August 2016 |
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CORPORATE GOVERNANCE

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| 7.4 | Minutes of the Corporate Governance Committee Meeting held 9 August 2016 |
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REPORTS FROM OFFICERS

ITEM TITLE

8. REPORT OF GENERAL MANAGER

No reports this round

9. REPORT OF DIRECTOR BUSINESS SERVICES

9.1 Progress Report: Amounts Expended on Providing Facilities and Payment of Expenses - Mayor, Deputy Mayor and Councillors July 2016

9.2 Reports Requested

10. REPORT OF DIRECTOR CITY WORKS

10.1 City Works Activity Report

11. REPORT OF DIRECTOR COMMUNITY SERVICES

No reports this round

12. REPORT OF DIRECTOR PLANNING AND ENVIRONMENT

12.1 Request for Legal Assistance - Cowra Shire Council

12.2 Council's Membership of the Association of the Mining Related Councils

13. REPORT OF DIRECTOR STRATEGY

No reports this round

14. QUESTIONS WITH NOTICE

15. ANSWERS TO QUESTIONS WITH NOTICE

16. RESCISSION MOTION

No rescission motion this round

17. NOTICE OF MOTION

17.1 Affordable Rental Housing State Environmental Planning Policy

17.2 Campbelltown Golf Course

17.3 Feasibility of a Vivid Lighting Event

17.4 Macarthur Memorial Park

17.5 22-32 Queen Street Campbelltown

18. URGENT GENERAL BUSINESS

No reports this round

19. PRESENTATIONS BY COUNCILLORS

19.1 Presentations by Councillors

20. CONFIDENTIAL

21. Planning and Environment Committee

21.1 Minutes of the Confidential Planning and Environment Committee Meeting

2.1 Minutes Of The Ordinary Meeting Of Council Held 16 August 2016

ITEM TITLE

held 9 August 2016

22. City Works Committee

22.1 Minutes of the Confidential City Works Committee Meeting held 9 August 2016

23. Community Services Committee

No reports this round

24. Corporate Governance Committee

24.1 Minutes of the Confidential Corporate Governance Committee Meeting held 9 August 2016

Minutes of the Ordinary Meeting of the Campbelltown City Council held on 16 August 2016

Present His Worship the Mayor, Councillor P Hawker
 Councillor F Borg
 Councillor G Brticevic
 Councillor A Chanthivong
 Councillor W Glynn
 Councillor G Greiss
 Councillor R Kolkman
 Councillor P Lake
 Councillor D Lound
 Councillor C Mead
 Councillor M Oates
 Councillor T Rowell
 Councillor R Thompson

Acknowledgement of Land

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

Council Prayer

The Council Prayer was presented by the General Manager.

1. APOLOGIES

It was **Moved** Councillor Greiss, **Seconded** Councillor Borg that the **APOLOGY** from Councillor Dobson and Councillor Matheson be received and accepted.

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

2. CONFIRMATION OF MINUTES

2.1 Minutes of the Ordinary Meeting of Council held 19 July 2016

It was **Moved** Councillor Kolkman, **Seconded** Councillor Thompson that the Minutes of the Ordinary Meeting of Council held 19 July 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

3. DECLARATIONS OF INTEREST

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

Pecuniary Interests - nil

Non Pecuniary – Significant Interests - nil

Non Pecuniary – Less than Significant Interests

Councillor Brticevic advised that he is an employee of the NSW Police Force and if he considers there may be a perceived conflict necessitating him to declare an interest, he will do so and if appropriate, leave the Chamber.

Councillor Chanthivong advised that as a member of the NSW Parliament he will seek legal advice regarding his need to declare an interest on any issues that may potentially involve the NSW State Government. Councillor Chanthivong noted that if any issues arise where he considers there may be a perceived conflict necessitating him to declare an interest, he will do so and if appropriate, leave the Chamber.

Councillor Hawker - Notice of Motion Item 17.4 - Macarthur Memorial Park - Councillor Hawker advised that he is a member of the Joint Regional Planning Panel and that he will leave the Chamber and not take parking in debate nor vote on the matter.

Councillor Hawker - Notice of Motion Item 17.5 - 22-32 Queen Street, Campbelltown - Councillor Hawker advised that he is a member of the Joint Regional Planning Panel and that he will leave the Chamber and not take parking in debate nor vote on the matter.

Councillor Lake - Notice of Motion Item 17.4 - Macarthur Memorial Park - Councillor Lake advised that he is a member of the Joint Regional Planning Panel and that he will leave the Chamber and not take parking in debate nor vote on the matter.

Councillor Lake - Notice of Motion Item 17.5 - 22-32 Queen Street, Campbelltown - Councillor Lake advised that he is a member of the Joint Regional Planning Panel and that he will leave the Chamber and not take parking in debate nor vote on the matter.

Other Disclosures - nil

4. MAYORAL MINUTE

4.1 Eric Kontos and Mandy Perrin

It was **Moved** Councillor Hawker that the information be noted.

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

5. PETITIONS

No Petitions this round

6. CORRESPONDENCE

6.1 Facilities at the Service NSW Macarthur Service Centre

It was **Moved** Councillor Lake, **Seconded** Councillor Greiss that the letter be received and the information be noted.

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

6.2 Parliamentary Secretary for Corrections, Emergency Services, Veterans and the Centenary of ANZAC

It was **Moved** Councillor Rowell, **Seconded** Councillor Lake that the letter be received and the information be noted.

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

6.3 NSW State Emergency Services

It was **Moved** Councillor Thompson, **Seconded** Councillor Borg that the letter be received and the information be noted.

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

6.4 Replacement of Firefighting Truck

It was **Moved** Councillor Lake, **Seconded** Councillor Mead that the letter be received and the information be noted.

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

7. REPORTS FROM COMMITTEES

PLANNING AND ENVIRONMENT

7.1 Minutes of the Planning and Environment Committee Meeting held 9 August 2016

It was **Moved** Councillor Greiss, **Seconded** Councillor Rowell that the report as a whole and the recommendations contained therein be adopted noting that under Section 375A of the *Local Government Act 1993*, items 3.3 and 3.4 will be dealt with individually as voting is required to be recorded against these items.

An **Amendment** in regard to item 4.2 - Shared services agreement to provide companion animal pound facility services for Camden Council was **Moved** Councillor Rowell **Seconded** Councillor Greiss:

1. That Campbelltown City Council work collaboratively with Camden Council to negotiate a shared service agreement for the Campbelltown Animal Care Facility to house, care for and rehome Camden Council's impounded cats and dogs.
 2. That the terms of any shared service agreement be negotiated on the basis that it does not financially disadvantage Campbelltown City Council.
 3. That authority be delegated to the General Manager to finalise the terms and conditions of a satisfactory shared service agreement as referred to in recommendation 1 above.
 4. That Council's prior resolution of 21 April 2015, relating to the invitation and consideration of tenders for the future operation of the Animal Care Facility be stayed and revisited by way of a further report to Council following completion of shared service agreement negotiations with Camden Council.
 5. That a full report be presented to the November/December meeting of Council with the details of the following points:
 - a) any refurbishments made to the Animal Care Facility to accommodate the relocation of Camden's animals including any costs.
-

2.1 Minutes Of The Ordinary Meeting Of Council Held 16 August 2016

- b) update the 2015 Therian report including costs, to bring the Animal Care Facility up to a standard that will accommodate all future impounding requirements including any associated issues that may impact on Council.
- c) write to appropriate Minister asking for a time frame as to when the draft *Companion Animals Act* will be considered for legislation.

WON and became the Motion

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

3.3 Construction of a 14 room boarding house at No. 38 Parliament Road, Macquarie Fields

It was **Moved** Councillor Greiss **Seconded** Councillor Rowell that development application 3552/2015/DA-BH for the demolition of an existing dwelling and construction of a 14 room boarding house at No. 38 Parliament Road, Macquarie Fields, be approved, subject to the conditions detailed in attachment 1 of this report, subject to Condition 26 being amended to read - Rainwater Tanks to a minimum total of 5,000 litres shall be installed onsite for the collection of stormwater for irrigation and reuse purposes (eg flushing of toilets)..

LOST

Voting for the Motion were Councillors: Greiss, Lake and Mead.

Voting against the Motion were Councillors: Borg, Brticevic, Chanthivong, Glynn, Hawker, Kolkman, Lound, Oates, Rowell and Thompson.

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

That development application 3552/2015DA-BH for the demolition of an existing dwelling and construction of a 14 room boarding house at No. 38 Parliament Road, Macquarie Fields, be refused for the following reasons:

1. The proposed development is inappropriate in terms of scale and size of potential occupancy.
2. The proposal does not maintain or enhance quality and amenity of the existing low density residential area.
3. Concerns regarding the adequacy and implementation of parking provisions.
4. The potential to seriously disrupt the peaceful enjoyment of the existing residents environment.

WON and became the Motion

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

Voting for the Council Resolution were Councillors: Borg, Brticevic, Chanthivong, Glynn, Hawker, Kolkman, Lound, Oates, Rowell and Thompson.

Voting against the Council Resolution were Councillors: Greiss, Lake and Mead.

3.4 Demolition of three existing dwellings and construction of a five storey residential flat building comprising of 40 units and two levels of basement car parking at Nos. 7-11 Norfolk Street, Ingleburn

It was **Moved** Councillor Greiss **Seconded** Councillor Rowell that development application 184/2015/DA-RA for the demolition of three existing dwellings and construction of a five storey residential flat building comprising of 40 units and two levels of basement car parking at Nos. 7 - 11 Norfolk Street, Ingleburn be approved, subject to the conditions detailed in attachment 1 of this report.

LOST

Voting for the Motion were Councillors: Greiss, Hawker, Kolkman, Lake, Mead and Thompson.

Voting against the Motion were Councillors: Borg, Brticevic, Chanthivong, Glynn, Lound, Oates and Rowell.

It was **Moved** Councillor Oates **Seconded** Councillor Glynn:

That development application 184/2015/DA-RA for the demolition of three existing dwellings and construction of a five storey residential flat building comprising of 40 units and two levels of basement car parking at Nos. 7 - 11 Norfolk Street, Ingleburn be refused for the following reasons:

1. Inadequate private open space.
2. Non-compliance with building height code.
3. Non-compliance with the driveway requirements.
4. Non-compliance with unit floor space requirements.

WON and became the Motion

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

Voting for the Council Resolution were Councillors: Borg, Brticevic, Chanthivong, Glynn, Lound, Oates and Thompson.

Voting against the Council Resolution were Councillors: Greiss, Hawker, Kolkman, Lake, Mead and Rowell.

CITY WORKS

7.2 Minutes of the City Works Committee Meeting held 9 August 2016

It was **Moved** Councillor Lake, **Seconded** Councillor Glynn that the report as a whole and the recommendations contained therein be adopted.

An **Amendment** in regard to item 3.1 - T16/17 Heating Ventilation and Air Conditioning System at Campbelltown Arts Centre was **Moved** Councillor Hawker **Seconded** Councillor Greiss:

1. That Council decline to accept any of the tenders.
2. That Council enter into negotiations with the following organisations with a view to entering into a contract for the installation of a Heating and Ventilation Air Conditioning system at the Campbelltown Arts Centre:
 - Austral Air Conditioning Services Pty Ltd
 - Clarke & Wootton Pty Ltd
 - FDC Mechanical Services Pty Ltd
 - Midas Construction Group Pty Ltd
 - Ultimate 1 Air Conditioning Pty Ltd

The Evaluation Panel deemed there to be no benefit in inviting fresh tenders as Council has recently invited tenders for the works.

3. That the Tenderers be notified of the results of tender process.
4. That the results of the negotiation be reported to Council for its approval.
5. That Council seek legal advice to determine if any additional companies can be approached to participate in the negotiations.

WON and became the Motion

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

COMMUNITY SERVICES

7.3 Minutes of the Community Services Committee Meeting held 9 August 2016

It was **Moved** Councillor Rowell, **Seconded** Councillor Brticevic that the report as a whole and the recommendations contained therein be adopted.

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

Councillor Mead asked for his name to be recorded in opposition to the resolution for Item 2.2 – White Ribbon Accreditation.

CORPORATE GOVERNANCE

7.4 Minutes of the Corporate Governance Committee Meeting held 9 August 2016

It was **Moved** Councillor Greiss, **Seconded** Councillor Thompson that the report as a whole and the recommendations contained therein be adopted.

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

REPORTS FROM OFFICERS

8. REPORT OF GENERAL MANAGER

No reports this round

9. REPORT OF DIRECTOR BUSINESS SERVICES

9.1 Progress Report: Amounts Expended on Providing Facilities and Payment of Expenses - Mayor, Deputy Mayor and Councillors July 2016

It was **Moved** Councillor Thompson, **Seconded** Councillor Glynn that the information be noted.

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

9.2 Reports Requested

It was **Moved** Councillor Borg, **Seconded** Councillor Mead that the information be noted.

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

10. REPORT OF DIRECTOR CITY WORKS

10.1 City Works Activity Report

It was **Moved** Councillor Brticevic, **Seconded** Councillor Glynn that the information be noted.

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

11. REPORT OF DIRECTOR COMMUNITY SERVICES

No reports this round

12. REPORT OF DIRECTOR PLANNING AND ENVIRONMENT

12.1 Request for Legal Assistance - Cowra Shire Council

It was **Moved** Councillor Hawker, **Seconded** Councillor Brticevic that Council contribute an amount of \$790.06 for legal assistance for Cowra Shire Council.

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

Councillor Mead asked for his name to be recorded in opposition to the resolution for Item 12.1 – Request for Legal Assistance - Cowra Shire Council.

12.2 Council's Membership of the Association of the Mining Related Councils

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

1. That Council cease to be a member of the Association of Mining Related Councils.
2. That Council write to the Association of Mining Related Councils to advise the Association of its decision and to thank the Association for its support and advocacy on behalf of Council.

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

13. REPORT OF DIRECTOR STRATEGY

No reports this round

14. QUESTIONS WITH NOTICE

Nil at time of print.

15. ANSWERS TO QUESTIONS WITH NOTICE

Nil at time of print.

16. RESCISSION MOTION

No rescission motion this round

17. NOTICE OF MOTION

17.1 Affordable Rental Housing State Environmental Planning Policy

It was **Moved** Councillor Kolkman, **Seconded** Councillor Glynn that Council invite Mr Gary White, NSW Chief Planner and Chair of the Panel reviewing the Affordable Rental Housing State Environmental Planning Policy (AHSEPP), to attend a briefing of Council and hear Councillors' concerns about the operation of the AHSEPP.

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

17.2 Campbelltown Golf Course

It was **Moved** Councillor Kolkman, **Seconded** Councillor Brticevic that Council be presented with a report with regard to rezoning a large tract of land at Glen Alpine, used as the Campbelltown Golf Course, from R2 (low density residential) to one that reflects Council's long term intentions to preserve the land as open space.

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

17.3 Feasibility of a Vivid Lighting Event

It was **Moved** Councillor Brticevic, **Seconded** Councillor Glynn that Council prepare a feasibility report into a possible Vivid Lighting Event or similar event during the Fishers Ghost Festival, with a ghost theme, to assist in promoting a night time economy/entertainment for Campbelltown.

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

17.4 Macarthur Memorial Park

Having declared an interest in regard to Item 17.4, Councillor Hawker and Councillor Lake left the Chamber and did not take part in debate nor vote on this item.

Election of Chairperson

In the absence of the Chairperson, Councillor Hawker and Deputy Mayor Councillor Matheson, Councillor Brticevic was elected to chair the meeting.

It was **Moved** Councillor Brticevic, **Seconded** Councillor Borg that this Council urgently write to the Minister for Planning, the Hon Rob Stokes, requesting that the proposal for the Macarthur Memorial Park (cemetery) in the Scenic Hills not be considered by the Joint Regional Planning Panel at their meeting on Thursday 25th August as the Joint Regional Planning Panel will soon be defunct and will be replaced by the Sydney West Panel of the Greater Sydney Commission and will occur whilst Council is under caretaker provisions.

We request that this proposal be referred to the Sydney West Panel of the Greater Sydney Commission and that it be resubmitted for public consultation.

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

17.5 22-32 Queen Street Campbelltown

Having declared an interest in regard to Item 17.5, Councillor Hawker and Councillor Lake left the Chamber and did not take part in debate nor vote on this item.

Election of Chairperson

In the absence of the Chairperson, Councillor Hawker and Deputy Mayor Councillor Matheson, Councillor Brticevic was elected to chair the meeting.

It was **Moved** Councillor Brticevic, **Seconded** Councillor Glynn that this Council write to the Minister for Planning, the Hon Rob Stokes, requesting that development application for a six tower (596 unit) apartment complex for 22-32 Queen Street, Campbelltown be referred to the Sydney West Panel of the Greater Sydney Commission.

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

A **Division** was called in regard to the Resolution for Item 17.5 - 22-32 Queen Street, Campbelltown with those voting for the Motion being Councillors Borg, Brticevic, Chanthivong, Glynn, Kolkman, Lound and Oates.

Voting against the Resolution were Councillors Greiss, Mead, Rowell and Thompson.

At the conclusion of the discussion regarding Item 17.5, Councillor Hawker and Councillor Lake returned to the Chamber for the remainder of the meeting. Councillor Hawker reassumed the Chair.

18. URGENT GENERAL BUSINESS

No reports this round

19. PRESENTATIONS BY COUNCILLORS

19.1 Presentations by Councillors

1. Councillor Kolkman thanked his Councillor colleagues for their friendship, encouragement, loyalty, dedication and commitment during his time on Council.

Councillor Kolkman congratulated outgoing Mayor, Councillor Paul Hawker for his achievements over the past 12 months and wished him and his family all the best in their future endeavours.

Councillor Kolkman also thanked Council staff for their ongoing support and guidance and noted that the city of Campbelltown is in very good hands under the leadership of General Manager, Ms Lindy Deitz.

It was noted that many challenges will be faced in the future however each challenge brings the opportunity to create. Councillor Kolkman wished all incoming Councillors all the very best during the ensuing term.

Councillor Kolkman also congratulated Councillor Brticevic on his role as the leader of the Labor Party and expressed his complete confidence in this role.

2. Councillor Glynn noted that he has enjoyed his time on Council over the past eight years and wished incoming Councillors all the very best.

Councillor Glynn acknowledged the staff that were in attendance at the meeting and noted that all staff across the organisation are excellent, helpful and very efficient and thanked them for their assistance.

Councillor Glynn thanked his Labor Party colleagues and all Councillors for their support, encouragement and assistance over the past eight years.

3. Councillor Brticevic acknowledged retiring Councillors and thanked them for their contribution to our community during their service on Council. Councillor Brticevic recognised the 21 years service by Councillor Kolkman and thanked him for his guidance and assistance.

Councillor Brticevic thanked all Councillors for their encouragement, friendship and loyalty over the term and wished all Councillors the very best of luck in the future. Councillor Brticevic recognised the service by Councillor Hawker and acknowledged his achievements and contributions to our community.

4. Councillor Chanthivong acknowledged the privilege he has been given in representing the community of Campbelltown and noted that he has been a custodian of trust.

Councillor Chanthivong acknowledged his Councillor colleagues and thanked them for their support and encouragement and wished retiring Councillors all the very best in their future.

2.1 Minutes Of The Ordinary Meeting Of Council Held 16 August 2016

Councillor Chanthivong acknowledged former Councillors including the late Brenton Banfield, Aaron Rule for their leadership, support, encouragement and friendship.

Councillor Chanthivong thanked Council staff and noted that Campbelltown City Council is the breeding ground for the public service with many former staff now leading Councils across the Sydney Metropolitan area. Councillor Chanthivong acknowledged former General Manager Mr Paul Tosi, former Director City Works Mr John Hely and former Manager Executive Services Mr Nicholas Smolonogov for their support and friendship during his time on Council.

Councillor Chanthivong stated that he leaves Council with very fond memories and wished all Councillors and staff all the very best in their future endeavours and noted that he now leaves Council knowing that we can be optimistic about the future and the best is yet to come.

Councillor Chanthivong acknowledged the service of Councillor Hawker and noted that he should be proud of his achievements and contribution to our community and wished him and his family well in the future.

5. Councillor Lake acknowledged Councillor Chanthivong and all that he has achieved during his time in Council, from Councillor to Mayor to State Member they are all remarkable achievements and wished him all the very best in the future.

Councillor Lake also acknowledged Councillor Glynn for his dedication to our community and wished him all the best.

Councillor Lake recognised the contributions made by Councillor Kolkman and noted that he has been an asset to Council particularly in the area of planning and stated that he his contribution will be sorely missed. Councillor Lake thanked Councillor Kolkman for his 21 years of service to the community and for all that he has achieved during this time.

Councillor Lake wished Councillor Matheson all the very best in her future endeavours.

Councillor Lake thanked Councillor Hawker for his friendship, support and dedication to the community of Campbelltown and acknowledged his outstanding achievements as the Mayor of this great City.

Councillor Lake also thanked all Councillors for their encouragement and support and wished them all the very best.

6. Councillor Mead thanked all Councillors and staff for their guidance and support during the term. Councillor Mead acknowledged the Manager Financial Services, Manager Governance and Risk, former General Manager Mr Paul Tosi, noting he was a great mentor during his year as Mayor and former employee Mr Terry Rouen for his advice and support.
-

2.1 Minutes Of The Ordinary Meeting Of Council Held 16 August 2016

7. Councillor Thompson thanked all staff particularly those that attend meetings each month for their hard work and the hours of work they undertake.

Councillor Thompson acknowledged his Councillor colleagues noting that it has been a privilege working with them and he has many fond memories. Councillor Thompson also thanked the media for their efforts.

Councillor Thompson also acknowledged General Manager, Lindy Deitz for the marvellous work she is doing in her new role.

8. Councillor Greiss acknowledged Councillor Kolkman for his contribution and service to the community of Campbelltown and wished him all the best in his future. Councillor Greiss also recognised the service by Councillor Glynn, Councillor Chanthivong, Councillor Matheson and wished them all the very best.

Councillor Greiss congratulated Councillor Hawker on his service to our community and noted that he appreciates the encouragement and support given to him. It was also noted that as Mayor of the City of Campbelltown, Councillor Hawker has by far been the best Mayor the City has ever seen and wished him all the very best of luck in his future endeavours.

Councillor Greiss also wished Councillors all the very best of luck in the upcoming Local Government elections and noted that he has enjoyed working with his colleagues and highlighted that their goal has always been for the better of our community.

Councillor Greiss thanked Council staff for their support and guidance during his time on Council.

9. Councillor Rowell acknowledged Community Services Committee members, Councillor Brticevic, Councillor Glynn, Councillor Lound, Councillor Matheson, Councillor Oates and Councillor Thompson for their support and encouragement during his role as Chair of the Community Services Committee.

Councillor Rowell acknowledged his colleagues and thanked them for their support, encouragement, friendship and assistance over the past four years and wished them all the very best of luck in the future.

Councillor Rowell thanked Council staff for their ongoing dedication and commitment to the community of Campbelltown.

Councillor Rowell wished all incoming Councillors all the best in the future.

2.1 Minutes Of The Ordinary Meeting Of Council Held 16 August 2016

10. Councillor Oates congratulated Councillor Kolkman for his 21 years of service to the community and noted that he is an asset to Council particularly in the area of planning.

Councillor Oates acknowledged the work that is undertaken by Councillor Kolkman behind the scenes and the number of hours that he dedicated to researching matters and for the benefit of the community. It was noted that his commitment to the community is unwavering and tremendous.

Councillor Oates noted that she is sad to see Councillor Kolkman leave and is proud of his achievements and contribution to our City and wished Councillor Kolkman and his family all the very best.

11. Councillor Hawker reminisced on his first night on Council and remembers the kind words of encouragement offered to him by the late Brenton Banfield. Councillor Hawker read out a philosophy that he lives by.....

In whatever you do, don't let **selfishness** or **pride** be your guide.
Be humble, and honour others more than yourself. Don't be interested only in your own life, but care about the lives of others too.

Councillor Hawker advised that the poster on the wall was presented to him by the Chinese community who asked him to hang the poster with pride. Councillor Hawker then advised that the text on the poster means "Mayor of the People".

Councillor Hawker thanked Council staff across the organisation for their contribution and hard work. Councillor Hawker acknowledged General Manager, Lindy Deitz and the work she is undertaking to lead this Council in to the future noting that there are exciting times ahead.

Councillor Hawker noted that as a community we are blessed by a natural environment that we must maintain and cherish. Having two rivers surrounding us and our tremendous bushland is unique and should be appreciated by all.

Councillor Hawker congratulated all Directors and Executive Managers on their appointments and wished them well in their roles.

Councillor Hawker acknowledged Executive Assistant, Kristy for her years of service and administrative support in the Chamber.

Councillor Hawker acknowledged the support and guidance he has received from the Manager Financial Services.

Councillor Hawker thanked his Councillor colleagues for their support and acknowledged that he will leave knowing that you will lead our City into the future.

Councillor Hawker acknowledged all retiring Councillors and thanked them for their service, dedication and commitment to the community of Campbelltown.

The Ordinary Meeting of Council was adjourned at 10.40pm and reconvened as a meeting of the Confidential Committee at 10.41pm.

Confidentiality Recommendation

It was **Moved** Councillor Glynn, **Seconded** Councillor Rowell 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.

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

20. CONFIDENTIAL

21. Planning and Environment Committee

21.1 Minutes of the Confidential Planning and Environment Committee Meeting held 9 August 2016

21.1 Directors of Companies - Planning and Environment

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

CARRIED

22. City Works Committee

22.1 Minutes of the Confidential City Works Committee Meeting held 9 August 2016

22.1 Directors of Companies - City Works

It was **Moved** Councillor Kolkman, **Seconded** Councillor Glynn that the information be noted.

CARRIED

23. Community Services Committee

No reports this round

24. Corporate Governance Committee

24.1 Minutes of the Confidential Corporate Governance Committee Meeting held 9 August 2016

24.1 Assignment of Lease - Suite 4 and 4a Milgate Arcade, Campbelltown

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

1. That Council provide approval to the assignment of the lease over Suites 4 and 4a Milgate Arcade, Campbelltown on the terms outlined in this report.
2. That Council provide approval to the General Manager or her delegated representative to negotiate the assignment of lease in order to meet the timeframe provisions of the assignment of the existing lease.
3. That all documentation associated with the assignment of the lease be executed under the Common Seal of Council if required.

CARRIED

24.2 Directors of Companies - Corporate Governance

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

CARRIED

Motion

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 10.42pm.

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

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

There being no further business the meeting closed at 10.43pm.

Confirmed by Council on

..... General Manager Chairperson

2.2 Minutes of the Extraordinary Meeting of Council held 27 September 2016

Attachments

Minutes of the Extraordinary Meeting of Council held 27 September 2016 (contained within this report)

Report

That the Minutes of the Extraordinary Meeting of Council held 27 September 2016 are presented to Council for confirmation.

Officer's Recommendation

That the Minutes of the Extraordinary Meeting of Council held 27 September 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

ATTACHMENT 1**Minutes Summary****Extraordinary Meeting held at 7.00pm on Tuesday, 27 September 2016.**

APOLOGIES**DECLARATIONS OF INTEREST****Pecuniary Interests****Non Pecuniary – Significant Interests****Non Pecuniary – Less than Significant Interests****Other Disclosures**

| ITEM | TITLE | PAGE |
|-------------|---|-------------|
| 1. | BUSINESS: REPORT OF THE GENERAL MANAGER | 3 |
| 1.1 | Oath/Affirmation of Office | 3 |
| 1.2 | Election of Mayor | 3 |
| 1.3 | Election of Deputy Mayor | 3 |
| 1.4 | Election of Council Delegates to various Statutory Committees, Authorities and other organisations | 3 |
| 1.5 | Local Government NSW Annual Conference 2016 | 4 |

Minutes of the Extraordinary Meeting of the Campbelltown City Council held on 27 September 2016

Present

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

Apology

Nil

Acknowledgement of Land

An Acknowledgement of Land was presented by the General Manager.

Council Prayer

The Council Prayer was presented by the General Manager.

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

Welcome

The General Manager noted that there were a large contingent of Councillors' family and friends in attendance for the inauguration of the new Council and welcomed all present to the meeting.

EXTRAORDINARY MEETING OF THE CAMPBELLTOWN CITY COUNCIL MEETING TO BE HELD ON 27 SEPTEMBER 2016

1. BUSINESS: REPORT OF THE GENERAL MANAGER

1.1 Oath/Affirmation of Office

The General Manager administered the Oath or Affirmation of Office for each Councillor.

1.2 Election of Mayor

The General Manager assumed the role of Returning Officer and received a single nomination for Councillor George Brticevic for the position of Mayor, the nomination was moved by Councillor Hunt, seconded Councillors Chivers and Chowdhury.

Councillor Brticevic accepted the nomination.

As Councillor Brticevic was the sole nomination, The General Manager then declared Councillor Brticevic as the new Mayor of Campbelltown City. The General Manager vacated the chair and the Mayor assumed the Chair.

1.3 Election of Deputy Mayor

The General Manager assumed the role of Returning Officer and received a single nomination for Councillor Meg Oates for the position of Deputy Mayor, the nomination was moved by Councillor Hunt, seconded Councillors Chivers and Chowdhury.

Councillor Oates accepted the nomination.

As Councillor Oates was the sole nomination, The General Manager then declared Councillor Oates as the new Deputy Mayor of Campbelltown City.

1.4 Election of Council Delegates to various Statutory Committees, Authorities and other organisations

It was **Moved** Councillor Lake, **Seconded** Councillor Lound that this item be deferred to the Extraordinary meeting to be held 4 October 2016.

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

1.5 Local Government NSW Annual Conference 2016

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

1. That Councillors Borg, Brticevic, Chivers, George, Greiss, Hunt, Lound, Oates, Moroney and Morrison be appointed as voting delegates to the 2016 Local Government NSW Annual Conference.
2. That other interested Councillors also be authorised to attend together with the General Manager and/or delegate.
3. That the registration fees and accommodation expenses be met in accordance with Council's Policy.

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

There being no further business the meeting closed at 7.43pm.

Confirmed by Council on

..... General Manager Chairperson

2.3 Minutes of the Extraordinary Meeting of Council held 4 October 2016

Attachments

Minutes of the Extraordinary Meeting of Council held 4 October 2016 (contained within this report)

Report

That the Minutes of the Extraordinary Meeting of Council held 4 October 2016 are presented to Council for confirmation.

Officer's Recommendation

That the Minutes of the Extraordinary Meeting of Council held 4 October 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed.

ATTACHMENT 1

Minutes Summary

Extraordinary Meeting held at 7.00pm on Tuesday, 4 October 2016.

APOLOGIES

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

| ITEM | TITLE | PAGE |
|-------------|---|-------------|
| 1. | BUSINESS: REPORT OF THE GENERAL MANAGER | |
| 1.1 | Annual Financial Reports 2015-2016 | |
| 1.2 | Election of Council Delegates to various Statutory Committees, Authorities and other organisations | |
| 1.3 | Council Meeting Structure and Cycle | |
| 1.4 | Use of Community Facilities | |

Minutes of the Extraordinary Meeting of the Campbelltown City Council held on 4 October 2016

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

Apology Nil

Also in Attendance

Mrs L Smith - Intentus Chartered Accountants

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.

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

**EXTRAORDINARY MEETING OF THE CAMPBELLTOWN CITY COUNCIL
MEETING TO BE HELD ON 4 OCTOBER 2016****1. BUSINESS: REPORT OF THE GENERAL MANAGER****1.1 Annual Financial Reports 2015-2016****Council Meeting 4 October 2016**

Council's External Auditor and Council's Manager Financial Services addressed the Council regarding the auditor's and financial reports.

Motion

It was **Moved** Councillor Borg, **Seconded** Councillor Lound that the Financial Reports and Auditor's Reports for the period 1 July 2015 to 30 June 2016 be received and noted.

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

1.2 Election of Council Delegates to various Statutory Committees, Authorities and other organisations**Motion**

It was **Moved** Councillor Lound, **Seconded** Councillor Chowdhury that the following Councillors be elected as delegates to the various Statutory Committees, Authorities and other organisations.

1. Traffic Committee

Councillor: Lake - Chairperson
Director City Delivery

2. Audit, Risk and Improvement Committee

Mayor or delegate: Councillor Morrison

3. Council Delegates to Various Statutory Authorities and Other Organisations**(a) Camden Gas Project Community Consultative Committee**

Councillor: Moroney
General Manager (or Nominee)

(b) Floodplain Management Authorities of NSW

Councillor: Borg
Director City Delivery (or Nominee)

(c) Floodplain Risk Management Committee

Councillor: Borg
Director City Delivery (or Nominee)

(d) Georges River Combined Councils Committee

Councillors: Moroney
Lound
Director City Development (or Nominee)

(e) Hawkesbury Nepean Local Government Advisory Group

Councillor: Borg
Director City Development (or Nominee)

(f) Macarthur Regional Organisation of Councils (MACROC)

Councillors: Chivers
Morrison
Rowell
Moroney (Alternate)

The Mayor is automatically a member of MACROC.

(g) Macarthur Zone Bush Fire Management Committee

Councillors: Morrison
Chowdhury (Alternate)
General Manager (or Nominee)

(h) Macarthur Zone Rural Fire Service District Liaison Committee

Councillors: Moroney
Manoto (Alternate)
General Manager (or Nominee)

(i) NSW Public Libraries Association New South Wales

Councillors: Chivers
Moroney (Alternate)

(j) Road Safe Committee

Councillor: Lake
Director City Delivery

(k) Sydney Metro West Region Joint Regional Planning Panel

Councillors: Greiss
Lound
Oates (Alternate)
Director City Development (or Nominee)

(l) South West Sydney Academy of Sport

Councillor: Hunt

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

1.3 Council Meeting Structure and Cycle

Motion

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

1. That Council adopt Option 1 as the preferred meeting structure comprising two Ordinary Council Meetings per month on the second and fourth Tuesdays at 6.30pm commencing on 25 October 2016.
2. That the annual meeting calendar be advertised reflecting the Option 1 meeting schedule.
3. That the Corporate Governance, City Works, Community Services and Planning and Environment Standing Committees be abolished.
4. That Council resolve to allow members of the public to speak at Council meetings.
5. That the Code of Meeting Practice be reviewed and amended and a further report be presented back to Council.
6. That a review of the operation of the revised Council meeting cycle be conducted and presented to Council within 12 months of the commencement of the new structure, that is by no later than September 2017.

Amendment: (Borg/Moroney)

That the commencement time of Ordinary Council meetings remain at 7.00pm.

LOST

A **Division** was called in regard to the Amendment for Item 1.3 - Council Meeting Structure and Cycle with those voting for the Motion being Councillors Borg, George, Greiss, Moroney, Morrison, Rowell and Thompson.

Voting against the Amendment were Councillors Brticevic, Chivers, Chowdhury, Hunt, Lake, Lound, Manoto and Oates.

Motion (Greiss/Oates)

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

A **Division** was called in regard to the Resolution for Item 1.3 - Council Meeting Structure and Cycle with those voting for the Motion being Councillors Brticevic, Chivers, Chowdhury, George, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Oates, Rowell and Thompson.

Voting against the Resolution were Councillors Borg and Morrison.

1.4 Use of Community Facilities

Procedural Motion

It was **Moved** Councillor Moroney, **Seconded** Councillor Thompson that Item 1.4 - Use of Community Facilities be moved forward and dealt with earlier to accommodate interested community groups in the gallery.

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

Motion

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

1. That Council undertakes a review of use of community facilities by community groups that balances financial and social outcomes.
2. That a further report be provided to Council following this review for consideration.
3. That existing community groups, that are volunteer based and do not receive any external government funding, receive a subsidy from Council of the difference between the fees previous paid by the groups and the fees that would have applied for the 2016-2017.
4. That Council write to those groups to advise of this arrangement.
5. That a budget adjustment be made in the end of September quarterly review to establish funds up to \$15,000 to fund the level of subsidy.

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

There being no further business the meeting closed at 8.18pm.

Confirmed by Council on

..... General Manager Chairperson

3. DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

4. MAYORAL MINUTE

No mayoral minute this round

5. PETITIONS

No Petitions this round

6. CORRESPONDENCE

6.1 The Hon Rick Colless MLC

Attachments

1. copy of letter to Council from the Hon Rick Colless MLC (contained within this report)
2. copy of letter from Council to the Hon Mark Speakman SC, MP (contained within this report)

Response to Council's letter regarding funding models for Noxious Weed Management in NSW.

Officer's Recommendation

That the letter be received and the information be noted.

ATTACHMENT 1



The Hon Rick Colless MLC
Parliamentary Secretary for Natural Resources

IM16/12976

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

Dear Ms Deitz

Thank you for your letter of 29 April 2016 to the Hon Niall Blair MLC, Minister for Primary Industries and Minister for Lands and Water concerning funding models for noxious weed management. The Minister has asked me to respond on his behalf.

NSW Weeds Action Program 2015-2020 funds were allocated proportionally, based upon a risk based approach which calculates the costs of compliance activities for priority weeds. The Greater Sydney Region received \$1,034,915 through its 2015/16 Weed Action Program (WAP) Project. This allocation is not significantly less than in 2014/15 (\$1,031,253), despite subsequent regional boundary changes. The distribution of this funding within the region is at the discretion of the project partners.

The allocation process used by the Department of Primary Industries (DPI) has undergone extensive consultation with Local Government NSW, the Natural Resources Commission, Weeds Officers Association and Local Land Services. In addition, all Regional Committees have been consulted independently. I understand DPI staff met and discussed the funding model with representatives from Sydney Weeds Committee and Greater Sydney Local Land Services in February 2015.

Local Control Authorities, such as Campbelltown City Council, have a role to implement the *Noxious Weeds Management Act 1993*. This role includes control of noxious weeds on their own land. Councils normally fund the costs of their operations. WAP funds, which are distributed through regional projects, are applied to address State priorities but are typically not used for on-ground work.

As you mentioned, African Olive is considered a Class four Locally Controlled Weed in the Campbelltown area. It is every landowner's responsibility to ensure that the growth of the plant be managed in a manner that continuously inhibits the ability of the plant to spread. The plant must not be sold, propagated or knowingly distributed.

For these reasons, It would be inappropriate to use WAP funding to conduct on-ground works for this species. Furthermore, any regulatory effort to enforce

.../2

-2-

The Hon Rick Colless MLC

compliance obligations for African olive should be built into a broad regulatory program for all declared weeds.

Staff at DPI and Greater Sydney Local Land Services are working closely with the steering committee of the Regional Project to help ensure that the WAP grant can be effectively applied.

I have asked that Rod Ensbey, Invasive Species Officer be available to discuss the matter further with you. Mr Ensbey can be contacted on (02) 6640 1648.

Thank you for your interest in this matter.

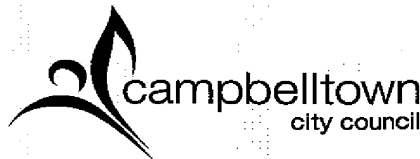
Yours sincerely

SIGNATURE HAS BEEN REMOVED

The Hon Rick Colless MLC
Parliamentary Secretary
for Natural Resources

03/08/2016.

ATTACHMENT 2



29 April 2016

The Hon. Mark Speakman SC, MP
Minister for the Environment
GPO Box 5341
SYDNEY NSW 2001

Dear Minister,

Funding models for noxious weed management in NSW

Campbelltown is home to a diverse and sensitive environment, including 66 threatened species and 11 threatened ecological communities. Council and the Campbelltown community highly value these precious assets that help afford Campbelltown an individual sense of place and significance through its uncommon diversity of sensitive native species and ecological communities. Consequently Council places a strong emphasis on proactive weed management, and with this, each year council undertakes a significant program of works guided by its Noxious Weeds Management Strategy.

In delivering these programs Council has historically relied upon funding from the NSW Department of Primary Industries (DPI) through its Weed Action Program (WAP) to supplement its own contributions. Over the past five years Council has received an average of \$48,329 annually to facilitate and implement its noxious weed management programs and to fulfil requirements under the *Noxious Weed Management Act 1993*.

In early April 2015 applications were sought for the second round of funding under WAP1520. At this time it is understood a restructure of state wide priorities was undertaken by the NSW DPI including reallocation of funds relating to land size, distance between properties and terrain of WAP project areas. Under the restructure, two Council areas were added to the Sydney WAP project area (Gosford and Wyong), in order to align with Local Land Services boundaries.

With respect to the restructure, consultation by the lead agencies was disappointing and to this date, no information about this process has been provided to the Council in writing, and information has only been obtained by Council officers anecdotally.

As a result, and from what appears to be minimal consideration of environmental impact or priorities for the Campbelltown area by the DPI, Council's annual WAP funding has been significantly reduced to \$17,500. This only allows for the funding of two of the seven key and

ongoing noxious weed programs for this financial year (eradication of Boneseed and Nepean River aquatic weed program). Of further concern, is the fact that Council has been made aware that whilst funding for the Campbelltown area had been significantly reduced, other agencies have received significant increases in funding for the same period.

Consequently at its meeting on 16 February 2016 Council resolved:

"That Council write to the Minister for Primary Industries and Minister for the Environment requesting a review of the funding model for noxious weed management with additional emphasis on the eradication of African Olive."

Having regard to the above, the significant reduction in funding and the consequential adverse impact on Council's ongoing weed management programs will mean that much of the hard work undertaken by Council to implement programs to reduce and/or eradicate declared noxious weeds within the Campbelltown area will most likely be undone. This is of high concern to the Council, and it is feared that this action is likely to have a significantly adverse impact on the value and function of Council's key and sensitive biodiversity assets.

As an example, African Olive continues to be a significant threat to native biodiversity in the Macarthur area, in recognition of this, in 2010 the NSW Scientific Committee declared '*The invasion of Native Plant Communities by African Olive Olea europaea L. subsp. cuspidata*' a key threatening process. In recent years and particularly following its declaration under the *Noxious Weeds Act 1993*, Council has placed concerted effort on the containment of this species in an effort to protect the area's important environmental assets.

On 11 January 2013 Council wrote to the, then, Director General of the NSW Department of Primary Industries regarding this issue. Council was subsequently advised that forthcoming control measures within Weed Control Order 30 (2013) would facilitate a strategic response to the species across NSW. In this regard, the declaration of African Olive as a Class 4 noxious weed has provided assistance in prompting small scale removal on private landholdings. However funding for treatment of this species and associated threats on public lands has diminished even further as funding programs have been extensively reformed, moreover there remains a lack of collaboration and strategic focus from government agencies and large landholders.

In light of the above, it is respectfully requested that, in accordance with the Council's resolution, you undertake a review of the current funding model for the management of noxious weeds, and in particular, the management and eradication of African Olive.

I appreciate your consideration and attention to the above matter and if you require any further information please contact Council's Acting Director Planning and Environment, Mr Jim Baldwin on (02) 4645 4656.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz
General Manager

6.2 The Hon Duncan Gay MLC

Attachments

1. copy of letter to Council from the Hon Duncan Gay MLC (contained within this report)
2. copy of letter from Council to the Hon Andrew Constance MP (contained within this report)

Response to Council's letter regarding the installation of noise barrier at Ingleburn.

Officer's Recommendation

That the letter be received and the information be noted.

ATTACHMENT 1



The Hon. Duncan Gay MLC
Minister for Roads, Maritime and Freight
Leader of the Government in the Legislative Council

BN16/00577

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

SEP02'16 07:59:27 RCVD

Dear Mrs Deitz

Further to the Minister for Transport and Infrastructure's correspondence of 13 April 2016, Transport for NSW has completed its investigations into rail noise at Redfern Street, Ingleburn.

Transport for NSW conducted noise monitoring on the rail track opposite 9 Redfern Street for a two-week period from 15 to 29 March 2016. This testing point was chosen as it is in the centre of the street and the house is representative of other properties in the street.

The results were used to calculate the noise impacts on the 10 residences in Redfern Street. I am advised the average day and night noise levels at Redfern Street residences was 62 dB (A). This is typical of residences adjacent to straight and level tracks across the network, and substantially lower than tracks on steep grades or with tight curves.

Apart from exceptional cases, noise walls are not the preferred noise mitigation treatment due to their cost, visual impact and ongoing maintenance requirements. Based on these monitoring results, I am advised a noise wall at Redfern Street is not recommended.

The NSW Government launched the Freight Noise Attenuation Program in August 2015. This program, valued at \$50 million over ten years, offers noise reduction treatments to residents' houses impacted by high levels of rail freight noise. Treatments include the installation of acoustically rated windows and doors, sealing gaps and ventilation. The threshold for treatment under this program is average night noise levels of 65 dB(A).

I am advised this is the only program in Australia which specifically addresses the impacts of freight rail noise on residential properties. The Australian Rail Track Corporation does not have a similar program.

While the noise levels at residences in Redfern Street fall below the threshold required for treatment under the program, Transport for NSW has identified two adjacent properties located at 5 James Street and 2 Gordon Avenue which may be eligible for treatment.

I have asked Transport for NSW to contact the residents at these properties and provide them with information about the program.

Discussions between Transport for NSW and the Australian Rail Track Corporation regarding responsibility for managing rail noise impacts are ongoing.

If you require further information on this issue, Mr Justin McGuire, Principal Manager Freight Access and Performance at Transport for NSW, would be pleased to take your call on (02) 8202 2591. I hope this has been of assistance.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Duncan Gay MLC

29-8-16

ATTACHMENT 2



23 May 2016

The Hon Andrew Constance MP
Minister for Transport and Infrastructure
GPO Box 5341
SYDNEY NSW 2001

Ref: 000700400

Dear Minister Constance

Noise Barrier Request - Ingleburn

Thank you for your letter dated 13 April 2016 regarding the noise barrier at Ingleburn advising that you have requested Transport for NSW to work with the ARTC to manage the rail noise.

In this respect Council would appreciate being included in any work that will take place. It would be appreciated if you could please supply the contact details for the responsible Transport for NSW officers, so that Council can make contact. Alternatively the TfNSW officers could contact Council's Director City Works, Mr Wayne Rylands on 4645 4636. Mr Rylands will be Council's point of contact on this issue.

Thank you for taking the action you have to get this important community issue resolved.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

General Manager

6.3 Planning and Environment - Office of Secretary

Attachments

1. copy of letter to Council from the Planning and Environment - Office of the Secretary (contained within this report)
2. copy of letter from Council to the Hon Rob Stokes Minister for Planning (contained within this report)

Response letter Council's letter regarding the postponement of the public hearing of the Sydney Joint Regional Planning Panel meeting.

Officer's Recommendation

That the letter be received and the information be noted.

ATTACHMENT 1



**Planning &
Environment**

AUG26'16 07:41:18 RCVD

Office of the Secretary

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

16/11279

Dear Ms Deitz

Thank you for your letter suggesting a postponement of the public hearing of the Sydney West Joint Regional Planning Panel (Panel) set for 25 August 2016.

I appreciate your concerns about the proposed changes the Panel is considering and the level of community interest in the proposal to amend Campbelltown LEP to permit a cemetery in District 8 (Central Hills).

The Panel is an independent planning body not subject to my direction or control. I am advised that the Panel Chair, Ms Mary-Lynne Taylor, is aware some members of the community would prefer the meeting to be held after the council elections.

I am advised that Ms Taylor considered postponing the meeting, but decided against it as the meeting had already been advertised and notices sent to all parties that had made submissions.

The Department of Planning and Environment strives to make its processes as open and transparent as possible. You can find out more about the Panel system at <http://jrpp.nsw.gov.au/>

Should you require any further assistance in relation to this matter, please contact Stuart Withington, Manager, Planning Panels Secretariat, at the Department by telephone on 9228 2061.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Carolyn McNally
Secretary

24.8.16

ATTACHMENT 2



18 August 2016

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

Dear Minister Stokes

RE: Macarthur Memorial Park Lawn Cemetery, 166 – 176 St Andrews Rd Varroville

A Planning Proposal to schedule an additional permitted use of 'Cemetery' to the above property located within the Campbelltown Scenic Hills, is currently before the Sydney West Joint Regional Planning Panel (the SWJRPP), acting in its capacity as the Relevant Planning Authority. Council is aware that the Panel is due to meet on 25 August 2016, to consider this Planning Proposal and hence, the urgency of this request.

With respect to this Planning Proposal, Council is of the view given the significance of the matter and it's potential to have a significantly deleterious impact on Campbelltown's Scenic Hills area that it would be more appropriate for the application to be put before the Sydney West Panel of the Greater Sydney Commission rather than the SWJRPP.

In this regard, at its normal meeting on 16 August 2016, Council resolved:

"That Council urgently write to the Minister for Planning, the Hon Rob Stokes, requesting that the proposal for the Macarthur Memorial Park (cemetery) in the Scenic Hills not be considered by the Joint Regional Planning Panel at its meeting on Thursday 25th August as the Joint Regional Planning Panel will soon be defunct and will be replaced by the Sydney West Panel of the Greater Sydney Commission and will occur whilst Council is under caretaker provisions.

We request that this proposal be referred to the Sydney West Panel of the Greater Sydney Commission and that it be resubmitted for public consultation."

This is a significant issue for the Council and its community and as such, I would appreciate your due consideration of Councils request. Should you require any further information please contact me on 02 4645 4659.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz
General Manager

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

6.4 John Sidoti MP

Attachments

1. copy of letter to Council from John Sidoti MP (contained within this report)
2. copy of letter from Council to the Hon Duncan Gay MLC (contained within this report)

Response to His Worship the Mayor's letter regarding assistance to upgrade Appin Road.

Officer's Recommendation

That the letter be received and the information be noted.

ATTACHMENT 1



John Sidoti MP

Parliamentary Secretary for Transport and Roads
Member for Drummoyne

00050773

Councillor Paul Hawker
Mayor
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

AUG09'16 07:49:37 RCVD

Dear Cr Hawker

Thank you for your correspondence to the Minister for Roads, Maritime and Freight about road safety on Appin Road. The Minister has asked me to respond on his behalf.

You may be assured, road safety is a top priority for the NSW Government, and any loss of life in our community is a tragedy.

I appreciate your request for an Appin Road taskforce, however the NSW Government is aware of community concerns about road safety on Appin Road and its future capacity. As you know, Appin Road is part of the State road network which provides routes for people and freight between the Local Government Areas of Campbelltown City Council, Wollondilly Shire Council and Wollongong City Council.

The Centre for Road Safety, Roads and Maritime Services and the NSW Police Force, completed the *2014 Appin Road Safety Review* under the NSW Safer Roads Program, and found Appin Road carries more than 10,000 vehicles a day. NSW is a 'through state' and carries more than 60 per cent of national road freight. However, the NSW Government is making rail a more attractive choice for freight by improving the capacity and efficiency of the rail network under the *NSW Freight and Ports Strategy*. Moving more freight by rail is a priority for the NSW Government.

The 2014 review found heavy vehicles were involved in 10 per cent of crashes on Appin Road in the five years assessed (2002-3 to 2011-12), although their proportion of road use (15 per cent) was more than double that of the State average (approximately 7 per cent).

Roads and Maritime operates the largest heavy vehicle regulatory regime in Australia and has a comprehensive enforcement program. This includes nearly 300 heavy vehicle regulation inspectors, eight heavy vehicle checking stations, and more than 100 high-tech enforcement cars. These allow inspectors to conduct both targeted and random heavy vehicle checks. There are also 25 point-to-point camera locations in the State, with the network of 27 cameras covering over 720 kilometres of the road network.

The Minister recently visited Appin Road to see what more can be done to improve road safety. The NSW Government is always looking for sensible and financially viable options to further improve safety on Appin Road, and committed \$18.35 million in funding in the NSW 2016-17 State Budget to improve the safety and amenity of Appin Road. This includes \$8.35 million to improve road safety and reduce congestion and a further \$10 million for planning in relation to new housing infrastructure around Appin Road. Additional programs target road locations where crashes occur.

Since 2011, the NSW Government has spent more than \$20 million on Appin Road upgrades. In light of community concerns, a further \$1.8 million was provided to resurface Appin Road between Kellerman Drive and Brian Road.

Roads and Maritime will also upgrade safety at the junction of Appin Road and the West Cliff Colliery access road. Lighting will be upgraded and signs placed to warn Appin Road motorists when a heavy vehicle driver is exiting the side road.

If you have any further questions, Mr Adam Berry, Network and Safety Manager Southern at Roads and Maritime, would be pleased to take your call on (02) 4221 2459. I hope this has been of assistance.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

John Sidoti MP
Parliamentary Secretary for Transport and Roads
Member for Drummoyne

ATTACHMENT 2



27 January 2016

The Hon. Duncan Gay, MLC
GPO Box 5341
SYDNEY NSW 2001

Dear Minister

Assistance to Upgrade Appin Road

It is with regret that I have to write to you concerning yet another tragic road accident that has occurred on Appin Road, just yesterday, which claimed the life of one of our residents.

As you would be aware Appin Road is a major thoroughfare that links the Illawarra Region including Wollongong, Port Kembla and the south coast, to South Western Sydney. It also provides heavy vehicle haulage access between the southern coal fields and the Illawarra and heavy container freight from Port Kembla.

Campbelltown City Council acknowledges the work that has been undertaken by the NSW Government to improve conditions on Appin Road over recent years, and supports the proposed further upgrades that are understood to be scheduled to commence early in 2016.

Although I understand that the site of yesterday's collision between a semi-trailer and a passenger vehicle is located in the Wollondilly Shire, I am of the view that an urgent review of conditions along the route of Appin Road take place as a matter of the highest priority. To be most effective, this review needs to take into account traffic growth projections as well as the significant urban development that is planned by the NSW Government to take place in the Greater Macarthur Release Area (approximately 35,000 new dwellings).

I would propose the establishment of an Appin Road Review Taskforce comprising representatives of Campbelltown, Wollongong and Wollondilly Shire Councils, local Members of Parliament, staff of Transport for NSW and the RMS as well as Council technical engineering staff.

It is important that the Government and the transport authorities understand the significance that the regional community places on Appin Road and the ongoing concern and lack of confidence that is building over the road's capacity and safety.

I would be pleased to speak to you personally on this matter and can be contacted on my mobile on 04104 980 731.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Cr Paul Hawker
Mayor

6.5 Daryl Maguire MP

Attachments

1. copy of letter to Council from Daryl Maguire MP (contained within this report)
2. copy of letter from Council to the Minister for Emergency Services (contained within this report)

Response to Council's letter regarding the replacement of the firefighting truck at St Andrews Fire Station.

Officer's Recommendation

That the letter be received and the information be noted.

ATTACHMENT 1



Daryl Maguire MP

Parliamentary Secretary for Corrections,
Emergency Services, Veterans and The Centenary
of ANZAC

IM16/19080
MIN16/001874

Mr Jeff Lawrence
Acting General Manager
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

AUG26'16 07:41:40 RCVD

Dear Mr Lawrence

Thank you for your letter to the Minister for Emergency Services, the Hon David Elliott MP, concerning fire service resources at St Andrews Fire Station. The Minister has asked me to respond on his behalf.

I am assured by Commissioner Mullins that Fire & Rescue NSW (FRNSW) would never put the community or firefighters at risk. FRNSW continually reviews the operational requirements and resources of fire stations across its network to ensure community and firefighter safety needs are met.

As detailed in FRNSW's recent letter to Council, the changes are the replacement of the 37 metre Aerial Ladder Platform (ALP) with a 15 metre Aerial Pumper (AP) and 9000 litre Compressed Air Foam System (CAFS) Tanker in the second half of 2016.

I understand that FRNSW met with Council on 4 August 2016 to discuss these changes.

When planning firefighting resources in any area, FRNSW assesses risk factors such as projected population growth, property density, infrastructure and other hazards, such as where urban areas meet bushland.

As well as this, the Building Codes of Australia require any building in excess of 25 metres to have additional fire safety measures such as sprinklers and internal hydrants. Their design and construction has to allow for occupants to escape safely, and also allow firefighters to directly attack a fire from the inside of a building, rather than using ladders from the outside.

Please be further assured that there are additional fire crews in the Campbelltown area which can be deployed to an emergency, should the need arise. There are fire crews in Camden and Campbelltown which cover the Campbelltown area and are also able to respond.

The new tanker to be positioned at St Andrews Fire Station in the second half of 2016, is a state of the art fire truck which has the latest foam-firefighting technology worth nearly \$500,000. This new foam technology provides for greater fire knock down,

especially in regards to bush fires. It also carries 9,000 litres of water to respond to incidents on nearby highways.

Analysis of response statistics by FRNSW has confirmed that the 37m unit at St Andrews is rarely used, and there is no record of it being required to extend to its full height. Its predominant use is at large, single and two storey factory fires, projecting a large water stream from above. The 15m ladder unit, which St Andrews Fire Station had before placement of the 37m unit, is more effective at such fires and projects higher water volumes.

Thank you for raising this matter with the Minister.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Daryl Maguire MP
Parliamentary Secretary

22 AUG 2016

ATTACHMENT 2



28 June 2016

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

Dear Minister

St Andrews Fire Station - Replacement of Firefighting Truck

A Notice of Motion was discussed at Council's meeting of 21 June 2016 regarding the replacement of a Bronto 37 metre ladder firefighting truck at the St Andrews Fire Station.

It was resolved: *That Council write to you advising of Council's opposition to the removal of the truck and to request that any future replacement be with a like-for-like firefighting truck.*

It would be appreciated if you would consider Council's request and advise us of your determination at your earliest convenience.

If you require any further information with respect to this request, please contact Council's Director City Delivery, Wayne Rylands, on 4645 4637.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Jeff Lawrence
Acting General Manager

7. REPORTS FROM OFFICERS

7.1 Disclosure of Pecuniary Interests 2016

Division

General Manager

Attachments

Completed Disclosure of Pecuniary Interest forms for Councillors and Employees (to be tabled - due to size of attachment)

Report

Sections 441-448 of the *Local Government Act 1993* (the Act) outline the duties of disclosure for Councillors, the General Manager, Senior Staff of Council and other designated persons. A 'designated person' is described in section 441 of the Act and includes the General Manager, other Senior Staff of the Council, and persons who hold a position identified by the Council as the position involves the exercise of functions under the Act, or any other Act, that in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest.

The purpose of the disclosure provisions within the Act is to ensure transparency and accountability for Council's actions. The Office of Local Government has stressed that the disclosure provisions are designed as a protection for Councillors and staff members as well as an opportunity to enhance public confidence in Local Government.

The Office of Local Government has issued guidelines on the pecuniary interest provisions and these guidelines were forwarded to the relevant Councillors and staff outlining their responsibilities to complete the return for the period 1 July 2015 to 30 June 2016.

Section 449 of the Act requires that the returns must be completed prior to 30 September each year and prescribes specific statutory responsibilities of the General Manager to keep a register of returns containing all completed and lodged returns which must be available for inspection by members of the public.

Section 450A of the Act requires that Disclosures of Interest Returns lodged by Councillors and Designated Persons are to be tabled at the first Ordinary Council Meeting after the due date of 30 September 2016. In compliance with the legislation, a receipt will be provided to Councillors and staff following the adoption of the subject report.

Pursuant to the Act, the returns of 13 Councillors and 107 staff for the period ended 30 June 2016 are tabled for information. It is noted that all Councillors and Designated Persons lodged their return in the prescribed format by the due date of 30 September 2016.

Officer's Recommendation

That the information be noted.

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes and Oxford Roads, Ingleburn

Division

City Development

Reporting Officer

Manager Environmental Planning

Attachments

1. Location Plan (contained within this report)
2. East Edge Scenic Protection Lands (contained within this report)
3. Assessment of Planning Proposal Request (contained within this report)
4. Draft Planning Proposal (contained within this report)
5. Planning Proposal Request (distributed under separate cover - due to size of document)
6. Secondary Dwelling and Dual Occupancy Development overview (contained within this report)
7. Council increased open space provision map (contained within this report)

Purpose

To seek Council's support for the draft Planning Proposal to be forwarded to the Department of Planning and Environment for a Gateway Determination.

Report

Property Owners/Description

Mrs Ljilja Prpic - Lot 41 DP 1021880 (No.26 Mercedes Road)
Mr Edward Stipe Prpic and Ms Anna Popovic - Lots 55-68 (inclusive) Sec A2 DP 2189 (No.28 Mercedes Road)
Cannetto Pty Ltd - Lot 25 DP 617465 (No.9 Daimler Place)
Mrs Miriela Bencic - Lot 2 DP 550894 (No.308 Bensley Road)
Mrs Robyne McInnes - Lot 1 DP 597774 (No.306 Bensley Road)
Mrs Maria Krejak and Mr Peter Krejak - Lot 2 DPP 597774 (No.304 Bensley Road)
Mrs Daisy and Mr Libeko Soldatic - Lot 3 DP 597774 (No.302 Bensley Road)
Mrs Daisy and Mr Libeko Soldatic - Lot 47 DP595243 (No.300 Bensley Road)
Mr J.A and Mrs A.S Dimarco and Mrs G.A Versace - Lot 4 DP 261609 (No.233 Oxford Road)
Mr J.A and Mrs A.S Dimarco and Mrs G.A Versace - Lot 1 DP 261609 (No.233 Oxford Road).

Applicant: Michael Brown Planning Strategies (on behalf of Billbergia Group).

Application Number: 59/2016/E-LEPA.

The Planning Proposal Request

The Planning Proposal Request (PPR) (contained in attachment 5), known as the Caledonia Planning Proposal promotes the rezoning of a parcel of approximately 17.65 hectares of land containing nine principal allotments at Ingleburn, generally bounded by Mercedes, Bensley and Oxford Roads (refer to attachment 1) for a mix of large lot residential (R5), low density residential purposes (R2), public recreation (RE1) and infrastructure (SP2) purposes.

Also forming part of the PPR is a Preliminary Concept Plan which portrays a general road layout, allotments ranging in size from 500sqm to 2000sqm, open space/park provision and landscape/interface treatments.

A relevant Zoning Amendment Map and Minimum Lot Size Map accompany the PPR. It is also noted that the existing Height of Buildings Map which establishes a maximum building height of nine metres is to be retained, as to is the Land Reservation Acquisition Map (for the proposed Georges River Parkway).

A yield of approximately 170 dwellings/500 persons is proposed (down from the originally requested 249 dwellings/700 persons).

The revised Concept Plan has evolved in response to informal feedback provided during a previous Councillor Briefing sessions held on 28 November 2015 and 23 February, and more formally by Council's Planning Policy Position considered at the Planning and Environment Committee Meeting of 14 June 2016 and confirmed at the Council Meeting on 21 June 2016.

The PPR is also supported by a series of specialist consultant reports addressing:

- ecological impacts and management
- bushfire hazard management
- cultural heritage
- odour
- stormwater management
- service infrastructure (including preliminary costing)
- traffic management

The site (refer to attachment 1), includes nine principal parcels of land in the ownership of eight parties, as listed at the beginning of this report.

The PPR is fully supported in every respect by four ownership parties. The other four parties have expressed support for the rezoning for largely low density residential purposes but have not supported previous versions of the preliminary concept plan, particularly in respect of the final road layout and range and distribution of lot sizes. While this is noted, legal advice sought from Council's solicitor has confirmed that the current level of owners consent is sufficient to advance the draft planning proposal.

Local/Regional Context

The site forms part of the northern extremity of a landscape unit known as the East Edge Scenic Protection Lands (the Edgelands). The Edgelands form an area of transition between the eastern boundary of the Campbelltown Urban Area and the extensive regional open space network associated with the Georges River.

The reservation for the proposed Georges River Parkway (Road) forms a clear edge to the generally heavily vegetated ecologically diverse Georges River regional open space network. As such, the zone of transition is considered to be limited to between the existing Ingleburn urban edge and the proposed Georges River Parkway (refer to attachment 2).

The Edgelands: General

This area of transition, known as the Edgelands, has been the subject of numerous development requests for more intensive subdivision over recent decades.

Until recently the land was zoned Environmental Protection 7(b) with a two hectare minimum area of subdivision. With the recent enactment of Campbelltown Local Environmental Plan 2015 (CLEP 2015) the land is now zoned Environmental Living (E4) with a two hectares minimum area of subdivision. Additionally, Clause 4.2D (CLEP 2015) introduced a "lot averaging provision" which permits the creation of one hectare allotments, subject to compliance with a range of environmental and hazard management, service infrastructure and amenity requirements.

The Edgelands: Recent Interest and Actions

The public exhibition of draft CLEP 2014 in June-August 2014 generated significant interest in respect of further subdivision opportunities in the Edgelands. This interest was considered in the Extraordinary Report to Council on 28 April 2015.

Generally, submissions in respect of land to the east of the proposed Georges River Parkway (Road) were dismissed, while those to the west were identified for further investigation in a holistic, precinct based manner.

A constraints and opportunities/suitability mapping exercise and preliminary service infrastructure investigations were undertaken in late 2015, with the conclusions presented to a Councillor Briefing on 28 November 2015. It was established that the environmental qualities and service infrastructure availability vary on a sub-catchment/precinct basis and that site specific planning solutions could potentially evolve.

With regard specifically to the Mercedes, Bensley and Oxford Road precinct it was established that there is potential to explore more compact residential outcomes than those currently allowed by the one hectare lot averaging provision, if pursued in a sensitive manner which seeks to protect environmental amenity and leverage off local character.

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

At a project specific (Caledonia) Councillor Briefing held 23 February 2016, concern was expressed by Councillors with the proposed dwelling yield (and density) and in particular the number of small lots proposed, together with the proposals relationship to existing residential development. In this context comment was also made that the proposal did not represent the environmentally sensitive housing transition envisaged in the Campbelltown Local Planning Strategy (CLPS).

Most recently Council resolved in response to Item 2.3 Priority Investigation Area Campbelltown (Local Environmental Plan 2015) of the Planning and Environment Committee Meeting held 4 June 2016 (and Council Meeting held 21 June 2016) to adopt the following policy position:

Any future developments should reflect a transition from the existing residential density (generally 500 sqm) to large lot residential development of 1,000sq m to 2,000sqm allotments. Retention/management of remnant woodland and reinstatement of an informal verge character of perimeter roads should be pursued where practical.

Assessment of the Planning Proposal Request

A comprehensive review of the Planning Proposal Request forms attachment 3.

The important conclusions of such review are detailed below, largely in a planning hierarchy context:

State and Regional Planning

Section 117 directions (Ministerial Directions) apply largely on a state wide basis and seek to ensure Local Environmental Plans (and their inception tool in the form of Planning Proposals) are consistent with State and Regional Planning. In a like manner State Environmental Planning Policies (SEPPs) and deemed SEPPs also seek to ensure state and regional specific planning outcomes.

It is noted in Section 4.1.3 and 4.1.4 of attachment 4 that the PPR is considered to either adequately address the desired outcomes or justify an inconsistency; whilst, some additional investigation is foreshadowed in some instances.

Importantly, it is considered that the PPR has significant strategic and site specific merit to inform a relevant Planning Proposal for referral to the Department of Planning and Environment for a Gateway Determination.

In terms of additional work and strategy development the following areas are highlighted in attachment 4:

- the local heritage item known as the stone cottage and bushland setting situated at No. 28 Mercedes Road
 - koala investigations in accordance with SEPP No. 44
 - optimisation of alternative movement means in the form of pedestrian/cycleways
 - refined bushfire hazard management
 - preliminary contamination investigation, as a minimum
 - the application of SREP No. 2 Planning Principles.
-

The Section 117 Directions, SEPPs and deemed SEPPs of major interest include:

Section 117 Direction:

- 2.1 Environmental Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrated Land use and Transport
- 4.4 Planning for Bushfire Protection
- 6.2 Reserving Land for Public Purposes
- 7.1 Implementation of a Plan for Growing Sydney and;

State Environmental Planning Policies

- SEPP 55 - Remediation of Land
- SEPP 44 - Koala Habitat Protection
- SEPP 19 - Bushland in Urban Areas and;

Deemed SEPPs

Greater Metropolitan Regional Environmental Plan No.2 - Georges River Catchment (SREP No. 2).

Metropolitan Planning

The metropolitan planning framework for greater Sydney is largely detailed in the metropolitan strategy known as a Plan for Growing Sydney (the plan). The PPR shows consistency with the plan, in terms of its key deliverables/directions (Refer to Section 4.1.1 of attachment 3).

Subregional Planning

The draft South West Sub Regional Strategy represents the current publicly available guide to sub regional planning and development. The PPR is not inconsistent with the general thrust of the draft strategy in providing for residential growth in a structured manner that leverages off existing infrastructure. (Refer to Section 4.1.2 attachment 3).

It is noted that the draft district plan has not proceeded to public exhibition at this stage.

Local planning

Council's Local Strategic Land Use Planning Framework comprises principally Campbelltown Local Environmental Plan 2015 (CLEP 2015), the Campbelltown Local Planning Strategy (CLPS) and the Campbelltown Residential Development Strategy (CRDS).

Importantly the subject framework is generally consistent with the overarching Local Strategic Plan Campbelltown's Community Strategic Plan 2013-2023 (CCSP). (Refer to Section 4.2. attachment 3).

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

The PPR is generally consistent with the relevant local strategy framework as informed by more detailed investigations and the policy position established by Council at its meeting on 21 June 2016.

A strategy to minimise dual occupancy and secondary dwelling development on the perimeter precinct roads is included at attachment 6.

Infrastructure Impacts

The development outcome proposed by the PPR will impact upon local service infrastructure provision. The immediate road and drainage networks will need to be upgraded at the cost of the ultimate developer, as will all on-site infrastructure.

Relevant off-site impacts, particularly social infrastructure impacts, will need to be addressed typically by way of payment of a relevant development contribution or the entering into a Voluntary Planning Agreement.

The PPR is not however, considered to satisfactorily address relevant open space provision for the projected new community. It is noted that the proposed open space includes land reserved for the future Georges River Parkway, stormwater management and expanded perimeter road footpath reservation; together with retention of some of the remnant vegetation. Some of the subject land fails to meet the guiding principles for future open space documented in the draft Campbelltown Open Space Plan, for a precinct of the subject nature. It does however, fulfil some limited needs and a character setting function.

However, should the stormwater management system proposed for the site be fully controlled in a subterranean system, as proposed, then the proposed open space would need to be increased to include provision of a Neighbourhood Play Space and related lands amounting by a minimum of 2,600sqm of unconstrained additional land. This proposed increase in open space has been included in the draft planning proposal prepared by Council to support the rezoning. (Refer to attachments 4 and 7).

The PPR includes details to fund regeneration of remaining vegetation on site, interpretative signage and controlled access of nearby bushland at Ingleburn Reserve as part of a Voluntary Planning Agreement and detailed below.

Voluntary Planning Agreement Principles (VPA)

The PPR is accompanied by a letter of support detailing some broad Voluntary Planning Agreement Principles including:

- establishment of a fund for the maintenance of the vegetated proposed open space area in perpetuity
- provision of funding to construct walking trails, bush regeneration or similar enhancements through the Georges River Nature Reserve.

(Refer to appendix 11 in attachment 3).

Additionally, an offsetting strategy will need to be brokered as part of a VPA to compensate for the proposed removal of medium quality vegetation on the site.

Pre-Gateway Review (Rezoning Review)

A request for a Pre-Gateway Review was submitted to the Department of Planning and Environment on 24 February 2016 in response to Council's delay (beyond the statutory timeframe) in making a decision in respect of the Planning Proposal Request.

The Pre-Gateway Review is currently the subject of an Assessment Report which is yet to be considered by the Sydney West Joint Regional Planning Panel.

Confirmation of level of owner support

All owners support the rezoning of the subject land for low density residential and related purposes.

A final road pattern has not been endorsed by all owners. This is a matter that can be resolved at the Development Control Plan stage and does not prejudice Council or the owners in proceeding with a draft Planning Proposal.

The distribution of proposed lot sizes and land uses is consistent with Council's recently established policy position.

The under-provision of open space has been addressed by Council in the draft Planning Proposal despite the Proponent's non acceptance to-date.

Conclusion

The PPR for the rezoning of land generally bounded by Mercedes, Bensley and Oxford Roads and known as the Caledonia Planning Proposal, is considered to have sufficient strategic and site specific merit to inform a relevant draft planning proposal for submission to the Department for Planning and Environment for a Gateway Determination. (Refer to the draft planning proposal which forms attachment 4).

It is noted however, the undertaking of further and more detailed additional investigations and strategy development are highlighted as being required as the draft planning proposal is advanced through and (subject to its determination) beyond the Gateway process.

Notwithstanding the above, the draft planning proposal as presented, is considered to provide a balanced planning outcome for the subject precinct in consideration of both its residential and environmental boundaries, and would establish a planning framework which has regard to its immediate transitional context whilst facilitating a diversity of housing opportunities.

It is further noted that the draft planning proposal subject of this report, provides for an extra 2,600sqm of 'unconstrained' open space land beyond that suggested in the proponent's PPR, which is currently the subject of a Pre-Gateway (Rezoning Review).

Finally, the draft planning proposal is considered to be not inconsistent with the principles detailed in the adopted Council Policy Position (Council Meeting 21 June 2016).

Officer's Recommendation

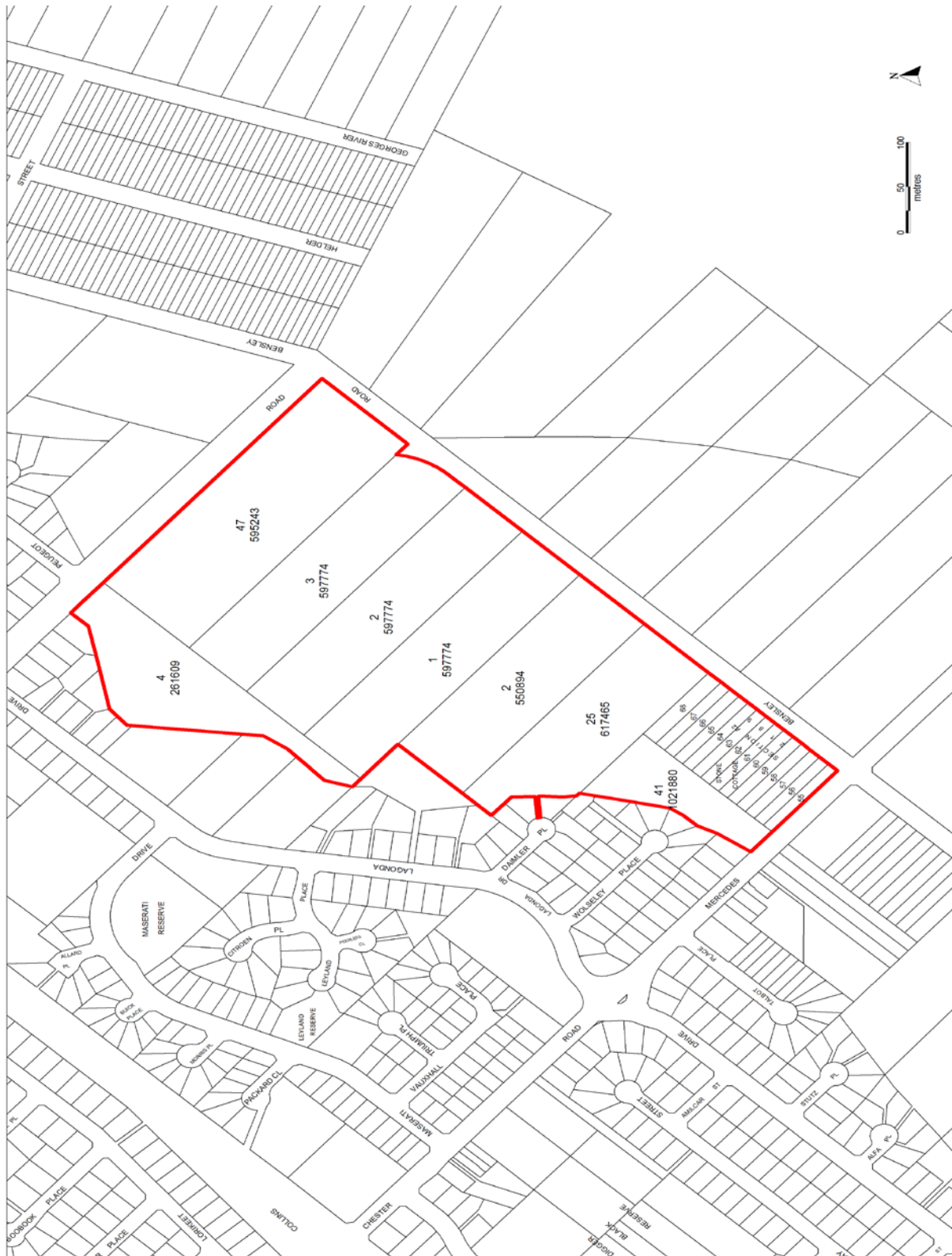
1. That Council support the Planning Proposal Request (application number 59/2016/E-LEPA) to rezone land in the following schedule:

- Lot 41 DP 1021880 (No. 26 Mercedes Road)
- Lots 55-68 (inclusive) Sec A2 DP 2189 (No. 28 Mercedes Road)
- Lot 25 DP 617465 (No. 9 Daimler Place)
- Lot 2 DP 550894 (No. 308 Bensley Road)
- Lot 1 DP 597774 (No. 306 Bensley Road)
- Lot 2 DP 597774 (No. 304 Bensley Road)
- Lot 3 DP 597774 (No. 302 Bensley Road)
- Lot 47 DP 595243 (No. 300 Bensley Road)
- Lot 4 DP 261609 (No. 233 Oxford Road)
- Lot 1 DP 261609 (No. 233 Oxford Road).

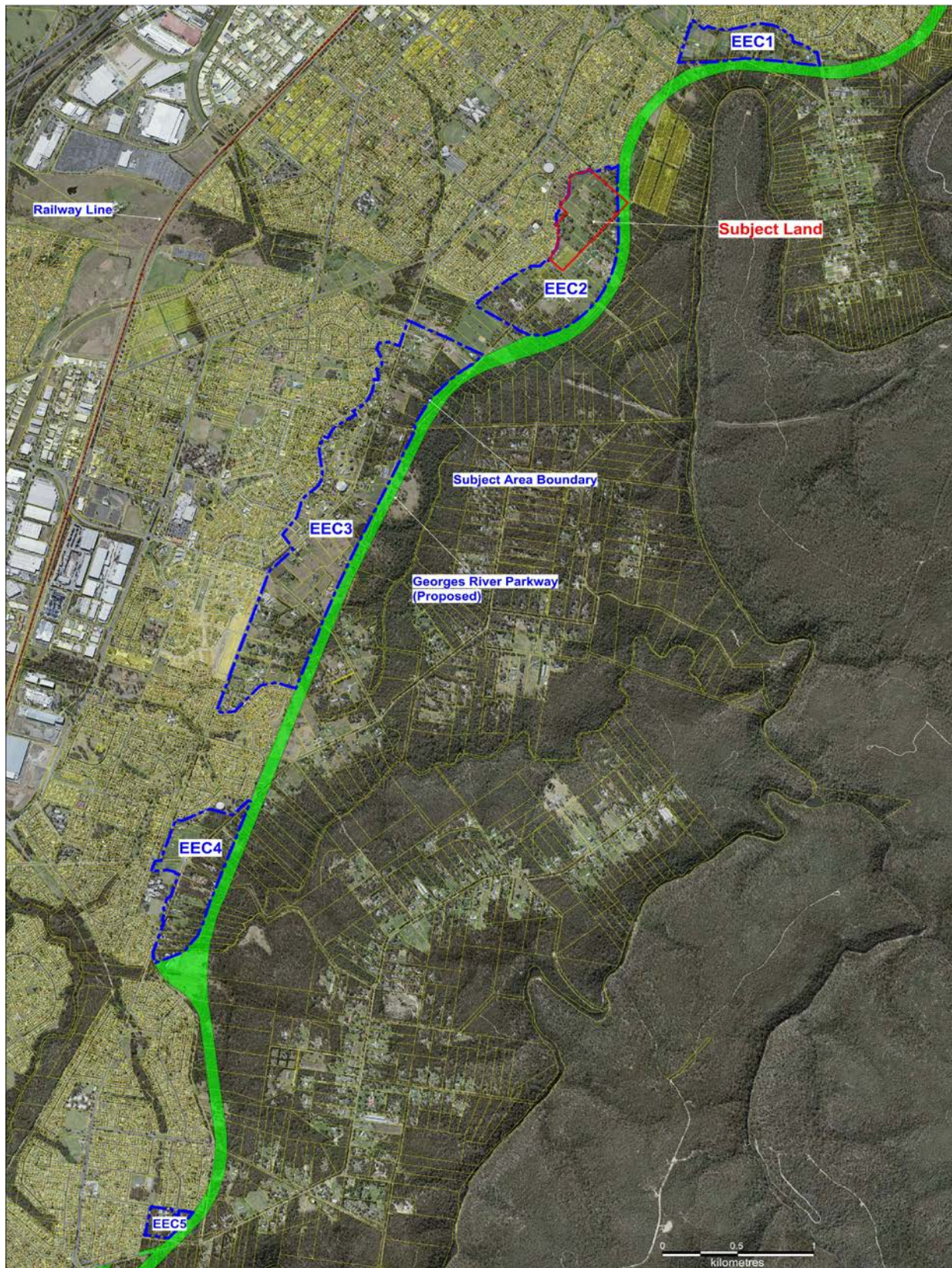
from its existing E4 Environmental Living Zone - two hectare/one hectare lot average to R5 large Lot Residential, R2 Low Density Residential and RE1 Public Recreation, in accordance with the draft Planning Proposal detailed in recommendation 2 below.

2. That Council forward the draft Planning Proposal (refer to attachment 4) to the Department of Planning and Environment for a Gateway Determination.
 3. That Council use its delegation pursuant to Section 23 of the *Environmental Planning and Assessment Act 1979* to advance the draft Planning Proposal.
 4. That subject to the Gateway Determination containing standard conditions, Council place the draft Planning Proposal on public exhibition for 28 days.
 5. That at the conclusion of the public exhibition a report be submitted to Council detailing the outcomes of the public exhibition and a strategy for finalising the draft Planning Proposal Amendment.
 6. That the outline Voluntary Planning Agreement Principles be guiding principles for a future Voluntary Planning Agreement.
 7. That Council advise the applicant and all directly affected property owners of its decision; highlighting the foreshadowed additional investigations and strategy development required as the draft Planning Proposal is advanced.
 8. That Council note that the Planning Proposal Request is the subject of a Pre-Gateway (Rezoning) Review.
-

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3

Assessment of Planning Proposal Request (as Amended)

Caledonia Precinct

Bensley, Mercedes and Oxford Roads Ingleburn - June 2016

1 Introduction

1.1 Executive Summary

This report provides an assessment of a Planning Proposal Request (PPR) (refer to appendix 1), known as the Caledonia Planning Proposal, submitted to Council on 8 January, 2016 (amended May 2016), for land described in the property schedule detailed below and generally bounded by Mercedes, Bensley and Oxford Roads, Ingleburn.

- Lot 41 DP 1021880 (No. 26 Mercedes Road)
- Lots 55-68 (inclusive) Sec A2 DP 2189 (No. 28 Mercedes Road)
- Lot 25 DP 617465 (No. 9 Daimler Place)
- Lot 2 DP 550894 (No. 308 Bensley Road)
- Lot 1 DP 597774 (No. 306 Bensley Road)
- Lot 2 DP 597774 (No. 304 Bensley Road)
- Lot 3 DP 597774 (No. 302 Bensley Road)
- Lot 47 DP 595243 (No. 300 Bensley Road)
- Lot 4 DP 261609 (Oxford Road) & Lot 1 DP 261609 (No. 233 Oxford Road).

(Refer to appendix 2)

The aggregate holding comprises approximately 17.65 hectares.

The PPR was prepared by Michael Brown Planning Strategies on behalf the Billbergia Group (and recently amended).

It seeks to rezone the subject holding for a mix of large lot residential (R5) and low density residential purposes (R2) together with support public recreation (RE1) and Infrastructure (SP2) purposes (refer to appendix 3).

Forming part of the PPR is a Preliminary Concept Plan, which portrays a general road layout, range of lot sizes from 500sqm to 1000 sqm and 2000sqm, open space/park provision and landscape/interface treatments (appendix 4).

A yield of approximately 170 dwellings/500 persons is envisaged (down from the originally requested 249 dwellings/700 persons).

This plan has evolved in response to informal feedback provided in the context of recent Councillor Briefing Sessions.

The Request is also supported by a series of specialist consultant reports addressing:

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

- Ecological Impacts and Management
- Bushfire Hazard Management
- Cultural Heritage
- Odour
- Stormwater Management
- Service Infrastructure (including preliminary costing)
- Traffic Management.
- Preliminary Concept Plan
- Planning Framework Compliance

(Refer to appendix 1)

A relevant Zoning Amendment Map and Minimum Lot Size Map are reproduced in appendices 3 and 5 respectively.

It is noted that the existing height of building map establishes a maximum building height of nine metres (refer to appendix 6).

The subject land (the Site) includes nine principal parcels of land in the ownership of eight parties. The PPR is fully supported in every respect by four ownership parties. The other four parties have expressed support for the rezoning for largely low density residential purposes but have not supported versions of the draft Concept Plan and initial Residential Typologies Plan, particularly in respect of the final road layout and range and distribution of lot sizes.

Their reservations may still well exist with the current version of the Preliminary Concept Plan. It is not however, important that final agreement occur in respect of this plan at this point in the planning process.

This Report recommends that the PPR be supported by Council, SUBJECT TO AN INCREASE IN OPEN SPACE PROVISION, and that it inform a relevant Planning Proposal for submission to the Department of Planning and Environment for a Gateway Determination.

An assessment of the PPR can be found at Section 4.0 of this Report.

1.2 Purpose of this Assessment Report

This report seeks to provide an assessment of the merits of the PPR submitted in respect of land generally bounded by Mercedes, Bensley and Oxford Roads, Ingleburn and described in the property schedule below:

- Lot 41 DP 1021880 (No. 26 Mercedes Road)
 - Lots 55-68 (inclusive) Sec A2 DP 2189 (No. 28 Mercedes Road)
 - Lot 25 DP 617465 (No. 9 Daimler Place)
 - Lot 2 DP 550894 (No. 308 Bensley Road)
 - Lot 1 DP 597774 (No. 306 Bensley Road)
 - Lot 2 DP 597774 (No. 304 Bensley Road)
 - Lot 3 DP 597774 (No. 302 Bensley Road)
 - Lot 47 DP 595243 (No. 300 Bensley Road)
-

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

- Lot 4 DP 261609 (Oxford Road) & Lot 1 DP 261609 (No. 233 Oxford Road).

It is noted that the PPR promotes the rezoning of the subject holding for principally low density residential purposes.

The assessment has particular regard to prevailing local and state government legislation and policies.

This Report does not constitute a Planning Proposal (PP). A relevant PP is however, produced as appendix 7, based on this PPR review and Council's Planning and Environment Committee meeting outcomes endorsed at Council's meeting on 21 July 2016.

1.3 Proponent Liaison with Council

The proponents, their lead planning consultant and urban designer have met with Council staff several times in the compilation and amendment of the PPR.

A summary of their original PPR was presented by the lead consultants to a Council Briefing Session in November 2015.

In response to the informal feedback the Proponents prepared an amended Concept Plan including residential Typologies. This Plan was communicated by Council Staff in a further Councillor Briefing in February, 2016 wherein, Council acknowledged progress but expressed continued reservations about the range and distribution of dwelling types in order to transition between residential and rural development and total yield.

This further feedback was communicated to the Proponents who responded with a further amended Concept Plan. Council staff communicated continued concerns with this plan. Further refinement of the Plan occurred. It is this plan which is entitled Preliminary Concept Plan which is central to the PPR and it is the subject of this assessment.

2 Existing Situation

2.1 Description of the subject site and its surrounds

The site comprises some 17.65 hectares of rural residential land generally bounded by Mercedes Road, Bensley Road and Oxford Road. It forms part of the eastern edge of the suburb of Ingleburn and part of a landscape unit which is known as the East Edge Scenic Projection Lands or "the Edgelands". Generally, to the immediate east is the reservation of the proposed "Georges River Parkway" (Road), which forms a clear divide to the densely vegetated Georges River environs.

Some two kilometres to the west of the site is the Ingleburn Town Centre, Industrial Precinct and transport hub focused on Ingleburn Railway Station.

Map extracts of the subject site in its immediate and broader contexts are produced over.

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn



Figure 1 – Subject site and immediate locality

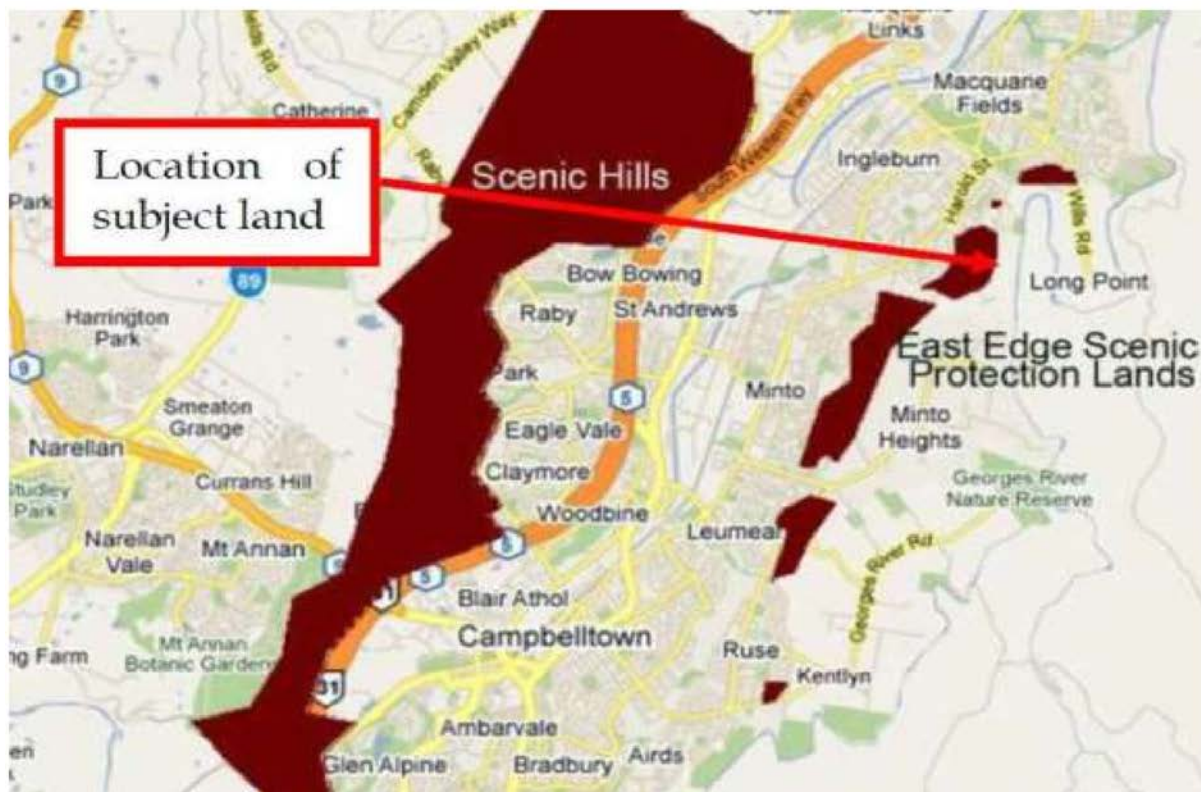


Figure 2 - The broader contextual setting

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

The prevailing character of the site is summarised in the three plans (which form appendix 8). Specifically, they focus on cultural character, natural character and landscape character.

In summary, the site has a general open woodland, rural-residential character; a dominant feature being the informal grouping of trees which create a distinct natural edge to Bensley and Oxford Roads.

The site transitions into more heavily vegetated land to the immediate north and east and generally open rural residential land to the immediate south east and an operational poultry farm. The western interface comprises low density and medium density residential development. The perimeter roads (Mercedes and Oxford Roads) form the only connectivity with the existing residential communities.

2.2 Land Ownership

The subject site includes nine principal parcels comprising approximately 17.65 hectares of land in the ownership of eight parties. Development options are understood to have been secured in respect of four of the parties; these parties have directly endorsed submission of the Planning Proposal Request. The remaining four parties have expressed support for the rezoning for low density residential purposes. This latter body of owners has not, however, extended their supported to previous versions of the draft Concept Plan and Residential Typologies Plan, particularly in respect of the final road layout and range and distribution of lot sizes and building typologies. Their reservations about such plans are known to still largely exist with the current version of such draft plan.

In short, all owners support the rezoning of the subject land for low density residential purposes. They do however; wish to be consulted in respect of a final Concept Layout Plan.

A relevant land ownership pattern plan is reflected in appendix 8 - Cultural Character.

2.3 Campbelltown Local Environmental Plan 2015

2.3.1 Aims of the Plan

The Plan includes aims that target the protection and enhancement of natural heritage, biodiversity and scenic and landscape values of land. Aims are also cited to minimise the exposure of development to natural hazards (including bushfire) and to ensure development outcomes are commensurate with land capability and suitability.

Further the Plan includes broad ranging diverse housing and support human and physical infrastructure provisions and employment lands aims.

2.3.2 Zoning/Minimum Subdivision Requirements

The subject site is currently zoned E4 - Environmental Living with a two hectares minimum area of subdivision. The land is also subject to the lot averaging one hectare provisions detailed in Clause 4.2D.

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It is noted that the one hectare minimum is not a "development right" and several provisions which relate specifically to environmental and hazard management, service infrastructure and amenity need to be satisfactorily addressed before one hectare allotments can be created.

2.4 Previous Zoning

The subject site was previously zoned Environmental Protection 7 (d4), pursuant to Campbelltown (Urban Areas) LEP 2002, with a 2ha minimum area of subdivision.

3 Description of the Planning Proposal Request (PPR)

3.1 Overview

The PPR, known as the Caledonia Planning Proposal (due to a local landmark building) seeks to rezone the subject parcel of land of approximately 17.65 hectares (generally, bounded by Mercedes, Bensley and Oxford Roads) principally for low density residential purposes (R2) and large lot residential (R5) together with support public recreation (RE1) and Infrastructure (SP2) purposes.

3.2 Possible Development Scenario

A Preliminary Concept Plan is provided as appendix 4.

It is proposed to provide for a range of residential products on lot sizes ranging from 500sqm to 1000sqm and 2000sqm, limited woodland conservation, integrated open space and service infrastructure provision.

Approximately 170 dwellings are proposed; housing an additional population of approximately 500 people.

A copy of the Applicant's PPR is attached (refer to appendix 1).

3.3 Principal Development Standards

The principal development standards that currently apply to the subject site are summarised in Table 1 below:

| Campbelltown CLEP 2015 | Minimum Lot Size | Floor Space Ratio | Maximum Building Height |
|--------------------------------|---|-------------------|-------------------------|
| Environmental Living Zone (E4) | 2 ha. (Also affected by Clause 4.2D – 1ha Lot Averaging) | --- | J – 9 metres |

Table 1 – Summary of existing CLEP 2015 controls applying to the subject land.

3.4 Proposed Changes to Controls

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The existing controls and proposed controls are summarised in Table 2 below:

| Planning Controls under CLEP 2015 | Existing Planning Controls | Proposed Planning Controls |
|-----------------------------------|---|---|
| Zoning | Environmental Living (E4) | Part: <ul style="list-style-type: none"> • Large lot residential (R5) • Low Density Residential (R2) • Public Recreation (RE1) • Infrastructure (SP2) |
| Minimum Lot Size | <ul style="list-style-type: none"> • Two hectare • Also subject to one hectare lot averaging provision. | Range of lot sizes From 500sqm to 1000 sqm and 2000sqm |
| Height of Building | J-9 metres | No change |

Table 2 - Existing CLEP2015 Controls and Proposed Controls applying to the land.

3.5 Supporting Studies Prepared by Applicant

The PPR is supported by the following studies:

- Engineering Report (December, 2015) prepared by Northrop (Stormwater Management, Roads and Traffic Analysis, Electricity and Telecommunications Service Infrastructure, Water, Sewer and Gas Service Infrastructure, including preliminary costing)
- Flora and Fauna Constraint Assessment (December, 2015) prepared by Eco Logical Australia and supplementary advice (May and June 2016)
- Preliminary Heritage Advice (October, 2015) prepared by Eco Logical Australia
- Bushfire Constraints Assessment (November, 2015) prepared by Eco Logical Australia (and supplementary advice May 2016)
- Odour Assessment (December, 2015) prepared by Pacific Environment Limited.

A brief overview of the studies is provided below, with a more detailed analysis provided in the review of planning issues at Section 4.

3.5.1 Engineering Report (Northrop – 2015)

The study addresses, in a preliminary manner, the engineering infrastructure impacts of the proposal. The salient conclusions are:

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Stormwater Management

- Flooding is not a constraint to the envisaged development
- The proposed stormwater management system can effectively manage stormwater runoff to ensure that under proposed conditions, the residential subdivision will not result in an increase in pollutants or stormwater flows and result in any detrimental impacts to receiving waters or downstream impacts, i.e. Georges River

Roads and Traffic Analysis (Sub Contractor: Positive Traffic)

- the traffic impacts of the development would be minimal with future traffic flows on surrounding roads within acceptable limits
- intersections immediately surrounding the development site currently occur
- the internal road network is designed to facilitate a future bus route if deemed viable with all proposed residential lots within 400 metres of the internal bus route
- overall the traffic impacts are considered acceptable.

Servicing

- the existing service network (electricity, telecommunications, water, sewer and gas) can be amplified and reticulated at reasonable cost to service the proposed development.

3.5.2 Flora and Fauna Constraints Assessment (Eco Logical – 2015)

- Implementation of the Master Plan would have only a minor impact on matters protected under the Threatened Species Conservation Act (TSC) or Environmental Protection and Biodiversity Conservation Act (EPBC) and would not be considered to cause a "significant impact"
- The existing waterway is considered not to meet the definition of a river under the Water Management Act, however, until a relevant case is put to the Department of Primary Industries (Water) the waterway is deemed to be a "moderate" constraint.

3.5.3 Preliminary Heritage Advice (Eco Logical – 2015)

- One local heritage item comprising a stone cottage and bushland setting and potential archaeological sensitivity is situated at 28 Mercedes Road (Potentially the oldest building in Ingleburn)
- The cottage and relevant precinct should potentially be conserved.

3.5.4 Bushfire Constraints Assessment (Eco Logical – 2015)

- Land is identified as Bushfire prone on Campbelltown Bush Fire Prone Land Map and required to comply with *Planning for Bushfire Protection, 2006* (PBP)
-

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

- Most significant on-site hazard likely to be retained (in the park) and adjoining off-site (including roadside) likely to remain into the future
- Modest on-site and locality slopes
- Modest Asset Protection Zone requirements (16m-26m at Bushfire Attack Level 29 construction level)
- Overview statement that residential development is achievable in conformity with PBP and a final strategy will be refined during the planning and design phase of future developments.

3.5.5 Odour Assessment (Pacific Environment Limited – 2015)

- Study focused on operational poultry farm situated at 315-317 Bensley Road
- Predicted odour concentrations anticipated to be below adopted odour performance goal of 2 odour units (OU)
- Notwithstanding, the stated acceptable conclusion, a range of good practice development controls are recommended.

4 Assessment of the Planning Proposal Request

The PPR has been assessed against the former Department of Planning and Infrastructure's document A Guide to Preparing Planning Proposal (the Guide) and Guidelines for Local Plan Making. The Guide contains directions in respect of the required content and justification of the Planning Proposal interpreted to include:

- The Sydney Metropolitan Strategy (now A Plan for Growing Sydney)
- South West draft sub-regional strategy
- Section 117 Directions
- State Environmental Planning Policies (SEPPs) and deemed State Environmental Planning Policies (deemed SEPPs)
- Campbelltown Local Environmental Plan 2015 (CLEP 2015)
- Campbelltown Community Strategic Plan 2013-2023
- Campbelltown Local Planning Strategy – 2013
- Other identified issues.

4.1 Consistency with State planning framework

4.1.1 A Plan for Growing Sydney (December, 2014)

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This Plan is the current overarching strategic planning policy, the document guides Sydney growth and development for a period of 20 years.

It establishes goals and relevant actions in respect of:

- a Competitive well serviced economy
- housing choice and lifestyle
- liveable communities
- environmental conservation and resource management.

Vision for Sydney

Goal 2: A city of housing choice, with homes that meet our needs and lifestyles

Directions 2.1: Accelerate housing supply across Sydney

Action 2.1.1: Accelerate housing supply and local housing choices (fulfilled)

Directions 2.3: Improve housing choice to suit different needs and lifestyles

Action 2.3.3: Deliver more opportunities for affordable housing (fulfilled)

Directions 2.4: Deliver timely and well planned Greenfield precincts and housing (fulfilled).

Goal 3: Sydney's great places to live

Direction 3.2: Create a network of interlinked, multipurpose open green spaces across Sydney (fulfilled in part).

Goal 4: Sydney's sustainable and resilient environment

Direction 4.1: Protect our natural environment and biodiversity

Action 4.1.1: Protect and deliver a network of high conservation value land by investing in green corridors and protecting native vegetation and biodiversity (generally satisfied including potential off-site contributions)

Direction 4.3: Manage the impact of development on the environment (generally fulfilled).

Sydney's Sub-regions

South West Sub-region Priorities

Accelerate housing supply, choice and affordability and build great places to live (fulfilled)

Protect the natural environment and promote its sustainability and resilience (generally fulfilled).

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

4.1.2 Sub-Regional Planning

Refer to South West sub-region priorities of *A Plan for Growing Sydney* in 4.1.1.above

New District Plan noted to ultimately be prepared in partnership with the Greater Sydney Commission

The former Draft Sub-regional Planning Strategy established a new dwelling target of 24,653 to the year 2031 (fulfilled in part)

More recently the Campbelltown/Macarthur Urban Renewal Corridor Strategy and Greater Macarthur Urban Investigation established new dwelling targets of 15,000 and 18,100 respectively (Not relevant).

4.1.3 Section 117 Directions

These directions to Councils from the Minister for Planning and Environment seek to guide the preparation of draft Local Environmental Plans (LEPs).

The Planning Proposal Request is generally consistent or justifiably inconsistent with all relevant s.117 Directions, as highlighted in the commentary below:

Direction 2.1 Environmental Protection Zones

The objective of this Direction is to protect and conserve environmentally sensitive areas.

In accordance with the Direction a Planning Proposal must:

"Lead to the conservation of environmentally sensitive areas".

Additionally, a Planning Proposal that applies to land within an environmental protection zone or land otherwise identified for environmental protection purposes in an LEP must not reduce the environmental protection standards that apply to that land (including by modifying development standards that apply to the land).

The PPR contests that it is not inconsistent with the objective of the Direction, with support of such view being ascribed to the Flora and Fauna Assessment undertaken by consultants Eco Logical.

The proposal to reduce the minimum area of subdivision (a development standard) and related loss of vegetation/habitat is however, considered to be inconsistent with sub clause 4 of the Direction.

The subject inconsistency upon review is considered to be:

- justified by a study prepared in support of the planning proposal which give consideration to the objectives of the Direction (sub clause 6 (b)) and of minor significance (sub clause 6 (d)) (refer to supporting documentation by Eco Logical as appendices 1 and 2 of Appendix 1).
-

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

It is however, considered important that the remnant vegetation to be retained in the proposed parkland is rehabilitated and the subject of a fully funded (in perpetuity), Vegetation Management Plan. Further, it is also considered appropriate that the moderate quality vegetation proposed for removal be the subject of an "Offsetting Strategy".

Finally, additional Koala investigations need to be undertaken in accordance with the provisions of SEPP No 44.

Direction 2.3 Heritage Conservation

The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

In accordance with the Direction a Planning Proposal must facilitate the conservation of:

- (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, natural or aesthetic value of the item, area, object or place identified in a study of the environmental heritage of the area
- (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and
- (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.

The prevailing LEP; namely CLEP 2015 includes the Standard Instrument heritage provisions at Clause 5.10. These provisions will ultimately ensure appropriate conservation outcomes.

In the interim, however, the PPR, despite the accompanying Preliminary Heritage Advice, is not considered to adequately address the potential impacts of the proposal on the identified Heritage Item; namely, the stone cottage (and bushland setting) situated at No.28 Mercedes Road. This however, is not considered to be an issue which cannot be successfully addressed without major compromise, as a relevant Planning Proposal is advanced. Indeed, it is considered that a positive Gateway Determination would likely require full compliance with the subject Section 117 Direction i.e. embellishment of the Preliminary Heritage Advice.

Direction 3.1 Residential Zones

This Direction seeks to encourage housing choice, optimise the utilisation of existing infrastructure and ensure relevant infrastructure upgrades if required and to minimise the impact on environment and resource lands.

The PPR espouses consistency with the subject objectives of the Residential Zones Direction; it being noted that:

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- it is proposed to permit residential development where previously precluded and contribute to land supply and realisation of housing targets
- it is proximate to existing residential development and services
- a range of housing types will be facilitated by the development proposal.

The position espoused is considered to be accurate and the following provisions detailed at sub clause (9) fulfilled:

- broaden the choice of building types and locations available in the housing market
- make more efficient use of existing infrastructure and services
- be of good design.

The requirement documented at (c); namely, reduce the consumption of land for housing and associated urban development is not considered to be fulfilled in the PPR.

The departure is of minor significance (sub clause 11 (d)) and considered to be justified having regard to Council's urban transition philosophy in the East Edge Scenic Protection Lands and the Planning Policy Position noted at Council's Planning and Environment Committee meeting on 14 June 2016 and adopted at the Council meeting on 21 June 2016.

Direction 3.4 Integrating Land use and Transport

This Direction seeks to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the holistic integration of land use and transport.

The proposal locates development adjacent to existing urban development and related infrastructure including bus routes. Development will lead to increased patronage and service levels of such routes, including potential on site expansion of routes.

An opportunity for alternative movement means in the form of pedestrian /cycle ways is to be optimised.

Direction 4.4 Planning for Bushfire Protection

The objectives of this Direction are to manage loss and human safety through land use compatibility and to encourage sound management of bushfire prone areas.

In accordance with the Direction a Planning Proposal must;

- have regard to Planning for Bushfire Protection 2006 (PBP)
 - introduce controls that avoid placing inappropriate developments in hazardous areas
 - ensure that bushfire hazard reduction is not prohibited within an Asset Protection Zone (APZ).
-

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

The Bushfire Constraints Assessment Report submitted in support of the PPR, as previously cited, concludes that the land is capable of supporting residential development in accordance with PBP and that APZ, construction, access and utility requirements are to be refined during the planning and design phase of future development.

It is considered that the APZs (and associated requirements) promoted need to be reviewed as a relevant Planning Proposal is advanced. The significant reliance upon perimeter public roads in particular is questionable when the landscape philosophy is clearly founded upon retention and embellishment of roadside vegetation (creating a potential hazard).

A refined bushfire hazard management strategy is, however, considered to be capable of being readily achieved.

Direction 6.2 Reserving Land for Public Purposes

The objectives of this Direction are to:

- facilitate the provision of public services and facilities by reserving land, and
- facilitating the removal of reservations where not required

The proposed open space area is to be zoned RE1Public Recreation and will need to be ultimately dedicated to Council, subject to its conservation and infrastructure provision being to Council's relevant standards and a relevant VPA being developed including future maintenance provision.

It is noted that the PPR provides insufficient open space, such deficiency being addressed in the Council compiled draft Planning Proposal.

Direction 7.1 Implementation of a Plan for Growing Sydney

The objective of this Direction is to give effect to the planning principles, directions and priorities for sub-regions, strategic centres and transport gateways contained in the plan.

The PPR contests that it is consistent with the subject Direction in a series of generic statements.

The PPR is considered to be generally not inconsistent with the Direction as broadly documented at Section 4.1.1 of this Assessment Report.

Direction 7.2 - Implementation of the Greater Macarthur Land Release Investigation.

The subject land is not included in the Investigation Area. This however, does not mitigate against its consideration as a relevant urban release in the context of sub-regional planning to date.

A full Section 117 "Compliance" Checklist is provided at appendix 9.

4.1.4 Relevant SEPPs and SREPs (deemed SEPPs)

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State Environmental Planning Policies (SEPPs) and Sydney Regional Environmental Plans (SREPs) address issues of state and regional planning importance respectively.

An overview assessment of the relevance and consistency with select SEPPs and SREPs is provided in the PPR. Despite some inadequacies the PPR is considered to be sufficiently consistent with the relevant SEPPs and deemed SEPPs as highlighted below and summarised in appendix 10.

SEPP 55 – Remediation of Land

This SEPP requires Council to consider the suitability of the land for the intended purpose, principally future residential development in the subject case.

The limited understanding of the history of the subject lands suggests that a "Preliminary Investigation" (as referenced in the contaminated land planning guidelines) should be undertaken, as a minimum, as the planning proposal is advanced.

This short term data deficiency is not considered to mitigate against progressing a relevant Planning Proposal.

SEPP 44 – Koala Habitat Protection

This SEPP aims to encourage the proper conservation and management of areas of potential koala habitat to ensure conservation (including arresting decline) of potential koala populations.

Council's preliminary Koala Habitat mapping suggests that the site has Koala conservation implications which have to be addressed at this formative stage of the Planning Proposal process.

The initial Flora and Fauna Constraints Assessment accompanying the PPR has been embellished by some focused ecological survey work. This most recent information extends beyond Council's draft Koala Habitat mapping. Further investigation is still ,however considered to be required in this regard, with such being important to the advancement of a relevant planning proposal.

SEPP 19 – Bushland in Urban Areas

This SEPP seeks to facilitate the protection and preservation of bushland within urban areas including the Campbelltown Local Government Area (CLGA).

The subject land includes "bushland" as defined for the purposes of the SEPP.

The PPR has justified a balanced planning outcome in respect of bushland conservation and potential offsetting.

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (SREP No. 2)

This plan has a Catchment focus and seeks to realise enhanced water quality, river flows, environmental amenity and resource utilisation.

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The subject land is situated in the Georges River Catchment, with the River located to the east.

The PPR request makes a limited statement about sediment and erosion control measures accompanying development. The Northrop Stormwater Management Strategy addresses water quantity and quality measures, but does not adopt a broader catchment perspective as championed in SREP No. 2. In a similar manner the Eco Logical water management focus is limited to a "Waterfront Lands" overview in the context of the Water Management Act, 2000.

It is accordingly concluded that the PPR has not comprehensively addressed the requirements of SREP No. 2 in respect of the application of the documented "planning principles" in the preparation of Local Environmental Plans, via the subject Planning Proposal process. This deficiency is however, considered to be capable of redress and should be highlighted in forwarding a relevant Planning Proposal for a Gateway Determination.

SEPP No.1 – Development Standards

The subject SEPP which controlled variations to development standards has had its application repealed by Clause 1.9 of Campbelltown – Local Environmental Plan, 2015.

Its general role has been assumed by clause 4.6 of CLEP 2015.

SEPP (Affordable Rental Housing, 2009)

The SEPP seeks to facilitate affordable housing so as to assist in achieving certain social housing outcomes. Its most common manifestation occurs in the form of secondary dwellings, boarding houses and group homes.

All low/medium density forms of housing would be permissible under a residential zoning as proposed in the PPR.

It is noted that Council is currently working to gain exemptions to the "blanket" application of the SEPP.

SEPP (Infrastructure, 2007)

The SEPP aims to facilitate the effective delivery of infrastructure.

Certain infrastructure elements associated with the proposed residential rezoning of the subject land would be permissible in accordance with this policy.

SEPP (Building Sustainability Index: BASIX) 2004

The SEPP aims to ensure the appropriate application and delivery of sustainable residential outcomes, via the BASIX scheme.

The application of the SEPP to the rezoning of the subject land will largely reflect in the design and building and development phase attached to dwellings.

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Some of the underlying principles could potentially inform the final nature and configuration of allotments, should the land be rezoned.

SEPP (Exempt and Complying Development), 2008

The SEPP aims to provide streamlined development approvals processes in accordance with minimum standards.

The SEPP would be evoked in respect of the erection of many proposed dwellings, as is standard in the issue of Complying Development Certificates.

It is noted in the context of R5 large lot residential land that significant restrictive provisions are attached to the erection of dwellings.

4.2 Consistency with Local Planning/Policy Framework

A full SEPP and SREP (deemed SEPP) "Compliance" checklist is provided at appendix 10)

4.2.1 Campbelltown Local Environmental Plan, 2015 (CLEP 2015)

The aims of CLEP 2015 of express importance to the subject PPR, as mentioned at 2.3.1, relate to:

- The protection and enhancement of natural heritage and landscape values of land
- Minimisation of exposure to natural hazard (including bushfire)
- Ensuring development outcomes are commensurate with land capability and suitability.

It is considered that the subject aims are largely fulfilled by the proposal. It is recommended in addition to the conservation initiatives attached to the high quality vegetation that appropriate "offsetting" provision be made in respect of the moderate quality vegetation proposed for removal.

Additional koala habitat surveys are also noted to be required.

4.2.2 Campbelltown Local Planning Strategy 2013 (CLPS)

The Edgelands is identified as a sensitive landscape unit which provides limited environmental living opportunities in the form of large lot residential development which has regard to the general bushland character.

They are identified to fulfil a transitional function between the urban edge and heavily vegetated extensive Georges River "foreshore areas"; it being noted that "requests for smaller residential/rural – residential/lifestyle housing development need to be balanced with the existing rural character and prevailing environmental quality of the area".

Opportunities for limited 4,000sqm and large lot environmentally sensitive residential development were flagged to represent the general expectation in the fringing woodland areas.

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The strategy is less definitive in respect of the more open areas contiguous with existing urban communities. These areas may have some form of potential as reflected in the Preliminary Concept Plan accompanying the PPR and Council's acknowledgement in its Planning Policy Position for the subject precinct considered at the Planning and Environment Committee meeting on 14 June 2016 and adopted at Council's meeting on 21 June 2016.

4.2.3 Campbelltown Community Strategic Plan, 2013-2023

This overarching Council/Community Strategic Plan represents the principal Community Outcome focused Strategic Plan guiding Council's policy initiatives and actions.

At a general level the PPR may be 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.

4.2.4 Priority Investigation Area Policy Position

Council considered a report in respect of the subject locality of its Planning and Environment Committee Meeting of 14 June 2016 and subsequently resolved at the council Meeting of 21 June 2016 to adopt the following Policy Position:

'Any future developments within precinct defined in attachment 6L, should reflect a transition from the existing residential density (generally 500sqm) to large lot residential development of 1,000sqm and 2,000sqm allotments.

Retention/management of remnant woodland and reinstatement of an informal rural/woodland verge character of perimeter roads should be pursued where practical.

Potential exploration of land to the east of Bensley Road for sewerred 4,000sqm large lot residential development subject to agricultural constraints being resolved.

Council should not initiate/resource any planning amendments in the subject locality.'

The PPR is largely consistent with the preceding policy position. It is noted however; that the nature and amount of open space have been enhanced in the draft Planning Proposal complied by Council (Refer to Appendices 3 and 7).

4.2.5 Dual Occupancy and Secondary Dwelling Development

Dual occupancy and secondary dwelling development types will generally continue to be a permissible form of development pursuant to the relevant provisions of CLEP 2015 and SEPP (Affordable Rental Housing) 2009, with it being noted that under the R5 – large lot residential zone, dual occupancies are limited to an attached built form.

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It is further noted that additional minimum subdivision lot size provisions are proposed in order to prevent the subdivision of attached dual occupancies within the R5 – large lot residential zone, perimeter development areas i.e. the Bensley and Oxford Road interfaces (refer to Appendix 12). Additionally, the subdivision of secondary dwellings is prohibited under SEPP (Affordable Rental Housing) 2009.

4.3 Infrastructure Impacts

The proposed development occasioned by the envisaged rezoning will have impacts upon local service infrastructure provision.

The immediate road and drainage networks will need to be upgraded at the cost of the ultimate developer. All on-site infrastructure will be provided by the developer.

Relevant off-site impacts, particularly social infrastructure impacts, will need to be addressed typically the way of payment of a relevant contribution.

4.4 Voluntary Planning Agreement Principles (VPA)

The PPR is accompanied by a letter of support detailing some broad Voluntary Planning Agreement Principles including:

- establishment of a fund for the maintenance of the vegetated proposed open space in perpetuity
- provision of funding to construct walking trails, bush regeneration or similar enhancements through the fringing Georges River Nature Reserve.

Additionally, an "offsetting" strategy may need to be brokered as part of a VPA to "compensate" for the medium quality vegetation proposed for removal (refer to appendix 11).

Recommendation

This Assessment recommends that the PPR (as amended) inform a relevant Planning Proposal for submission to the Department of Planning and Environment for a Gateway Determination.

It is noted that the Planning Proposal should include limited open space provision beyond that shown in the PPR (as amended), (refer to attachment 4 in Council report).

SUBJECT LAND HOLDING

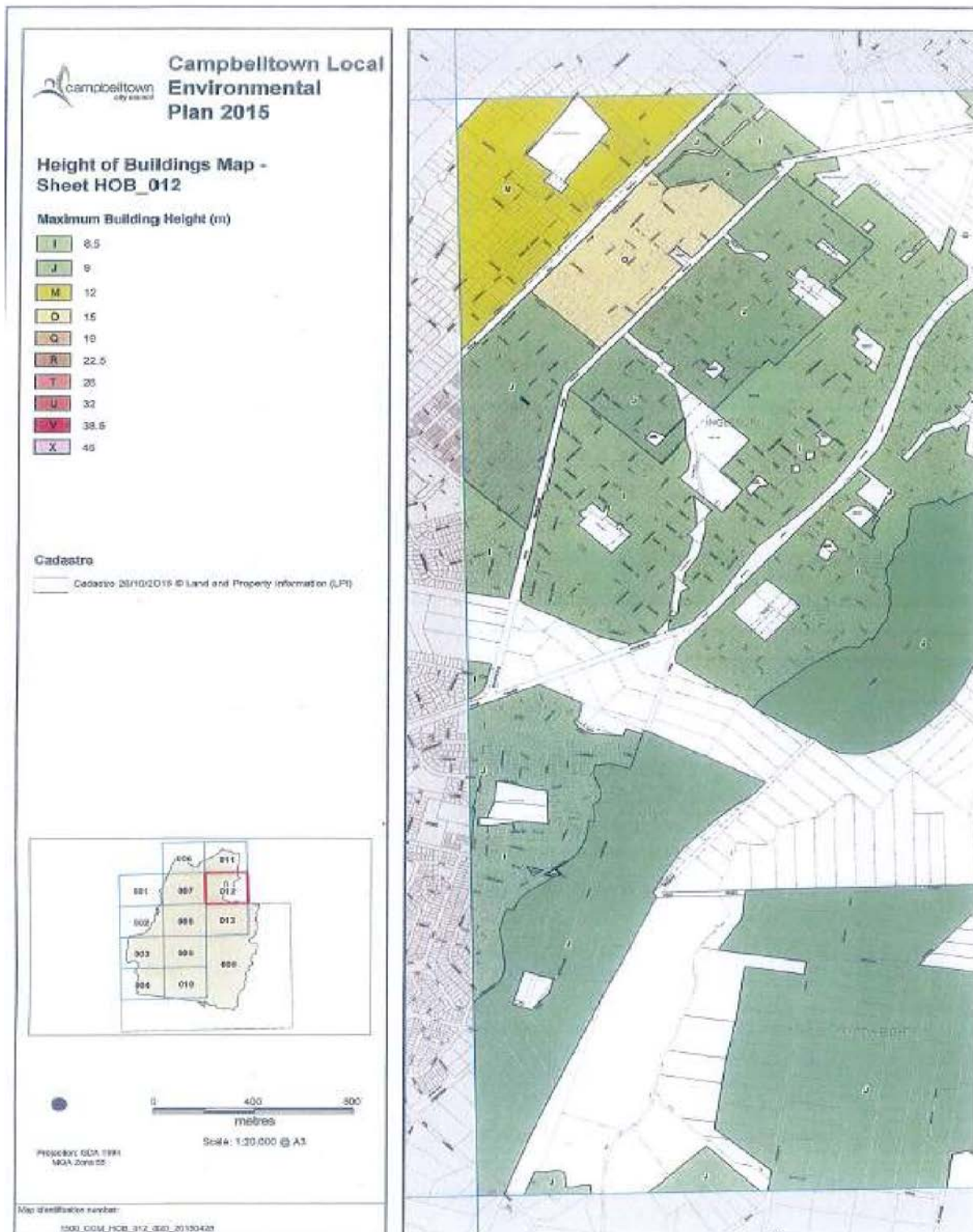


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PROPOSED ZONING MAP

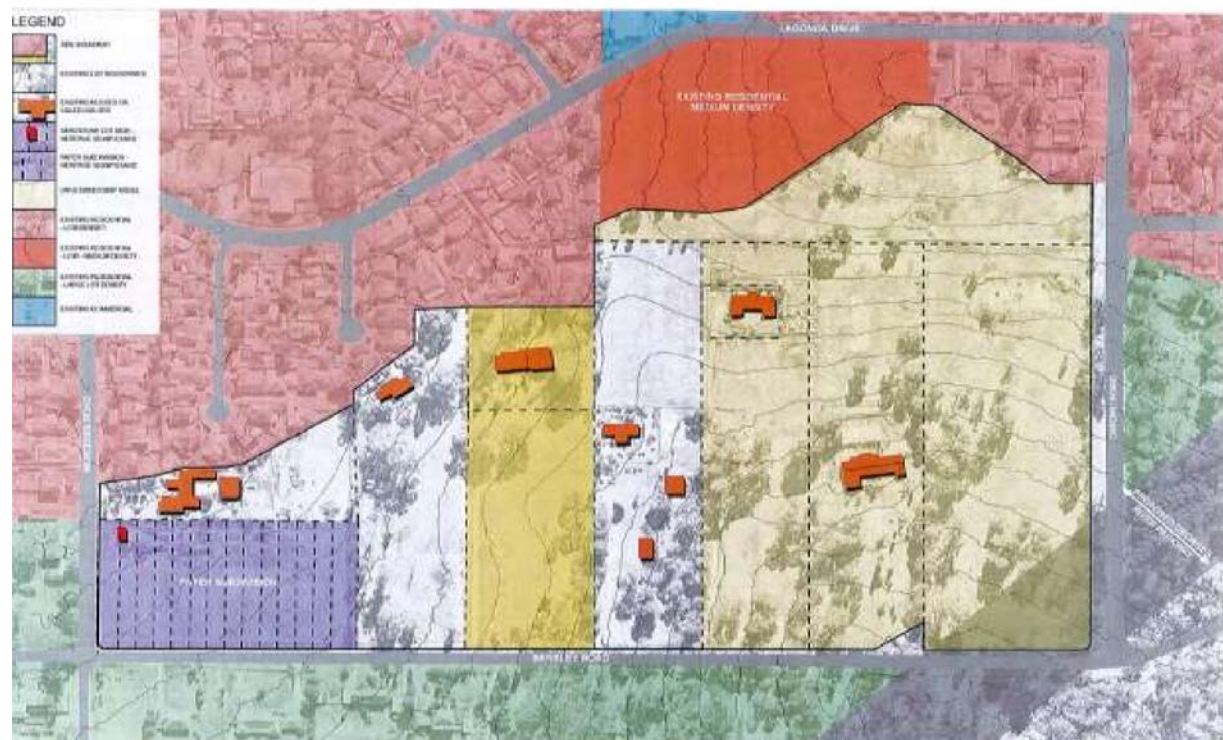


HEIGHT OF BUILDINGS MAP



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PREVAILING CHARACTER

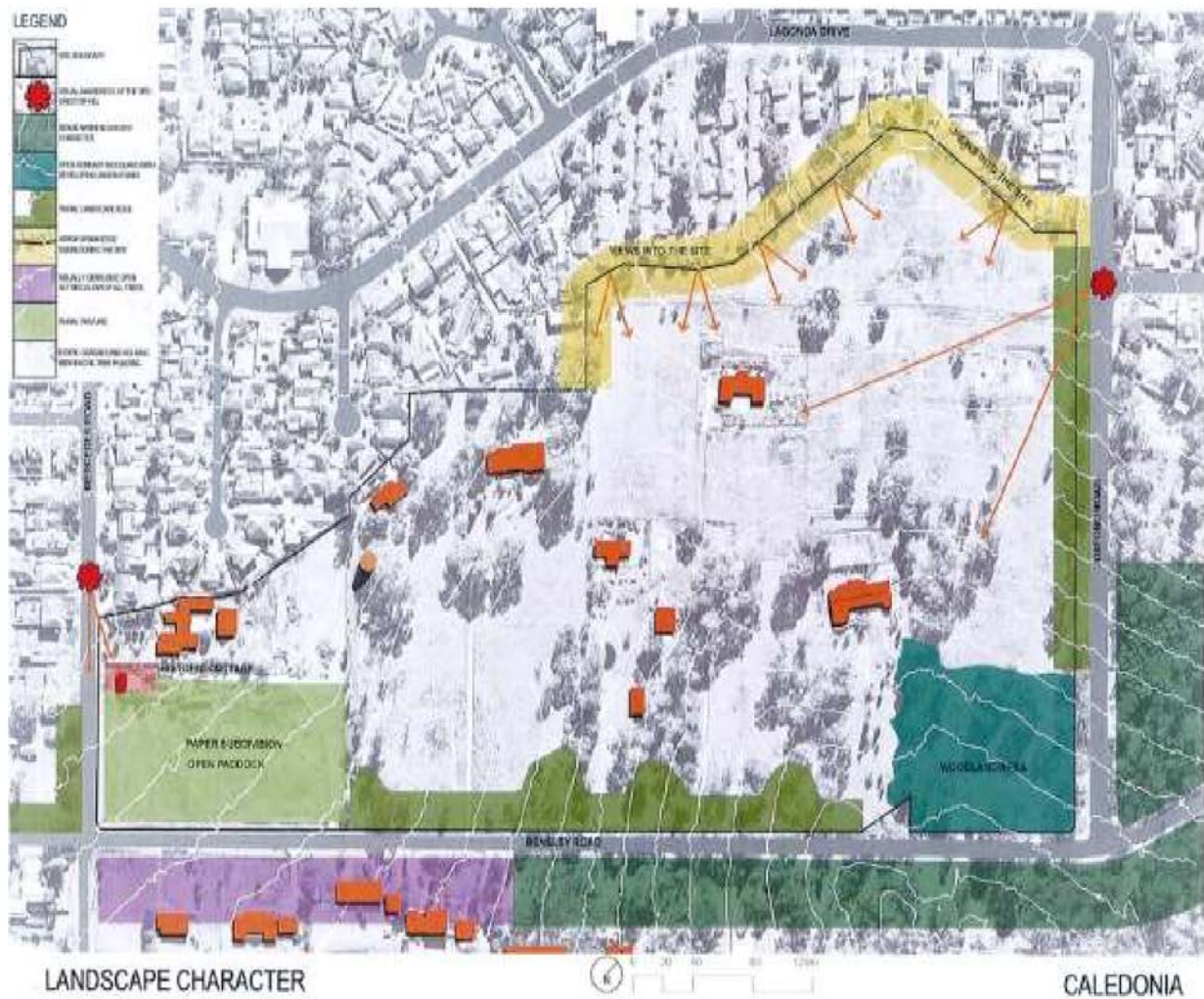


CULTURAL CHARACTER



NATURAL CHARACTER





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SECTION 117 MINISTERIAL COMPLIANCE CHECKLIST

Assessment against Section 117(2) Directions

The table below assesses the Planning Proposal against Section 117(2) Ministerial Directions issued under the *Environmental Planning and Assessment Act (EP&A) 1979*.

| Ministerial Direction | Applicable to LEP | Consistency of LEP with Direction | Assessment |
|--|-------------------|-----------------------------------|--|
| 1. Employment and Resources | | | |
| 1.1 Business and industrial Zones | No | N/A | N/A |
| 1.2 Rural Zones | No | N/A | N/A |
| 1.3 Mining, Petroleum Production and Extractive Industries | No | N/A | N/A |
| 1.4 Oyster Production | No | N/A | N/A |
| 1.5 Rural Lands | No | N/A | N/A |
| 2. Environment and Heritage | | | |
| 2.1 Environmental Protection Zones | Yes | Justifiably Inconsistent | The Planning Proposal does adversely impact on an "environmentally sensitive area" currently zoned "Environmentally Living". In accordance with the Direction the inconsistency is largely justified by a supporting specialist ecological study and is considered to be of minor significance in accordance with the Direction exception criterion. Additional Koala investigations still however, need to be undertaken. |
| 2.2 Coastal Protection | No | N/A | N/A |
| 2.3 Heritage Conservation | Yes | Potential to be | The site includes a heritage item. Further investigation is required to establish that the Planning Proposal is consistent with this Direction. At this point of time, however, on the knowledge available, appropriate heritage outcomes are likely to be identified through appropriate investigations. |
| 2.4 Recreation Vehicle Area | No | No | Direction does not apply. |

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| 3. Housing, Infrastructure and Urban Development | | | |
|--|-----|--------------------------|---|
| 3.1 Residential Zones | Yes | Justifiably Inconsistent | The proposed R2 Low Density Residential R5 Large Lot Residential Zones permit a range of types of residential development adjacent to an existing urban area. The Direction is considered to be generally fulfilled. The "consumption" of land for urban purposes is not however, fulfilled. This inconsistency is considered to be justified by Council's recently adopted urban edge transition philosophy. |
| 3.2 Caravan Parks and Manufactured Home Estates | Yes | Yes | Caravan Parks are currently precluded in both proposed residential zones. |
| 3.3 Home Occupations | Yes | Yes | The R5 Large Lot Residential and R2 Low Density Residential zone permit. "Home occupations" without consent. |
| 3.4 Integrating Land Use and Transport | Yes | Yes | The Planning Proposal seeks to rezone land adjoining on existing urban area for residential development. The site is proximate to public transport and will potentially facilitate expanded and enhanced bus services. |
| 3.5 Development near Licensed Aerodromes | No | N/A | Direction does not apply. |
| 3.6 Shooting Ranges | No | N/A | Direction does not apply. |
| 4. Hazard and Risk | | | |
| 4.1 Acid Sulphate Soils | No | N/A | Land not known to exhibit acid sulphate qualities. |
| 4.2 Mine Subsidence and Unstable Land | No | N/A | Direction does not apply. |
| 4.3 Flood Prone Land | No | N/A | Land not recorded to be flood prone. |
| 4.4 Planning for Bushfire Protection | Yes | Potentially | Further investigation is required to establish that the planning proposal is consistent with this direction. Sufficient information is however available to suggest a relevant management strategy can be achieved. |
| 5. Regional Planning | | | |
| 5.1 Implementation of Regional Strategies | No | N/A | Not applicable in the Campbelltown City LGA |
| 5.2 Sydney Drinking Water Catchments | No | N/A | Not applicable in the Campbelltown City LGA |

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| | | | |
|--|-----|-----------------|--|
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast | No | N/A | Not applicable in the Campbelltown City LGA. |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast | No | N/A | Not applicable in the Campbelltown City LGA. |
| 5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) | No | N/A | Revoked. |
| 5.6 Sydney to Canberra Corridor | No | N/A | Revoked. |
| 5.7 Central Coast | No | N/A | Revoked. |
| 5.8 Second Sydney Airport: Badgerys Creek | No | N/A | Not applicable in the Campbelltown City LGA. |
| 6. Local Plan Making | | | |
| 6.1 Approval and Referral Requirements | Yes | Yes | The proposal is consistent with this direction because it does not alter the provisions relating to approval and referral requirements. |
| 6.2 Reserving Land for Public Purposes | Yes | Potential to be | The proposed dedication of land identified as RE1 will need to be finally accepted by Council. |
| 6.3 Site Specific Provisions | No | N/A | Not applicable in the Campbelltown City LGA. |
| 7. Metropolitan Planning | | | |
| 7.1 Implementation of A Plan for Growing Sydney | Yes | Yes | Consistent – Seeks to increase housing supply at a local scale in a location which is generally consistent with the locational commentary of the Plan. |
| 7.2 Implementation of Greater Macarthur Land Release Investigation | N/A | N/A | The land is not in the subject investigation area. |

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STATE ENVIRONMENTAL PLANNING POLICY CHECKSHEET

Compliance with SEPPs

The table below indicates compliance, where applicable, with State Environmental Planning Policies (SEPPs) and deemed SEPPs (formerly Regional Environmental Plans).

| State Environmental Planning Policies (SEPPs) | Consistency | Comments |
|---|-------------|--|
| SEPP No. 1 - Development Standards | N/A | CLEP 2015 is a standard Instrument Local Environmental Plan. It incorporates Clause 4.6 Exceptions to Development Standards, which negates the need for consistency with SEPP 1. |
| SEPP No. 4 - Development Without Consent and Miscellaneous Complying Developments | N/A | N/A |
| SEPP No.6 - Number of Stories in a Building | Yes | The planning proposal does not contain provisions that will contradict or will hinder the application of the SEPP. |
| SEPP No. 14 - Coastal Wetlands | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP No. 19 - Bushland in Urban Areas | Yes | The Planning Proposal facilitates a balanced planning outcome. |
| SEPP No. 21 - Caravan Parks | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 22 - Shops and Commercial Premises | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 26 - Littoral Rainforests | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP No. 30 - Intensive Agriculture | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 33 - Hazardous and Offensive Development | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 36 - Manufactured Home Estates | N/A | Not applicable in the Campbelltown City LGA. |

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| | | |
|---|-----------------|--|
| SEPP No. 44 - Koala Habitat Protection | Potential to be | Further consideration is required if a Gateway Determination is issued. However, it is unlikely that koala management issues will hinder development. |
| SEPP No. 47 - Moore Park Showground | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP No. 50 - Canal Estates | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP No. 60 - Exempt and Complying Development | Yes | The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP. |
| SEPP No. 62 - Sustainable Aquaculture | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 64 - Advertising and Signage | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 65 - Design Quality of Residential Flat Development | Yes | The Planning Proposal does not apply to zones where residential flat buildings are permissible. |
| SEPP No. 70 - Affordable Housing (Revised Schemes) | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP No. 71 - Coastal Protection | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Affordable Rental Housing) 2009 | Yes | The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP. |
| SEPP (Housing for Seniors or People with a Disability) | Yes | The planning proposal does not contain provisions that will contradict or would hinder a future application for SEPP (HSPD) housing. |
| SEPP (Building Sustainability Index: BASIX) 2004 | Yes | The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP. Future development applications for dwelling will need to comply with this policy. |
| SEPP (Kurnell Peninsula) 1989 | N/A | Not applicable in the Campbelltown City LGA. |

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| | | |
|---|--------------------|---|
| SEPP (Major Development) 2005 | N/A | Not applicable to this Planning Proposal. |
| SEPP (Sydney Region Growth Centres) 2006 | N/A | Not applicable to this Planning Proposal. |
| SEPP (Mining, Petroleum Production and Extractive (Industries) 2007 | Yes | This planning proposal does not contain any provisions which would contradict or hinder the application of this SEPP. |
| SEPP (Temporary Structures) 2007 | N/A | Not applicable to this Planning Proposal. |
| SEPP (Infrastructure) 2007 | Yes | Certain infrastructure required to service residential development would be permissible in accordance with this SEPP. |
| SEPP (Kosciuszko National Park - Alpine Resorts) 2007 | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Rural Lands) 2008 | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Exempt and Complying Development Codes) 2008 | Yes | The planning proposal does not contain provisions that will contradict or would hinder the application of the SEPP at future stages, post rezoning. |
| SEPP (Western Sydney Parklands) 2009 | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Western Sydney Employment Area) 2009 | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Sydney Drinking Water Catchment) 2011 | N/A | Not applicable in the Campbelltown City LGA. |
| Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans) | Consistency | Comments |
| REP No.2 – Georges River Catchment | Potential to be | Documented provisions need to be more comprehensively addressed. |
| REP No.9 - Extractive Industry (No 2) | N/A | Not applicable to by this Planning Proposal. |
| REP No.20- Hawkesbury-Nepean River (No 2-1997) | N/A | Not applicable to this Planning proposal. |
| Drinking Water Catchments REP No.1 | N/A | Not applicable in the Campbelltown City LGA. |

VOLUNTARY PLANNING AGREEMENT PRINCIPLES

The PPR is accompanied by a letter of support detailing some broad Voluntary Planning Agreement Principles including:

- establishment of a fund for the maintenance of the vegetated proposed open space area in perpetuity
- provision of funding to construct walking trails, bush regeneration or similar enhancements through the Georges River Nature Reserve.
- Additionally, an "offsetting" strategy may need to be brokered as part of a VPA to "compensate" for the proposed removal of medium quality vegetation.

SECONDARY DWELLING AND DUAL OCCUPANCY DEVELOPMENT OVERVIEW**Dual occupancy and semi-detached development**

Dual occupancy and semi-detached residential development will be permissible in the R2 low density residential zone in a manner consistent with the existing provisions contained in CLEP 2015. Only attached dual occupancies are permissible in the R5 large lot residential zone of CLEP 2015.

It is considered important that residential development on the large perimeter road frontage allotments (Oxford Road and Bensley Road) is restricted. In this regards it is noted that dual occupancy development must be attached. Any attempt to create a Torrens Title subdivision of a dual occupancy will not be able to achieve the minimum 2,000sqm subdivision area in respect of Bensley Road or 1,000sqm in respect of Oxford Road. Additionally, a proposal for a Torrens Title subdivision would create a semi-detached building. Such form of residential development is prohibited in the R5 zone.

There remains an element of doubt as to whether a Strata Title subdivision could be prevented.

Having regard to the foregoing, it is suggested for increased rigor that Clause 2.6 of CLEP 2015 be amended to add the following provision:

Development consent must not be granted for the subdivision of land on which an attached dual occupancy is situated in the R5 large lot residential zone, if the subdivision would result in two dwellings situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.

Secondary dwellings

Secondary dwellings are permissible in both the R2 low density residential and R5 large lot residential zone, pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009.

It is noted that Clause 2.6(2) of CLEP 2015 restricts the subdivision of land on which a secondary dwelling is situated. Specifically, the clause states:

Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to the land.

It is further noted that clause 22 of the SEPP (Affordable Rental Housing) 2009 limits development to a principal dwelling and secondary dwelling. Dual occupancy development is accordingly not permissible in such context. Further, Clause 24 of subject SEPP precludes subdivision of a lot on which a secondary dwelling has been developed.

ATTACHMENT 4



Planning Proposal - Caledonia Precinct (Bensley, Mercedes and Oxford Roads, Ingleburn) Campbelltown City Council

Planning Proposal (PP)

Caledonia Precinct

Background

The East Edge Scenic Protection Lands form a strategic transitional landscape unit located between the eastern urban edge of Campbelltown City and the proposed "Georges River Parkway" (Road). The Landscape Unit has been the subject of numerous scenic landscape and urban capability investigations over recent years. Most recently, at the Council meeting of 21 June 2016, Council reinforced the broad-ranging development principles for the future of the Landscape Unit, including the East Edge Scenic Protection Lands – Ingleburn – EE2 (inclusive of the Caledonia Precinct).

The subject principles applying to the Caledonia precinct in summary include:

- Any future developments within the precinct should reflect a transition from the existing residential density (generally 500sqm) to large lot residential development of 1,000sqm and 2,000sqm allotments.
- Retention/management of remnant woodland and reinstatement of an informal rural /woodland verge character of perimeter roads should be pursued where practical.

These principles have evolved during the review of a Planning Proposal Request (PPR) submitted for the part of the Ingleburn EE2 precinct known as the Caledonia Precinct.

Existing situation

The site comprises some 17.65 hectares of rural residential land generally bounded by Mercedes Road, Bensley Road and Oxford Road. It forms part of the eastern edge of the suburb of Ingleburn and part of a landscape unit which is known as the East Edge Scenic Protection Lands or 'the Edgelands'. Generally, to the immediate east is the reservation of the proposed 'Georges River Parkway' (Road), which forms a clear divide to the densely vegetated George River environs.

Some two kilometres to the west of the site is the Ingleburn Town Centre, Industrial Precinct and transport hub focused on Ingleburn Railway Station.

An aerial photograph extract of the subject site in its immediate context is produced below.



Figure 1 – Subject site and immediate locality

The real property description of the land is as follows:

- Lot 41 DP 1021880 (No. 26 Mercedes Road)
- Lots 55-68 (inclusive) Sec A2 DP 2189 (No. 28 Mercedes Road)
- Lot 25 DP 617465 (No. 9 Daimler Place)
- Lot 2 DP 550894 (No. 308 Bensley Road)
- Lot 1 DP 597774 (No. 306 Bensley Road)
- Lot 2 DP 597774 (No. 304 Bensley Road)
- Lot 3 DP 597774 (No. 302 Bensley Road)
- Lot 47 DP 595243 (No. 300 Bensley Road)
- Lot 4 DP 261609 (Oxford Road) & Lot 1 DP 261609 (No. 233 Oxford Road)

The site has a general open scattered remnant woodland, rural - residential character, a dominant feature being the informal grouping of trees which creates a distinct natural edge to Bensley and Oxford Roads.

Further, the site transitions into more heavily vegetated land to the immediate north and east and generally open rural residential land to the immediate south east and an operational poultry farm. The western interface comprises low density and medium density residential

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development. The perimeter roads (Mercedes and Oxford Roads) form the only connectivity with the existing residential communities.

The site has access to reticulated service provision, excluding sewer.

Part 1 – Objectives or Intended Outcomes

The objective of the planning proposal (PP) is to amend Campbelltown Local Environmental Plan 2015 (CLEP 2015) so as to facilitate the development of the subject land holding for principally low density residential purposes together with support public recreation opportunities and infrastructure provision.

In seeking to realise such objective the PP aims to deliver the following outcomes:

- a transition in residential densities and building typologies from the existing urban edge to the interface with the proposed "Georges River Parkway"
- conservation of the most significant on-site vegetation
- enhanced water quality outcomes
- preserve that part of the proposed Georges River Parkway reservation which impacts the site
- retention and embellishment of the exiting rural verge on the perimeter roads
- minimisation of potential heritage impacts and implementation of a relevant conservation strategy
- augmentation and reticulation of all essential services.

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 distribution across the site. In this regard the following zoning controls are proposed:

- R2 - low density residential from the exiting urban edge
 - R5 - large lot residential generally for the road frontage perimeter of the site
 - RE1 - for the open space area generally aligning with the area of vegetation to be retrained and storm water management control point.
-

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The proposed Zoning Map in annexure 1 reflects the above.

It is noted that the SP2 - Infrastructure Zone is to be retained where it aligns with the proposed Georges River Parkway Reservation (Road).

The proposed Minimum Lot Size Map in annexure 2 reflects lot sizes commensurate with the above referenced residential zones as follows;

- R2 - low density residential - 500sqm
- R5 - large lot residential - 1000 and 2000 sqm

The Maximum Building Height Map at nine metres is to remain unchanged.

The Land Reservation Acquisition Map is also to remain unchanged.

It is also proposed to introduce a local clause for the Caledonia Site under CLEP 2015 (as shown in annexure 3), the clause shall relate to the preparation of a Development Control Plan which addresses the following elements of the Vision for Caledonia beyond the principal development controls in CLEP 2015 as proposed to be amended:

- a transition in residential densities and building typologies from the existing urban edge to the interface with proposed Georges River Parkway
- conservation of the most significant on-site vegetation
- enhanced water quality outcomes
- preservation of that part of the proposed Georges River Parkway reservation which impacts the site
- retention and embellishment of the exiting rural verge on the perimeter roads
- minimisation of potential heritage impact and implementation of a relevant conservation strategy
- the servicing of the land.

Additionally, dual occupancy (attached) development is to be controlled in the R5 Large Lot Residential zone by amending clause 2.6 by introducing a reference to the m subdivision lot size as follows:

- (3) Development consent must not be granted for the subdivision of land on which an attached dual occupancy is situated in the R5 large lot residential zone, if the subdivision would result in two dwellings situated on separate lots, unless the
-

resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.

Part 3 – Justification

Section A - Need for the planning proposal

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

The PP is not the result of a strategic study or report. It is however, consistent with a recent review of the planning provisions for the subject locality (Council meeting of 21 June 2016).

It is noted that the PPR submitted in respect of the subject land is a professionally compiled report supported by a range of specialist studies.

The supporting reports address the following specific area;

- storm water management
- traffic management and accessibility
- service infrastructure provision
- ecology (as amended)
- heritage
- bushfire hazard
- odour impacts
- preliminary Concept Plan
- planning framework compliance.

The subject reports are included in the PPR.

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)?

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

The sub-regional planning framework is under review as the Greater Sydney Commission seeks to overhaul previous sub-regional planning initiatives and recent issue specific planning exercises.

The PP is importantly not inconsistent with the relevant areas of the former draft Sub-Regional Planning Strategy and in particular the dwellings target objectives and general locational criterion.

4. Is the planning proposal consistent with the local Council's Community Strategic Plans?

Campbelltown Community Strategic Plan 2013 - 2023

This overarching Council/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.

Draft Campbelltown Local Planning Strategy 2013

The Edgelands is identified as a sensitive landscape unit which provides limited environmental living opportunities in the form of large lot residential development which has regard to the general bushland character.

They are identified to fulfil a transitional function between the urban edge and heavily vegetated extensive Georges River 'foreshore areas'; it being noted that 'requests for smaller residential/rural – residential/lifestyle housing development need to be balanced with the existing rural character and prevailing environmental quality of the area'.

Opportunities for limited 4,000sqm and large lot environmentally sensitive residential development were flagged to represent the general expectation in the fringing woodland areas. The strategy is less definitive in respect of the more open areas contiguous with existing urban communities. These areas may have some form of potential for transitional urban development as reflected in the Preliminary Concept Plan accompanying the PPR and Council's acknowledgement in its Planning Policy Position for the subject precinct, adopted at its meeting on 21 June 2016.

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The PP is consistent with the above-mentioned Planning Policy Position.

Campbelltown Residential Development Strategy 2013

The Campbelltown Residential Development Strategy provided a broad strategic plan for delivering sub-regional housing supply objectives at a local level. It is heavily focused on urban renewal/infill areas and major Greenfield urban release areas.

Some passing reference is made to lifestyle housing opportunities. It does not however, address in any detail the transitional fringe rural/urban interface areas.

The PP could be considered to be consistent to the extent of fulfilling underpinning housing supply and housing diversity objectives.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is consistent with applicable State Environmental Planning Policies. See Table 1 below;

| State Environmental Planning Policies (SEPPs) | Consistency | Comments |
|--|-------------|--|
| SEPP No 1 Development Standards | N/A | CLEP 2015 is a Standard Instrument Local Environmental Plan. It incorporates Clause 4.6 Exceptions to Development Standards, which negates the need for consistency with SEPP 1. |
| SEPP No. 4 - Development Without Consent and Miscellaneous Complying Development | N/A | N/A |
| SEPP No.6 - Number of Stories in a Building | Yes | The planning proposal does not contain provisions that will contradict or will hinder the application of the SEPP. |
| SEPP No. 14 - Coastal Wetlands | N/A | Not applicable in the Campbelltown City LGA. |

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| | | |
|---|-----------------|---|
| SEPP No. 19 - Bushland in Urban Areas | Yes | The Planning Proposal facilitates a balanced planning outcome. Commentary needs to be expanded. |
| SEPP No. 21 - Caravan Parks | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 22 - Shops and Commercial Premises | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 26 - Littoral Rainforests | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP No. 30 - Intensive Agriculture | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 33 - Hazardous and Offensive Development | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 36 - Manufactured Home Estates | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP No. 44 - Koala Habitat Protection | Potential to be | Further consideration is required if a Gateway Determination is issued. However, it is unlikely that koala management issues will hinder development. |
| SEPP No. 47 - Moore Park Showground | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP No. 50 - Canal Estates | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP No. 60 - Exempt and Complying Development | Yes | The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP. |
| SEPP No. 62 - Sustainable Aquaculture | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 64 - Advertising and Signage | N/A | Not applicable to this Planning Proposal. |
| SEPP No. 65 - Design Quality of Residential Flat Development | Yes | The Planning Proposal does not apply to zones where residential flat buildings are permissible. |

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| | | |
|--|-----|---|
| SEPP No. 70 - Affordable Housing (Revised Schemes) | N/A | Not applicable in the Campbelltown City LGA |
| SEPP No. 71 - Coastal Protection | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Affordable Rental Housing) 2009 | Yes | The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP. |
| SEPP (Housing for Seniors or People with a Disability) | Yes | The planning proposal does not contain provisions that will contradict or would hinder a future application for SEPP (HSPD) housing. |
| SEPP (Building Sustainability Index: BASIX) 2004 | Yes | The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP. Future development applications for dwellings will need to comply with this policy. |
| SEPP (Kurnell Peninsula) 1989 | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Major Development) 2005 | N/A | Not applicable to this Planning Proposal. |
| SEPP (Sydney Region Growth Centres) 2006 | N/A | Not applicable to this Planning Proposal. |
| SEPP (Mining, Petroleum Production and Extractive Industries) 2007 | Yes | This Planning Proposal does not contain provisions which would contradict or hinder the application of this SEPP. |
| SEPP (Temporary Structures) 2007 | N/A | Not applicable to this Planning Proposal. |
| SEPP (Infrastructure) 2007 | Yes | Certain infrastructure required to service residential development would be permissible in accordance with this SEPP. |
| SEPP (Kosciuszko National Park - Alpine Resorts) 2007 | N/A | Not applicable in the Campbelltown City LGA. |

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

| | | |
|---|--------------------|---|
| SEPP (Rural Lands) 2008 | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Exempt and Complying Development Codes) 2008 | Yes | The planning proposal does not contain provisions that will contradict or would hinder the application of the SEPP at future stages, post rezoning. |
| SEPP (Western Sydney Parklands) 2009 | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Western Sydney Employment Area) 2009 | N/A | Not applicable in the Campbelltown City LGA. |
| SEPP (Sydney Drinking Water Catchment) 2011 | N/A | Not applicable in the Campbelltown City LGA. |
| Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans) | Consistency | Comments |
| REP No.2 – Georges River Catchment | Potential to be | Documented provisions need to be more comprehensively addressed. |
| REP No.9 - Extractive Industry (No 2) | N/A | Not applicable to this Planning Proposal. |
| REP No.20 - Hawkesbury-Nepean River (No 2 1997) | N/A | Not applicable to this Planning proposal. |
| Drinking Water Catchments REP No.1 | N/A | Not applicable in the Campbelltown City LGA. |

Table 1 – Consistency with State Environmental Planning Policies and deemed State Environmental Planning Policies.

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

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

| Ministerial Direction | Applicable to LEP | Consistency of LEP with Direction | Assessment |
|--|-------------------|-----------------------------------|--|
| 1. Employment and Resources | | | |
| 1.1 Business and industrial Zones | No | N/A | N/A |
| 1.2 Rural Zones | No | N/A | N/A |
| 1.3 Mining, Petroleum Production and Extractive Industries | No | N/A | N/A |
| 1.4 Oyster Production | No | N/A | N/A |
| 1.5 Rural Lands | No | N/A | N/A |
| 2. Environment and Heritage | | | |
| 2.1 Environmental Protection Zones | Yes | Justifiably Inconsistent | The Planning Proposal does adversely impact on an "environmentally sensitive area" currently zoned "Environmentally Living". In accordance with the Direction the inconsistency is largely justified by a supporting specialist ecological study and is considered to be of minor significance in accordance with the Direction exception criterion. Additional Koala investigations still however, need to be undertaken. |
| 2.2 Coastal Protection | No | N/A | N/A |
| 2.3 Heritage Conservation | Yes | Potential | The site includes a heritage item. Further investigation is required to establish that the Planning Proposal is consistent with this Direction. At this point-of-time, however, on the knowledge available, appropriate heritage outcomes are likely to be identified through appropriate investigations. |
| 2.4 Recreation Vehicle Area | No | No | Direction does not apply. |

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

3. Housing, Infrastructure and Urban Development

| | | | |
|---|-----|--------------------------|--|
| 3.1 Residential Zones | Yes | Justifiably Inconsistent | The proposed R2 Low Density Residential and R5 Large Lot residential zones permit a range of types of residential development adjacent to an existing urban area. The Direction is considered to be generally fulfilled. The "consumption" of land for urban purposes is not however, fulfilled. This inconsistently is considered to be justified by Council's recently adopted urban edge transition philosophy. |
| 3.2 Caravan Parks and Manufactured Home Estates | Yes | Yes | Caravan Parks are currently precluded in both proposed residential zones. |
| 3.3 Home Occupations | Yes | Yes | The R5 Large Lot Residential and R2 Low Density Residential zone permit "Home occupations" without consent. |
| 3.4 Integrating Land Use and transport | Yes | Yes | The Planning Proposal seeks to rezone land adjoining an existing urban area for residential development. The site is proximate to public transport and will potentially facilitate expanded and enhanced bus services. Opportunities to optimise pedestrian/cycleway should be optimised. |
| 3.5 Development Near Licensed Aerodromes | No | N/A | Direction does not apply. |
| 3.6 Shooting Ranges | No | N/A | Direction does not apply. |

4. Hazard and Risk

| | | | |
|---------------------------------------|----|-----|--|
| 4.1 Acid Sulphate Soils | No | N/A | Land not known to exhibit acid sulphate qualities. |
| 4.2 Mine Subsidence and Unstable Land | No | N/A | Direction does not apply. |
| 4.3 Flood Prone Land | No | N/A | Land not recorded to be flood prone. |

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

| | | | |
|--|-----|-----------------|--|
| 4.4 Planning for Bushfire Protection | Yes | Potentially | Further investigation is required to establish that the planning proposal is consistent with this direction. Sufficient information is however, available to suggest a relevant management strategy can be achieved. |
| 5. Regional Planning | | | |
| 5.1 Implementation of Regional Strategies | No | N/A | Not applicable in the Campbelltown City LGA |
| 5.2 Sydney Drinking Water Catchments | No | N/A | Not applicable in the Campbelltown City LGA |
| 5.3 Farmland of State and Regional Significance on the NSW Far North Coast | No | N/A | Not applicable in the Campbelltown City LGA. |
| 5.4 Commercial and Retail Development along the Pacific Highway, North Coast | No | N/A | Not applicable in the Campbelltown City LGA. |
| 5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) | No | N/A | Revoked. |
| 5.6 Sydney to Canberra Corridor | No | N/A | Revoked. |
| 5.7 Central Coast | No | N/A | Revoked. |
| 5.8 Second Sydney Airport: Badgerys Creek | No | N/A | Not applicable in the Campbelltown City LGA |
| 6. Local Plan Making | | | |
| 6.1 Approval and Referral Requirements | Yes | Yes | The proposal is consistent with this direction because it does not alter the provisions relating to approval and referral requirements. |
| 6.2 Reserving Land for Public Purposes | Yes | Potential to be | The proposed dedication of land identified as RE1 will need to be finally accepted by Council. |
| 6.3 Site Specific Provisions | No | N/A | Not applicable in the Campbelltown City LGA |

7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn

| 7. Metropolitan Planning | | | |
|--|-----|-----|--|
| 7.1 Implementation of A Plan for Growing Sydney | Yes | Yes | Consistent – Seeks to increase housing supply at a local scale in a location which is generally consistent with the locational commentary of the Plan. |
| 7.2 Implementation of Greater Macarthur Land Release Investigation | N/A | N/A | The land is not in the subject investigation area. |

Table 2 assesses the Planning Proposal against Section 117(2) Ministerial Directions issued under the *Environmental Planning and Assessment Act (EP&A) 1979*.

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?

The PP will impact adversely upon the critically endangered Cumberland Plain Woodland ecological community. The impact however, from initial review, is not considered to be significant. No core Koala habitat is importantly likely to be threatened. This impact will need to be further documented as the PP is advanced.

It is noted in this regard that it is proposed to enter Voluntary Planning Agreement (VPA) to ensure that the on-site vegetation to be retained in the proposed open space area is rehabilitated to a maintainable standard and then maintained in perpetuity, in accordance with a relevant Vegetation Management Plan. Additionally, funding is proposed to facilitate enhanced controlled public access to the off-site local woodland areas in public ownership.

Further, an "offsetting" strategy may need to be brokered as part of the VPA to "compensate" for the medium quality vegetation proposed for removal.

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 a number of potential environmental effects associated with the proposal beyond local ecology which require specific management strategies so as to ensure acceptable and sustainable environmental outcomes.

The relationship to the retained vegetation and fringing off-site vegetation requires a range of bushfire management measures. Modest asset protection zone requirements at Bushfire Attack

Level 29 (BAL29) construction level are proposed to manage the potential bushfire hazard impacts.

The presence of a heritage item (local) at 28 Mercedes Road will require its retention, conservation and establishment of an appropriate curtilage. Further heritage analysis will be required as the PP is advanced.

Advanced storm-water management practices will be required to ensure appropriate storm-water management outcomes, particularly given the relationship to the nearby Georges River. The storm-water management principles detailed in the accompanying storm-water management study will need to be reviewed and further documented as the PP is progressed.

A preliminary contamination investigation, as a minimum, should be undertaken given the past rural residential usage of the land, as the PP is advanced.

Amplification and reticulation of all service infrastructure including in particular water and sewer will need to be further documented in the PP.

9. How the planning proposal adequately addressed any social and economic effects?

The rezoning for residential purposes will result in positive economic effects. The planning proposal will potentially result in short and medium term employment opportunities related to development and construction activities associated with the sub-divisional works and the subsequent erection of dwellings.

The increased supply of diverse housing stock will also have positive social impacts. Additionally, an increase in the resident population will potentially have positive social and economic impacts on the Ingleburn Town Centre as a centre of commerce and recreation; this being reflected in increased employment and purchasing power.

Section D - State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

Preliminary infrastructure investigations accompanied the PPR. These investigations were undertaken by Northrop Consulting Engineer and concluded that the existing service infrastructure network (water, sewer, electricity, telecommunications and gas servicing) was available in the locality and could be economically augmented and reticulated.

Perimeter roads will be upgraded as a requirement of development and likewise requisite storm-water management infrastructure and service roads.

Open space will be provide and embellished in accordance with Council's relevant standards.

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:

- 4.1 amendments to Zoning Map (refer to annexure 1)
- 4.2 amendments to Lot Size Map (refer to annexure 2)
- 4.3 amendments to Lot Size for Dual Occupancy Development Map (refer to annexure 4)
- 4.4 amendments to Lot Averaging Map (refer to annexure 5)
- 4.5 addition of Proposed Clause Application Map (refer to annexure 6)

It is noted that it is not proposed to amend the existing;

- Height of Buildings Map
- Infrastructure Map
- Land Reservation Acquisition Map.

Part 5 - Community Consultation

Public consultation will take place in accordance with a relevant Gateway determination. It is considered appropriate given the nature of the proposal and the subject locality that a 28 day minimum public exhibition period is enacted.

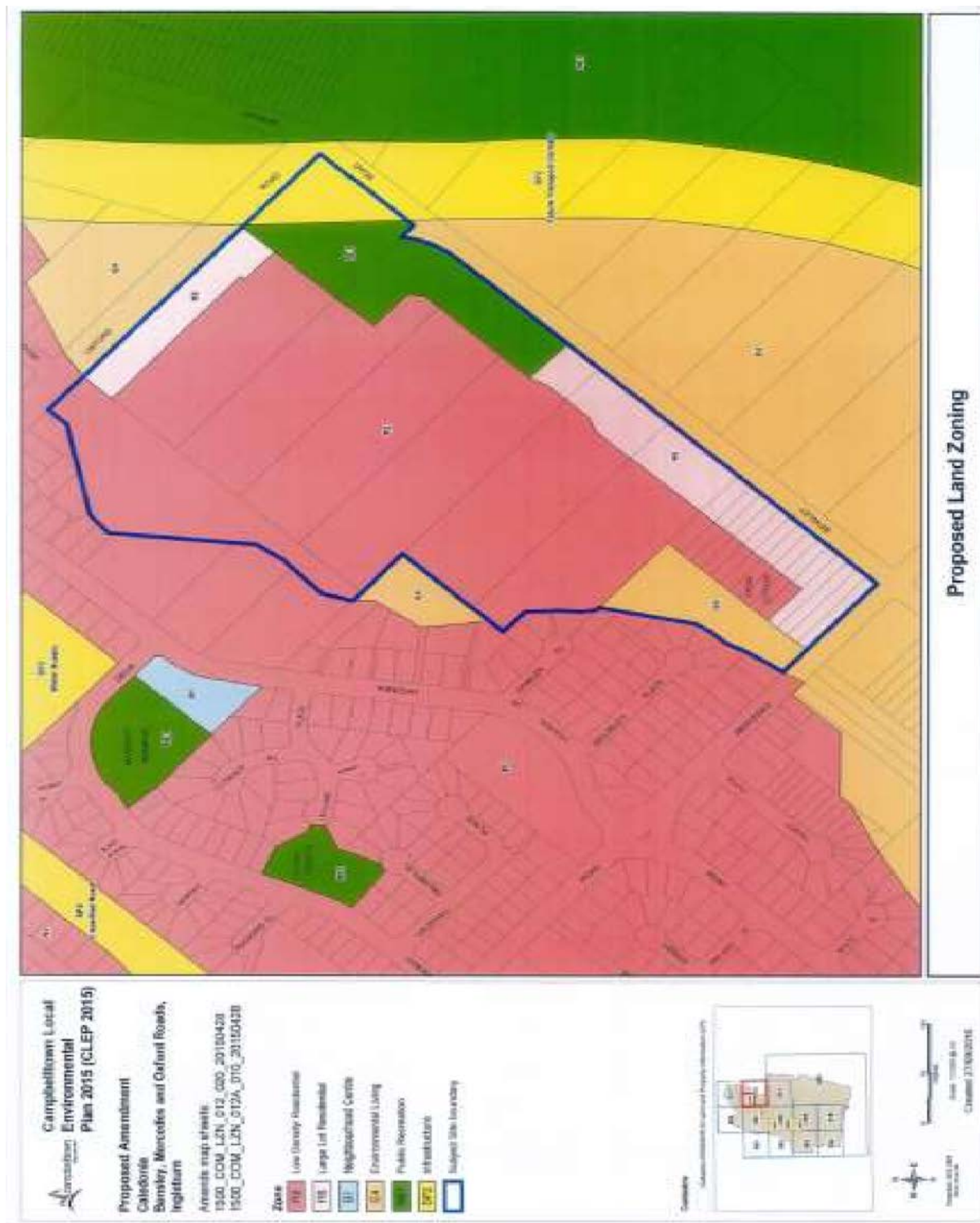
Consultation with relevant authorities and agencies should also correspondingly occur over the public exhibition period.

Part 6 - Project Timeline

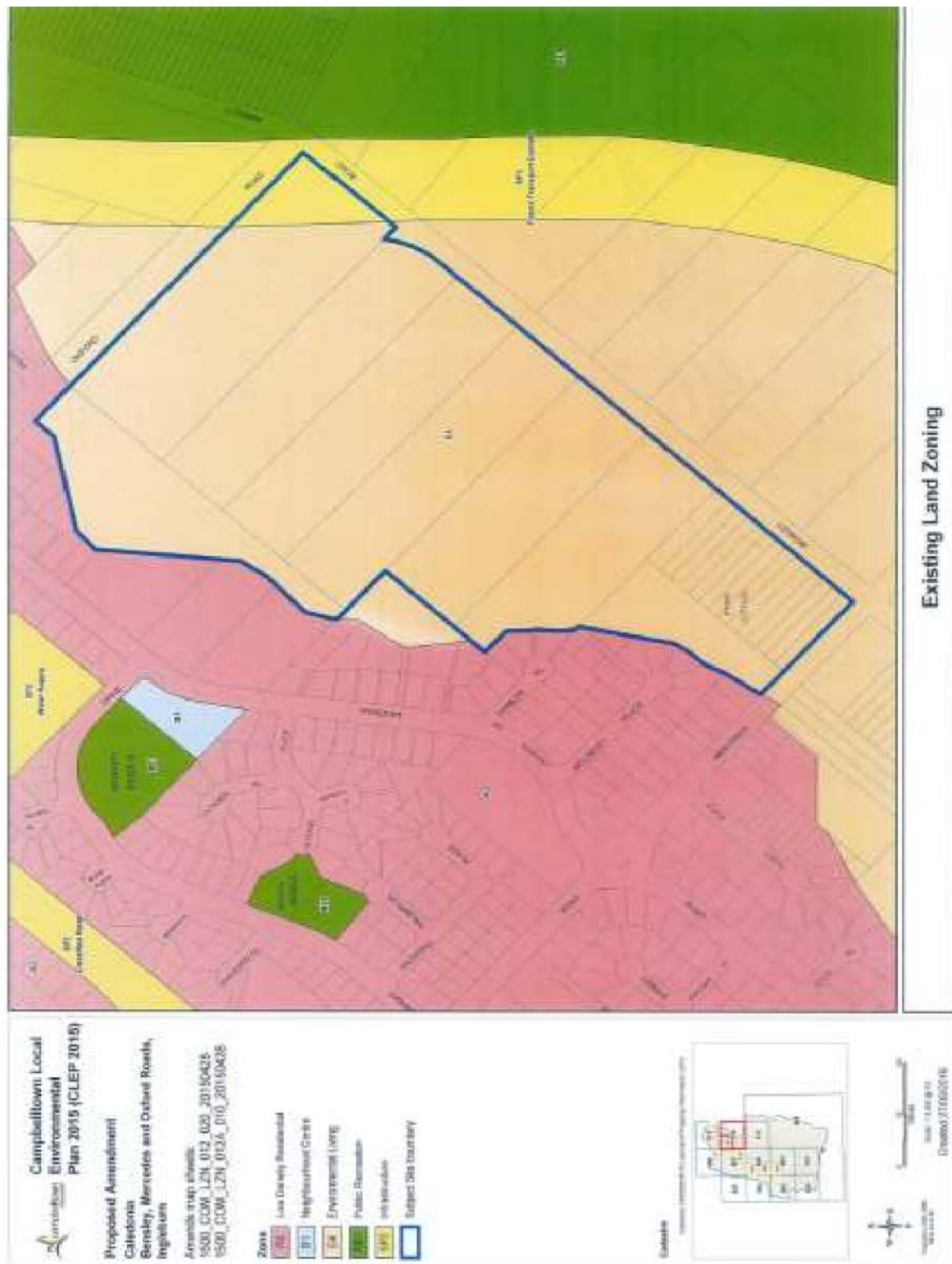
The following notional project timeline is proposed:

| | |
|---|----------------|
| Council endorsement of Planning Proposal | October 2016 |
| Referral for a Gateway Determination | November 2016 |
| Gateway Determination | December 2016 |
| Completion of additional supporting documentation | February 2017 |
| Public Exhibition | March 2017 |
| Consideration of submissions (Report to Council) | May 2017 |
| Referral to Department of Planning and Environment for finalisation | June 2017 |
| Plan amendment made | September 2017 |

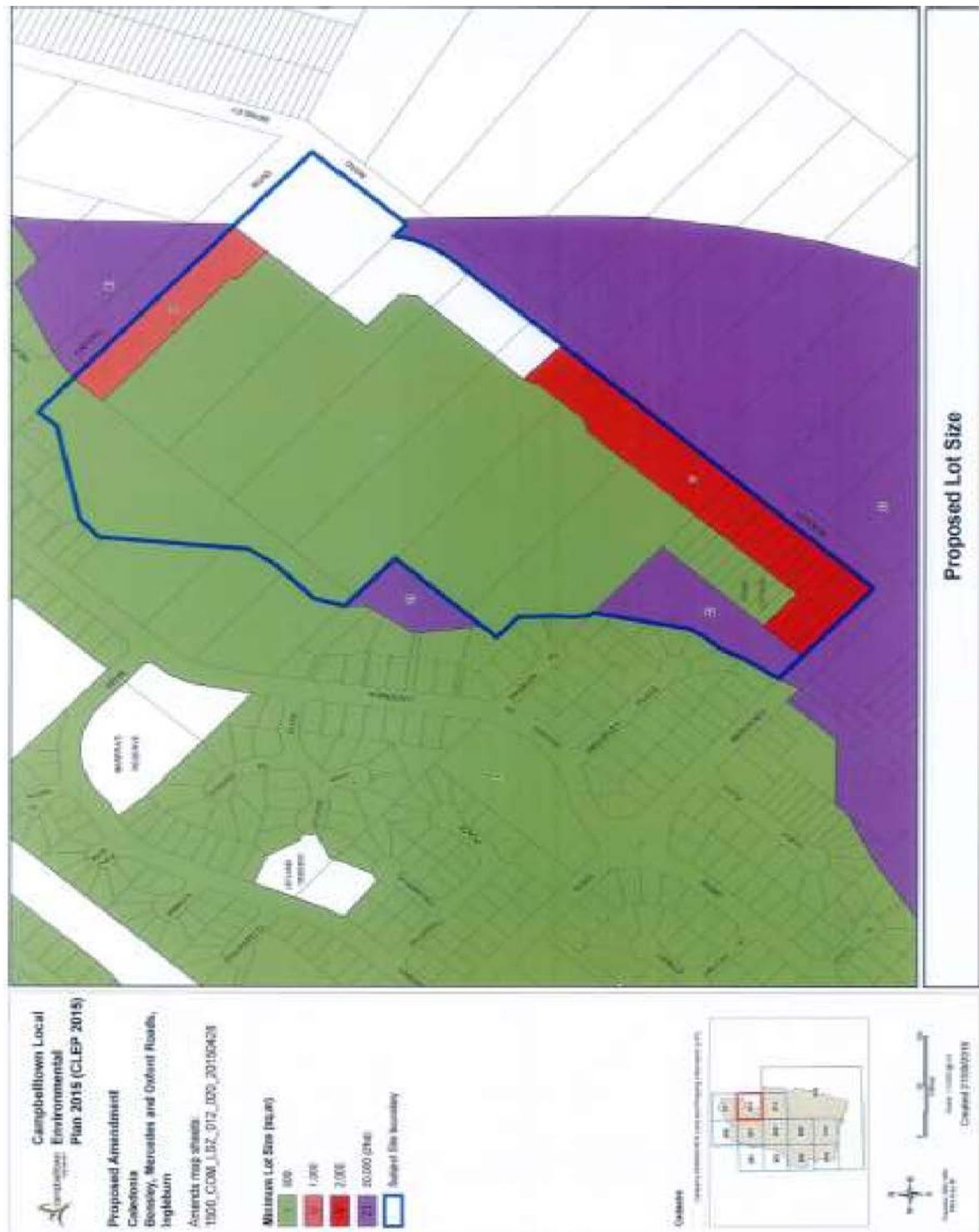
7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn



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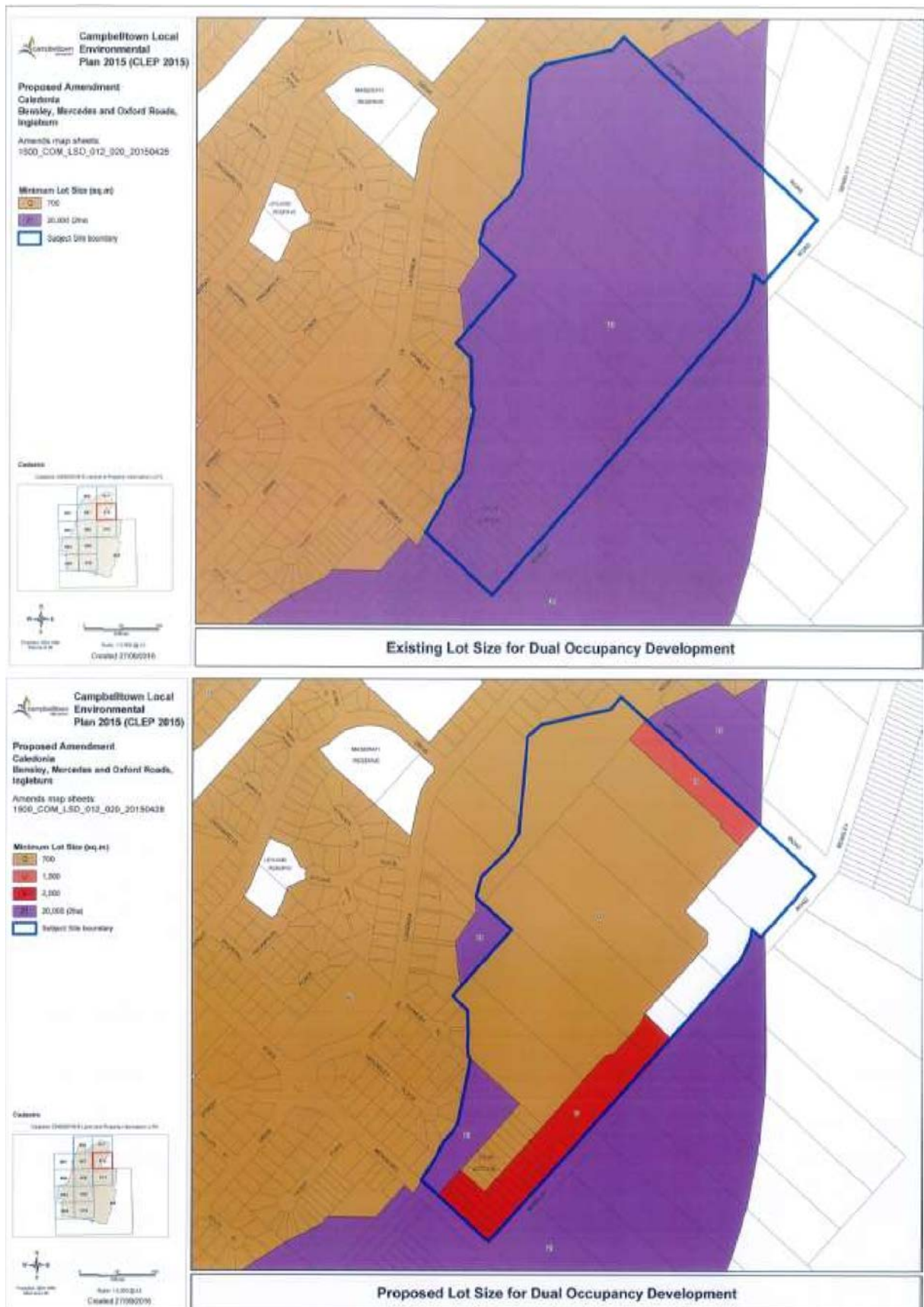
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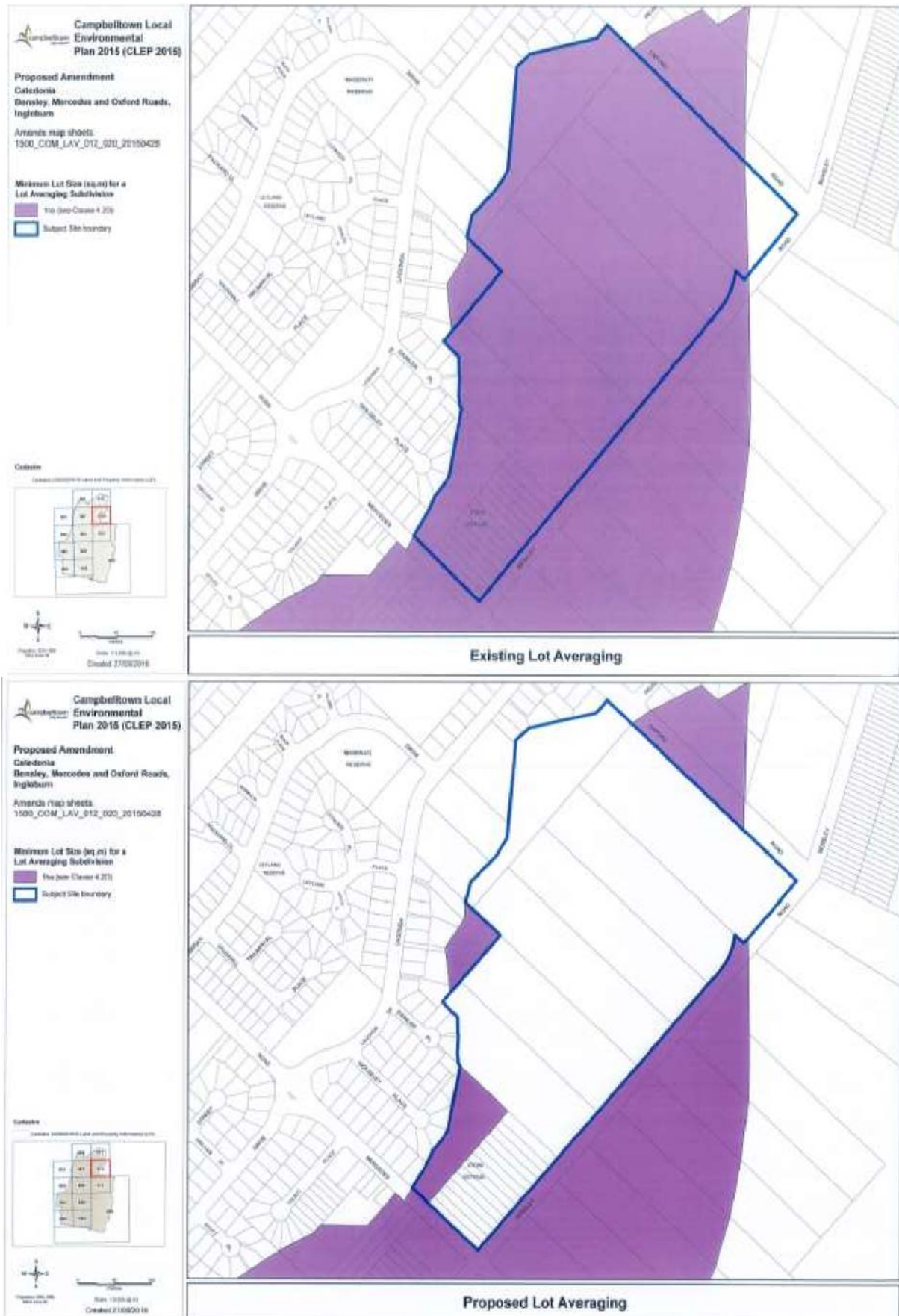
7. Caledonia Precinct

- (1) The objectives for development of the Caledonia Precinct are as follows:
 - (a) to ensure development of land known as the Caledonia Precinct takes place in an orderly manner
 - (b) to ensure appropriate built form and specific integrated landscape and bushfire hazard management outcomes
 - (c) to ensure appropriate conservation and general hazard management outcomes
 - (2) This clause applies to land identified as the "Caledonia Precinct" on the "Clause Application Map"
 - (3) Development Consent must not be granted for development on land to which this clause applies unless the consent authority has taken into consideration a development control plan approved by Council for that purpose that contains comprehensive provisions relating to, but not limited to:
 - (a) a transition in residential densities and building types from the existing urban edge to the interface with the proposed Georges River Parkway
 - (b) the long term conservation of the most significant vegetation
 - (c) sustainable stormwater and water quality management
 - (d) retention and embellishment of the existing rural verge of the precinct perimeter roads
 - (e) minimisation of the impact of development on the heritage significance of the precinct and proposed means of conservation management
 - (f) the servicing of the land
 - (g) preservation of the proposed Georges River Parkway land reservation.
-

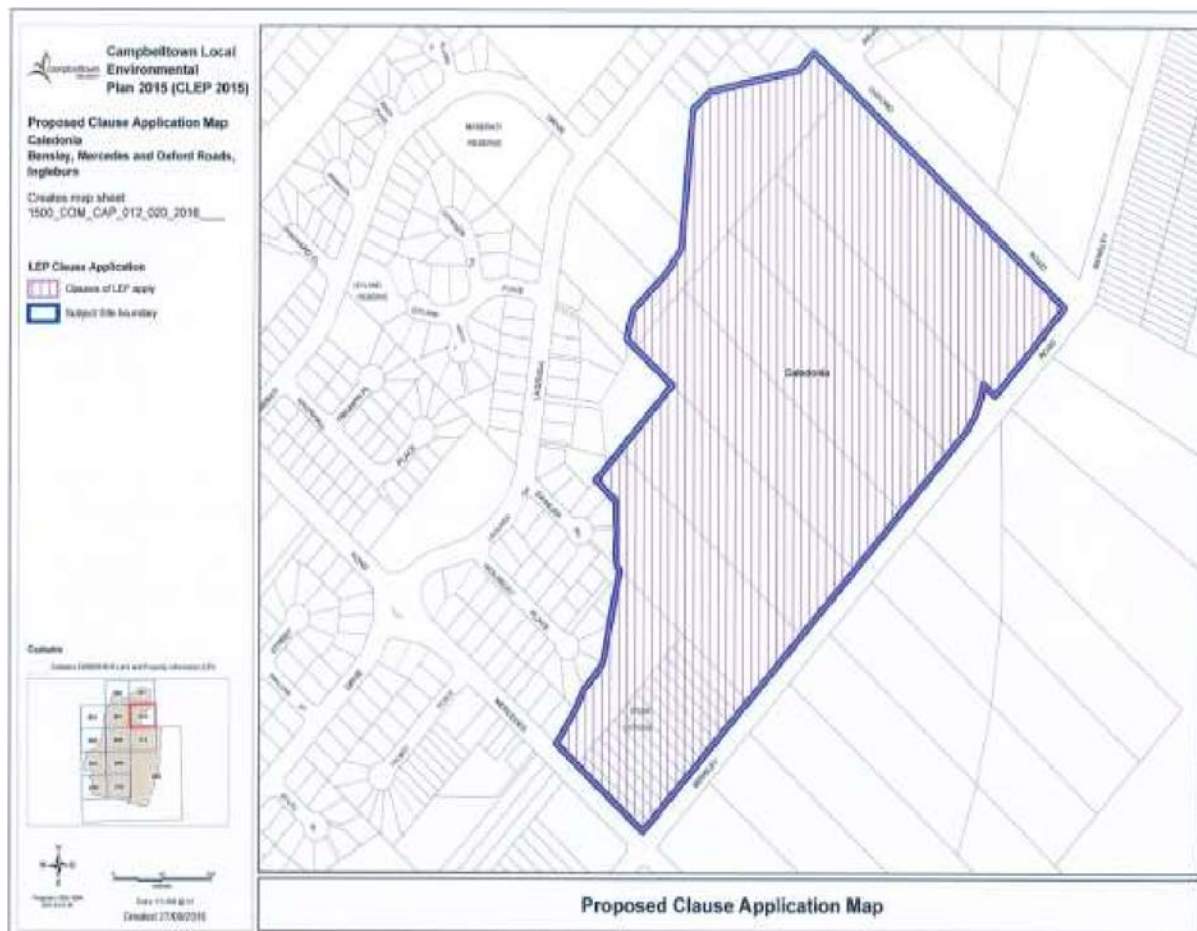
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7.2 Planning Proposal Request - Caledonia: Bensley, Mercedes And Oxford Roads, Ingleburn



ATTACHMENT 6

SECONDARY DWELLING AND DUAL OCCUPANCY DEVELOPMENT OVERVIEW

Dual occupancy and semi-detached development

Dual occupancy and semi-detached residential development will be permissible in the R2 low density residential zone in a manner consistent with the existing provisions contained in CLEP 2015. Only attached dual occupancies are permissible in the R5 large lot residential zone of CLEP 2015.

It is considered important that residential development on the large perimeter road frontage allotments (Oxford Road and Bensley Road) is restricted. In this regards it is noted that dual occupancy development must be attached. Any attempt to create a Torrens Title subdivision of a dual occupancy will not be able to achieve the minimum 2,000sqm subdivision area in respect of Bensley Road or 1,000sqm in respect of Oxford Road. Additionally, a proposal for a Torrens Title subdivision would create a semi-detached building. Such form of residential development is prohibited in the R5 zone.

There remains an element of doubt as to whether a Strata Title subdivision could be prevented.

Having regard to the foregoing, it is suggested for increased rigor that Clause 2.6 of CLEP 2015 be amended to add the following provision:

- (3) Development consent must not be granted for the subdivision of land on which an attached dual occupancy is situated in the R5 large lot residential zone, if the subdivision would result in two dwellings situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.

Secondary dwellings

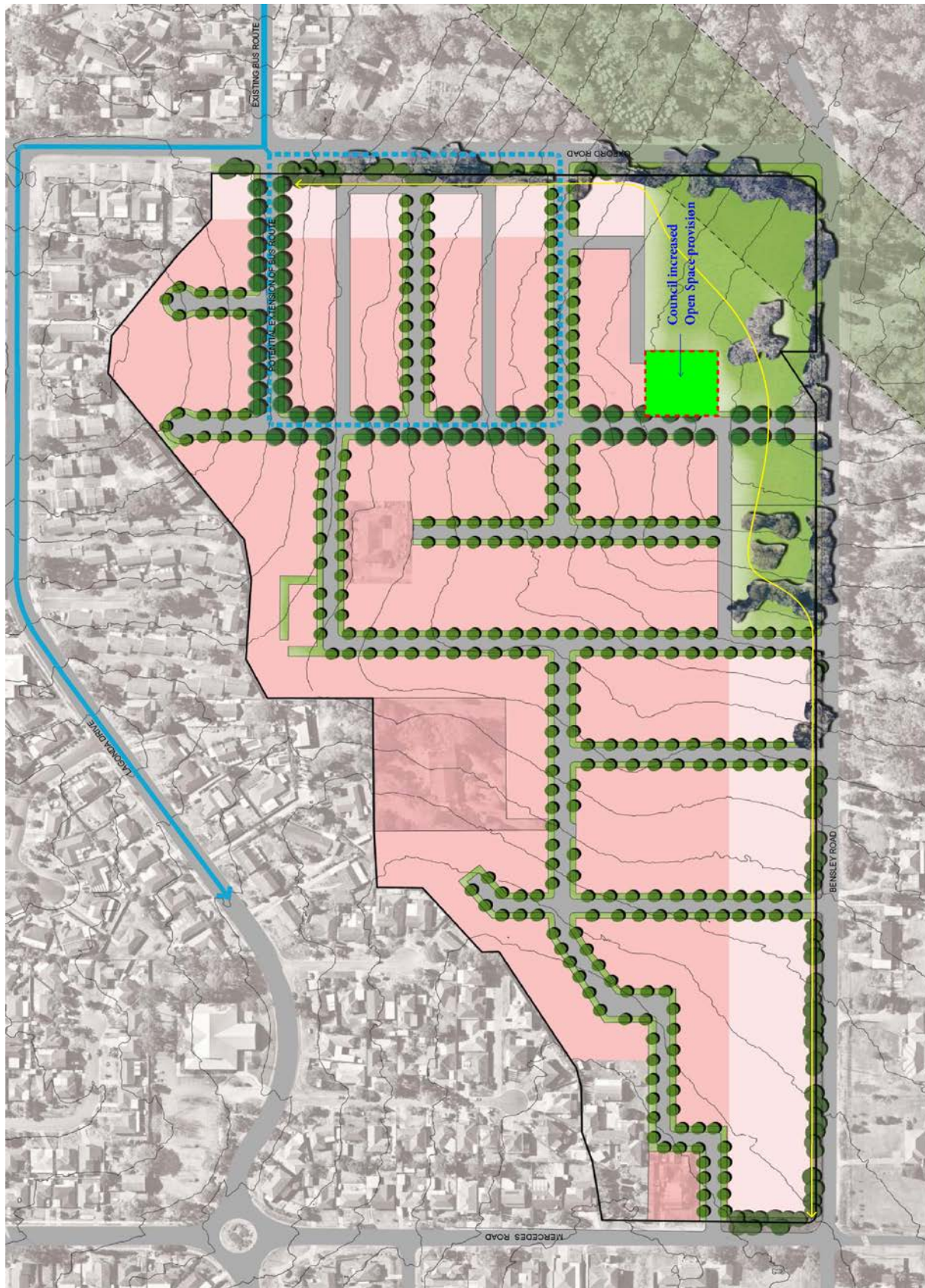
Secondary dwellings are permissible in both the R2 low density residential and R5 large lot residential zone, pursuant to State Environmental Planning Policy (Affordable Rental Housing) 2009.

It is noted that Clause 2.6(2) of CLEP 2015 restricts the subdivision of land on which a secondary dwelling is situated. Specifically, the clause states:

Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to the land.

It is further noted that clause 22 of the SEPP (Affordable Rental Housing) 2009 limits development to a principal dwelling and secondary dwelling. Dual occupancy development is accordingly not permissible in such context. Further, Clause 24 of subject SEPP precludes subdivision of a lot on which a secondary dwelling has been developed.

ATTACHMENT 7



7.3 Outcome of the Public Exhibition of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

Division

City Development

Reporting Officer

Manager Environmental Planning

Attachments

1. A copy of the report that was submitted to Council's meeting on 21 June 2016 (contained within this report)
2. A copy of the external submissions received (contained within this report)
3. Draft Amendment No 2 Campbelltown (Sustainable City) Development Control Plan 2015 (contained within this report)

Purpose

1. To inform Council of the outcome of the public exhibition of draft Amendment No 2 to Campbelltown (Sustainable City) Development Control Plan 2015 (the SCDCP).
2. To advise Council of the recommended changes to draft Amendment No 2 to the SCDCP in light of issues raised during the public exhibition period.
3. To seek Council's endorsement to adopt draft Amendment No 2 to the SCDCP.

History

On 21 June 2016, Council considered a report on draft Amendment No 2 to the SCDCP and resolved in part as follows:

1. That Council endorse Draft Amendment No 2 to Volume 1 of Campbelltown (Sustainable City) Development Control Plan 2015 (contained in attachment 1), Draft Part 16 - Advertising and Signage (attachment 3) and Draft Part 17 - Boarding Houses (attachment 4) 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 2 to Campbelltown (Sustainable City) Development Control Plan 2015.

A copy of the report that was submitted to Council's ordinary meeting on 21 June 2016 is included as attachment 1 to this report, and includes detailed information on proposed Amendment No 2 to the SCDCP.

This report presents to Council the outcome of the public exhibition of draft Amendment No 2 to the SCDCP.

Report

1. Draft Amendment No 2 to the SCDCP

Draft Amendment No 2 to the SCDCP includes the following:

- Clarification of a clause to improve interpretation which was identified during the implementation of the SCDCP
- Introduction of development controls to manage junk mail within high density residential development
- Preparation of two newly proposed parts as follows:
 1. Draft Part 16 - Advertising and Signage
 2. Draft Part 17 - Boarding Houses.

A copy of the report that was submitted to Council's meeting on 21 June 2016 is included as attachment No 1 to this report and provides detailed information on proposed Amendment No 2 to the SCDCP.

2. Public Exhibition of Draft Amendment No 2 to the SCDCP

In accordance with Council's resolution on 21 June 2016, draft Amendment No 2 of the SCDCP was publicly exhibited for a period of 31 days from Wednesday 3 August until Friday 2 September 2016.

Copies of the draft Amendment No 2 were made available at Council's Customer Service Centre, on Council's website and at all Council's public libraries.

Individual letters advising of the public exhibition of Amendment No 2 were sent to the following organisations:

- Outdoor Media Association (OMA)
- Campbelltown Chamber of Commerce
- Ingleburn Business Chamber.

3. Submissions

Council received two submissions during the exhibition period regarding draft Amendment No 2 to SCDCP. These submissions were made by the OMA and an interested resident of the Campbelltown LGA.

A copy of each submission is presented under attachment 2 of this report.

The main matters raised by each external submission are summarised and discussed below:

The OMA Submission

The OMA is a national industry body representing 90 per cent of Australia's Out of Home media display and media production companies, as well as some media display asset owners. The OMA's current media display members includes ADLED Advertising, oOh!media, Adshel, Outdoor Systems, APN Outdoor Paradise, Outdoor Advertising, Bailey Outdoor, QMS Media, Bishopp Outdoor Advertising, TAYCO, Outdoor Advertising, Executive Channel Network, Tonic Health Media, goa Billboards, TorchMedia and JCDecaux.

The OMA advised Council that it has consulted with all of its members in preparing the submission to Council on draft Amendment No 2.

The suggestions raised by the OMA's submission are discussed in detail below:

a) Billboards and Roof Signs

The OMA does not support Council's proposal to prohibit billboard signs and roof signs. OMA suggests that these types of signs be permissible and be assessed on merits.

Comments/recommendations

Billboard signs under draft Part 16 Advertising and Signs (draft Part 16) refer to Billboards signs that display advertisement that does not relate to the use of the site that it is displayed upon (i.e third party advertisement).

Allowing advertisement structures that do not relate to the use of the site would potentially result in the proliferation of advertisement across the commercial and industrial areas of Campbelltown with associated negative impacts on the streetscapes and the local character.

Notably, the current signage policies of Camden Council, Penrith City Council, and Liverpool City Council prohibit advertisement that do not relate to a lawful use of a site.

A roof sign is defined under draft Part 16 as 'a sign that is erected on or above the parapet of a building that is wholly or partially supported by the building'. This type of signs is not considered appropriate as it may potentially dominate the skyline and adversely impact upon the streetscape.

Signage policies of Liverpool City Council, Camden Council and Penrith City Council also identify roof signs as unacceptable signs, undesirable signs or prohibited signs.

More importantly, the prohibition of billboards and roof signs is not a newly proposed Council policy as under the recently repealed DCP 99 Advertising Signage these types of signs were also prohibited. In addition, Council has previously conducted compliance programs to remove illegal constructed billboard and roof signs and to prevent the proliferation of the same.

Given the above, it is recommended that Council maintain its current policy that prohibits billboard and roof signs.

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

b) Wall Signs

The OMA suggests that the proposed restriction on the maximum size of wall signs be removed, and the size of wall signs be assessed on merits.

Comments/recommendations

Under Draft Part 16, it is proposed that a wall sign within industrial areas be limited to 20% of the wall size or 18sqm whichever is the lesser. Wall signs within commercial development are proposed to be limited to 6sqm or 20% of the wall size, whichever is the lesser.

It should be noted that wall signs under the draft Part 16 refer to 'business identification signs' and not wall signs for advertisement purposes. Wall signs for advertisement purposes are regulated under the State Environmental Planning Policy No 64 - Advertising and Signage (SEPP 64) and as such no provisions for advertisement wall signs are proposed under draft Part 16.

Designing a numerical development control for wall signs that fits all buildings has proven to be a challenging task, as buildings have different architectural features and wall sizes. In some instances, and depending on the architectural design of the building, a larger wall sign may be more appropriate than a smaller one.

To address the OMA submission, it is recommended to include an additional control under Section 16.6.3.1 that reads:

- ix) Council may consider varying the size of a wall sign within commercial and industrial areas, where a wall sign area has been incorporated as part of the architectural design of the building and where Council is of the opinion that the proposed wall sign is of appropriate scale in relation to the building, streetscape and the surrounding environment.

c) Bus Shelters and street Furniture

Draft Part 16 needs to make provisions for signs on bus shelters, waste bins, bicycle stations and the like.

Comments/recommendations

Council owns a limited number of bus shelters with the City of Campbelltown, and only advertises community events on those bus shelters. The remaining bus shelters within the City are provided by Adshel through a commercial agreement with Council. As such, Council would not be receiving development applications for advertisement on bus shelters nor street furniture from any third party.

Section 7.11 Advertising on Bus Shelters of Campbelltown Local Environmental Plan 2015 (CLEP) provides development standards for advertising on bus shelters that are currently used to assess development applications submitted to Council by Adshel.

Given the above, there is no need to include any additional development controls for bus shelters and street furniture.

d) Digital Signage Luminance Levels

The OMA submission suggests an increase in the proposed maximum allowable luminance levels for digital signs based on the findings of a private report that was prepared for the OMA by an industry luminance expert.

Another main concern for the OMA is that draft Part 16 proposed a zero luminance levels in Area 3 (residential and rural areas) at night time.

Comments/recommendations

The proposed luminance levels provided under draft Part 16 are consistent with the relevant Australian Standards and the numerical controls provided under the draft Transport Corridor Outdoor Advertising and Signage Guidelines, prepared by the then Department of Planning and Environment in December 2015.

Council contacted the OMA and requested that examples of advertisement/signs with the suggested luminance levels be provided to Council's officers, in order to facilitate a site inspection. The OMA was not able to provide any real examples and advised that currently all existing signs comply with the relevant Australian Standards and as such below the suggested levels by their submission.

Given the above, Council sees no compelling evidence that supports the OMA submission to increase the luminance levels of digital signs provided under draft Part 16.

In relation to the second issue of the proposed zero level of luminance within residential and rural areas, there is merit in revising the development standards to allow low levels of luminance, as a 'zero luminance control' may potentially impact upon businesses such as service stations and the like that are located within residential and rural areas.

To address the above it is recommended to amend Table 16.1 Maximum Luminance Levels for Digital Signs to allow a (zero to 150cd/sqm) luminance level within rural and residential areas, at Council's discretion and subject to the location of the sign in relation to the residential properties and surrounding environments. The above amendment would allow digital signs to operate at night, but only if Council were of the opinion that such a sign would have no impacts on the residential and rural areas.

Written submission from a resident

The resident submission exclusively provided comments in relation to draft Part 17 - Boarding Houses. The main comments raised by the resident are summarised and discussed in detail below:

a) The minimum site frontage for boarding houses should be increased from 15 to 17 metres or more

The submissions suggested that a road frontage of 15 metres when adjusted for the minimum driveway width of 3 metres and side boundaries of 0.9 metres would result in a long and narrow building that would not be consistent with the character of the residential neighbourhoods.

Comments/recommendations

The minimum site requirement of 15 metres for boarding houses is considered appropriate as it would result in relatively small scale boarding houses within the streetscape (compared to boarding houses with dominant front elevations), thus minimising the impacts on the neighbourhood character.

Given the above no change is recommended in this regard.

b) Boarding houses within the vicinity of roundabouts and childcare centres

The submission suggested that Council requires a minimum distance of 100 metres from registered child care centres or the head of cul-de-sacs for safety reasons.

Comments/recommendations

The proposed site requirement controls for boarding houses require that they be located at least 50 metres from the commencement of the head of the cul-de-sac to which vehicle access to the site is obtained. The two main objectives of this clause are to facilitate waste collection and on street parking where needed.

The children's safety is not relevant to this clause as child care centres must be designed to enable the drop off and pick up of children within the premises.

Given the above no change is recommended in this regard.

c) Shared facilities within boarding houses

The submission suggested that a minimum of one bath or shower for each five occupants compared to one bath/shower per 10 occupants as proposed by draft Part 17.

Comments/recommendations

The Building Code of Australia specifies the ratio of sanitary facilities for Class 3 buildings. Under the BCA, a boarding house may be classified as either Class 1b or Class 3 as follows:

- Class 1b boarding houses are boarding houses with a total area of all floors not exceeding 300sqm and in which not more than 12 persons would ordinarily be resident
- Class 3 boarding houses refers to a common place of long term or transient living for a number of unrelated persons and do not specify a maximum area or a maximum number of residents.

The proposed development control under draft Part 17 in relation to the ratio of 1 shower per 10 occupants is consistent with the requirement of the Building Code of Australia (BCA) (Table F2.1 Provision of Sanitary and Other Facilities in Residential Buildings) for boarding houses classified as Class 3 building.

While the suggestion by the applicant is supported and seems a more reasonable ratio, provisions within a development control plan must be consistent with the BCA.

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

Notably, the controls that are regulated by the BCA would prevail in the Land and Environment Court.

Given the above no change is recommended in this regard.

d) Signage

The submission suggested that signage should not be allowed on a boarding house, as it serves no purpose with the availability of a numerical address.

Comments/recommendations

The permissibility of signage within Campbelltown Local Government Area is primarily regulated by Campbelltown Local Environmental Plan 2015, where business identification signs are permissible within residential areas. In this regard, a development control plan may not provide development controls that are inconsistent with the applicable local environmental plan.

Given the above no change is recommended in this regard.

3. Adoption of draft Amendment No 2 to SCDCP 2015

The SCDCP 2015 comprises the following three volumes:

1. **Volume 1 - Development Controls for all types of Development** (Volume 1) which applies to land within the Campbelltown LGA, where the Campbelltown Local Environmental Plan 2015 (the CLEP) applies.
2. **Volume 2 - Site Specific Development Control Plans** (Volume 2) which applies to certain lands as indicated by each site specific DCP listed under Volume 2.
3. **Volume 3 - Deferred Areas Development Control Plan** (Volume 3) which applies to the areas that have been assigned a 'Deferred Matter' status under the CLEP. In addition, certain parts of Volume 1 apply to the land where Volume 3 of the Plan applies, as stipulated under Part 1 of Volume 3 of the Plan. These parts include development controls that relate to specific land uses such as child care centres, places of public worship, telecommunication facilities and sex industry premises.

Draft Part 16 and draft Part 17 are proposed to apply to the whole of the Campbelltown LGA, and were publicly exhibited to this effect. It is therefore necessary that Table 1.6 (Additional Development Controls that Apply to the deferred Areas) of Volume 3 also be amended by including a reference to draft Part 16 and Draft Part 17 to ensure that those two parts also apply to the deferred areas under Volume 3.

4. Summary of the recommended changes to Amendment No 2 to SCDCP 2015

The SCDCP has been amended in light of the external submissions received during the public exhibition period as recommended by the previous sections of this report.

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

1. Include an additional control under Section 16.6.3.1 of draft Part 16 that reads:
 - ix) Council may consider varying the size of a wall sign within commercial and industrial areas, where a wall sign area has been incorporated as part of the architectural design of the building and where Council is of the opinion that the proposed wall sign is of appropriate scale in relation to the building, streetscape and the surrounding environment.
2. Amend Table 16.1 Maximum Luminance Levels for Digital Signs to allow a (zero to 150cd/sqm) luminance level within rural and residential areas, at Council's discretion and subject to the location of the sign in relation to the residential properties and surrounding environments.
3. Amend Table 1.6 (Additional Development Controls that Apply to the deferred Areas) of Volume 3 by including a reference to draft Part 16 and Draft Part 17 to ensure that those two parts apply also to the deferred areas under Volume 3.

The above proposed amendments are not considered major and as such would not trigger the need to publicly re-exhibit the draft Amendment No 2 to the SCDCP. A copy of the revised draft Amendment No 2 is shown under Attachment 3 of this report.

Notably, no comments were received in relation to the proposed development controls in regard to the management of junk mail within high density residential development, and as such it is recommended that Council adopt this clause as publicly exhibited as shown under attachment 3 of this report.

For Council to legally adopt draft Amendment No 2 to the SCDCP, an advertisement will need to be placed in the two circulating local papers advising of Council's decision to adopt Amendment No 2.

4. Conclusion

Draft Amendment No 2 to SCDCP was publicly exhibited for a period of one month. During this time, two external written submissions were received. Matters raised by the submissions have been considered by this report.

The proposed amendments to the SCDCP as a result of the public exhibition are considered justifiable and as such would not trigger the need to re-exhibit Amendment No 2.

It is therefore recommended that Council endorse and adopt Amendment No 2 to the SCDCP.

Officer's Recommendation

1. That Council adopts Amendment No2 to the Campbelltown (Sustainable City) Development Control Plan 2015 as contained under attachment 3 of this report.
 2. That Council give public notice of its decision in the two local newspapers in the prescribed manner in accordance with the *Environmental Planning and Assessment Act 1979* and the Environmental Planning and Assessment Regulation 2000.
 3. That Council write to all persons who made a submission on the Draft Amendment No 2 to Campbelltown (Sustainable City) Development Control Plan 2015 advising of Council's decision.
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ATTACHMENT 1

TITLE Draft Amendment No 2 - Campbelltown (Sustainability City) Development Control Plan 2015

Attachments

1. Draft Amendment No 2 to Volume 1 of the Campbelltown (Sustainable City) Development Control Plan 2015 (Contained with this report)
2. A copy of the relevant sections of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (contained within this report)
3. Draft Part 16 - Advertising and Signage (contained within this report)
4. Draft Part 17 - Boarding Houses (contained within this report)
5. Previous report to Council regarding Amendment No 1 of the Campbelltown (Sustainable City) Development Control Plan 2015 (contained within this report)

Purpose

1. To advise Council of a proposed draft Amendment No 2 to Campbelltown (Sustainable City) Development Control Plan 2015
2. To seek Council's approval to place the proposed draft Amendment No 2 on public exhibition for community input
3. To seek Council's approval to repeal Development Control Plan No 99 Advertising Signs
4. To seek Council's endorsement to adopt Amendment No1 to the Campbelltown (Sustainable City) Development Control Plan 2015.

History

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

The SCDCP 2015 is the product of a staged internal consolidation process of Council's stand-alone Development Control Plans (DCPs). To date, five stages of the SCDCP have been completed with over a hundred and twenty stand-alone DCPs being revised and either repealed or incorporated into the SCDCP 2015.

Council on 19 April 2016 endorsed Amendment No 1 to the SCDCP 2015 for public exhibition. Amendment No 1 to the SCDCP aims to consolidate the SCDCP 2014 and the SCDCP 2015 into the one document. The public exhibition of Amendment No 1 to the SCDCP 2015 concluded on 3 June 2016.

This report presents to Council the final stage (Stage 6) of the consolidation process. Stage 6 comprises the following:

A proposed amendment to certain sections of Volume 1 of the SCDCP 2015 to address the following:

- some minor matters that been identified during the implementation of the SCDCP 2015; and
-

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

- a previous Council resolution in regard to the management of junk mail within high density residential development.

A review of Development Control Plan No 99 Advertising Signs (DCP 99); and

The preparation of two newly proposed parts as follows:

- Draft Part 16 - Advertising and Signage; and
- Draft Part 17 - Boarding Houses.

Councillors were briefed on the above proposed amendments to the SCDCP on 24 May 2016.

Report

This report presents to Council the following:

1. Proposed Amendments to Volume 1 of the SCDCP 2015
2. A review of DCP 99 Advertising Signs
3. Signage and Advertising - Legislative context
4. Proposed Draft Part 16 - Advertising and Signage
5. Boarding Houses – Legislative Context
6. Proposed Draft Part 17 - Boarding Houses
7. Legislative Requirement - One DCP
8. Public exhibition of Stage 6 of the SCDCP 2015
9. Amendment No1 to the SCDCP 2015.

1. Proposed Amendments to Volume 1 of the SCDCP 2015

A number of amendments have been identified during the implementation of Volume 1 of the SCDCP 2015 as follows:

(a) Potential redevelopment of existing narrow lots for semi-detached dwellings within zone R2 Low Density Residential and zone R3 Medium Density Residential

Clause 3.6.4.1.a) currently reads:

A semi-detached dwelling shall only be permitted on an allotment having a minimum width of 7.5 metres measured between the extended property side boundaries, or in the case of a corner allotment, the secondary street where they intersect with the kerb line.

Under the above clause, semi-detached dwellings may only occur on lots with a minimum width of 7.5 metres. This requirement inadvertently restricts the redevelopment of existing narrow allotments within Ingleburn and Macquarie Fields for the purpose of semi-detached dwellings.

Recommended approach

To address the above matter, it is proposed that an additional Clause 3.6.4.1 b) be added after Clause 3.6.4.1.a) that reads:

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Despite Clause 3.6.4.1 a) above semi-detached dwellings shall be permitted on an allotment having a minimum width less than 7.5 metres, where each individual lot existed prior to the commencement of the CLEP.

(b) Management of junk mail and newspapers within high and medium density development

Council at its meeting held 16 February 2016 resolved:

That a report be presented to Council investigating waste management strategies for the control of junk mail and newspapers within high density dwellings.

Recommended approach

The most suitable way to address this matter via the SCDCP 2015 is to require that residential flat buildings, boarding houses, mixed use development and multi dwelling development be provided with a special built-in newspaper/advertising container for the use by distributors of advertising materials and newspapers. The container is suggested to be incorporated into the letter box design and be located behind the property recycling line, away from public view.

It is recommended that all relevant Sections of the SCDCP 2015 be amended to include an additional control that generally reads, (for example residential flat buildings):

- as part of the letter box design for residential flat buildings, a separate enclosure shall be provided for the placement of all advertising and newspaper materials for the development. Such enclosure shall be located behind the building line and designed to be incorporated into the letter box arrangement for the development
- the newspaper/advertisement enclosure shall be regularly emptied by the manager/caretaker of the building.

The details of each section of the SCDCP 2015 to be amended are included under attachment 1 of this report.

2. Review of DCP No 99 - Advertising Signs

DCP 99 came into force on 22 February 2002, at the same time as the commencement of LEP 2002 and prior to the commencement of SEPP 64, CLEP 2015 and the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the code SEPP).

A review of DCP 99 has been completed which revealed that the plan is out-dated and includes a number of inconsistencies with LEP 2002, CLEP 2015, SEPP 64 and the Codes SEPP.

The review also identified that the various sign permissibility tables and controls across the plan were found to be difficult to read and with this, sometimes subject to misinterpretation.

Notably, the majority of business signs that are covered by DCP 99 are identified as exempt or complying development under the Codes SEPP and as such may be erected outside the scope of DCP 99.

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DCP No 99 does not include development controls to regulate digital signs, which is a sign type being increasingly used within the Campbelltown Local Government Area (LGA).

3. Signage and Advertising – Legislative context

A review of the legislative/policy context under which advertising and signage are assessed within the LGA was undertaken to ensure that any proposed controls are consistent with current legislation/policy position.

(a) State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP)

Exempt development refers to minor development works that do not require development consent under the NSW planning system. Complying development is a form of development consent that can be granted by an accredited certifier or a Council through a complying development certificate. Exempt or complying development can only be carried out where the proposed development strictly satisfies all development standards under the Codes SEPP.

In February 2014, the Codes SEPP was expanded to include certain types of signage as exempt and complying development. Previously, local provisions for exempt and complying signs were exclusively included under each council's LEPs.

The Codes SEPP allows a number of common business identification signs and building identification signs as exempt development.

The types of exempt business identification signs under the Codes SEPP include:

- wall signs
- fascia signs
- under awning signs
- top hamper signs and
- window signs.

In addition to the above signs, other common types of signage, including internal signs, the replacement of existing signs, community notice and public information signs, temporary event signs, real estate signs and election signs, are also specified as exempt development under the Codes SEPP.

The relevant sections of the Codes SEPP that apply to advertising and signage are shown under attachment 2 of this report.

The Codes SEPP allows a total number of six signs to be displayed without consideration under Council's DCP. For example, a typical building in Queen Street that is not within the heritage conservation area could potentially have up to six business identification signs displayed without the need to obtain any form of approval.

The Codes SEPP also specifies two types of business identification signs as complying development. These include:

- projecting wall signs and
-

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- freestanding pylon signs.

The provisions under the Codes SEPP do not allow building identification signs, wall signs, top hamper signs, projecting wall signs and freestanding pylon signs to be exempt or complying development in heritage conservation areas or on heritage items. This means that a development application for those types of signs would need to be submitted and assessment would be required under SEPP 64 and Council's development control plan.

Where proposed signage is in excess of the standards in the Codes SEPP or does not meet all of the relevant requirements under the Codes SEPP, Council local plans (LEPs and DCPs) will apply. Only in these cases does a development application need to be submitted and approved by Council before the sign can be displayed.

(b) State Environmental Planning Policy No 64 Advertising and Signage

State Environmental Planning Policy No 64 Advertising and Signage (SEPP 64) applies to all signs and advertisements that are not identified as exempt development under any Environmental Planning Instruments (EPIs).

The main objectives of SEPP 64 are:

1. To ensure that signage (including advertising):
 - is compatible with the desired amenity and visual character of an area;
 - provides effective communication in suitable locations;
 - is of high quality design and finish; and
2. To regulate the display of advertisements in transport corridors.

SEPP 64 does not contain specific numerical development standards for small scale building identification signs, business identification signs and advertisements that are less than 20sqm in area. However, all signage applications submitted to Council, regardless of their scale, must be assessed against the objectives and the assessment criteria contained in Schedule 1 of SEPP 64 including:

- impacts on the character of the area
- impacts on views and vistas
- appropriateness with the streetscape, setting or landscape
- compatibility with the site and building
- acceptable illumination levels
- public and driver's safety.

The Transport Corridor Outdoor Advertising and Signage Guidelines (guidelines) is a supporting document to SEPP 64. The guidelines provide design guidance for large format advertising structures proposed in close proximity to transport corridor land.

The Department of Planning and Environment in consultation with Transport for NSW and the Outdoor Media Association updated the guidelines to include requirements for the design, location and operation of electronic/digital signage. The revised draft guidelines introduced numerical controls for acceptable luminance levels for digital advertisements.

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The public exhibition of the draft guidelines concluded in February of this year, however, the Department is yet to formally adopt the revised draft guidelines.

(c) Campbelltown Local Environmental Plan 2015

Schedule 2 - Exempt Development of CLEP 2015 currently includes provisions that primarily allow signs used by a public authority for public notices, information, education or direction purposes to be exempt development. The exempt provisions under CLEP 2015 are in addition to the provisions contained under the Codes SEPP.

(d) Campbelltown (Urban Areas) Local Environmental Plan 2002

Campbelltown (Urban Areas) Local Environmental Plan 2002 (LEP 2002) applies to the areas that have been deferred from CLEP 2015. Clause 31 (Controls for outdoor advertising) of LEP 2002 provides development controls for advertising and specify a number of signs that are exempt development. The signage provisions under LEP 2002 are not generally consistent with the Codes SEPP. In this regard, the Codes SEPP overrides the provisions of LEP 2002.

One of the main issues with LEP 2002 relating to signage is the broad definition of business identification signs. However, given that LEP 2002 only applies to part of the Campbelltown LGA and would eventually be repealed, it is not considered necessary to undertake any further amendments to LEP 2002.

(e) DCP 99

As discussed earlier, DCP 99 is out dated, lacks appropriate contemporary controls and is inconsistent with higher order planning policy i.e. SEPP. Currently development applications are primarily assessed on merits and Schedule 1 of SEPP 64.

4. Proposed Controls under Draft Part 16 - Advertising and Signage

Draft Part 16 - Advertising and Signage (Draft Part 16) is provided under attachment 3. Draft Part 16 proposes to replace the existing development standards under DCP 99 with a revised set of development controls that are consistent with current planning legislation/policy.

The use of digital signs within the Campbelltown LGA has increased over recent years. Digital signs are increasingly being utilised by schools, service stations, clubs, car dealers, restaurants and many other businesses because of their instant ability to change the displayed messages without additional cost to the operators.

Digital signs emit various levels of light and colour and as such have the potential to impose adverse impacts on drivers, nearby residents and the visual character of streetscapes within the City. Therefore, it is important that Council regulates the amount of light produced or reflected by digital signs.

A main feature of the proposed development controls under Draft Part 16 is a new set of proposed controls for electronic and digital signs.

Draft Part 16 is proposed to have a simple structure comprising eight sections. An explanation of the provisions under each section is provided below:

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(a) Proposed Section 16.1 - Applications and objectives

Draft Part 16 is proposed to apply to the whole of the Campbelltown LGA except signage that is classified either as exempt or complying development under the Codes SEPP and/or Council's EPIs.

The main objectives of Draft Part 16 are to encourage signage that provides identification and information about the land use of premises in a manner that complements the design of the building and streetscapes and discourages the proliferation of signs and advertising structures that collectively become meaningless and cluttered.

(b) Proposed Section 16.2 - Types of Signs and Definitions

This section provides definitions for the various types of signs. This section proposes additional types of signs as follows:

A digital sign is proposed to be defined as any sign that uses digital technology to display bright, high quality electronic images which are uploaded and changed using a computer and modem via a secure network. A central feature of these devices is the use of Light Emitting Diode (LED) technology allowing luminance to be controlled and adjusted automatically and include Electronic Static Displays (ESDs), Variable Message Signs (VMS) and Dynamic Electronic Displays (DEDs).

Dynamic electronic displays are proposed to be defined as any sign that displays animations, videos or flashing images and have active display changes. DEDs, either permanent or portable, including any signs which contain any portion of video and/or animated content that face a road reserve and are visible to road users are proposed to be prohibited.

Draft Part 16 also proposes a set of numerical controls in relation to the maximum allowable daytime luminance of illuminated signs and digital signs. These controls are based on the numerical controls proposed by the draft guidelines under SEPP 64.

(c) Proposed Section 16.3 - Relationships to other Environmental Planning Instruments, Australian Standards, State Policies and Guidelines

This section provides a brief explanation of the relationship to SEPP 64, the Codes SEPP, the relevant Australian Standards and the relevant state guidelines.

(d) Proposed Section 16.4 - General Requirements - Signs and Advertisement

This section proposes to carry over from DCP99 existing prohibitions for a number sign types that are not considered appropriate within the Campbelltown LGA as follows:

- above awning signs
 - banner or flag signs in zones other than business and industrial zones including bunting
 - inflatable signs
 - portable or movable signs
 - moving signs
 - A frame signs
-

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- roof or sky signs
- posters on poles or other structures in public places
- flashing signs
- dynamic electronic displays that are visible to drivers and
- billboard signs.

In addition, this section includes provisions relating to public safety, maintenance of signs, location of signs, illumination and contents. Similarly to DCP99 it is proposed that signs that contain wording in a language other than English shall have an English translation of that wording to a minimum font size of 50 per cent of the non-English word/s.

(e) Proposed Section 16.5 - Signs within Residential, Rural and Environmental Protection Zones

This section proposes to limit the number of signs within residential, rural and environmental protection zones to one business identification sign that has a maximum area of 1.5sqm and no higher than 1.5 metres.

The proposed controls under this section would ensure that residential, rural and environmental protection zones maintain their existing character.

(f) Proposed Section 16.6 - Signs within Business and Industrial Zones

The development standards under this section address the total number of building and business identification signage that can be displayed on a building, as well as specific development standards for wall signs, fascia signs, under awning signs, top hamper signs, window signs, projecting wall signs and freestanding pylon and directory signs.

It is proposed that the total number of signs shall not result in more than six signs being constructed or installed upon any one premise or a building elevation facing a public space.

The proposed development controls for wall signs, fascia signs, under awning signs, top hamper signs, window signs, projecting wall signs and freestanding pylon and directory signs under Draft Part 16 are generally similar, but slightly more relaxed compared to the development standards under the Codes SEPP. This will allow businesses to apply for a development application with Council where a proposed sign does not strictly comply with the development standards under the Codes SEPP.

Notably, the proposed development standards for business identification signs will only apply where the proposal does not strictly comply with the development standards under the Codes SEPP, for example where the proposed sign is slightly larger in area than the maximum area specified under the Codes SEPP or slightly higher, or proposed within a heritage conservation area.

(g) Proposed Section 16.7 - Signs on Heritage items and within Heritage Conservation Areas

This section proposes controls for signs within heritage conservation areas or on a heritage item.

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The Codes SEPP allows fascia signs, under awning signs and window signs on heritage items and within heritage conservation areas as exempt development.

Section 16.7 - Signs on Heritage items and within heritage conservation areas allows the following types of signs to be placed on heritage items and within heritage conservation areas, providing they meet specific development controls under this section:

- wall sign (but only on a building not heritage listed) within a heritage conservation area
- top hamper sign
- fascia sign
- under awning sign and
- window sign.

It is proposed that the number of signs on heritage items and within heritage conservation areas be limited to those necessary to display the name of the business and the name of the building (if applicable).

(h) Proposed Section 16.8 - Service Station Signs

This section aims to allow service stations the opportunity to advertise their business, whilst minimising the visual impact of signs on the streetscape and adjoining properties.

It proposes to limit signage to one sign per street frontage.

5. Boarding Houses – Legislative Context

Due to the rapid rising cost in the rental market in Campbelltown and the evolving medical and educational precincts in Macarthur, a need for boarding house type accommodation has emerged. As a result, Council is experiencing a rapid increase in the number of development applications for boarding houses compared to previous years. These development applications are lodged under the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP).

Currently boarding house development at the state level is regulated by the following:

- *NSW Boarding Houses Act 2012*
- State Environmental Planning Policy (Affordable Rental Housing) 2009.

A number of Councils are currently preparing or have prepared and endorsed development control plans for boarding houses within their LGA's including Parramatta City Council, Wollongong City Council, Sydney City Council, Bankstown Council, Lane Cove City Council and Randwick City Council. The boarding houses DCPs generally aim to supplement the development standards under the ARH SEPP by providing controls for waste management, setbacks and privacy and solar access.

(a) NSW Boarding Houses Act 2012

The *Boarding Houses Act 2012 (BH Act)* was introduced as a whole-of-government response to concerns around safety and conditions of people living in boarding houses. In addition to

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establishing responsibilities to Government organisations (including Council), the BH Act aims to improve the standards of registered boarding houses by:

- establishing a publicly available register of registrable boarding houses in NSW
- increasing inspection powers for local councils
- introducing occupancy rights for people living in boarding houses
- modernising the laws that apply to boarding houses accommodating people with additional needs.

The BH Act also provides for occupancy agreements between boarding house proprietors and residents, and gives the NSW Civil and Administrative Tribunal power to deal with some disputes.

Under the BH Act, Council has a primary role in inspecting and enforcing safety and accommodation standards in existing boarding houses. Councils also have the power to fine operators of unregistered boarding houses or to issue orders for boarding houses to meet certain building, safety and accommodation standards.

(b) State Environmental Planning Policy (Affordable Rental Housing) 2009

The main aim of the ARH SEPP is to increase the supply of affordable rental housing in NSW. The ARH SEPP was introduced in 2009 and makes boarding houses permissible within the following zones:

- B1 Neighbourhood Centre
- B2 Local Centre
- B4 Mixed Use
- R1 General Residential (this zone is not applicable to Campbelltown LGA)
- R2 Low Density Residential (within 400m of B2 Local Centre or B4 Mixed Use)
- R3 Medium Density Residential and
- R4 High Density Residential.

Under the ARH SEPP councils are not able to refuse development applications for boarding houses on grounds of building heights, landscaping, solar access, private open space, parking and accommodation size, where the development proposal complies with the following development standards as specified under the ARH SEPP:

(i) Building height

The building height is consistent with the maximum height allowed under Council's LEP.

(ii) Landscaped area

If the landscape treatment of the front setback area is compatible with the streetscape in which the building is located.

(iii) Solar access

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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.

(iv) Private open space

If at least the following private open space areas are provided (other than the front setback area):

- one area of at least 20sqm is provided for the use of the lodgers
- one area of at least 8sqm for the manager (where relevant).

(v) Parking

If at least one car parking space is provided for every five rooms (potentially 10 residents), and one parking space is provided for every person employed in connection with the development.

(vi) Accommodation size

Where each boarding room has a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least:

- 12sqm in the case of a boarding room intended to be used by a single lodger, or
- 16sqm in any other case.

The ARH SEPP also includes controls to take into account the character of the local area and restrictions to any strata subdivision or community title subdivision of a boarding house.

(c) Issues with the ARH SEPP

The ARH SEPP encourages both the traditional form of boarding houses, being those with shared facilities as well as new generation boarding houses, being those that are buildings with self-contained rooms. As a result, the end product under the ARH SEPP varied significantly in terms of design standards, quality, scale and appearance of developments.

Development applications for boarding houses received by Council under the ARH SEPP, fall under the following main types:

(i) Purposely built boarding houses

Purposely built boarding houses contain generally self-contained rooms with a small kitchen, toilet and a shower.

An example of this type of boarding houses is the boarding house at No: 3 Bradbury Avenue, Bradbury. This boarding house comprises seven self-contained studio apartments and is located within a short walking distance of the Campbelltown CBD precinct.

(ii) Conversion of existing buildings/houses into boarding houses

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Council has received a number of development applications for boarding houses which are basically a conversion of an old single dwelling into a boarding house. These lower market boarding houses provide lodgers with minimal internal residential amenity; however comply with the requirement under the ARH SEPP.

Examples of this type of boarding house are the boarding house at No.23 Turimetta Avenue in Leumeah and No: 141 Lindesay Street Campbelltown.

Council staff have identified a number of issues with the current boarding housing provisions under the ARH SEPP. In summary those matters include:

- the development standards under the ARH SEPP are not sufficiently detailed. For example the reference that the front setback area shall be compatible with the streetscape in which the building is located is considered very generic
- the requirement of one car parking space for five rooms (potentially 10 residents) is not considered sufficient
- the requirement that no boarding room will be occupied by more than two adult lodgers does not necessarily exclude children
- the solar access requirement does not include development standards to maintain a reasonable solar access for adjoining residential properties
- the capped private open space requirement of 20sqm does not take into account the number of lodgers and the scale of development, and may potentially be insufficient
- the reference to adequate bathroom and kitchen facilities to be available within the boarding house for the use of each lodger is subjective. More stringent controls need to be provided in this regard
- the lack of controls available to prevent the wholesale proliferation of boarding houses in one particular area or within inappropriate locations such as cul-de-sacs
- the trigger of 20 or more lodgers for an on-site manager is considered disproportionate, particularly where lodgers have to use shared kitchen, bathrooms and laundry facilities, as this living arrangement is likely to result in frequent disputes between residents
- the bulk and scale impacts of boarding houses on the streetscape in low density residential areas
- the absence of detailed requirements for setbacks, privacy and waste management
- the absence of a requirement to develop a management plan for the ongoing use/operation of the boarding house so to limit impacts on adjoining neighbours amenity.

6. Draft Part 17 Boarding Houses

Draft Part 17 has been prepared to provide additional detailed controls to supplement the provisions under the ARH SEPP as under Section 74C (5) of the Act, a DCP will have no effect if it is inconsistent or incompatible with a provision of a planning instrument that applies to the

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same land. As such some of the identified issues with the ARH SEPP cannot be addressed by a DCP. The ARH SEPP would need to be revised to address issues related to car parking provisions and the requirement for a manager where less than 20 people occupy a boarding house.

In February this year, Council staff met with staff from the Department of Planning and Environment (the Department) and discussed the need to revise the development standards under the ARH SEPP with the view to include local development standards for boarding houses under CLEP 2015 and to ultimately seek exemption from the ARH SEPP. Council staff are currently working on a formal submission to the Department in this regard.

In the interim Draft Part 17 - Boarding Houses proposes to provide additional controls to guide boarding houses development within Campbelltown LGA. Draft Part 17 - Boarding Houses is shown as attachment 4 to this report. An explanation of the proposed provisions under each section is provided below:

(a) Proposes Section 17.1 - Applications

Draft Part 17 - Boarding Houses is proposed to apply to the whole of the Campbelltown LGA.

(b) Proposed Section 17.2 - General Requirements for Boarding Houses

This section aims to:

- ensure that boarding houses are of high quality design and consistent with the desired future character of the locality;
- ensure that boarding houses do not adversely impact on the residential amenity of adjoining residents; and
- provide appropriate levels of amenity (internal and external) for residents within boarding houses.

This Section proposes the following main development controls:

- restrict the development of boarding houses within low density residential zones to allotments that have a site area of not less than 700sqm, (similar to the current restriction on dual occupancy and semi-detached dwellings) and restrict the number of boarding rooms to eight
- restrict the development of boarding houses on battle-axe allotments
- provide development controls for setbacks for boarding houses within residential areas as proposed in the Table below:

Table1: Proposed Setbacks for Boarding houses within residential areas

| Area | Setbacks |
|--|--|
| Low and medium density residential areas | 5.5 metres from the primary street boundary 3 metres from the secondary street boundary 0.9 metres from any side boundary for the ground level 1.5 metres from any side boundary for all levels above the ground level 5 metres from the rear boundary for the ground level; and 10 metres from the rear boundary for all levels above ground level |

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| | |
|--------------------|---|
| | within land zoned Zone 2(b) Residential B Zone under LEP 2002 or land zoned R2 under the CLEP 6.5 metres from the rear boundary for all levels above ground level within land zoned Zone R3 under the CLEP 6 metres from any street boundary for garages. |
| High density areas | 5.5 metres from any street boundary; and 6 metres from any other boundary. |

- provide setbacks for boarding houses within local and neighbourhood centres and mixed use areas, similar to the requirements for mixed used development within those areas

(c) Proposed Section 17.3 - Car Parking and Access

This section provides development controls in relation to driveway width and vehicles entering and exiting the site.

(d) Proposed Section 17.4 - Landscaping

This section provides detailed requirements regarding the minimum width of the landscaped area and requires that boarding house applications include a landscape plan. In this regard a boarding house shall be provided with a three metre wide landscaping strip along the primary and secondary street frontage (other than vehicle driveways) and 1.5 metre wide landscaping strip along the full width of the rear boundary.

(e) Proposed Section 17.5 - Waste Management

This section specifies detailed requirements in relation to the required waste and recycling bin rates and location of bins.

(f) Proposed Section 17.6 - Management Plan

This section requires that boarding house applications include a management plan that provides the following information:

- provide additional development controls in relation to the size and rates of shared facilities, indoor communal areas and outdoor private open-space where the boarding house is greater than 400m from a park
 - provide additional development controls to safeguard the visual privacy and solar access to adjoining residential premises
 - 24 hour contact details of the manager/caretaker (including phone number and mobile phone number);
 - proposed staffing arrangements during the daytime and at night-time;
 - proposed measures to control any potential noise or amenity impacts within the building and upon the surrounding locality;
 - proposed safety and security measures to be employed within the boarding house including prominent display boards within the building of emergency telephone numbers and other essential telephone numbers;
 - proposed management practices to prevent the use of outdoor common open space areas between 10.00pm and 7.00 am; and
 - professional cleaning and vermin control arrangements for at a minimum, the shared facilities, such as kitchens, bathrooms, laundries and indoor and outdoor common areas.
-

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

7. Legal Context – One DCP Legislative Requirement and Recommendation to Repeal DCP No 99

Under Section 74 (c) of the *Environmental Planning and Assessment Act 1979* (the Act) only one DCP made by the same relevant planning authority (Council) may apply in respect of the same land. Where more than one DCP applies to the same land, the Act stipulates that all DCPs would have no effect.

There are a number of standalone DCPs that currently apply to certain sites within Campbelltown LGA, however, such DCPs have been prepared by the State Government and not Council, and as such their existence is not inconsistent with the 'one DCP' requirement under the Act. These include the following:

- Edmondson Park South DCP 2012 applies to land where the SEPP (Major Development) 2005 applies
- Campbelltown Growth Centres Precinct (East Leppington) DCP 2013 applies to land where the SEPP (Sydney Region Growth Centres) 2006 applies
- Airds-Bradbury Urban Renewal Development Control Guidelines (October 2011) applies to the land subject to the Airds-Bradbury Renewal Project and forms part of the concept plan approval under the then Part 3A major projects of the *Environmental Planning and Assessment Act 1979*
- Claymore Urban Renewal Development Control Guidelines (May 2012) applies to the land subject to the Claymore Renewal Project and forms part of the concept plan approval under the then Part 3A major projects of the *Environmental Planning and Assessment Act 1979*.

Under Section 289A (Transitional Provisions Relating to Development Control Plans) of the *Environmental Planning and Assessment Regulation 2002* (the Regulation), Council is provided with a six month time frame from the date of the commencement of its principle LEP to comply with the one DCP requirement.

CLEP 2015 commenced on 11 March 2016, and as such Council has until 11 September 2016 to comply with the one DCP requirement.

DCP 99 is Council's last remaining standalone DCP that is yet to be revised and included under the SCDGP 2015. DCP 99 applies to the whole of Campbelltown LGA, in addition to the SCDGP 2015. Council has a legal obligation to fulfil the one DCP legislative requirement under the Act otherwise all Council's DCPs would have no effect.

Given the timing of Council's election, it would not be possible for Council, prior to 11 September 2016, to adopt this Draft Amendment and repeal DCP 99. To ensure that Council complies with the one DCP requirement of the Act, it is recommended that Council repeal DCP No 99 prior to 11 September 2016.

As discussed earlier, DCP 99 is out-dated and for this reason it is not currently given much weight when assessing development applications for advertising and signage within the Campbelltown LGA. Further as Draft Part 16 - Advertising and Signage would, (subject to Councils resolution) have been placed on exhibition it would be required to be considered as part of the assessment of any Development Application lodged during this time. As such, there

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

would not be any major implications for Council, if DCP 99 were to be repealed prior to the adoption of Draft Part 16 - Advertising and Signage.

For the above reasons, it is recommended that DCP No 99 be repealed by a public notice, prior to 11 September 2016. The requirement to repeal a DCP by way of public notice, as specified under Section 23 of the Regulation, has two steps:

1. A notice must be placed in a local newspaper, stating Council's intention to repeal the DCP, and stating reasons for doing so. This notice must appear in the paper at least 14 days prior to the final notice of repeal
2. A final notice of repeal must be placed in a locally circulating newspaper.

Accordingly, should Council endorse the repeal of DCP No 99 as recommended by this report, an advertisement will be placed in the local newspapers, as well as Council's website, advising of Council's intention to repeal the DCP 99. As required, this would be followed by a final public notice of the repeal of DCP 99, 14 days after the initial notice and prior to 11 September 2016.

8. Public Exhibition of Draft Amendment No 2 to the SCDCP 2015

It is recommended that the Draft Amendment 2 to SCDCP 2015 be publicly exhibited for a period of 28 days, in line with the legislative requirements under the Act and its Regulation at a number of locations across the city including Council's Civic Centre, all libraries and on Council's website. An advertisement will be placed in the local newspapers advising of the details of the public exhibition of Draft Amendment No 2 to SCDCP 2015.

In addition Council will write to the Campbelltown Chamber of Commerce, Ingleburn Chamber of Commerce and the Outdoor Advertising Association requesting their feedback on Draft Part 16 - Advertising and Signage and offer to provide their organisation with a separate briefing on the draft controls.

9. Amendment No 1 to the SCDCP 2015

Council on 19 April 2016 endorsed Amendment No 1 to the SCDCP for public exhibition. Amendment No 1 to the SCDCP aims to consolidate the SCDCP 2014 and the SCDCP 2015 under the one document by extracting the development controls that apply to the deferred areas and include them as Volume 3 Deferred Areas DCP of the SCDCP 2015.

As reported, Amendment No. 1 does not propose any new policies. It is merely a tidying up exercise that proposes to combine Council's various DCPs under the one umbrella of the SCDCP 2015. A copy of the report that was provided to Council's meeting of 19 April 2016 is shown as attachment 5 of this report. The attached report provides additional information on the details of Amendment No 1.

In accordance with Council's resolution (Draft Amendment 1 to the SCDCP was placed on public exhibition from 4 May 2016 until 3 June 2016), Council did not receive any submissions during the public exhibition period of Amendment No 1 and as such, it is recommended that Council proceed to adopt Amendment No 1 as publicly exhibited in accordance with the Environmental Planning and Assessment Regulation.

Conclusion

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

In conclusion the following summary is provided:

- Draft Amendment No 2 to SCDCP 2015 primarily proposes a revised Council policy on advertising and signage and newly proposed development controls for boarding houses to supplement the ARH SEPP
- To comply with the legislative requirement of 'one DCP' under *Environmental Planning and Assessment Act 1979*, it is recommended that Council repeal its last stand-alone DCP 99, prior to 11 September 2016
- Amendment No 1 to the SCDCP 2015 has been placed on public exhibition, and as no submissions were received, it is therefore recommended that Council adopt Amendment No 1 to the SCDCP 2015 in accordance with the legislation.

Officer's Recommendation

1. That Council endorse Draft Amendment No 2 to Volume 1 of Campbelltown (Sustainable City) Development Control Plan 2015 (contained in attachment 1), Draft Part 16 - Advertising and Signage (attachment 3) and Draft Part 17 - Boarding Houses (attachment 4) 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 2 to Campbelltown (Sustainable City) Development Control Plan 2015
 3. That Council repeal Development Control Plan No 99 Advertising Signs prior to 11 September 2016 in accordance with the manner prescribed by the Environmental Planning and Assessment Regulation 2000.
 4. That Council adopts Amendment No1 to the Campbelltown (Sustainable City) Development Control Plan 2015 as publicly exhibited.
-

ATTACHMENT 2

12 September 2016

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

Attn: Ms Rana Haddad

Email: council@campbelltown.nsw.gov.au

OMA Submission: Draft Amendment No. 2 to Campbelltown (Sustainable City) Development Control Plan – Draft Part 16 –Advertising and Signage

Dear Ms Deitz

Executive Summary

The Outdoor Media Association (OMA) is pleased to be invited to comment on the Draft Amendment No.2 to Campbelltown (Sustainable City) Development Control Plan – Draft Part 16 –Advertising and Signage. The OMA congratulates the approach taken by the City to provide a set of development controls that are consistent with current planning legislation/policy. However, we are disappointed that the draft policy does not make provision for any 'General Advertising' signage. General Advertising signage is defined in the policy as signage which **does not** relate to the use of the land/building to which it is attached; this also known as Third Party signage. The draft policy also prohibits billboard signs and roof signs, without providing adequate justification, and these are the key signage types for the Out-of-Home (OOH) advertising industry. The OMA cannot support the draft Part 16 policy as it stands and seeks further consultation with the Council to make provision for General Advertising signage and also for billboard and roof signs within the DCP policy.

Introduction

Thank you for inviting the Outdoor Media Association (OMA) to comment on the Draft Amendment No. 2 to Campbelltown (Sustainable City) Development Control Plan – Draft Part 16 – Advertising and Signage. As the peak industry body representing 90% of Australia's outdoor media display companies and production facilities, we are pleased that the City Council has invited the OMA to comment.

The OMA has spoken with Ms Rana Haddad, Senior Strategic Planner, about the role of the OMA and has suggested that we meet with representatives from the Strategic Planning Team to discuss the Draft Part 16 –Advertising and Signage, later in September.

The OMA has set out this letter in two parts. The first part provides background information about the OMA; the second part provides our comments on Draft Part 16 – Advertising and Signage.



7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

1. Background

Information about the OMA

Advertising and marketing play a fundamental role in the Australian economy, and are significant drivers of economic growth, contributing some \$40 billion of value in 2014. This means that advertising is responsible for driving approximately 2.5% of Gross Domestic Product. For every person directly employed by advertising another three people are reliant upon advertising for their jobs. There are over 200,000 people in Australia employed due to advertising.¹

The OMA is the peak national industry body representing 90% of Australia's Out of Home (OOH) media display and media production companies, as well as some media display asset owners. Part of the role of the OMA is to develop constructive relationships with governments and stakeholders that lead to better policy decisions. The OMA advocates for regulation that is fair and equitable for governments, the community and the OOH industry.

The OMA's current media display members are:

| | |
|-----------------------------|------------------------------|
| ADLED Advertising | oOh!media |
| Adshel | Outdoor Systems |
| APN Outdoor | Paradise Outdoor Advertising |
| Bailey Outdoor | QMS Media |
| Bishopp Outdoor Advertising | TAYCO Outdoor Advertising |
| Executive Channel Network | Tonic Health Media |
| goa Billboards | TorchMedia |
| JCDecaux | |

OMA media display members advertise third party products on both digital and static signs across a variety of OOH formats and locations including, airports, bicycle stations, billboards, buses, bus stations, cafes, doctors' surgeries, free-standing advertisement panels, medical centres, office buildings and lifts, pedestrian bridges, railway stations, shopping centres, trams, universities and street furniture (bus/tram shelters, public toilets, telephone booths and kiosks).

The OOH industry plays an important role in supporting the arts, sports and charitable organisations and is widely used by government bodies to advertise community messages such as road safety alerts and health awareness campaigns. In 2015, the industry donated advertising space valued at more than \$34 million to more than 160 charitable and community campaigns.

The OOH industry also provides over 17,600 items of infrastructure to the community across Australia, including pedestrian bridges, bus shelters, kiosks, phones, park benches and bicycles. Total replacement value for this infrastructure is estimated at around \$352 million in December 2014.²

¹2016, Deloitte Access Economics, *Advertising Pays - The economic employment and business value of advertising*.

² 2016 Deloitte Access Economics, *Out-of-Home Adds Value: Out-of-Home Advertising in the Australian economy*.

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

Driver Behaviour

The OMA has undertaken research about driver behaviour around advertising signs. This research looked at the behaviour of drivers around roadside digital, roadside static and on premise signage. In summary, the research found that driver attention is not unreasonably diverted away from the road if roadside advertising is present. Key findings of the research were as follows:

1. People spend the same amount of time (average 78%) with their eyes on the road whether in the presence of digital, static or on premise signs. This is the same percentage reported by other studies even when there are no signs around.
2. Less than 1% of all looks (fixations) towards advertising signage was over 750 milliseconds, the safe time required to perceive and react to an unexpected event.
3. Drivers maintain the same safe average vehicle headway, (distance between their car and car in front) of 1.85 seconds in the presence of all three signage types. This is within the preferred safe headway of most drivers.
4. There may be some increase in lane deviation in the presence of different signage types but not enough to cause a single lane departure.

The industry is committed to road safety and willing to collaborate with councils and road authorities regarding road safety around advertising signs. The OMA would be pleased to present the full research findings of the driver behaviour study to the Council.

2. Comments Draft Part 16 -Advertising and Signage

Generally the OOH industry relies on the following types of signage for the display of advertisements, as defined within Draft Part 16.

1. Billboard Signs and Roof Signs
2. Wall Signs
3. Bus Shelters and Street Furniture

Billboard and Roof Signs

Clause 16-4.1 – Restrictions, of Draft Part 16 states that billboard and roof signs will not be permissible within the Campbelltown local government area. Billboard signs are defined within clause 16.2, as freestanding structures supported by columns or posts which display advertisements **not relating to the use of the site**. Advertising which does not relate to the use of the land/building to which it is attached is later defined as **General Advertising**.

The OMA does not support the City's decision not to recognise billboard signs and roof signs as a legitimate land use. The OMA is also concerned that the City does not provide any reasons why this is the case.

Recommended Policy: Billboard and roof signs should be assessed on merit with the size of advertising face and height of a sign appropriate for its position and location.

Wall Signs

The OMA acknowledges that there is no restriction in the Draft Part 16 on General Advertising on wall signs. However, the size of a wall sign within land zoned for industrial use is limited to 18m² or 20% of the building elevation, whichever is the lesser; and for land zoned for commercial use the size of a wall sign is limited to 6m² or 20% of the building elevation, whichever is the lesser.

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

The OOH industry advocates for a merit based policy for the assessment of size for wall signs, as follows:

Recommended Policy: Advertising wall signs should be designed to cover unsightly or unused wall spaces, with the following controls in place:

1. The sign face is an appropriate size for its position and location.
2. The sign must not cover architecturally prominent building design features or other architectural elements that feature in the facade of the building.
3. Signs should be contained within the outermost projection of the wall of the building and should be designed to integrate with the design of the building and character and amenity of the surrounding area.

Bus Shelters and Street Furniture

Draft Part 16 also fails to address the importance of OOH companies providing public infrastructure like bus shelters, waste bins, bicycle stations and kiosks within cities. OOH companies supply, construct and maintain this infrastructure at no cost to local governments, with the understanding that General / Third Party Advertising will be displayed on this infrastructure.

Recommended Policy: The Draft Part 16 therefore, needs to make provision for this type of advertising, which is predominantly located on roadways.

Digital Signage

The OMA is pleased that provision has been made in Clause 164.8 for a new set of controls for Digital Signs. The OMA has also noted the comment in the Reporting Officer's report (page 6) to the Planning and Environment Committee meeting that digital signs are being increasingly used "*...because of their instant ability to change the displayed messages without additional cost to the operators.*"

The OMA supports the inclusion of the NSW Transport Guidelines although it generally advocates for a 6-8 second display time for advertisements.

The OMA offers over page, best practice guidance for luminance levels for digital signs. This guidance has been developed in conjunction with an industry luminance expert. These luminance levels differ in part, from the levels provided within Table 16.1 of Draft Part 16. The main concern for the OMA is that there is no luminance provision in Area 3 at night time. This is a particular concern if this policy also refers to street furniture and bus shelters.

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

Email Submission from a resident

Dear Council staff,

I write to you in relation to the public exhibition on draft amendment changes to Campbelltown Development Control Plan (2015).

Comment: Amendment No 2 Draft Part 17 Boarding Houses

In relation to draft changes, I seek for the Council to consider further changes to reflect the below;

17.2.1 Site and Size Requirements

a) Boarding houses located within low density residential areas shall only be located on sites with a minimum area of 700sqm and a road frontage of 15 metres.

Issue- A road frontage of 15 metres when adjusted for the minimum driveway width (3 metres) and side boundaries (.9 metres) will allow for buildable width of 10.2 metres (15-2.S-.9-.9). A maximum of 8 room boarding house to fit a width of 10.7 metres is likely to imply a long and narrow dwelling contradicting the council and SEPP objective of design consistency with the character of the locality.

Proposed change – Minimum frontage should be changed to 17 metres or higher.

d) Boarding houses shall only be permitted on a site where no part of the allotment is within 50 metres of the commencement of the head of a cul-de-sac to which vehicular access to the site is obtained.

Issue- Whilst the spirit of the change is welcoming, 50 metres is unlikely to be a true reflection of safety on a street where small children are present in great concentration, which is the case where a child care centre is present

Proposed change – Either the ruling is changed to reflect a minimum of 100 metres from the head or to disallow such boarding houses within 100 metres of registered child care centres.

17.2.7 Shared facilities

a) Where shared bathroom facilities are proposed, they shall be provided at the following rates:

i) A minimum of 1 bath or shower for each 10 occupants or part thereof; and

Issue – Whilst I understand the requirement of affordable housing driving communal living, I must stress that the diligent people at Council consider the merits of sharing one bathroom with 9 other strangers! Such experiments in the UK, Eastern Europe and the Soviet Union did not produce the required results the spirit of the SEPP seeks.

Proposed change – In relation to a bath or shower a minimum of 1 bath or shower for each 5 people (more reflective of large family).

17.2.12 Signage

a) Signage shall be limited to a maximum of 1 sign per building, detailing only the name and address detailing only the name and address of the premises and contact details of the managing agent. b) Signage must be affixed to the front elevation and not to the fence.

Issue – Whilst numerical address on the letter box is required, no signage is needed to delineate a boarding house from other dwellings if the intent is for boarding houses to complement and blend into the local character.

Proposed change – No signage should be allowed on a boarding house, as it serves no purpose with the availability of a numerical address.

Thank you for considering my comments

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

OMA LUMINANCE LEVELS FOR DIGITAL SIGNS

| Lighting Condition | Zone 1 | Zone 2 | Zone 3 |
|---|-----------------------------|-----------------------------|-----------------------------|
| Full Sun on Face of Signage | Maximum Output | Maximum Output | Maximum Output |
| Day Time Luminance | 6000-7000 cd/m ² | 6000-7000 cd/m ² | 6000-7000 cd/m ² |
| Day Time Luminance Morning and Evening and Twilight and Inclement | 1000 cd/m ² | 700 cd/m ² | 600 cd/m ² |
| Weather | | | |
| Night Time | 500 cd/m ² | 350 cd/m ² | 300 cd/m ² |

Zone 1 covers areas with generally very high off-street ambient lighting, e.g. display centres, central city locations.

Zone 2 covers areas with generally high to medium off-street ambient lighting.

Zone 3 covers areas with generally low levels of off-street ambient lighting.

Finally, the OMA supports clause 16-4 xi) to encourage the use of renewable energy sources to power digital signs.

Thank you for the time that you have taken to review this submission. Should you wish to discuss any of the issues raised in more detail, please contact Tess Phillips, General Manager, Government Relations on (02) 9357 9900 or tess.phillips@oma.org.au.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Charmame Moldrich
Chief Executive Officer

ATTACHMENT 3

Draft Amendment No 2 to Campbelltown (Sustainable City) Development Control Plan 2015

It is proposed to amend the Campbelltown (Sustainable City) Development Control Plan 2015 in the following manner:

1. Insert the following additional parts under *Volume 1, Part 1, Section 1.1.8 Structure of the Plan*:

Part 16 - Advertising and Signage

Part 17 - Boarding Houses

1. Insert an additional clause after *Volume 1, Part 3 Clause 3.6.4.1a*) that reads:
 - b) Despite Clause 3.6.4.1 a) above semi-detached dwellings shall be permitted on an allotment having a minimum width less than 7.5 metres, where each individual lot existed prior to the commencement of the CLEP.
2. Insert the following sub-section under *Volume 1, Part 3 Section 3.4 General Requirements for Low and Medium Density Residential Development*:

3.4.1.3 Advertising Material

- a) As part of the letter box design for multi-dwelling houses, a separate enclosure shall be provided for the placement of all advertising and newspaper materials for the development. Such enclosure shall be located behind the building line and designed to be incorporated into the letter box arrangement for the development
 - b) The newspaper/advertisement container shall be regularly emptied by the manager/caretaker of the building.
3. Insert the following additional new sub-section under *Volume 1, Part 5, Section 5.4 General Requirements for Residential Flat Buildings and Mixed Use Development*:

5.4.10 Advertising Material

- a) As part of the letter box design for residential flat buildings and mixed use development, a separate enclosure shall be provided for the placement of all advertising and newspaper materials for the development. Such enclosure shall be located behind the building line and designed to be incorporated into the letter box arrangement for the development
 - b) The newspaper/advertisement container shall be regularly emptied by the manager/caretaker of the building.
4. Insert the following additional parts under *Volume 3, Part 1, and Section 1.5 Relationship to Volume 1 Development Controls for All Types of Development*:

Part 16 - Advertising and Signage

Part 17 - Boarding Houses

Draft Part 16

Advertising and Signage

Draft

16.1

Application

16.1 Application

This Part sets out controls for all signage proposals within Campbelltown LGA ,except signage that is classified as exempt or complying development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*; and any signage undertaken by Campbelltown City Council.

Note: CLEP stands for Campbelltown Local Environmental Plan 2015

Note:

The following signs are types of business identification signs that are exempt development if designed and constructed in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and:

- Wall sign;
- Fascia sign;
- Under awning sign;
- Top hamper sign;
- Window sign;

The following signs are types of business identification signs and are complying development if designed and constructed in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and:

- projecting wall sign;
- freestanding pylon and directory board signs

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 is available for view at www.legislation.nsw.gov.au.

Objectives:

- Encourage signage that provides identification and information about land uses of premises in a manner that complements the design of the building on which it is displayed on and the streetscape.
 - Ensure signage that contributes positively to the appearance of the building, structure or place by encouraging coordinated signage of high-quality design and materials.
 - Discourage the proliferation of signs and advertising structures that collectively becomes meaningless and cluttered.
 - Ensure signs and advertising structures that do not detract from the level of safety for drivers, cyclists and pedestrians by obstructing sight lines and distracting road users.
 - Ensure that the scale of the sign and advertising structures are appropriate to the size of the building and its surroundings.
 - Ensure that signs and advertisements contribute to a high quality public domain.
-

16.2 Types of Signs and Definitions

Some of the signage types referred to in this section are shown in Figure 16.3.1 below.

Note:

Advertisement has the same meaning as in the Environmental Protection & Assessment Act 1979: a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

Advertising structure has the same meaning as in the Environmental Protection & Assessment Act 1979: a structure used or to be used principally for the display of an advertisement.

1. Bill board Sign
2. Roof or Sky sign
3. Flush mounted wall sign
4. Vertical projecting wall sign
5. Horizontal projecting wall sign
6. Above awning sign
7. Fascia sign
8. Under awning sign
9. Top hamper sign
10. Window sign
11. Freestanding pylon and Directory Board sign

16.2 Types of Signs & Definitions



Figure 16.3.1 - Types of signs

16.2

Types of Signs & Definitions

The following definitions shall apply for the purpose of this Part:

'A' Frame Sign (also known as a sandwich board) means a portable, freestanding sign consisting of either two advertising boards supporting each other in an 'A' configuration, or one advertising board supported by one or more posts in an 'A' configuration.

Above awning sign means a sign that is located above an awning or veranda, attached to the awning and/or wall, but is contained entirely below the roofline and not protruding beyond the extent of the awning or veranda (but does not include a projecting wall sign).

Banner or flag sign means a piece of fabric supported on one or two sides by poles or ties and allowed to move freely, but not including national, state, regional or aboriginal flags.

Billboard sign means an advertisement supported by one or more columns or post which stands independent of any building and/or structure and which does not relate to the use of the site to which it is attached.

Bunting means a string of lightweight coloured material or plastic secured at both ends but allowed to move freely.

Building identification sign has the same meaning as in the CLEP (see note).

Business identification sign as the same meaning as in the CLEP (see note).

Canopy fascia sign means a sign that is located on the fascia of the structure erected over the pumps at a petrol station.

Corporate identification means building colour, decoration, symbols, logos and the like that attach a building use with a readily identifiable corporate brand

Day time means the time between sunrise and sun set, excluding twilight periods.

Digital Signs - Any sign that uses digital technology to display bright, high quality

Note:

Building identification sign (as defined under the CLEP) means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.

Note:

Business identification sign (as defined under the CLEP) means a sign:

(a) that indicates:

- i) the name of the person or business, and
- ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

electronic images which are uploaded and changed using a computer and modem via a secure network. A central feature of these devices is the use of Light Emitting Diode (LED) technology allowing luminance to be controlled and adjusted automatically and includes Electronic Static Displays (ESDs), Variable Message Signs (VMS) and Dynamic Electronic Displays (DEDs)

Dwell duration means the period of time that content on a sign remains static without any movement.

Dynamic Electronic Displays (DEDs) means any sign that displays animations, videos, flashing images, and have active display changes. DEDs signs, either permanent or portable, including any signs which contain any portion of video and/or animated content, that face a road reserve and are visible to road users are prohibited. DEDs are a type of digital signs.

Electronic Static Displays (ESDs) means signs that display static images only, which are presented successively at set intervals. They do not contain or imply motion such as vertical or horizontal scrolling, fade, dissolve or animation within the message itself and do not have any movement of any part of the advertising structure or surrounds. ESDs are a type of digital signs.

Fascia sign means a sign that is attached flush to the existing fascia of the awning of a building, which does not project above, below or beyond the awning of a building over a footpath.

Flashing sign means a sign that is illuminated at frequent intervals of 3 seconds or less by either an internal or external light, and whether or not included in any other type of sign.

Flush mounted wall sign means a flat mounted or painted sign attached to the exterior front or side wall of a building and does not project more than 100mm from the wall surface.

Note:

Illuminance has the same meaning as contained in AS/NZS 1158-2005: the physical measure of illumination. It is the luminous flux arriving at a surface divided by the area of the illuminated surface. Unit: lux (lx). The term includes 'Horizontal illuminance' (the value of illuminance on a designated horizontal plane at ground level) and 'Vertical illuminance' (the value of illuminance on a designated vertical plane at a height of 1.5m above ground level. Where the vertical illuminance is considered in the situation of potentially obtrusive light at a property boundary it is referred to as environmental vertical illuminance).

Luminance has the same meaning as contained in AS/NZS 1158-2005: the physical quantity corresponding to the brightness of a surface (e.g. a lamp, luminaire or reflecting material such as the road surface) when viewed from a specified direction. Unit: candela per square metre (cd/ sqm).

Note:

A digital sign and/or an illuminated sign may take the form of any permissible sign under this plan (i.e fascia sign or a wall sign) and shall comply with all the relevant development controls under this part of the Plan.

16.2

Types of Signs & Definitions

16.2

Types of Signs & Definitions

Freestanding pylon and Directory Board sign means a sign which is supported by one or more columns, uprights or braces fixed to the ground and which is not directly attached to any building or other structure.

General advertising means signage that does not relate to the use of the land/building to which it is attached.

Illuminated sign means any sign illuminated by an artificial sources such as fluorescent and/or incandescent bulbs.

Inflatable sign means a sign that is located on an inflatable structure such as a balloon or blimp being of a temporary nature and used for the purpose of displaying information about a business, product, local event and/or attraction.

Moving sign means a sign that is capable of moving by any source of power, whether or not included in any other class of sign.

Portable or movable signs means an advertisement attached to the body of a vehicle or trailer which is principally designed for placement in a publicly viewable location.

Poster sign means a temporary sign that is usually in the form of a paper or lightweight cardboard or foam core board 'poster' used for the purposes of displaying information about a local event or attraction.

Projecting wall sign is a sign that projects from the exterior wall of an existing building but not protruding beyond the roadside edge of the awning or above the roofline of a building.

Roof or sky sign means a sign that is erected on or above the parapet of a building that is wholly or partly supported by the building.

Signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:

- i) an advertising structure,
 - ii) a building identification sign,
-

iii) a business identification sign,

but does not include a traffic sign or traffic control facilities.

Temporary sign means a sign which is used to promote an event, celebration etc organised by a community group, not for profit organisation or government body (including Council) that has a limited time of display.

Top hamper sign means a sign that is attached to the transom of a doorway or display window of a building.

Twilight means the time between sunrise and dawn in the morning and sunset and dusk in the evening.

Under awning sign means a sign that is suspended below the existing awning of a building

Variable Message Sign (VMS) means a sign that display electronic text messages and have the capacity for graphical displays. VMS are a type of digital signs.

Wall sign means a flat mounted or painted sign attached to the exterior front or side wall of a building and does not project more than 100mm from the wall surface.

Window sign means a sign that is painted or displayed inside a window of a building.

16.2

Types of Signs & Definitions

16.3

**Relationship
to other
Environmental
Planning
Instruments**

16.3 Relationship to other Environmental Planning Instruments, Australian Standards, State Policies and Guidelines.

16.3.1 State Environmental planning Policy No 64 - Advertising and Signage (SEPP 64)

- a) Development applications for all forms of signage shall comply with SEPP 64.

16.3.2 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

- a) Development controls under this part shall apply to signs and advertisement that are not considered exempt or complying development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

16.3.3 Transport Corridor Outdoor Advertising and Signage Guidelines

- a) This Guideline is required to be considered where signage is proposed to be located on Transport Corridor land as identified under SEPP 64.

16.3.4 Australian Standards (AS)

- a) Some AS contain provisions relating to the construction and external illumination devices for signage that need to be complied with. The relevant AS include:
 - i) AS 4282 - Control of the Obtrusive Effects of Outdoor Lighting;
 - ii) AS/NZS 1170.0:2002, Structural Design Actions, Part 0:General Principles;
 - iii) AS/NZS 1170.2:2011, Structural Design Actions, Part 2: Wind Actions; and
 - iv) AS 4852.1-2009 Variable Message Signs

Note:

Where signs are erected without prior development consent (where consent is required), Council may commence action under the provisions of the Environmental Planning and Assessment Act 1979, requiring removal of the signs, issuing fines or commencing court action.

Note:

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies certain types of signs as exempt or complying development. Exempt development does not require development consent from Council. Complying development requires a complying development certificate (CDC) to be issued by an accredited certifier or council, prior to work undertaken by the applicant.

Note:

Signs that may fall outside the type of signs defined under Section 16.2 Types of Signs and Definitions will be assessed on their merits.

16.4 General Requirements - Advertising and Signage

16.4

General
Requirements

Advertising
and
Signage

16.4.1 Restrictions

- a) The following types of advertising and signage shall not be permissible within the Campbelltown LGA:
 - i) Above awning signs;
 - ii) Banner or flag signs in zones other than business and industrial zones including bunting;
 - iii) Inflatable signs;
 - iv) Portable or movable signs;
 - v) Moving signs;
 - vi) 'A frame' signs on public land;
 - vii) Roof or sky signs;
 - viii) Posters on poles or other structures in public places;
 - ix) Flashing signs;
 - x) Dynamic Electronic Displays that are visible to drivers; and
 - xi) Billboard Sign.

Note:

All development applications for signs need to comply with Schedule 1 of SEPP 64, available from NSW legislation website at: www.legislation.nsw.gov.au

16.4.2 Design and location

- a) 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.
- b) Signage shall not dominate landscaped and public domain areas.
- c) Free standing signage shall be designed to have regard to the size, height and scale of nearby buildings and their architectural elements.
- d) Signage shall not protrude above any parapet or eaves.
- e) All signage shall be designed to minimise opportunities for graffiti artists.
- f) Signs shall be constructed of a material

16.4

General Requirements

Advertising and Signage

that is of high quality and durable.

- g) Signage shall not contain reflective materials, colours and finishes.
- h) Signage shall not cause any nuisance to nearby occupants as a result of glare or light spillage.

16.4.3 Public Safety

- a) Signs and their supporting structures shall be structurally sound and constructed in manner to maintain pedestrian and traffic safety.
- 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.

16.4.4 Contents

- a) Signs that contain wording in a language other than English shall have an English translation of that wording to a minimum font size of 50% of the non-English word/s.

16.4.5. Maintenance of signs

- a) All signs shall be maintained to a high standard, including any advertising surface, structure and finish.

Note: Council may direct the owner of an advertising sign that is unsightly, unsafe or likely to threaten public safety, to take any necessary action to remove or repair the sign/structure.

16.4.6. Illumination

- a) Illuminated signs shall:
 - i) have its means of illumination, including any associated cables,
-

7.3 Outcome Of The Public Exhibition Of Draft Amendment No 2 - Campbelltown (Sustainable City) Development Control Plan 2015

concealed or integrated within the frame of the sign; and

- ii) not be animated, flashing or moving.

16.4.7 Development Application for Signs

- a) All development applications for a signage shall include photomontages of the sign and its relationship to the adjacent road environment, particularly traffic control devices or areas such as junctions/intersections and curves or crests.

16.4.8 Digital Signs

- a) Digital Signs shall meet the following criteria:
 - i) Advertisements shall not include videos or animations or animated effects such as 'fade', 'zoom' or 'fly-in'.
 - ii) The display screen shall not be split to display multiple advertisements on the one electronic display.
 - iii) Each change of content shall be completed instantaneously (i.e. within 0.1 of a second).
 - iv) Each content shall have a self contained message that is simple, effective and easily understood at a glance.
 - v) Sequential messages shall be avoided.
 - vi) Where changing content is proposed Dwell times for image display are:
 - 10 seconds for areas where the speed limit is below 80km/h.
 - 25 seconds for areas where the speed limit is 80km/h and over. Longer dwell times may be required by Council depending on the surrounding environment.
 - vii) In the event of a malfunction or failure of either the advertising copy display, or hardware/system/software the device must display (default to) a blank black screen.

16.4

General Requirements

Advertising and Signage

Note:

There has been a recent increase in the use of digital signs. This has necessitated a need to provide additional controls for these types of signs within the Plan. Council may consider the provision of digital signs at any location where a standard static sign is considered appropriate, providing the digital sign is managed in such a way that it does not create any additional road safety concerns or negatively impact on adjoining residents.

16.4

General Requirements

Advertising and Signage

- viii) All digital signs must be equipped with a sensor to measure the ambient light level of the surrounding environment and adjust the sign luminance levels accordingly. Such control systems shall be programmed to adopt a set of minimum levels of stepped dimming to suit a range of ambient light levels.
- ix) Luminance levels of digital signs shall comply with the requirements in Table 16.1.
- x) Luminance levels of illuminated signs shall comply with the requirements in Table 16.2.
- xi) Renewable energy sources should be considered to power digital signs.
- xii) A digital sign shall not be located higher than 3 metres from ground floor level (existing).
- xiii) In addition to the requirement under Section 16.4.7 of this part, the development application for a digital sign shall include:
 - details of the location of any other, electronic signs within 200 metres of the site;
 - details of the electronic system to be used including intensity control limits and methods (including light sensor) and error detection;
 - details of the proposed dwell time for any non-static images;
 - details of the power supply and cables.

Note:

A digital sign shall generally exhibit the same level of brightness in all lighting conditions, by maintaining a consistent ratio between the ambient light (illuminance) and light emitted by the sign (luminance).

This allows the sign to be easily read and reduces the time taken for drivers to view its content.

Due to the fast rate of change in ambient light during dusk and dawn periods, particular attention needs to be given to the luminance levels that are output during these periods to ensure that a consistent apparent brightness is maintained. This removes the risk that a driver will be distracted by changing sign brightness.

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Table 16.1 Maximum Luminance levels for Digital Signs

| Lighting conditions | Areas 1 and 2 | Area 3 |
|--|---------------|--------------|
| Day Time Luminance | 6000 cd/sqm | 6000 cd/sqm |
| Morning and Evening Twilight and Inclement Weather | 700 cd/sqm | 500 cd/sqm |
| Night | 350 cd/sqm | zero to 150* |

* Zero to 150, luminance level within Area 3, at Council's discretion and subject to the location of the sign in relation to the residential properties and surrounding environments.

Source: Based on the information provided under the Draft Transport Corridor Outdoor Advertising and Signage Guidelines - November 2015

Table 16.2 Maximum Allowable Daytime Luminance of Illuminated Signs (Not Digital Signs)

| Illuminated Area (sqm) | Areas 1 | Area 2 | Area 3 |
|---|-------------|--------|-------------|
| less or equal to 0.5 | 2900 cd/sqm | 2000 | 1000 cd/sqm |
| Greater than 0.5 and less than or equal 2.0 | 2300cd/sqm | 1600 | 800 cd/sqm |
| Greater than 2.0 and less than or equal 5.0 | 2000cd/sqm | 1200 | 600 |
| Greater than 5.0 and less than or equal 10 | 1500 | 1000 | 600 |
| Greater than 10.0 | 1200 | 800 | 400 |

Source: Based on the information provided under the Draft Transport Corridor Outdoor Advertising and Signage Guidelines - November 2015

Areas 1, 2 and 3 under Tables 16.1 and 16.2 above

Area 1 covers areas with generally high off-street ambient lighting e.g. some major shopping/commercial centres with a significant number of off-street illuminated advertising devices and lights.(eg Blaxland Road)

Area 2 covers areas with generally medium off-street ambient lighting e.g. small to medium shopping/ commercial centres (eg Queen Street) .

Area 3 covers areas with generally low levels of off- street ambient lighting e.g. rural and residential areas.

16.4

General Requirements

Advertising and Signage

16.5

Signs within Residential, Rural & Environmental Protection Zones

16.5 Signs within Residential, Rural and Environmental Protection Zones

Objectives:

- Ensure that the amenity of residential, environmental protection and rural areas is not adversely affected by the provision of outdoor signage for non-residential uses.

Design Requirements

- a) Only the following types of business identification signs shall be permissible on land zoned for residential, rural and environmental protection zones (subject to Council's consent):
 - i) wall signs;
 - ii) window signs; and
 - iii) freestanding pylon and directory board signs;

16.5.1 Wall Signs

- a) A wall sign shall:
 - ii) not result in more than 4 business identification signs of this type for the building (which may refer to more than 1 business within the building);
 - iii) be attached to the building in which the business identified in the sign is located; and
 - iv) not cover any window, door or architectural feature
- b) Wall signs within residential, rural and environmental protection zones associated with a home business, home industry or home occupation shall be:
 - iii) illuminated only during approved hours of operation;
 - iv) not reflective;
 - v) not to exceed a height greater than 2.0 metres above natural ground level; and
 - vi) not larger than 1.5 sqm in area.
- c) Wall signs within residential, rural or environmental protection zones for uses other than a home

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business, home industry or home occupation shall be:

- iv) illuminated only during approved hours of operation;
- v) not reflective;
- vi) not exceeding a height greater than 2.5 metres above natural ground level and not be larger than 3.0 sqm in area;

16.5.2 Window Signs

- a) Windows sign shall not be illuminated
- b) Window signs within residential, rural and environmental protection zones associated with a home business, home industry or home occupation shall be:
 - i) restricted to one sign per property;
 - ii) not cover more than 25% of the surface of the window in which it is displayed on or 6sqm, whichever is the lesser.

16.5.3 Freestanding pylon and directory board signs

- a) Freestanding pylon and directory board signs within residential, rural and environmental protection zones associated with a home business, home industry or home occupation shall be:
 - i) restricted to one sign per property;
 - ii) not exceed 1sqm in area;
 - iii) not exceed 2.0 metres in height; and
 - iv) not be illuminated
- b) Freestanding pylon and directory board signs within residential, rural and environmental protection zones associated with a use other than a home business, home industry or home occupation shall:
 - i) not exceed 1.5sqm in area;
 - ii) not exceed 3.0 metres in height; and
 - iii) not result in more than one such freestanding sign for each street frontage of the lot on which the development is located.

16.5

Signs within
Residential,
Rural
&
Environmental
Protection
Zones

16.6

Signs within Business, Industrial Zones and Special purpose zones

16.6 Signs within Business, Industrial and Special Purpose Zones

Objectives:

- Reduce signage clutter throughout Business centres.
- Provide for the orderly display of signs.
- Encourage the use of sign themes in commercial areas.
- Ensure that advertising signs complement the existing streetscape; and
- Ensure that signs are designed to minimise impacts on residential areas.

16.6.1 Number of signs per premises

- a) 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.

16.6.2 Building Identification Signs

- b) Building identification signs shall:
- i) be limited to one sign per street frontage.
 - ii) incorporate a maximum area of 3.0sqm.
 - iii) contain only the name of buildings; and
 - i) not be located higher than the parapet or eaves of the building, or 15 metres above ground level (existing) whichever is lower.

16.6.3 Business identification signs

- 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.

16.6.3.1 Wall Signs

- a) Only one wall sign per building elevation shall be permitted.
- b) A wall sign shall:
- iii) not result in more than 4 business identification signs of this type for the building (which may refer to more than 1 business within the building);

- iv) be attached to the building in which the business identified in the sign is located;
- v) where located on land zoned for commercial purposes, excluding areas zoned B5 under the CLEP, not be more than 6 sqm in area or 20% of the building elevation, whichever is the lesser;
- vi) where located on land zoned for industrial zone or zone B5 under the CELP, not be more than 18sqm in area or 20% of the building elevation, whichever is the lesser;
- vii) not project beyond the parapet or eaves of the building to which it is attached; and
- viii) not cover any window, door or architectural feature
- ix) Council may consider varying the size of a wall sign within commercial and industrial areas, where a wall sign area has been incorporated as part of the architectural design of the building and where Council is of the opinion that the proposed wall sign is of appropriate scale in relation to the building, streetscape and the surrounding environment.

16.6

Signs within Business, Industrial Zones and Special purpose zones

16.6.3.2 Fascia signs

- a) Fascia signs shall:
 - ii) be securely fixed to the fascia;
 - iii) not be more than 2sqm in area;
 - iv) not project below, above or beyond the sides of the fascia;
 - v) be at least 600mm behind the alignment of any kerb within the adjacent road; and
 - vi) not be illuminated.

16.6.3.3 Under awning signs

- a) Under awning signs shall:
 - i) not result in more than one sign of this type for each ground floor tenancy;
 - ii) not be more than 2.0sqm in area;
 - iii) be erected with the lower edge at least 2.6 metres above ground level (existing);
-

16.6

Signs within Business, Industrial Zones and Special purpose zones

- iv) be suspended at right angles to the building;
- v) not project beyond the awning fascia;
- vi) be at least 600mm behind the edge of the kerb;
- vii) include a separation distance of 3 metres from other under awning signs

16.6.3.4 Top hamper signs

- a) Top hamper signs shall:
 - i) not result in more than one sign of this type for each ground floor tenancy;
 - ii) not be more than 3.0sqm in area;
 - iii) not be more than 600mm in height,
 - iv) not be more than 100mm in depth;
 - v) be erected with the lower edge at least 2.1m above ground level (existing), and
 - vi) not project below the transom of any doorway or display window.

16.6.3.5 Window Signs

- a) Window signs shall:
 - i) not cover more than 30% of the surface of the window in which it is displayed or 8sqm, whichever is the lesser.

16.6.3.6 Projecting wall signs

- a) Projecting wall signs shall:
 - i) not result in more than 4 business identification signs of this type for the building (which may refer to more than 1 business within the building) so long as only one sign is visible on each elevation of the building;
 - ii) not project beyond the parapet or eaves of the building to which it is attached;
 - iii) where located in a business zone:
 - not project more than 0.9 metre horizontally from the facade of the building; and
 - be no more than 1.8sqm in area;
 - iv) where located in an industrial or special purpose zone:
 - not project more than 1.5 metre horizontally from the facade of the building;;

- be no more than 3.0sqm in area.

16.6.3.7 Freestanding pylon and directory board signs

- a) Freestanding pylon and directory board signs shall:
 - i) not result in more than one such freestanding sign for each street frontage of the lot on which the development is located;
 - ii) not exceed a height of 8 metres, above natural ground level to the highest point of the sign/structure;
 - iii) not have an area for the sign of more than 8sqm where the lot is occupied by one commercial tenant;
 - iv) where the building is occupied by more than one tenant, the minimum area of 8sqm shall be increased by 1 additional square meter per additional occupancy to a maximum of 18sqm;
 - v) be only permitted where the building has a minimum 10 metre building setback from the primary road frontage.

16.6.3.8 Banner or flag sign

- a) Banner or flags signs shall:
 - i) not result in more than one sign of this type per site;
 - ii) not exceed a height of 8 metres above natural ground level to the highest point of the sign/structure;
 - iii) not be more than 3.0sqm in area;
 - iv) be erected with the lower edge at least 2.6 metres above footpath pavement level and 5 metres above vehicle pavement level.

16.6.3.9 'A' Frame Sign

- a) 'A' Frame Sign signs shall:
 - i) not result in more than one sign of this type per occupancy;
 - ii) not located on footpath or public land;and
 - iii) not be more than 0.8sqm in area.

16.6

**Signs
within
Business,
Industrial
Zones and
Special
purpose zones**

16.7

Signs on Mixed Use Residential Development

16.7 Signs on mixed use residential development

This section applies to signs on mixed use development, where the upper levels consist of residential dwellings (shop top housing or residential apartment buildings) regardless of the zoning of the land.

Objectives:

- Ensure that advertising signs complement the existing streetscape; and
- Ensure that signs are designed to minimise impacts on the occupants of residential dwellings located at higher levels.

- a) Signs on the commercial component of the building shall comply with section 16.6 of this part as it applies to business zones.
 - b) No advertisement shall be permitted on any part of the residential component of the building.
 - c) Signs shall not impact negatively on the residential amenity of the occupants of the residential component of the building.
 - d) Illuminated signs shall only be permitted where they do not impact on the residential amenity of the occupants of the residential dwellings .
-

16.8 Signs on Heritage items and within Heritage Conservation Areas**16.8****Signs on
Heritage
Items
&
within
Heritage
Conservation
Areas****Objectives:**

- Minimise the impact of signs on the heritage significance of heritage items and heritage conservation areas.
- Ensure that the size, colour, location and design of signs do not dominate the architectural elements of heritage items and heritage conservation areas.

- a) Advertising signs on heritage items and within heritage conservation areas shall be in harmony with the character of the heritage item or place and its heritage setting.
- b) Only the following types of signs shall be permissible on land occupied by a heritage item or on land located within a heritage conservation area (subject to Council's consent):
 - i) wall sign (only on buildings that are not heritage listed);
 - ii) top hamper sign;
 - iii) fascia sign;
 - iv) under awning sign; and
 - v) window sign.
- c) The number of signs is limited to those necessary to display the name of the business and/or proprietor and the name of the building (if applicable).

16.8.1 Wall Signs

- a) Wall signs shall:
 - i) not be constructed or installed on a heritage item;
 - ii) not exceed 2.0sqm in area;
 - iii) be limited to one sign per building;
 - iv) not exceed a height of 600mm; and
 - v) not project beyond the parapet or eaves of the building to which it is attached, but in any case shall not project more than 100mm;

16.8

Signs on Heritage Items & within Heritage Conservation Areas

16.8.2 Top hamper Signs

- a) A top hamper sign shall:
- i) not be more than 2.5sqm in area;
 - i) not be more than 600mm in height;
 - i) not project below the transom of any doorway;
 - i) not project below the top of the doorway or display window;
 - ii) be permitted on heritage buildings only where a specified advertising space has been provided within the building fabric;
 - iii) be flush to the external face of the elevation, but in any case shall not project more than 100mm; and
 - iv) not cover any window or architectural features of the building; and
 - v) not be illuminated

16.8.3 Fascias Signs

- g) Fascias signs shall:
- i) be permitted on heritage buildings where a specified advertising space has been provided within the building fabric;
 - ii) be permitted providing architectural features are not painted over or obscured; and
 - iii) not project above or beyond the edges of the fascia.

16.8.4 Under Awning Signs

- g) Under awning sign shall:
- i) be permitted on heritage buildings where a specified advertising space has been provided within the building fabric;
 - i) have a minimum clearance of 2.6 metres above the footpath,
 - ii) not be more than 2.5m in length,
 - iii) be erected with the lower edge at least 2.6m above ground level (existing),
-

- i) be suspended at right angles to the building, and
- i) not project beyond the awning fascia.

16.8.5 Window Signs

- a) Window signs shall:
 - i) not dominate or clutter the shop front window;and
 - i) not cover more than 20% of the surface of the window in which it is displayed or 6sqm, whichever is the lesser.

16.8

**Signs on
Heritage
Items
&
within
Heritage
Conservation
Areas**

Draft

16.9

Service Station Signs

16.9 Service Station Signs

Given the location of service/petrol stations within various land use zones within the City, specific controls are required. This Section sets out the requirements for signs on service stations across the Campbelltown LGA.

Objectives:

- Allow service stations the opportunity to advertise, whilst minimising any visual impact.

- a) Freestanding pylon signs on sites used as a service station (including petrol price pole signs and advertising pole signs) shall:
 - i) be limited to one per street frontage;
 - ii) be no more than 6.0 metres in height,
 - iii) not exceed a total area of 8.0 square metres ;
 - iv) contain only corporate identity and pricing details; and
 - v) be located adjacent to vehicular entrance to the site.
- b) Canopy fascia signs shall be limited to trade name and corporate identification only.
- c) Illuminated signs and floodlighting of work and service areas shall not be permitted for use outside of approved trading hours.

Draft Part 17 Boarding Houses

Draft

17.1

Application

17.1 Application

This Part of the Plan sets out development controls relating to boarding houses including newly proposed boarding houses or the conversion or adaptation of an existing building to a boarding house within the Campbelltown LGA.

Note:

All boarding houses shall be subject to annual fire safety and compliance inspections by Council.

The Boarding House Act 2012 (BH Act) sets out registration requirements and occupancy principles for 'registrable boarding houses' (as defined under the BH Act) to ensure delivery of quality accommodation services and protection of the wellbeing and living amenity of residents.

The BH Act is available for view the NSW legislation website at:

www.legislation.nsw.gov.au

Note:

This Part shall be read in conjunction with the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP).

Building Code of Australia

Boarding houses may be classified as Class 1b or Class 3 under the BCA, depending on the number of residents. Class 3 buildings are subject to more stringent fire safety requirements. For further information refer to the BCA.

Note:

Under the CLEP, and the ARH SEPP boarding houses are permissible within the following zones:

- R2 Low Density Residential;
- R3 Medium Density Residential;
- R4 High Density Residential;
- B1 Neighbourhood Centre
- B2 Local Centre; and
- B4 Mixed Use;



Fig 17.1 A boarding house in Campbelltown

17.2 General Requirements for Boarding Houses**17.2**
General
Requirements
for Boarding
Houses**Objectives:**

- Ensure that boarding houses are of high quality design and consistent with the desired future character of the locality;
- Ensure that boarding houses do not adversely impact on the residential amenity of adjoining residents.
- Provide appropriate levels of amenity (internal and external) for residents within boarding houses.
- Ensure that boarding houses are designed to provide sufficient communal facilities for the occupants in terms of communal indoor and outdoor areas, kitchen and laundry facilities.

17.2.1 Site and Size Requirements

- a) Boarding houses located within low density residential areas shall only be located on sites with a minimum area of 700sqm and a road frontage of 15 metres.
- b) Boarding houses located within land zoned R2 Low Density Residential zone under the CELP or land zoned Zone 2(b) Residential B Zone under LEP 2002 shall have a maximum of 8 boarding rooms.
- c) Boarding houses shall not be erected on battle-axe allotment.
- d) Boarding houses shall only be permitted on a site where no part of the allotment is within 50 metres of the commencement of the head of a cul-de-sac to which vehicular access to the site is obtained.
- e) Boarding houses shall only be allowed on streets that provide for on street parking.
- f) Boarding houses within local, neighbourhood centres and mixed use areas are not permitted to be located at the ground floor level.

Note

For the purpose of this Part:

Low and medium density residential areas shall be taken to mean any land zoned R2 Low Density Residential, R3 Medium Density Residential, under the CLEP, or where relevant, any land zoned Zone 2(b) Residential B Zone under LEP 2002.

High density residential areas shall be taken to mean any land zoned R4 High Density Residential under the CLEP, or where relevant any land where residential apartment buildings are permissible under LEP 2002.

Local and neighbourhood centres shall be taken to mean any land zoned B1 Neighbourhood Centre or B2 Local Centre under the CLEP or where relevant areas zoned Zone 3(c) Neighbourhood Business Zone under LEP 2002.

Mixed use areas shall be taken to mean any land zoned B4 Mixed Use under the CLEP, or where relevant areas zoned Zone 10 (a) Regional Comprehensive Centre Zone under LEP 2002.

17.2

General Requirements for Boarding Houses

17.2.2 Streetscape

Design Requirements

- a) The design of new purpose built buildings (including facade treatments, building massing, roof design and entrance features, setbacks and landscaping) shall complement the scale of the surrounding development, and the desired character of the locality.
- b) New buildings on corner sites shall incorporate facade treatments that address both street frontages and achieve positive articulation in building design.
- c) Clothes lines and air conditioning units shall be screened and not visible by the public when viewed from a public area.

17.2.3 Setbacks - Low and medium density Residential Areas

- a) A boarding house development shall be set back a minimum of:
 - i) 5.5 metres from the primary street boundary;
 - ii) 3 metres from the secondary street boundary;
 - iii) 0.9 metres from any side boundary at the ground level;
 - iv) 1.5 metres from any side boundary for all levels above the ground level;
 - v) 5 metres from the rear boundary at the ground level; and
 - vi) 10 metres from the rear boundary for all levels above ground level within land zoned Zone 2(b) Residential B Zone under LEP 2002 or land zoned R2 under the CLEP.
 - vii) 6.5 metres from the rear boundary for all levels above ground level within land zoned R3 under the

Boarding Houses (as defined under the CLEP) means a building that:

- i) is wholly or partly let in lodgings, and
- ii) provides lodgers with a principal place of residence for 3 months or more, and
- iii) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and
- iv) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

CLEP.

- b) Notwithstanding 17.2.3 a) i) and ii), any garage shall be setback a minimum of 6 metres from any street boundary.

17.2.4 Setbacks - (High density residential areas)

- a) A boarding house development within high density residential areas shall be setback a minimum of:
- i) 5.5 metres from any street boundary; and
 - ii) 6 metres from any other boundary.

17.2.5 Setbacks - (Local and neighbourhood centres)

- a) Boarding houses located on land within neighbourhood and local centres shall be setback a minimum of:
- i) 3 metres from the primary street boundary;
 - ii) 3 metres from the secondary street boundary;
 - iii) 3 metres from any side boundary where it adjoins residential properties or public open space;
 - iv) 0.9 metres from the side boundary in any other case;
 - v) 6 metres from the rear boundary where it adjoins residential properties or public open space;
 - vi) 3 metres from the rear boundary in any other case.
- b) Despite clause 17.2.5 a) iv) above, boarding houses shall be permitted to be built on the side boundary where in Council's opinion the proposed development is considered as a continuation of an adjacent development within the same section of the streetscape.
- c) Despite clause 17.2.5 a) vi), reduced rear setbacks shall be considered on merits.

17.2.6 Setbacks - (Mixed Use areas)

- a) Boarding houses within mixed use areas shall

17.2

General Requirements for Boarding Houses

17.2

General Requirements for Boarding Houses

be setback a minimum of:

- i) zero metres from any street boundary; and
- ii) 6 metres from any other boundary.

17.2.7 Shared facilities

- a) Where shared bathroom facilities are proposed, they shall be provided at the following rates:
 - i) A minimum of 1 bath or shower for each 10 occupants or part thereof; and
 - ii) 1 closet pan and washbasin with hot and cold running water for each 10 occupants or part thereof.
- b) Where communal kitchen facilities are proposed, they shall be provided at the following rates:
 - i) a minimum area of 8sqm for up to 10 occupants and 1 sqm additional area for every 2 occupants thereof.
- c) Laundry and clothes drying facilities are to be provided at a rate of:
 - i) 1 washing machine and washing tub for every 10 occupants or part thereof; plus
 - ii) 1 clothes dryer for every 10 occupants or part thereof and;
 - iii) 1 fixed clothesline of at least 30 metres for every 10 occupants or part thereof.

17.2.8 Indoor Communal living areas

- a) Indoor communal living areas shall be provided with a minimum dimension of 3 metres and a minimum total area of 20 square metres or 1.2 square metres/resident, whichever is greater.

17.2.9 Solar Access

- a) Dwellings on adjoining properties are to receive a minimum of 3 hours sunlight in habitable rooms and in at least 50% of the private open space between 9am and 3pm on 21 June.
 - b) Where existing adjoining development currently receives less sunlight than this
-

requirement, this should not be unreasonably reduced. In order to demonstrate what can be achieved, shadow diagrams may be required with the development application.

17.2

General Requirements for Boarding Houses

17.2.10 Site Services Boarding Houses

- a) The location, design and construction of utility services shall satisfy requirements of the relevant servicing authority and Council.
- b) Adequate provision shall be made available for all essential services (i.e water, sewerage, electricity, gas, telephone, internet and stormwater drainage).
- c) All site services shall be placed underground.
- d) All communication dishes, antennae and the like shall be located to minimise visual prominence.

17.2.11 Visual Privacy

- a) 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.
 - b) Notwithstanding Clause 3.4.3.2a) any window of a living room located on an upper level shall:
 - i) be offset by 2 metres to limit views between windows and balconies; or
 - ii) have a sill height 1.7 metres above the floor level; or
 - iii) be splayed to avoid direct views between windows; or
 - iv) have fixed translucent glazing in any part of the window within 1.7 metres of the floor level.
 - c) Notwithstanding 17.2.11 a), a balcony will only be considered where the private open space area of any adjacent dwelling is screened from view.
-

17.2

General Requirements for Boarding Houses

17.2.12 Signage

- a) Signage shall be limited to a maximum of 1 sign per building, detailing only the name and address of the premises and contact details of the managing agent.
- b) Signage must be affixed to the front elevation and not to the fence.
- c) The sign shall have a maximum area of 0.25sqm and a maximum height of 0.5 metres.
- d) Signage shall be non-illuminated.

17.2.12 Private Open Space

- a) A minimum of one private open space area of 20 square metres with a minimum dimension of 3 metres shall to be provided for use by lodgers.
- b) Where the boarding house is not within walking distance (400 metres) to a park it should provide 30 square metres of communal private open space.

17.3 Car Parking and Access

17.3

Car Parking
and Access

Objectives:

- Ensure that the location and design of driveways and parking areas, waste access and collection areas are practical, easily maintained, convenient, safe and suitably landscaped.
- Ensure that the surrounding street network and intersections continue to operate safely and effectively.
- Minimise parking arising from boarding houses on local streets.

17.3.1 Car Parking

Design Requirements

- a) Car parking areas shall be setback a minimum of 3 metres from the front boundary and any secondary boundary.
- b) Off street parking and loading shall be designed in accordance with *Australian Standards 2890 (as amended)*, except as otherwise provided by this Plan.
- c) No required car parking space shall be designed in a stacked configuration.
- d) A boarding house shall have a maximum of one ingress and one egress driveway.
- e) The minimum width of a driveway serving a boarding house shall be 3 metres.
- f) Driveways shall :
 - i) be located a minimum distance of 6 metres from the tangent point of any unsignalled intersection; and
 - ii) be sealed.

Note: In circumstances where an intersection is controlled by lights, a roundabout or the like, applicants are requested to contact Council for

Note:

Clause 29 (2) of the ARH SEPP states:

(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:

‘(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 parking space is provided for each person employed in connection with the development and who is resident on site,’.

Additionally, clause 30 (h) of the ARH SEPP states:

‘(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms’.

17.3

Car Parking and Access

specific requirements, as the location of the driveway may vary.

- g) 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.
- h) All car parking spaces shall be line marked and delineated with appropriate signage and pavement marking.
- i) 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.

17.3.2 Access for People with Disabilities

Design Requirements

- a) Boarding houses shall comply with the minimum access requirements contained within the BCA and *Australian Standard 1428 - Design for Access and Mobility* (as amended).

17.4 Landscaping**17.4****Landscaping****Objectives:**

- To encourage the planting of native and low water consumption plants and trees.
- To enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings, while maintaining opportunities for passive surveillance.

Design Requirements

- a) 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.
 - b) Native mature trees on site shall be retained.
 - c) Car parking areas located in the front building setbacks must be screened by appropriate hedging plant species at suitable spacing.
 - d) Development applications for boarding houses shall include a Landscape Plan and report, prepared by a suitably qualified person addressing the following:
 - i) species, location and mature height of proposed planting;
 - ii) driveway areas; and
 - iii) fencing height and materials.
-

17.5 Waste Management

17.5 Waste Management

Objectives:

- Ensure that appropriate facilities are provided for the storage and collection of waste generated by boarding houses.

17.2.5 Boarding Housing and Waste Management

- a) 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:
- 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
 - 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.
- b) 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:
- i) provide for storage of a sufficient number of bins, as outlined under Section 17.2.5 (a) 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

Note:

Refer to Section 2.15 of Part 2 of Volume 1 for additional requirements on Waste Management.

connected to the sewer;and

- vi) incorporate design and construction (including colours, materials and finishes) that complement the development.
- c) 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.
- d) 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.
- e) Any development containing 20 or more bedrooms , 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 (for the purpose of calculating the minimum area behind the kerb and gutter required for bin placement, each bin shall be provided a clear width of 1.0 metre which allows for a 300mm separation distance either side of each bin).

17.5

Waste Management

17.6

Management Plan

17.6 Management Plan

Objectives:

- Ensure that boarding houses maintain the residential amenity of adjoining neighbours.
- Ensure that the residents of boarding houses are provided with a satisfactory level of residential amenity.

Design Requirements

- a) A management plan shall be prepared and lodged with the Development Application for any proposed boarding house.
- b) The management plan shall provide the following information:
 - 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 night-time;
 - 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 10.00 pm and 7.00 am.; 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.

Note:

All boarding houses shall be subject to annual fire safety and compliance inspections by Council.

The Boarding House Act 2012 (BH Act) sets out registration requirements and occupancy principles for 'registrable boarding houses' (as defined under the Act) to ensure delivery of quality accommodation services and protection of the wellbeing and living amenity of residents.

The BH Act is available for the NSW legislation website at:

www.legislation.nsw.gov.au

7.4 Minutes of Heritage Protection Sub Committee meeting held 18 August 2016

Division

City Development

Reporting Officer

Manager Sustainable City and Environment

Attachments

Minutes of the Heritage Protection Sub Committee meeting held 18 August 2016 (contained within this report)

Purpose

To seek Council's endorsement of the minutes of the Heritage Protection Sub Committee meeting held 18 August 2016.

Report

Detailed below are the recommendations of the Heritage Protection Sub Committee meeting. Council officers have reviewed the recommendations and they are now presented for Council's consideration.

Recommendations of the Heritage Protection Sub Committee

Reports listed for consideration

7.1 Proposed Commemorative Sign Honouring Dr Ivor Thomas

1. That the information be noted.
2. That the Heritage Protection Sub Committee recommends Council support the proposed installation of a commemorative sign at Glenalvon to permanently honour the achievements of Dr Ivor Thomas.

7.2 Proposed Heritage Sign - Eggleton Reserve, Englorie Park

That Council be advised that the Heritage Protection Sub Committee supports the proposed installation of interpretative signage in honour of William Eggleton at Eggleton Reserve, Englorie Park.

7.3 Hurley Park Grant Funding Update

That the information be noted.

8.1 Euglorie Park

That the information be noted.

8.2 Campbellfield (Redfern's Cottage)

That the information be noted.

8.3 Thank you

That the information be noted.

Officer's Recommendation

That the minutes be noted.

ATTACHMENT 1

Minutes of the Heritage Protection Sub Committee

Held Thursday 18 August 2016 in Committee Room 3

Meeting Commenced: 6.00pm

1. Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson, Councillor Rowell.

2. Attendance and Apologies

Councillor Ted Rowell - Chairperson Campbelltown City Council
Clarice Stretch - Campbelltown and Airds Historical Society
Robert Wheeler - National Parks Association
Alison Cukic - National Parks Association
Kay Hayes - Campbelltown and Airds Historical Society

Also in Attendance: Andrew Spooner - Manager Sustainable City & Environment
Jeff Burton - Senior Strategic Environmental Planner
Melinda Willcocks - Marketing and Tourism Coordinator
Jane Worden - Executive Support

Apologies: Councillor Bob Thompson - Deputy Chair Campbelltown City Council
James Gardner - Qualified Person
Sue Kijurina - Campbelltown and Airds Historical Society

Sub Committee's Recommendation: (Wheeler/Hayes)

That the above apologies be accepted.

CARRIED

Acknowledgment

3. Declarations of Interest

There were no Declarations of Interest made at this meeting.

4. Minutes of the Previous Meeting

Reporting Officer

Manager Sustainable City and Environment

Report

The Minutes of the Heritage Protection Sub Committee Meeting held on 26 May 2016, copies of which were circulated to each Sub Committee member, were presented to Council for adoption at its meeting on 21 June 2016.

Council resolved to adopt the Planning and Environment Committee's recommendation as follows:

1. That the minutes be noted.
-

2. That a report be provided identifying opportunities for Council to permanently honour the achievements of Dr Ivor G Thomas.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Robert/Kay)

That the information be noted.

CARRIED**5. Business Arising from Previous Minutes****Reporting Officer**

Manager Sustainable City and Environment

Report

The Minutes of the Heritage Protection Sub Committee meeting held on 26 May 2016 were considered by Council at its meeting on 21 June 2016.

The matters of business arising from the previous minutes relate to the following relevant items as detailed below:

(Item 7.1) Glenroy Cottage - Presentation by Hume Community Housing Association

That the Heritage Protection Sub Committee provides appropriate feedback to assist Hume Community Housing Association with the preparation of a future application to Council for proposed works to Glenroy Cottage.

The Heritage Protection Sub Committee indicated their support for the project and information has been exchanged between the Hume Community Housing Association and the Campbelltown and Airds Historical Society to assist with the preparation of a future application to Council.

(Item 7.2) Status Update for Heritage related Development Applications

That Council considers the following comments from the Heritage Protection Sub Committee regarding the visual impacts of the proposed perimeter fence when assessing any future Development Application for proposed works to Blair Athol House:

- That the proposed 2.1 metre height of the fence is excessive and that the design and location of the fence is not in keeping with the heritage significance of the site.

Council's Development Services Unit has been informed of the above recommendation of the Heritage Protection Sub Committee for consideration in the assessment of the subject application.

(Item 8.1) Dr Ivor G Thomas

That a report be provided identifying opportunities for Council to permanently honour the achievements of Dr Ivor G Thomas.

7.4 Minutes Of Heritage Protection Sub Committee Meeting Held 18 August 2016

A report addressing this item is included on the current meeting agenda of the Heritage Protection Sub Committee.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Hayes/Stretch)

That the information be noted.

CARRIED

6. Correspondence - Nil

7. Reports

7.1 Proposed Commemorative Sign Honouring Dr Ivor Thomas

Reporting Officer

Manager Sustainable City and Environment

Purpose

The purpose of this report is to respond to the Council resolution of 21 June 2016 requesting that a report be provided identifying opportunities for Council to permanently honour the achievements of Dr Ivor Thomas.

Report

At its meeting on 26 May 2016 Council's Heritage Protection Sub Committee received a letter of enquiry from the Campbelltown and Airds Historical Society (CAHS), requesting that Council give consideration to permanently honouring the achievements of Dr Ivor Thomas (Attachment 1).

Dr Ivor Thomas was a local medical practitioner who played an important role in preserving the rich history of the Campbelltown area, founding CAHS in 1947 and serving as the inaugural president of the Society for 12 years. Given the impending 70th anniversary of the Society next year, CAHS requested an appropriate tribute be considered by Council to honour Dr Thomas.

On 9 June 2016, Council provided a written reply to CAHS which outlined a number of options considered by Council to suitably honour Dr Thomas (Attachment 2). This letter outlined a number of possible options for Council to honour Dr Thomas, including the naming a public road or reserve, and erection of a commemorative sign.

Given the complexities identified with the naming of a park or road, including the identification of a direct connection or relevance with Dr Thomas, it was considered that the most feasible proposition to honour Dr Thomas would be the placement of an appropriate sign at the heritage listed Glenalvon. Glenalvon was considered the most suitable location given the historical significance of the site and its direct association with CAHS being the current meeting venue.

In this respect, Council has written to CAHS and requested feedback on their preferred design for a sign or plaque to be erected at Glenalvon. Council will continue to work closely with CAHS to finalise the project in a timely manner.

Officer's Recommendation

7.4 Minutes Of Heritage Protection Sub Committee Meeting Held 18 August 2016

1. That the information be noted.
2. That the Heritage Protection Sub Committee recommends Council support the proposed installation of a commemorative sign at Glenalvon to permanently honour the achievements of Dr Ivor Thomas.

Sub Committee's Recommendation: (Hayes/Rowell)

1. That the information be noted.
2. That Council be advised that the Heritage Protection Sub Committee supports the proposed installation of a commemorative sign at Glenalvon to permanently honour the achievements of Dr Ivor Thomas.

CARRIED

7.2 Proposed Heritage Sign - Eggleton Reserve, Englorie Park

Reporting Officer

Manager Sustainable City and Environment

Purpose

The purpose of this report is to request the support of the Heritage Protection Sub Committee for interpretative signage planned for the recently named 'Eggleton Reserve', located at Englorie Park.

Report

At its meeting on 1 July 2014 Council approved the naming of 'Eggleton Reserve' located at Englorie Park (Attachment 1). The proposed naming of the reserve was undertaken in honour of William Eggleton, a first fleet convict and colonial settler who received the original grant from Governor Macquarie in 1817 for the surrounding land. In this respect, it is noted that Eggleton Reserve itself is not heritage listed.

On 21 November 2014, the NSW Geographical Names Board formally named the subject land 'Eggleton Reserve' in accordance with the recommendation of Council.

Council is now in the process of preparing interpretative signage to be erected within the reserve, so as to inform the public of the important connection of the place with William Eggleton. The text and images for the proposed sign(s) are to be based upon relevant historical information provided to Council by family descendants of William Eggleton, including:

- a brief biography of William Eggleton
- a transcript of the original land grant to William Eggleton from Governor Macquarie
- parish map - an image of an old map of the Parish of St Peter which includes William Eggleton's land grant
- a painted image of the 'Alexander' - the ship that William Eggleton was transported on in the First Fleet.

Relevant extracts of the above material are included as attachments to this report for the information and review of the Heritage Protection Sub Committee.

Subject to any comments provided by the Heritage Protection Sub Committee on the matter, it is proposed to install an appropriate heritage sign within Eggleton Reserve utilising a similar metallic

7.4 Minutes Of Heritage Protection Sub Committee Meeting Held 18 August 2016

design to the interpretative sign recently erected in Hurley Park, Campbelltown for the heritage listed Water Reservoir, Silt Traps and Cattle Tank structures.

Officer's Recommendation

That the Heritage Protection Sub Committee supports the proposed installation of interpretative signage in honour of William Eggleton at Eggleton Reserve, Englorie Park.

Sub Committee's Recommendation: (Stretch/Wheeler)

That Council be advised that the Heritage Protection Sub Committee supports the proposed installation of interpretative signage in honour of William Eggleton at Eggleton Reserve, Englorie Park.

CARRIED

7.3 Hurley Park Grant Funding Update

Reporting Officer

Manager Sustainable City and Environment

Purpose

The purpose of this report is to update the Heritage Protection Sub Committee on grant funding applications made by Council relating to the heritage listed water reservoir, silt traps and cattle tank at Hurley Park.

Report

At its meeting on 20 November 2014, the Heritage Protection Sub Committee (HPSC) considered a report on the heritage listed reservoir, cattle tank and silt traps located at Hurley Park (Attachment 1). The recommendation of the Sub Committee requested Council to pursue additional funding opportunities from suitable Government grant programs to assist with the cost of restoration works planned for the heritage listed Hurley Park reservoir, cattle tank and silt traps.

In April 2015, Council made an application for grant funding under the State Government Public Reserves Management Fund Program to enable on ground works in accordance with the Hurley Park Masterplan. The grant application requested funding for a number of site improvements within Hurley Park identified under the Masterplan, including sandstone restoration works planned for the heritage listed silt traps. Unfortunately, this particular application for grant funding was unsuccessful.

Earlier this year, the NSW Office of Environment and Heritage (OEH) announced a new round of funding opportunities under the 'Heritage Near Me' Incentives Program, which invited applications up until 27 June 2016 for selected projects designed to increase public enjoyment of local heritage.

Council subsequently made an application under the 'Heritage Activation Grants' stream of the 'Heritage Near Me' Incentives Program requesting the maximum funding assistance of \$100,000 for sandstone restoration works on the heritage listed silt traps. If successful, Council would need to accurately determine the cost of the proposed works through an open tender process, however it is anticipated that a grant of \$100,000 would cover the majority of expenses associated with the project.

At the time of finalising the current HPSC report agenda Council had not been notified by OEH of the outcome of the current grant funding application. In this regard, a verbal update on the progress of this matter will be provided to the HPSC at the meeting of 18 August 2016.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Wheeler/Stretch)

That the information be noted.

CARRIED**8. General Business****8.1 Euglorie Park**

The Campbelltown and Airds Historical Society advised the Heritage Protection Sub Committee that the Society had received correspondence from Mrs Judith Burcher who has requested that the Campbelltown and Airds Historical Society make representations on her behalf to Council requesting that the suburb Englorie Park be corrected to the original name of the area 'Euglorie Park'.

Council's Manager Sustainable City and Environment briefly advised the Sub Committee of the criteria standard required for suburbs to meet the threshold to be considered for a name change and that unfortunately in this case it would seem unlikely that the required thresholds would be met. Council's Manager Sustainable City and Environment noted that Mrs Burcher was welcome to make representations directly to Council in relation to this matter in order for Council to investigate the matter and provide a formal response.

Sub Committee's Recommendation: (Wheeler/Hayes)

That the information be noted.

CARRIED**8.2 Campbellfield (Redfern's Cottage)**

The Campbelltown and Airds Historical Society advised the Heritage Protection Sub Committee that the society has received a letter from Mrs Helen McKenzie who has made enquires in relation to the heritage status of Campbellfield (Redfern's Cottage) and whether or not the property is included on the State Heritage listing.

Council's Manager Sustainable City and Environment advised the Heritage Protection Sub Committee that a submission regarding Campbellfield was previously submitted to the State Heritage office for such a listing and unfortunately the application did not substantiate a listing. It was noted by the Sub Committee that given Campbellfield's private ownership and the proposed Development Application for a child care orientated development on the site, that these factors would further complicate eligibility for a state listing.

Sub Committee's Recommendation: (Stretch/Hayes)

That the information be noted.

CARRIED

8.3 Thank you

The Heritage Protection Sub Committee Chairperson, Councillor Rowell thanked the Heritage Protection Sub Committee members and Council staff for their contribution, efforts and support to this Sub Committee during the term.

Council's Manager Sustainable City and Environment thanked Councillor Rowell for his professionalism as Chairperson of the Heritage Protection Sub Committee and for facilitating a very productive Sub Committee that works collaboratively and has reached some great outcomes during the term.

Councillor Rowell advised Heritage Protection Sub Committee members that in accordance with the *Local Government Act 1993*, membership to the Heritage Protection Sub Committee will lapse at the end of the Council term on 10 September 2016. However, it was noted that in the new term Council will place an advertisement seeking nominations from interested community members to fill vacancies on the Heritage Protection Sub Committee and that usual practice will involve Council contacting both the Campbelltown and Airds Historical Society and the National Parks Association (Macarthur Branch) asking them to nominate representatives to the Heritage Protection Sub Committee.

Sub Committee's Recommendation: (Wheeler/Hayes)

That the information be noted.

CARRIED

Councillor Ted Rowell
Chairperson

Meeting Concluded: 6.30pm

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

7.5 Construction and use of a new church building, construction of additional car parking areas, alterations to an existing building and associated civil landscaping works at No. 80 Demetrius Road, Rosemeadow

Division

City Development

Reporting Officer

Acting Manager Development Services

Attachments

1. Recommended conditions of consent (contained within this report)
2. Locality plan (contained within this report)
3. Site plans (contained within this report)
4. Floor plans (contained within this report)
5. Elevations (contained within this report)
6. Perspective drawings (contained within this report)
7. Photomontage (contained within this report)
8. Landscaping plans (contained within this report)
9. Notification plan (contained within this report)

Purpose

To assist Council in its determination of the subject Development Application in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

This development application is required to be reported to Council pursuant to Department of Planning Circular PS 08-104 dated 14 November May 2008 as it is seeking a variation of greater than 10 per cent to a development standard contained in Campbelltown Local Environmental Plan 2015.

| | |
|-----------------------------|---|
| Property Description | Lot 1 DP 1156105, No. 80 Demetrius Road, Rosemeadow |
| Application No. | 1385/2016/DA-C |
| Applicant | De Angelis Taylor and Associates Pty Ltd |
| Owner | Trustees of the Roman Catholic Church |
| Planning Provisions | Campbelltown 2025 - Looking Forward |

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

Campbelltown Local Environmental Plan 2015

Campbelltown (Sustainable City) Development Control Plan

Campbelltown City Council Section 94A Development Contributions Plan

Date Received 10 May 2016

Report

A development application was lodged with Council in May 2016 for the construction and use of a new church building, construction of additional car parking areas, alterations to an existing building and associated civil and landscaping works at No. 80 Demetrius Road, Rosemeadow.

The Site and Surrounds

The site is located on the southern side of Demetrius Road, is irregular in shape and has an area of approximately 1.8 hectares. The site presently contains a number of existing land uses, buildings and other facilities including:

- John Therry Catholic High School and its associated facilities and playing fields
- Our Lady Help of Christians Primary School and its associated facilities and playgrounds
- Our Lady Help of Christians Parish, which includes an existing church building and presbytery (administration and priest's accommodation) building.

The site has been in use as a Catholic parish and school site since 1987, with a range of extensions, new buildings and other facilities being approved by Council on the land since that time.

Surrounding the development site is a predominately low density residential area, with a range of single and double storey detached dwellings and three areas of Council-owned open space, being Demetrius and Octavia Reserves and Rizal Park.

Vehicle access to the site, including the schools and existing church is via Demetrius Road and includes a bus pick up/drop off bay and separate driveway for each of the schools and parish presbytery.

A variety of car parks are located across the site and are utilised by the various land uses throughout the week.

The overall site contains some scattered native trees, although in the development site proper, the owner has removed a large amount recently under the provisions contained in State Environmental Planning Policy (Infrastructure) 2007 as they relate to the pruning and removal of tress at educational establishments.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

The Proposal

The application proposes the following:

- construction of new church building, with a capacity of 523 seats
- removal of some remaining trees
- site works, including drainage
- minor structural modifications to the existing primary church building as part of its proposed conversion into an ancillary parish hall. The existing seating capacity of 300 seats would not be altered
- minor changes to the fascia materials used on the existing presbytery building
- alterations and additions to the site access and off-street parking provisions comprising the following:
 - the expansion of the existing on-site passenger vehicle parking area from 105 spaces to 190 spaces
 - the construction of a new vehicular driveway, located centrally at the northern property alignment, proposed to facilitate egress only movements onto Demetrius Road
 - construction of additional drop-off pick up space on the site for use by the high school
 - a formalised on-site bus set-down area that is capable of accommodating up to five buses at any one time. The circular arrangement of this bus set-down area enables buses to perform turnaround manoeuvres to exit the site
- landscaping of site grounds including construction of a masonry and metal fence along the site's Demetrius Road frontage.

As part of investigative master planning across the John Therry High School site, an application is likely to be lodged with Council in the near future which would propose an increase to total available parking to 238 spaces.

The proposed works do not directly relate to the existing primary school on the site.

Attachment 3 to this report contains site plans which illustrate the location of proposed works and existing buildings within the high school and church parts of the site.

Attachments 4 – 7 contain details and images of the proposed buildings.

The new church building would have a seating capacity of up to 523 people, who would be seated on pews and other seats located throughout the main body of the church. The exterior appearance of the new building is a contemporary expression of a traditional romanesque styled Christian church. It features symmetry, vaulted roof construction, face brick and stone external walls and simplistic detailing.

An extract from the architect's design statement for the building reads:

The aesthetic of the Church references its historical and traditional values, is reflective of characteristics as a place of worship, and represents the strength, solidarity and sanctity of the Roman Catholic Church.

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The building has been designed to present to Demetrius Road and would be located approximately 44 metres from the street boundary at its closest point. The building would be 20.4 metres above ground level at its highest point. A graphic representation of the building's appearance when viewed from Demetrius Road is found in attachment 8 of this report.

Operation

The main regular functions of the new church are presented in the table below:

| Day | Time | Activity | Expected no. of people |
|----------|---------|----------|------------------------|
| Saturday | 6:00pm | Mass | 200 |
| Sunday | 8:30am | Mass | 330 |
| | 10:00am | Mass | 200 |

A range of other services would be held at the church and associated buildings throughout the week, including weekday morning mass, reconciliation and rosary recitation. Times of those services are generally outside peak school pick up and drop off times.

The proposed church building also includes a belfry, containing a range of acoustic bells that are proposed to be rung at regular intervals, which are detailed below:

- Daily at midday and 6.00pm for 30 seconds
- Sundays 10.00am for 30 seconds
- Christmas day 10.00am for 30 seconds
- Easter Sunday 10.00am for 30 seconds
- Funerals and weddings for 15 seconds (with an average of 1 wedding and 1 funeral a week)
- Special Occasions, 2-3 times per year for 30 seconds.

In addition, the applicant also proposes bell ringing practice once a week at 7:30pm for half hour. However, this ringing will not be audible from outside the external of building as openings in bell tower will be acoustically sealed during that time.

The existing car park in the north western portion of the site presently serves the church and primary school on weekdays. It is anticipated that church visitors would use new car parking constructed closer to the new church building, providing additional space in the school car park on those days.

Funerals are also likely to take place at irregular intervals during the day on weekdays. A recommended condition of consent requires that funerals are held outside times that are likely to conflict with school traffic movements in the vicinity, being only between 10:00am and 2:00pm.

The applicant notes that the existing church, to be converted into a hall as part of this proposal with some relatively minor building changes, would be used for purposes ancillary to the parish's activities and is unlikely to be used to a significant extent at the same time as the new church building.

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Further discussion on the site's operation can be found in Part 3 of this report.

1. Non-Statutory Provisions

1.1 Campbelltown 2025 - Looking Forward

'Campbelltown 2025 - Looking Forward' is a vision statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- responds to what Council understands people want the City of Campbelltown to look, feel and function like
- recognises likely future government policies and social and economic trends
- sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes.

The strategic directions relevant to this application are:

- growing the regional city
- building a distinctive Campbelltown sense of place
- creating employment and entrepreneurial opportunities.

The proposed development is consistent with these directions.

The relevant desired outcomes associated with Council's vision, included in 'Campbelltown 2025 – Looking Forward' include:

- urban environments that are safe, healthy, exhibit a high standard of design, and are environmentally sustainable
- an impression of architecture that engages its environmental context in a sustainable way
- development and land use that matches environmental capacity and capability.

The proposed development is considered to be consistent with the vision statement's desired outcomes having regard to the proposed scale, function and design of the proposed development.

2. Statutory Provisions

Section 79C(1)(a) of the EP&A Act requires Council to consider environmental planning instruments and development control plans that apply to the site.

2.1 Campbelltown Local Environmental Plan 2015

Campbelltown Local Environmental Plan 2015 applies to the land on which the development would take place. Relevant Clauses contained therein are discussed below.

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Clause 2.3 – Zone Objectives and Land Use Table

The subject site is zoned R2 – Low Density Residential under the provisions of Campbelltown Local Environmental Plan 2015 (LEP 2015).

The LEP's objectives for development in the zone are:

- to provide for the housing needs of the community within a low density residential environment.
- to enable other land uses that provide facilities or services to meet the day to day needs of residents.
- to enable development for purposes other than residential only if that development is compatible with the character of the living area and is of a domestic scale.
- to minimise overshadowing and ensure a desired level of solar access to all properties.
- to facilitate diverse and sustainable means of access and movement.

The proposal, while significantly greater in scale than what would ordinarily be considered 'domestic', is not considered to be unsympathetic to the objective, having regard to the:

- setback of proposed buildings from existing residential dwellings is in excess of 50 metres and on the opposite side of Demetrius Road, and
- the scale of the building is not inconsistent with the scale of the site and existing buildings contained therein

The proposal is defined as a 'place of public worship', which pursuant to the LEP means:

a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

Places of public worship are permissible with Council's consent in the R2 zone.

Clause 4.3 – Height of Buildings

Clause 4.3 of the LEP is of particular relevance to this application. The clause establishes maximum building heights throughout the city and is accompanied by a map and objectives. Relevant objectives for establishing a building height include:

- a. to nominate a range of building heights that will provide a transition in built form and land use intensity across all zones,
- b. to assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

Pursuant to the map accompanying clause 4.3, the maximum building height permitted at the site is 8.5 metres. The new church building would be significantly higher, being up to 22.5 metres above existing ground level. This exceeds the maximum height by 14 metres.

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As the proposal does not comply with the development standard contained in clause 4.3, the applicant has sought an 'exception to a development standard'. This is undertaken pursuant to clause 4.6 of the LEP and is discussed in more detail below.

Clause 4.6 – Exceptions to Development Standards

Clause 4.6 of the LEP is contained in each 'standard instrument local environmental plan' in NSW. Its objectives are:

- a. to provide an appropriate degree of flexibility in applying certain development standards to particular development
- b. to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

In considering an application made under clause 4.6, the applicant must demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient planning grounds to justify contravention of the development standard.

In response to the abovementioned requirements, strict compliance with the standard not considered necessary in this particular case as:

- the scale of the building proposed is not inconsistent with that which would be anticipated as a place of public worship
- the proposal is not inconsistent with the scale of the site as a whole and existing buildings already located on the land. The church's maximum height would be 5 metres above the highest existing building on the land, being the William E Murray Hall built in 1995
- the setbacks of the building to any nearby residential properties serve to minimise its potential to dominate the local streetscape, thus its interference with local residential character is reduced
- the height of buildings control as established in the LEP has been provided to establish a maximum height for buildings throughout the R2 residential zone, particularly where they are located in a residential area context. In this case, the site has a long-established range of land uses that are not residential in nature, despite the site's land zoning
- the building's height does not interfere with access to sunlight or create a reduction in privacy for any residential property nearby
- the building height comes about as an expression of particular architectural style associated with places of public worship and is not considered likely to erode or set an undesirable for other development that is permissible on land much smaller than the subject site in the R2 zone.

Pursuant to Clause 4.6(4) of the LEP, the concurrence of the Secretary of the Department of Planning and Environment must be received prior to consent being granted. However, the department has issued a circular (reference PS 08-003, dated 9 May 2008) which states that Council may assume the Secretary's concurrence in this case.

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Having regard to the above discussion, the proposal is therefore considered to be complementary to Campbelltown Local Environmental Plan 2015, notwithstanding its non-compliance with the height of buildings requirement for the site.

2.2 Campbelltown (Sustainable City) Development Control Plan

Campbelltown (Sustainable City) Development Control Plan (SC DCP) applies to the subject land and development type.

Relevant aims of the SCDCP are:

- ensure that the aims and objectives of any relevant environmental planning instruments including Campbelltown's LEPs and IDOs are complemented by the plan
- 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 City of Campbelltown
- ensure that new development maintains or enhances the character and quality of the natural and built environment
- ensure that new development takes place on land that is capable of supporting development
- encourage the creation of safe, secure and liveable environments
- ensure that new development minimises the consumption of energy and other finite resources, to conserve environmental assets and to reduce greenhouse gas emissions.

The development is consistent with these aims.

Part 2 of the SC DCP applies to all development. Relevant portions of that part are detailed as follows:

Part 2.4 – Sustainable Building Design

Part 2.4 requires that new buildings be constructed with rain water collection tanks. No tank appears to be proposed with this application. As such, a recommended condition of consent requires the installation and connection of a 10,000 litre rain water collection tank. The volume of the tank is determined by the new church's roof area.

Part 2.5 - Landscaping

Part 2.5 sets out Council's requirements for site landscaping and landscaping plans and works with other parts of the SCDCP. The application complies with that Part's requirements.

Part 2.7 – Erosion and Sediment Control

Part 2.7 requires that erosion and sediment control be considered as part of a new development, particularly during its construction. The proposal is complementary to the SCDCP's requirements. These requirements are further reinforced by recommended conditions of consent.

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Part 2.9 – Demolition

Part 2.9 contains Council's requirements for the demolition of buildings. The proposal involves the removal of some existing bitumen sealed car parking area and as such, appropriate conditions are listed in the recommendation to this report.

Part 2.10 – Water Cycle Management

Part 2.10 contains Council's requirements for water management. The part requires the submission of plans and designs for engineered control of stormwater emanating from new developments. The proposal includes a concept design, which is referenced in relevant recommended conditions of development consent.

Part 2.13 – Security

Part 2.13 encourages building and site design to consider the safety and security of visitors to the site. The development is complementary to the SCDCP's controls, in that it provides for open views of the site, clearly identifies building and site entry/exit points and maximises the potential for casual surveillance. A crime prevention through environmental design assessment for the development was also undertaken by the applicant, which makes recommendations regarding landscaping maintenance and security lighting.

The recommendations have been referenced in the conditions of consent found at Attachment 1 to this report.

Part 2.15 – Waste Management

Part 2.15 contains Council's controls for managing waste generated from developments during their demolition, construction and operational phases. A waste management plan was submitted with the application and is referenced in the recommended conditions of consent in attachment 1.

Having regard to the above discussion, the proposal is considered to be complementary to the requirements of the SCDCP which apply to all development, subject to the imposition of relevant conditions of consent.

Part 10 of the SCDCP contains Council's controls for places of public worship. The SCDCP describes the following objectives for the control of places of public worship throughout the City:

- to ensure that places of public worship are appropriately located and designed to minimise any adverse effects (high noise levels, traffic impacts, overshadowing, privacy and access) on the amenity of surrounding land uses.
- to ensure that the scale, bulk and height of places of public worship are compatible with the predominant character of surrounding developments.

Discussion on the relationship of different land uses (such as the church, the schools, the school/parish hall and presbytery) and their interrelated demand for car parking is provided in Section 3 of this report.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

An examination of the proposal against Council's controls is presented in the following table:

| | | Campbelltown (Sustainable City) Development Control Plan | |
|-------------------------------------|---|---|-----------------|
| Control | Requirements | Proposed | Complies |
| Locality requirements | The application shall be accompanied by a report addressing the suitability of the site. | The application has been accompanied by a statement of environmental effects that describes the development's potential impacts on the natural and built environment. | Yes. |
| Locality requirements | A place of public worship shall not be located within 150 metres of a brothel, sex-services premises or restricted premises. | None of the restricted land uses are within 150 metres of the site. | Yes. |
| Locality requirements | Newly proposed places of public worship in residential zones shall have a maximum seating capacity of 100 persons | The new church building is a continuation of an existing land use, which presently has a capacity in excess of 100. Operational requirements to minimise potential interruption to residential amenity is discussed in Section 3 of this report. | Yes. |
| Height | Spires shall only be permitted if in Council's opinion they are appropriate in height and scale to the site and do not interfere with amenity and access to sunlight for nearby residents | The building's height is greater than that permitted by planning controls, however, is considered to be acceptable having regard to its scale in relation to the site as a whole and its distance from residential properties. The building's height is also discussed in Section 2.1 of this report. | Yes. |
| Acoustic and privacy amenity | Noise levels shall not be more than 5dB(A) above background levels at the site boundary when measured over 15 minutes. | This requirement is reflected in a recommended condition of consent located in Attachment 1 to this report. | Yes. |

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| | | Campbelltown (Sustainable City) Development Control Plan | |
|-------------------------------------|---|---|--|
| Control | Requirements | Proposed | Complies |
| Acoustic and privacy amenity | Direct views to neighbouring residential properties shall be appropriately screened and landscaped. | Due to the separation distance between the proposed new church building and the potential for negative impacts on existing privacy is considered to be very low. | Yes. |
| Acoustic and privacy amenity | The use of external amplified sound including public address systems, amplified bells is prohibited | A bell tower and ringing of bells on a regular basis is proposed. The ringing times are detailed earlier in this report. The bells would not be electronically amplified. | No. However, proposal can be supported on the grounds that a recommended condition of consent found in Attachment 1 of this report stipulates the only times during which the bells may be rung and also requires that should a noise disturbance be report to Council from nearby residents, further acoustic amelioration of the noise, by way of treatment to the building or a reduction in ringing times will be required. |

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

| | | Campbelltown (Sustainable City) Development Control Plan | |
|--------------------|---|---|--|
| Control | Requirements | Proposed | Complies |
| Streetscape | The design of new purpose-built buildings shall complement the scale of surrounding development and the character and qualities of the desired streetscape. | The church building (being the main focus of the development application) is a purpose-built building. It has been designed to incorporate the Catholic Church's desired 'Romanesque' architectural style. It is acknowledged that the building is significantly larger in scale to surrounding residential development, however, given its position on the site, the existing use of the land and the development's positive contribution to the streetscape, it is considered to be acceptable. | Yes. |
| Streetscape | Off street car parking areas shall be screened by landscaping. | Car parking areas would be screened over time by hedging established along the property's Demetrius Road frontage. | Yes. |
| Streetscape | Air conditioning units and water tanks shall not be visible from public areas. | A recommended condition of consent requires that services such as air conditioning are not visible in public places. | Yes. |
| Fencing | Maximum 1.2 metre high fence along site's front boundary. | A front fence is proposed that matches the height of existing fencing. It is greater than 1.2 metres but is not considered to be inconsistent with the existing streetscape or the scale of the site as a whole. | No. However, having regard to existing fencing and the scale of the site the proposed fencing can be supported. |
| Fencing | Side and rear fencing to be maximum of 2.1 metres high. | Existing side boundary fences will remain unaffected by proposal. | Yes. |

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

| | | Campbelltown (Sustainable City) Development Control Plan | |
|--|---|--|--|
| Control | Requirements | Proposed | Complies |
| Fencing | No solid fences shall face a public place. | No solid fencing proposed. | Yes. |
| Religious establishments in residential zones | Newly proposed religious buildings shall not be located on sites: <ul style="list-style-type: none"> - less than 1,500 square metres - less than 20 metres wide - that are on a no through road - where the vehicular access is to/from a road less than 6.5 metres wide | The site complies with the minimum dimensions and road access requirements. | Yes |
| Religious establishments in residential zones | Newly proposed religious buildings shall have a maximum relevant floor area of 160 square metres. | The proposed floor area is approximately 1,460 square metres. | No However, having regard to the scale of the site and the development's otherwise generally compliant nature, the increased floor area can be supported. |
| Car parking | 1 space for every 3.5 site users | Up to 523 accommodated in church building, means a total of 150 spaces are required. 190 are proposed. Site user definition and relationship with different uses on the site is discussed in Section 3 of the report. | Yes, subject to operational restrictions. |

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| | | Campbelltown (Sustainable City) Development Control Plan | |
|-------------------------|--|---|-----------------|
| Control | Requirements | Proposed | Complies |
| Car parking | An application for a place of public worship shall be accompanied by a traffic impact statement, prepared by a qualified person. | A traffic impact statement has been prepared for the development, which discusses the church development along with its relationship to existing site uses, such as the schools. More discussion on the operational management of the site is contained in Section 3 of this report. | Yes. |
| Landscaping | Landscaping required to front setback, within car parking areas and alongside setbacks | Landscaped gardens provided throughout the redeveloped site area. Side setbacks are landscaped and turfed. | Yes. |
| Waste management | Waste storage areas to be screened. | Waste management plan provided for construction and operational phases of the development. | Yes. |
| Waste management | Waste management plan to be provided | Waste to be managed in a similar manner to that presently being undertaken on site. Waste storage areas not visible from public spaces. | Yes. |

As illustrated in the table, the proposal contains three variations to Council's controls. The variations are discussed further below:

- Proposal to include an active belfry:

The SCDCP stipulates that the use of external amplified sound including public address systems, amplified bells and amplified calls for prayers by places of public worship is prohibited.

The application includes a proposal to use bells at regular intervals to signify important times and events within the Catholic calendar.

Further discussion on the matter is contained in Section 3.1 of this report. It is recommended that a condition of consent be imposed regarding operation of the bells so as to minimise their potential to impact on neighbours and to in fact discontinue their use in the event of Council receiving complaints about their operation.

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Upon consideration of the church building's separation from nearby residents, the scale of the site and the existing land use therein as well as the abovementioned condition stipulating bell operation at certain times only, the non-compliance is considered to be acceptable in this case.

- Floor area: the SCDP requires that newly constructed places of public worship buildings in residential zones have a maximum floor area of 160 square metres (excluding amenities, offices kitchens and the like).

The proposed building has a floor area (after exclusions are considered) of approximately 1,460 square metres, which is a significantly higher area than permitted under the DCP.

Notwithstanding the higher area, the site is much larger than traditional residentially zoned allotments on which religious establishments are sometimes proposed, which is why the floor area in the DCP is relatively low. The grounds on which the new church would be constructed presently houses two schools, an existing church and presbytery and school and hall and are considered adequate to accommodate the new church building as well as over 190 car parking spaces.

The variation is supported as the site is considered to be capable of supporting the new building without any adverse and significant impact as the function and amenity of the neighbourhood.

- Fence height: the SCDP requires that front boundary fencing for places of public worship does not exceed 1.2 metres in height. The application is proposing a fence height of between 2.2 and 2.5 metres across its frontage to Demetrius Road.

The fence has been designed to complement an existing fence which has been constructed across part of the site previously and would also serve as a security measure for the schools also located on the land.

The fencing has been designed to reflect the church building's architecture and in some places, features masonry supports between fence panels.

Having regard to the scale of the site, the setback of the fencing for the most part well back from the property's boundary, and hence the street and the need to secure the existing schools, the variation to Council's control is not considered unreasonable. It is important to reiterate this is not a smaller scale development on a residential sized allotment, it is a large-scale complex on land almost 2 hectares in area.

Having regard to the above comments and the table, the development is considered to be generally compliant with Council's development controls for places of public worship.

2.3 Campbelltown City Council Section 94A Development Contributions Plan

Pursuant to Council's Section 94A Developer Contributions Plan, a payment is required for the development as proposed. Accordingly, a recommended condition of consent requires the payment of the contribution prior to issue of a construction certificate as is Council's standard practice.

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3. Planning Assessment

Impacts on the Natural and Built Environment

Section 79C(1)(b) of the EP&A Act requires Council to assess the development's potential impacts on the natural and built environment.

The primary areas in which the development may have some impacts on its environment are detailed as follows:

3.1 Noise

Noise of activities undertaken within the church building and its surrounds are not considered likely to have a significantly adverse impact on the neighbourhood, upon consideration of the fact that the use is presently being undertaken on the land and the hours during which those uses are generally undertaken.

As mentioned earlier in the report, use of bells as proposed, is considered to be one source point of noise, which may be detected at residential properties in the vicinity of the Church.

In this regard, it is proposed to ring the bells at the following times:

- daily at midday and 6.00pm for 30 seconds
- Sundays 10.00am for 30 seconds
- Christmas day 10.00am for 30 seconds,
- Easter Sunday 10.00am for 30 seconds,
- Funerals and weddings for 15 seconds (with an average of 1 wedding and 1 funeral a week), and
- Special Occasions, 2 - 3 times per year for 30 seconds.

The proposed bells would not be electronically amplified beyond their natural sound output.

A recommended condition of consent has been included in attachment 1 and is considered to provide adequate controls in which to ensure the operation of the bells and the associated sound is controlled and does not have a unreasonable or significant impact on the local neighbourhood.

The condition requires that the bells do not unreasonably interfere with the neighbourhood and that the applicant undertake to notify residents that might be able to hear the bells prior to their operation commencing should consent for the building be granted by Council.

The proposed condition reads:

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Use of Bells

The bells contained within the approved belfry shall only be used at the following times:

- daily at midday and 6.00pm for 30 seconds
- Sundays 10.00am for 30 seconds
- Christmas day 10.00am for 30 seconds
- Easter Sunday 10:00am for 30 seconds
- funerals and weddings for 15 seconds and not before 9.30am and not after 6.00pm
- special occasions, 3 times per year for 30 seconds, not before 9.00am and not after 7.00pm.

The belfry shall be acoustically treated so that the bells are not audible away from the building outside the abovementioned hours should they be rung for practice or other occasions.

Prior to the issue of a construction certificate, the applicant shall undertake an acoustic analysis of the proposed bells in order to delineate the likely range from which they might be heard during normal operation and characteristic weather conditions (including an assessment of the direction of prevailing winds).

The applicant shall provide a copy of the report to Council prior to the issue of the construction certificate for its review.

The applicant shall prepare a plan of management for the use of the bells for the approval of Council's Manager Development Services prior to issue of a construction certificate. The plan of management shall address the following:

- the times and duration of bell ringing
- graphic information to illustrate the extent at which the bells are likely to be heard during prevailing weather conditions
- a complaints management procedure, including the keeping of records if any complaints received to be made available for Council's inspection.

Within one week prior to the first use of the bells, the applicant shall notify potentially affected residents in writing that the church bells will ring and include details of the approved ringing times, durations as above and information regarding the complaints register detailed in the plan of management. Evidence of that notification shall be provided to Council prior to an occupation certificate being issued for the church building.

Upon receipt of any complaints from neighbours regarding bell use and its disturbance to residential amenity, Council may further restrict use of the bells so as to minimise their impact on neighbours should it be determined that such impact has occurred.

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3.2 Flooding and Drainage

A stormwater concept plan has been submitted with the application, which assesses the development's potential to impact on the natural and existing man-made drainage. The stormwater capture and disposal regime for the development is an important consideration due to the proposed increase to impervious surfaces across the site. This means that larger quantities of water will enter Council's stormwater system in a shorter timeframe following the development's completion by comparison to the existing situation.

Council's Technical Services section reviewed the applicant's submission and did not raise significant issue with the stormwater capture and disposal system proposed.

A range of relatively standard requirements relating to stormwater have been included in attachment 1 of this report as recommended conditions.

3.3 Traffic

a. Operational Traffic

The applicant has submitted a traffic and car parking assessment report prepared by specialist consultant Thompson Stanbury Associates (Reference 16-022, dated March 2016).

The report has considered:

- existing parking and traffic demand generated by the existing on-site developments (church and school)
- projected additional parking and traffic demand generated by the proposed expanded place of worship
- the suitability of the proposed modifications to the on-site parking area to accommodate the additional parking demand potentially generated by the expanded place of worship
- the safety and efficiency envisaged to be afforded by the proposed site access and internal circulation arrangements
- existing traffic conditions in the immediate vicinity of the subject site
- the ability of the surrounding road network to accommodate additional traffic demand projected to be generated by the proposed development.

In addition, Council must also consider the relationship of between the range of land uses on the site and their demand for car parking at different times.

As mentioned previously in the report, a number of different land uses are undertaken from the site (at present, and in the future should Council grant its consent for the new church building). The report details the days, activities and likely number of visitors at the site throughout a normal week.

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There appears to be a satisfactory spread of activities, with only two or three times during the week that more than one activity is being held on the site at one time (aside of course, from the schools which operate during weekdays). At times during which the schools and church would be operating, it is generally for a lower intensity use at the church. Occasional funerals may increase attendance during the week, however, a recommended condition of consent requires that these services be held outside peak school drop off and pick up times.

The parking assessment undertook a survey of existing school car parking demand. The busiest time in the existing 105 space car parking area is in the afternoon when approximately 86 vehicles were detected in the shared car parks.

A survey of the existing car parking undertaken during weekend church services revealed that the greatest demand for parking occurred on a Sunday, when 95 of the existing 105 spaces were occupied.

The applicant has noted that some day time uses will need to be finished prior to peak school leaving time. For example, irregular funeral services will need to be finished prior to 2.00pm so that cars associated with that use have left the site prior to parents and buses arriving to pick up children. A recommended condition of consent has been prepared to reinforce this requirement so as to minimise parking conflict at the parish/school site.

As mentioned previously in the report, the application complies with Council's development control plan requirements for car parking provision and would operate on a shared basis during the week, so that for most times, an abundance of parking would be available to school staff, students and visitors.

The report concludes:

- the proposal effectively facilitates an increase in the maximum instantaneous capacity of the site from 300 people/seats to 523 people/ seats (for the place of public worship)
 - the proposed additional site capacity is to be supplemented with an expansion of the existing on-site parking area from 105 to 190 passenger vehicle parking spaces
 - the proposed passenger vehicle parking provisions readily complies with the minimum requirements specified within DCP (for the place of public worship). It is also assessed to be capable of readily accommodating existing and projected peak operational parking demands
 - the surrounding road network provides motorists with a good level of service during the peak operational periods of the development, with spare capacity
 - the subject development could projected to generate up to 79 additional hourly vehicle trips to and from the development during peak operational periods, which are most commonly outside the peak commuter periods of the adjoining public road network
 - the surrounding road network is projected to be capable of accommodating the minor level of additional traffic associated with the subject development
 - the existing and proposed site access arrangements are compliant with AS2890.1-2004 requirements and are projected to continue to provide motorists with safe and efficient means with which to access / exit the site
 - the existing and proposed parking arrangements are envisaged to provide for safe and efficient internal circulation arrangements.
-

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

The report does not go as far as recommending restrictions on the operation of activities at both the parish hall and the new church building at the same time.

A recommended condition of development consent in attachment 1 requires that major functions are not held in both the new church building and parish hall (the former church building) concurrently. A major function in each building for the purposes of the condition is one where more than 665 people are in attendance at the site in either building; being the number of car parking spaces provided (190) multiplied by Council's DCP control, which is 1 car parking space for each 3.5 site users.

This effectively means at the new church building's full capacity of 523 people, 142 people could still reasonably be accommodated in the existing church, which would become the parish hall. The likelihood of such an intense concentration of visitors at any one time is considered to be extremely low and is not proposed in the application.

Of course, this concentration if it were to happen, must only take place on days/times when the schools are not in use as approximately 100 spaces are required to be available for peak parking during their operation.

It is expected that revised bus pick up and drop off area and also additional off-street student pick up and drop off area for the high school will reduce the impacts of the existing developments on the local traffic network. The construction and operation of a bus area for the high school that is separate to parent drop off area is considered to be a noteworthy gain for safe operations at the site.

Having regard to the above and associated recommended conditions of consent in attachment 1, the development is not considered likely to significantly and detrimentally impact on local traffic by comparison to the site's existing use. In fact, the development and the additional car parking spaces, drop off areas and bus turning bay are considered likely to positively influence the schools' impacts on the local street network.

b. Construction Traffic

One important traffic impact which has not been considered by the applicant or the traffic experts engaged on their behalf is the impact (albeit temporary) of the new church's construction on traffic and car parking availability. The impacts on local traffic and the local amenity of this activity are potentially significant. The impact is owing to the fact that most of the existing car parking facilities at the site (for both the church and schools) would be removed to facilitate the new church building's construction, although they would be replaced by a larger amount of car parking as part of the overall project.

A recommended condition of development consent requires that a construction traffic management plan be developed by the applicant so that car parking is constructed and made available to visitors to the site prior to removal of the existing car parking. The existing car parking area at the site contains approximately 56 spaces, which is similar to the recommended condition's requirement, being 60. This is to ensure that cars associated with school visitors, school staff and visitors to the church for worship and other activities will continue to be accommodated on the site during the new building's construction.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

An additional recommended condition of development consent requires the applicant to prepare, and submit for Council's approval, a construction traffic management plan, which amongst other things will require the identification and completion of the following matters prior to commencement of any construction works at the site:

- required loading zones and parking restriction areas near the development site to allow for manoeuvring and loading/unloading of heavy vehicles associated with the development
- staging locations, where heavy vehicles wait until such time that adequate space is available adjacent to the development site for loading/unloading
- traffic management and intersection control near to the development site, having regard to the operation of both schools
- proposed access routes for heavy vehicles loading/unloading at the site
- hours of truck movements – the plan shall detail the means by which heavy vehicle access times will be minimised during the school peak pick up and drop off periods
- consultations made with potentially affected residents and schools in preparation of the plan.

In addition, a recommended condition requires that, subject to site safety and construction vehicle access, car parking to be constructed as part of the development is provided prior to removal of the existing spaces so as to minimise impacts to school operation and hence, the local traffic network.

Having regard to the above discussion and the resultant recommended conditions, the traffic impacts of the development, whilst considerable, are not likely to cause a significant and detrimental impact on the surrounding locality.

4. Public Participation

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

The application was publicly exhibited and notified to over 1100 surrounding property owners between 20 January and 4 February 2016. During this period Council did not receive any submissions on the proposal. A map illustrating the extent of the notification area is contained in Attachment 9 of this report.

Conclusion

The development application to construct a new religious establishment building, alterations to an existing building, construction of a new car parking areas and associated site and landscaping works at No. 80 Demetrius Road, Rosemeadow has been assessed against the relevant matters for consideration within environmental planning legislation and Council's development controls.

The development's impacts on the natural and built environment are considered to be relatively minimal, subject to management of potential issues such as noise, traffic and surface water flows emanating from the site.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

The site is considered to be suitable for the development, having regard to its existing use for the same purpose, the area of the land involved and the new building's positive addition to the local streetscape.

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 satisfactory and should be approved subject to the recommended conditions contained in attachment 1.

Officer's Recommendation

1. That development application 1385/2016/DA-C for the for the construction and use of a new church building, construction of additional car parking areas, alterations to an existing building and associated civil and landscaping works at No. 80 Demetrius Road, Rosemeadow be approved, subject to the conditions detailed in attachment 1 of this report.
 2. That 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.
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7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

ATTACHMENT 1

Recommended Conditions of Consent

GENERAL CONDITIONS

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

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

1. Approved Development

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

| Drawing No. | Drawing Name | Prepared by | Issue | Date |
|-------------|---|----------------------------------|-------|------------|
| DA01 | Cover page | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA02 | Overall site plan | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA03 | Partial site and analysis plan | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA04 | Ground floor plan – main church | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA05 | Choir loft floor plan – main church | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA06 | Roof plan – main church | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA07 | Southern and eastern elevations – main church | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA08 | Northern and western elevations – main church | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA09 | Sections – main church | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA010 | Min church shadows and parish office modifications | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA011 | Internal and external perspectives | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA012 | Streetscape, photomontage and front fence elevation | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA013 | Existing church plan and new bus shelter elevations | De Angelis Taylor and Associates | D | 02.08.2016 |

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

| | | | | |
|-------|--|----------------------------------|---|------------|
| DA014 | Existing church roof plan and sections | De Angelis Taylor and Associates | D | 02.08.2016 |
| DA015 | Existing church elevations | De Angelis Taylor and Associates | D | 02.08.2016 |

MSL Consulting Engineers Pty Ltd, Project No. 14081, Revision A, dated March 2016, Sheets C01 to C07 inclusive and as amended by Condition 20 of this consent.

RFA Landscape Architects, Project No. 3997a, Issue A, dated March 2016, L-01/3, L-02/3 and L-03/3.

2. Building Code of Australia

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

3. Landscaping

- a. The provision and maintenance of landscaping shall be in accordance with the approved landscape plans, including the engagement of a suitably qualified landscape consultant / contractor for the establishment of landscaping works.
- b. All plants shall be vigorous and well established, free from disease and pests, of good form, consistent with species or variety, hardened off, not soft or forced, with large healthy root systems with no evidence of root curl, restriction or damage.
- c. All trees are to be staked and tied with a minimum of three (3) hardwood stakes. Ties are to be hessian and fixed firmly to the stakes, one tie at half the height of the main stem, others as necessary to stabilise the plant.
- d. Root deflection barriers having a minimum depth of 600mm are to be installed adjacent to all footpaths, car parking areas and driveways.
- e. Minimum 75mm depth of organic mulch shall be placed within an area 500mm radius from the base of the tree. Mulch shall be free from deleterious and extraneous matter, including soil, weeds, rocks, twigs and the like and shall be placed so that it is not in contact with the stem of the plant.

4. Switchboards/Utilities/Air Conditioning Units

Switchboards, garbage storage areas, air conditioning units 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.

5. Driveways

The gradients of driveways and manoeuvring areas shall be designed in accordance with Australian Standard AS 2890.1 and AS 2890.2.

All driveways in excess of 20 metres in length shall be separated from the landscaped areas by the construction of a minimum 150mm high kerb, dwarf wall or barrier fencing.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

All new driveways shall be designed and constructed perpendicular to the roadway.

The western driveway shall be sign posted with a standard 'Entry Only' sign (facing Oxford Road) of suitable proportions and located immediately behind the front boundary of the subject property. A 'No Entry' sign of suitable proportions shall be placed adjacent to the eastern exit driveway.

6. Advertising Signs – Separate DA Required

This consent does not permit the erection or display of any advertising signs.

Most advertising signs or structures require development consent. You should make separate enquiries with Council prior to erecting or displaying any advertising or signage.

7. 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.

8. Engineering Design Works

The design of all engineering works shall be carried out in accordance with the requirements set out in Council's document titled 'Engineering Design Guide for Development'.

9. Car Parking Areas

The following conditions apply to the construction and operation of car parking areas throughout the site:

- In total, 190 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.
- Separate arrangement and agreement shall be made with the schools and accredited bus operators to ensure that the newly designed and approved bus loading/unloading area is used following its completion.
- The egress only driveway from the new church building shall not be used as an entry or exist point by school-associated traffic. To that end, the gate at its junction with Demetrius Road shall remain closed except between 10.00am and 2.00pm on weekdays on which the schools are operating and on weekends.

10. Rubbish/Recycling Bin Storage

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

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

11. 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.

12. Use as a Place of Public Worship

Hours of operation for the church building and parish hall shall be limited to:

- 7.30am to 10.00pm*

Funerals and other large uses of the church building on weekdays shall only be undertaken between 10.00am and 2.00pm on weekdays in order to minimise traffic conflicts with the schools.

The buildings shall be used as a religious establishment and for purposes related to the operations of the parish and school only. The buildings shall not be used for secular education, accommodation or for conventions. The buildings shall not be sub-leased, rented or hired for any purpose not associated with operations of the schools and parish.

Use of the church building for special occasions of religious significance, such as at midnight on Christmas Day is also permitted.

13. Operation of the Church and Hall

Major services/events, which involve attendance of more than 665 persons combined in the church building and parish hall shall not be undertaken concurrently and on days/times when the schools are operating. This is in order to reduce the demand for car parking at the site.

Council may review this total number should additional car parking become available for use by the parish with the schools' grounds over time.

14. Switchboards/Utilities

Switchboards, air-conditioning plant, 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.

15. 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.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

16. Unreasonable Noise

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.

Noise from plant and amplified music/speaking associated with the development shall not exceed the values contained within the Protection of the Environment Operations (Noise Control) Regulation 2008.

17. Use of Bells

The bells contained within the approved belfry shall only be used at the following times:

- daily at midday and 6:00pm for 30 seconds,
- Sundays 10:00am for 30 seconds,
- Christmas day 10:00am for 30 seconds,
- Easter Sunday 10:00am for 30 seconds,
- funerals and weddings for 15 seconds and not before 9:30am and not after 6:00pm, and
- special occasions, 3 times per year for 30 seconds, not before 9:00am and not after 7:00pm.

The belfry shall be acoustically treated so that the bells are not audible away from the building outside the abovementioned hours should they be rung for practice or other occasions.

Prior to the issue of a construction certificate, the applicant shall undertake an acoustic analysis of the proposed bells in order to delineate the likely range from which they might be heard during normal operation and characteristic weather conditions (including an assessment of the direction of prevailing winds).

The applicant shall provide a copy of the report to Council prior to the issue of the construction certificate for its review.

The applicant shall prepare a Plan of Management for the use of the bells for the approval of Council's Manager Development Services prior to issue of a Construction Certificate. The Plan of Management shall address the following:

- the times and duration of bell ringing
- graphic information to illustrate the extent at which the bells are likely to be heard during prevailing weather conditions
- a complaints management procedure, including the keeping of records if any complaints received to be made available for Council's inspection.

Within one week prior to the first use of the bells, the applicant shall notify potentially affected residents in writing that the church bells will ring and include details of the approved ringing times and durations as detailed above. Evidence of that intended notification shall be provided to Council prior to an occupation certificate being issued for the church building

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

Upon receipt of any complaints from neighbours regarding bell use and its disturbance to residential amenity, Council may further restrict use of the bells so as to minimise their impact on neighbours should it be determined that such impact has occurred.

18. 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.

19. 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.

20. Rain Water Tank(s)

A rain water collection tank/s shall be installed on site for the collection and storage of stormwater for irrigation purposes, in accordance with the requirements of Campbelltown (Sustainable City) Volume 1, Part 2.4.

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. Waste Management Plan

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

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

22. Car Park Staging

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit, for Council's written approval, a plan illustrating that the car parking area would be constructed in stages so as to allow ongoing on-site parking for the duration of construction works at the site.

The first stage of the car parking area shall incorporate approximately 60 car spaces and shall be available prior to the commencement of works for the new church building.

Traffic control and directional signage shall be installed at the site to direct church and school visitors to the relevant parking area for the duration of construction works.

23. Construction Traffic Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare, and receive Council's written approval for a construction traffic management plan, which shall contain details of the following as a minimum:

- required loading zones and parking restriction areas near the development site to allow for manoeuvring and loading/unloading of heavy vehicles associated with the development
- staging locations, where heavy vehicles wait until such time that adequate space is available adjacent to the development site for loading/unloading
- traffic management and intersection control near to the development site
- proposed access routes for heavy vehicles loading/unloading at the site
- incorporation of car park staging as detailed above in condition 23
- hours of truck movements – the plan shall detail the means by which heavy vehicle access times will be minimised during the school peak pick up and drop off periods;
- details of consultation made with potentially affected residents and schools in preparation of the plan.

24. Traffic Control Plans

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare and obtain approval from an accredited person, a Traffic Control Plan (TCP) in accordance with the State Roads Authority manual "Traffic Control at Work Sites" and Australian Standard AS 1742.3 (as amended). A copy of the approved TCP shall be kept on site for the duration of the works in accordance with WorkCover requirements. A copy shall be submitted to Council for its records.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

25. 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 the nearest system under Council's control. All proposals shall comply with Council's document titled Engineering Design Guide for Development and shall also ensure that run-off from the site to neighbouring properties is minimised in accordance with the requirements of the *Local Government Act 1993*.

26. Work outside the site boundary

Prior to Council or an accredited certifier issuing a construction certificate, engineering plans for any work outside the site boundary to be submitted to Council for approval. All works shall comply with Council's document titled Engineering Design Guide for Development and shall be inspected by Council at all stages of construction.

A compliance certificate for the work shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

Council assessment and inspection fees, apply to the above requirements.

27. Section 94A Developer Contribution - Community Facilities and Services

Prior to Council or an accredited certifier issuing a Construction 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
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7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

- 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) 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.

28. 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.

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)
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7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

- 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 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.

The access point for construction traffic should also consider the ongoing use of the site as an operating school and church.

34. Construction vehicle control

Prior to the commencement of any works on the land, the applicant shall meet with Council's Traffic Officers and Compliance Officers to discuss the management of the various stages of the development and the management of construction and worker's vehicles in and around the site.

No works shall commence until Council have issued written approval for the Construction Traffic Management Plan.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

In order to limit the impact of continued construction activities on the local neighbourhood, construction traffic and construction activities shall be monitored to ensure compliance with the approved Construction Management Plan. Where, as a result of the monitoring of the ongoing construction activities, it is identified (by either Council or the applicant) that additional or varied traffic and construction control measures need to be imposed, a revised Construction Management Plan incorporating all additional measures and management procedures shall be submitted by the applicant to Council for its written approval.

35. 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.

36. 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.

37. 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 WorkCover 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 SafeWork NSW 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 SafeWork NSW prior to the commencement of any works.
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7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

38. Fencing

An appropriate fence preventing public and school children's access to the site shall be erected for the duration of construction works.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

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

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 1.00pm |
| 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. Compliance with council specification

All design and construction work shall be in accordance with Council's requirements as follows:

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

42. Work zones

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

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

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.

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. Worksite safety

The safety of visitors and school children shall be at the forefront of any construction planning and physical works undertaken on the site. The worksite shall be managed in accordance with SafeWork NSW requirements and relevant Australian Standards

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. Driveway and Layback Crossings

The applicant shall provide reinforced concrete driveway and layback crossing/s to Council's Industrial/Commercial Vehicle Crossing Specification.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

47. 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 Council's document titled Engineering Design Guide for Development.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

48. 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.

49. 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: For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

50. 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.

51. Final Inspection – works as executed plans

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall submit to Council the following documents:

- a. 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 of Council's document titled Engineering Design Guide for Development.
-

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

All reports/certificates shall be prepared by a N.A.T.A. registered laboratory or qualified engineer in accordance with Council's Specification for Construction of Subdivisional Road and Drainage Works (as amended) and with the design requirements of Council's document titled Engineering Design Guide for Development and shall list the relevant compliance standard(s) and certify that the whole of the area of works or materials tested comply with the above specification. All reports/certificates shall be complete, fully referenced, clearly indicate the area or material tested, the location and required/actual values of all tests and retesting, and be collated and suitably bound.

52. 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.

53. 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.

54. Registration of levels

Prior to the principal certifying authority issuing an occupation certificate, a qualified practicing surveyor shall certify that the finished floor and finished surface levels of the development comply with the relevant condition in the development consent. An electronic copy of this work as executed information shall also be submitted to Council, complying with the following provisions:

1. MGA 94 (Map Grid of Australia 1994) Zone 56 - Coordinate System.
2. DXF and/or MID/MIF file format(s), and
3. Datum to be AHD (Australian Height Datum)

55. 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.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

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 a tree outside three metres of the building envelope unless you have obtained prior written consent from Council. Fines may be imposed if you choose to contravene Council's Tree Preservation Order.

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

Advice 3. Provision of Equitable Access

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

Where a construction certificate is required for the approved works, due regard is to be given to the requirements of the Building Code of Australia (BCA) and the premises standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the premises standards.

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

Advice 4. School-related car parking

The applicant is requested to notify parents of school children that drop-off and pick-up car parking should be carried out in accordance with the construction traffic management plan and parking arrangements mentioned in conditions.

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

Advice 5. Retaining walls

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

Advice 6. 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 7. 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 8. 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 WorkCover 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

www.nsw.gov.au/fibro

www.adfa.org.au

www.workcover.nsw.gov.au

Alternatively, call WorkCover Asbestos and Demolition Team on 8260 5885.

Advice 9. *Smoke Free Environment Act 2000*

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 10. Dial 1100 Before you Dig

Underground cable and pipes may exist in the area. In your own interest and for safety, telephone 1100 before excavation or erection of structures. Information on the location of underground pipes and cables can also be obtained by fax on 1300 652 077 or through the following website - www.1100.com.au

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

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. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within Council's document titled Engineering Design Guide for Development.

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

7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

ATTACHMENT 2

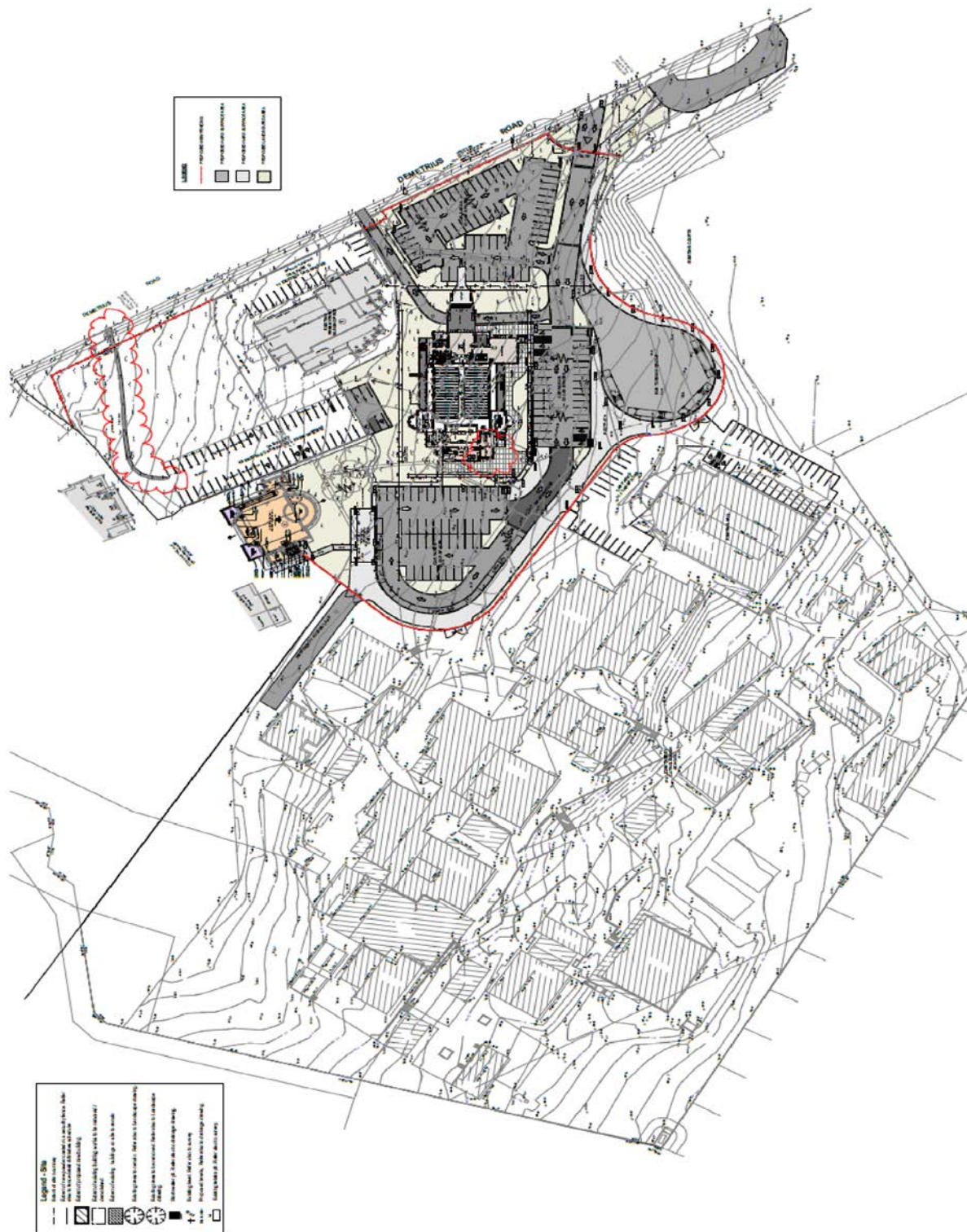
Locality plan

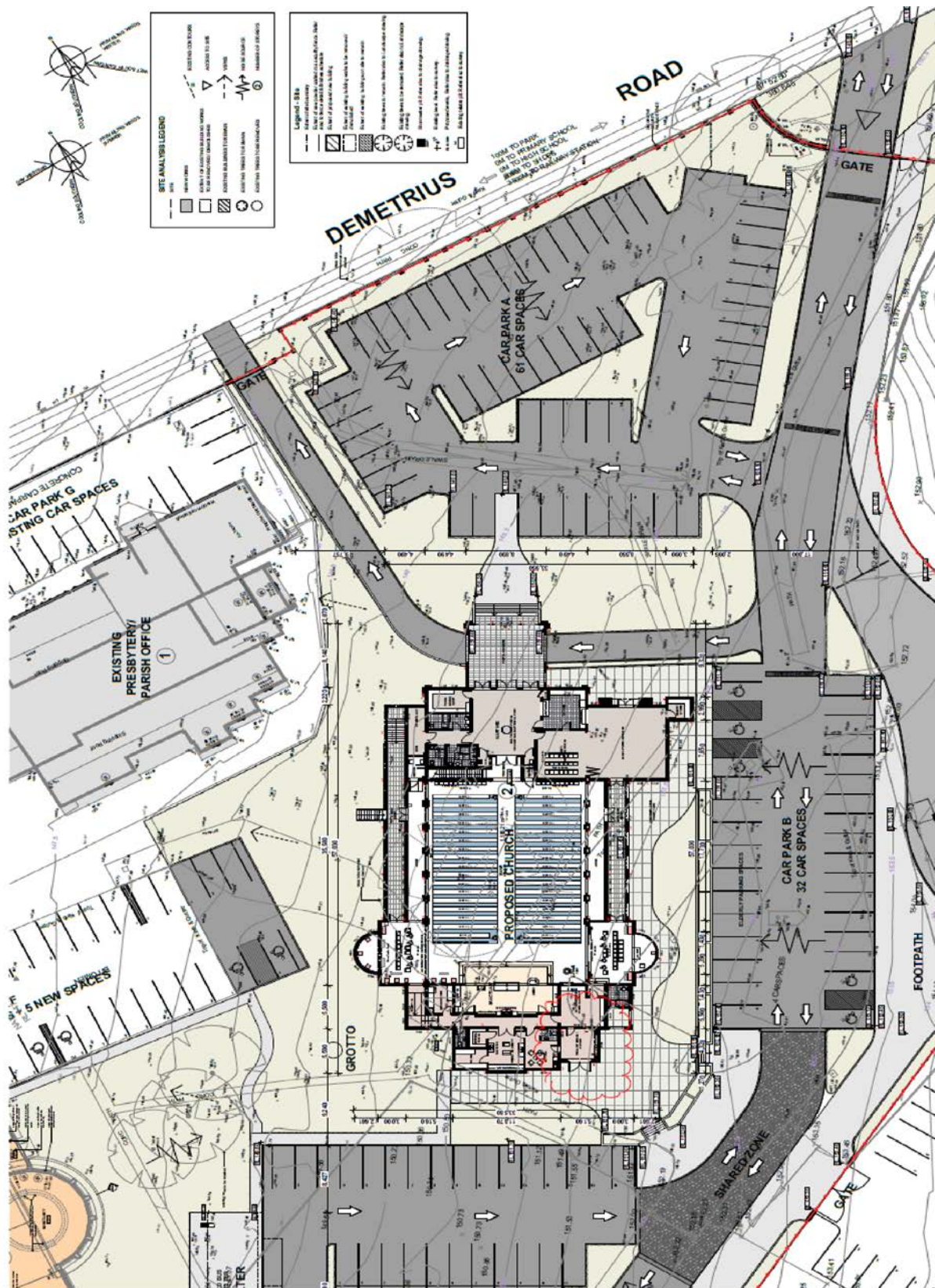


7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

ATTACHMENT 3

Site plans

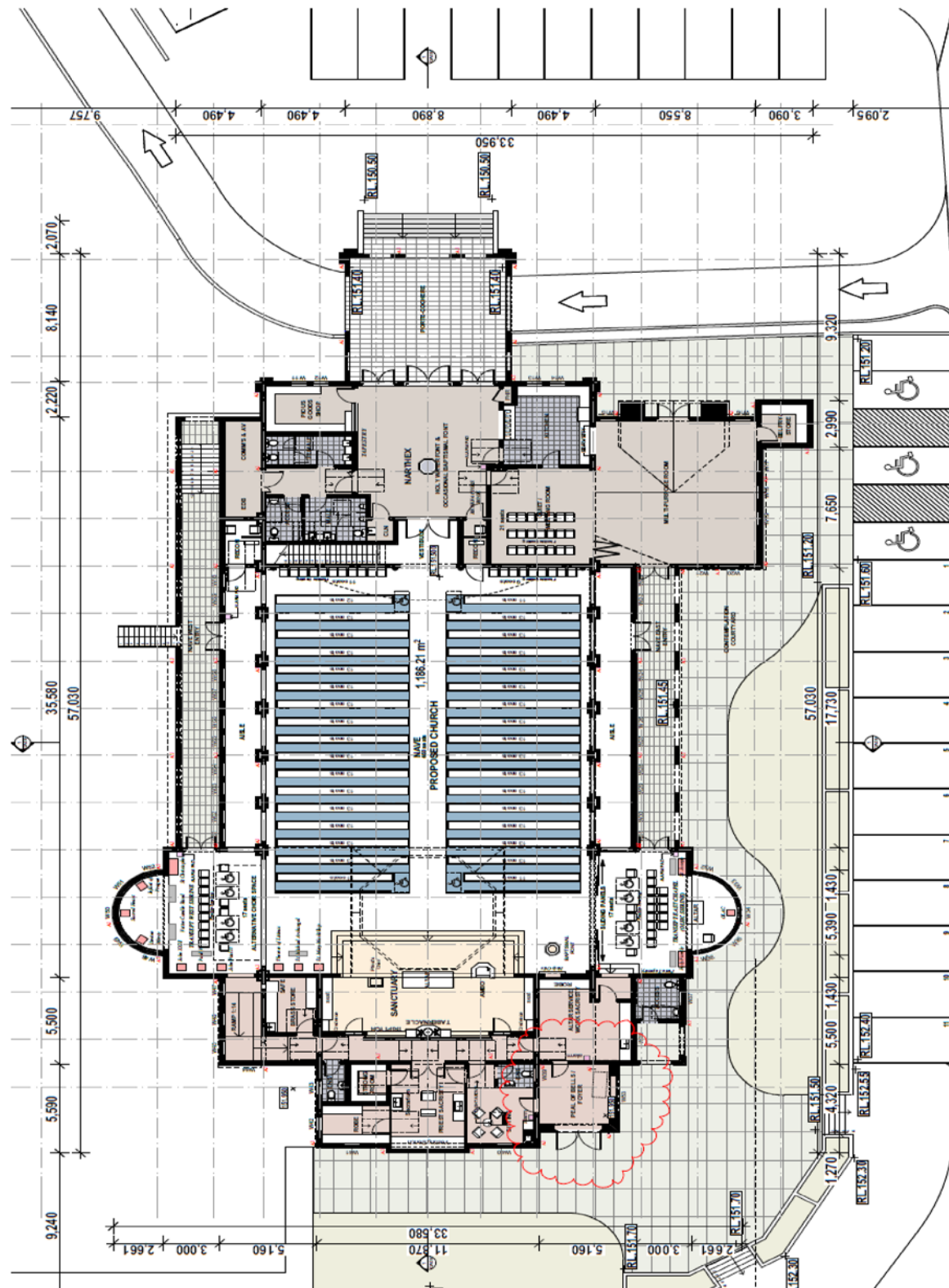




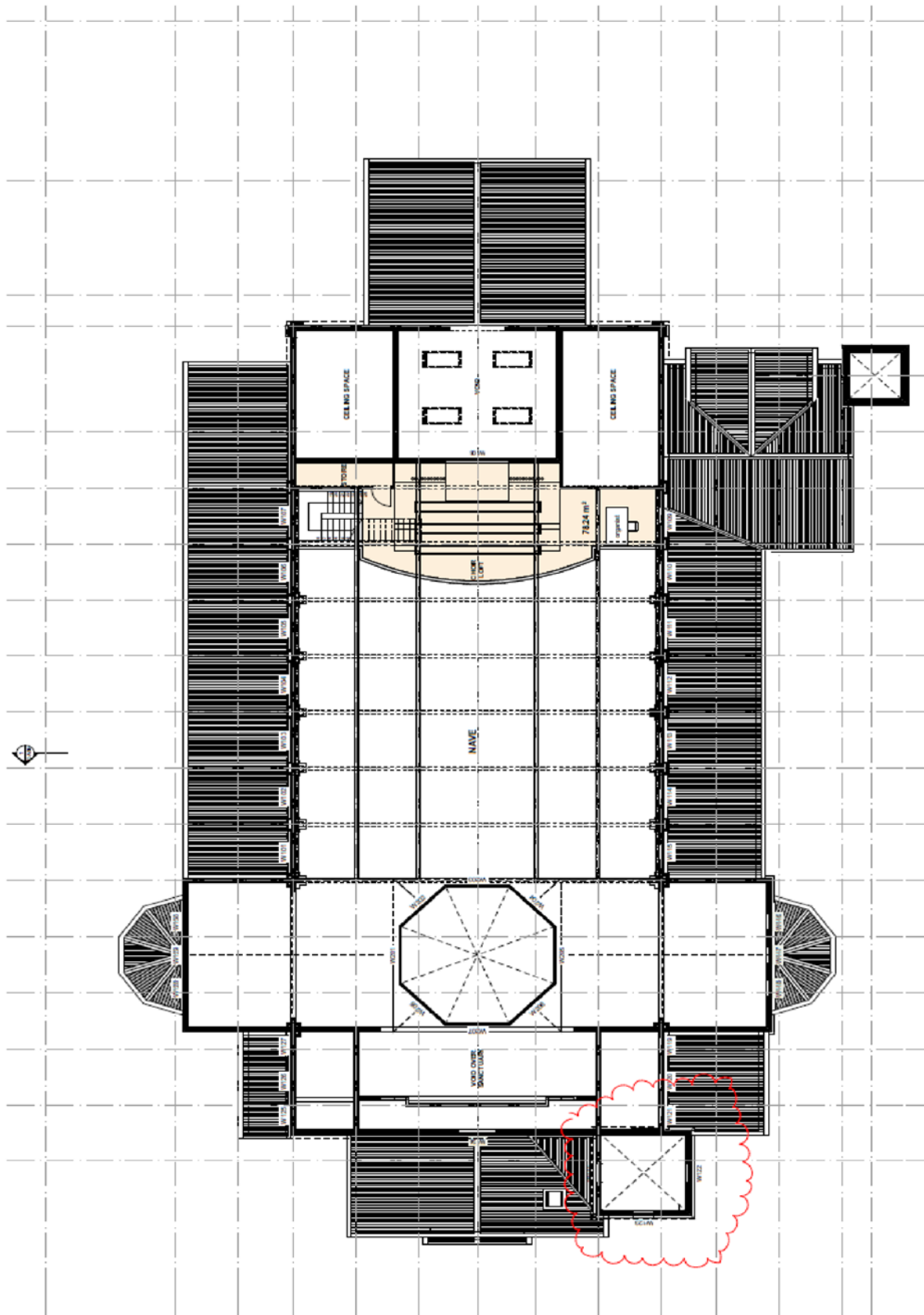
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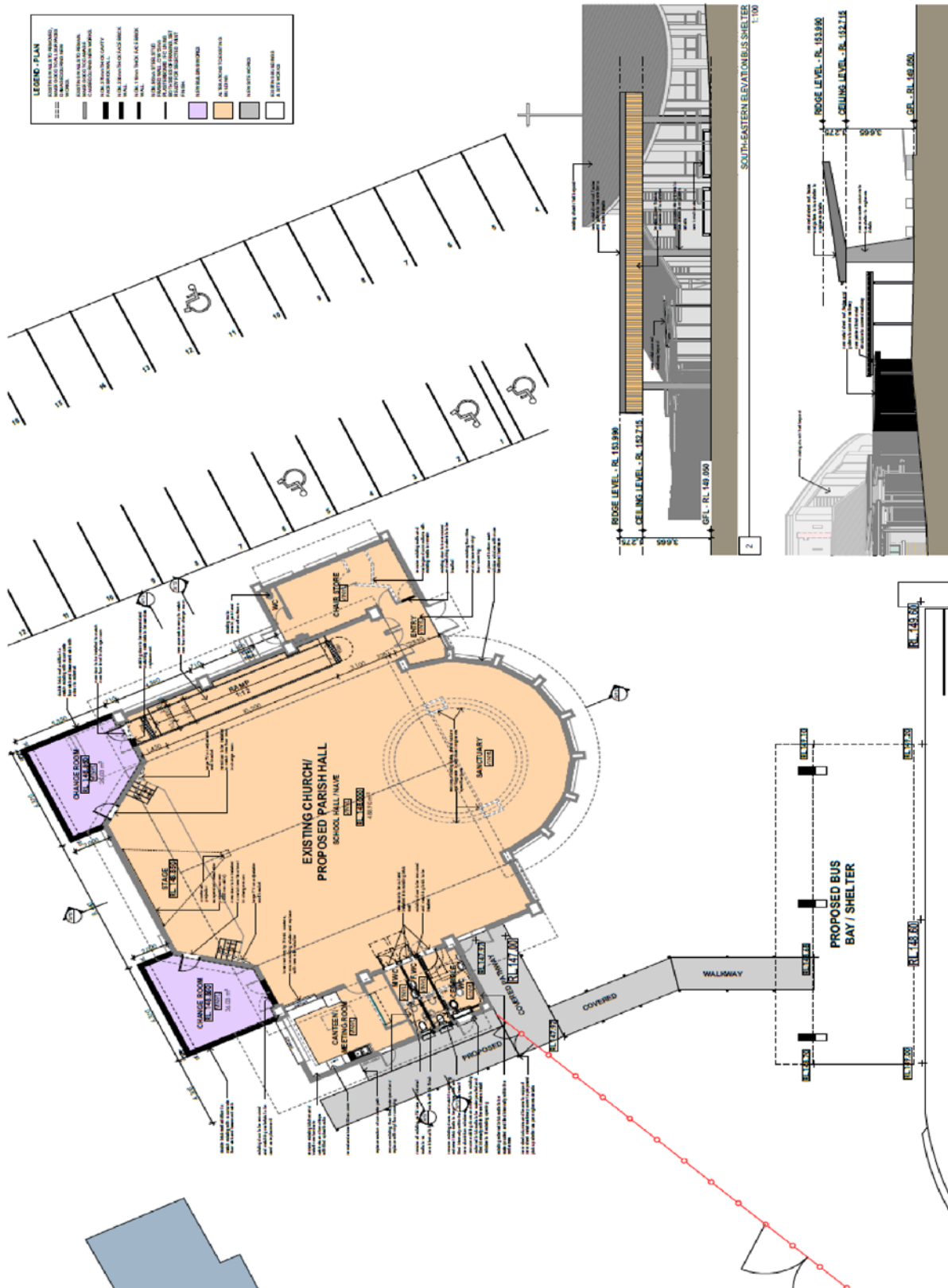
ATTACHMENT 4

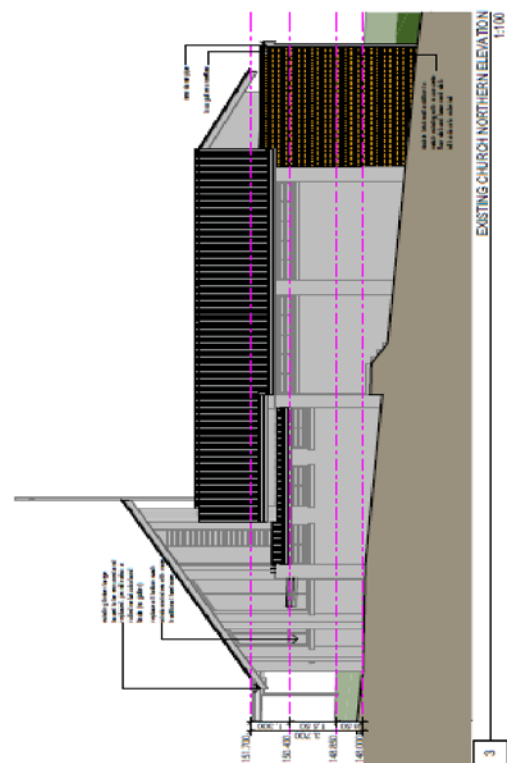
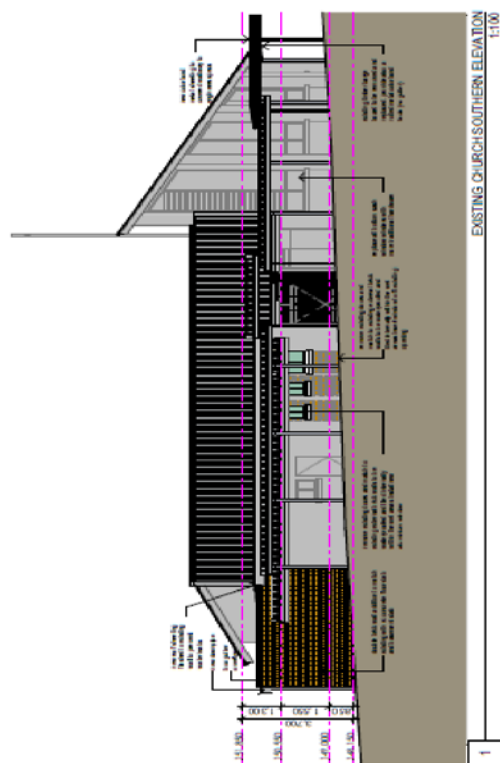
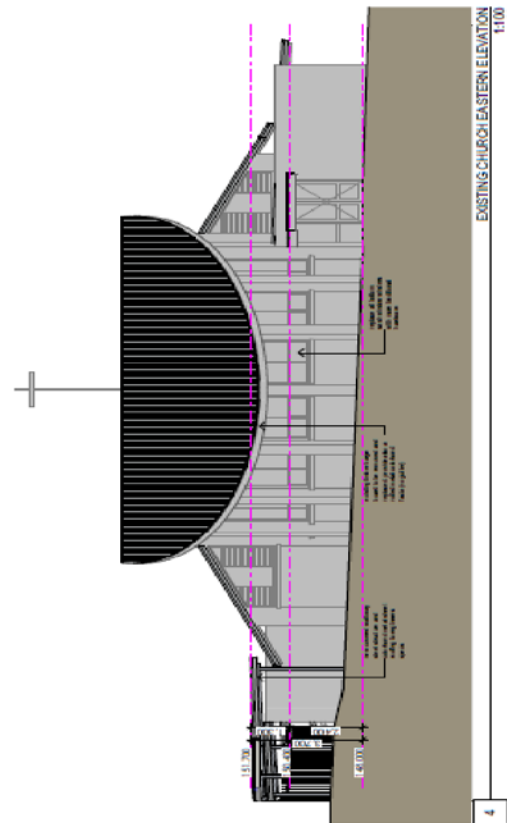
Floor plans



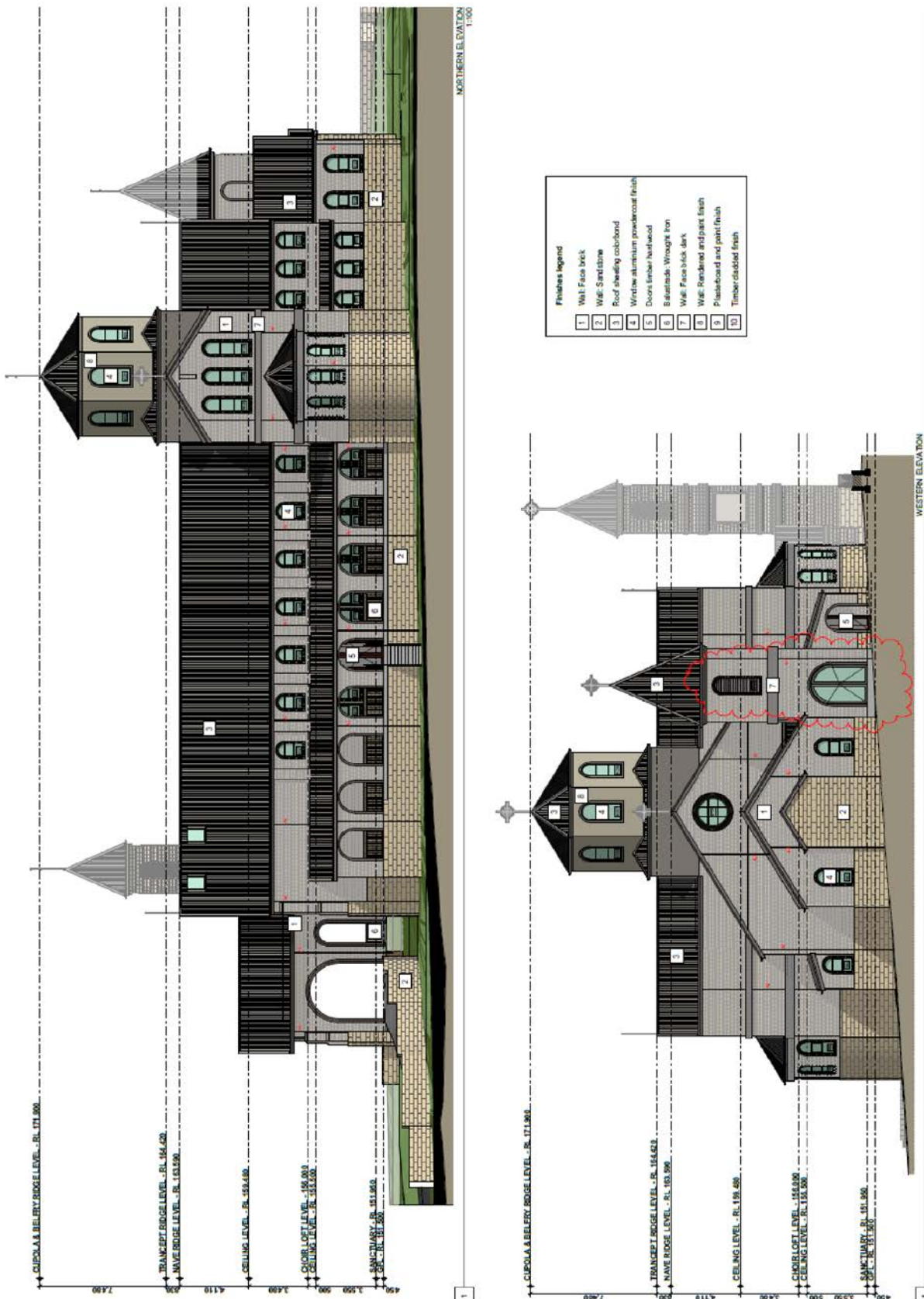
7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

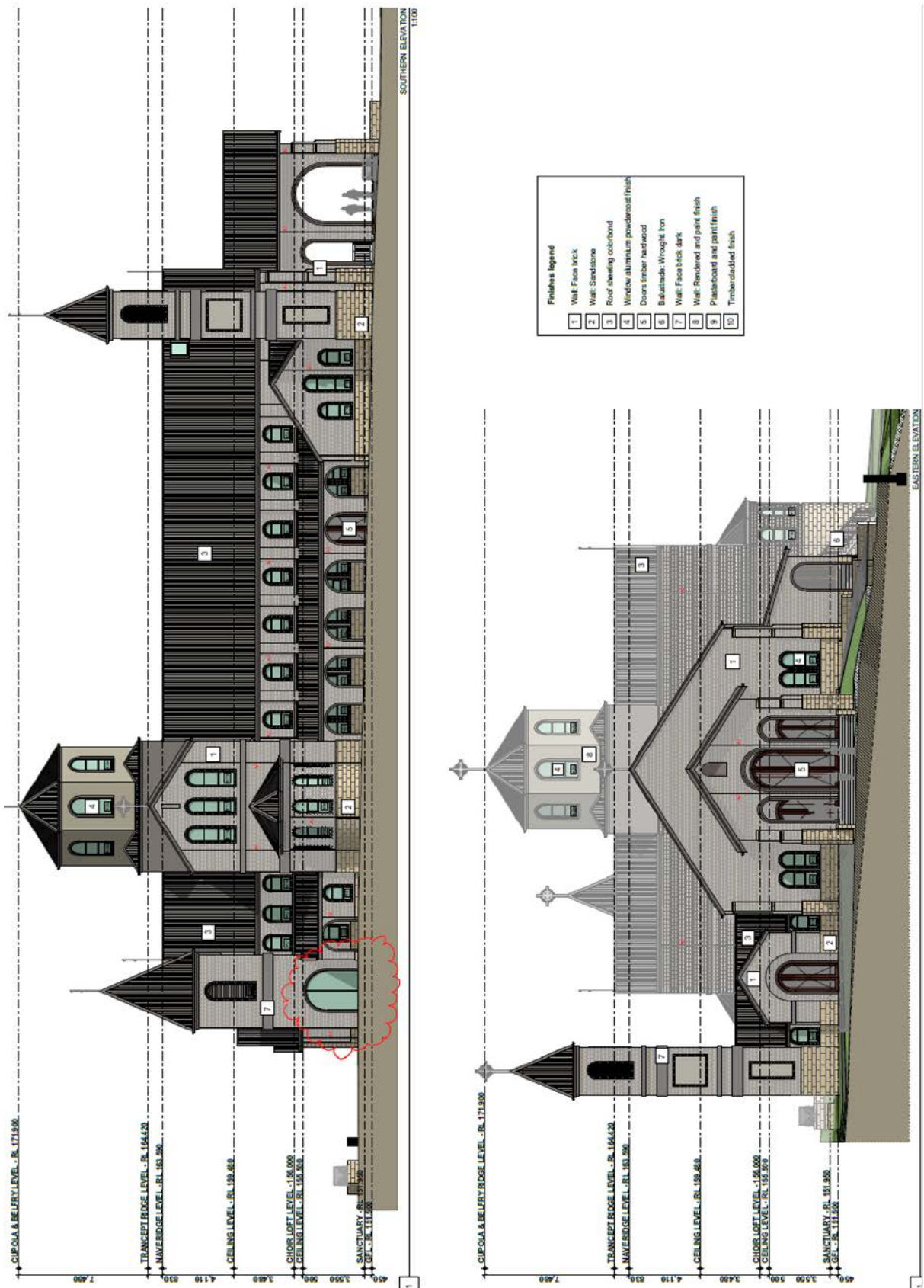




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7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

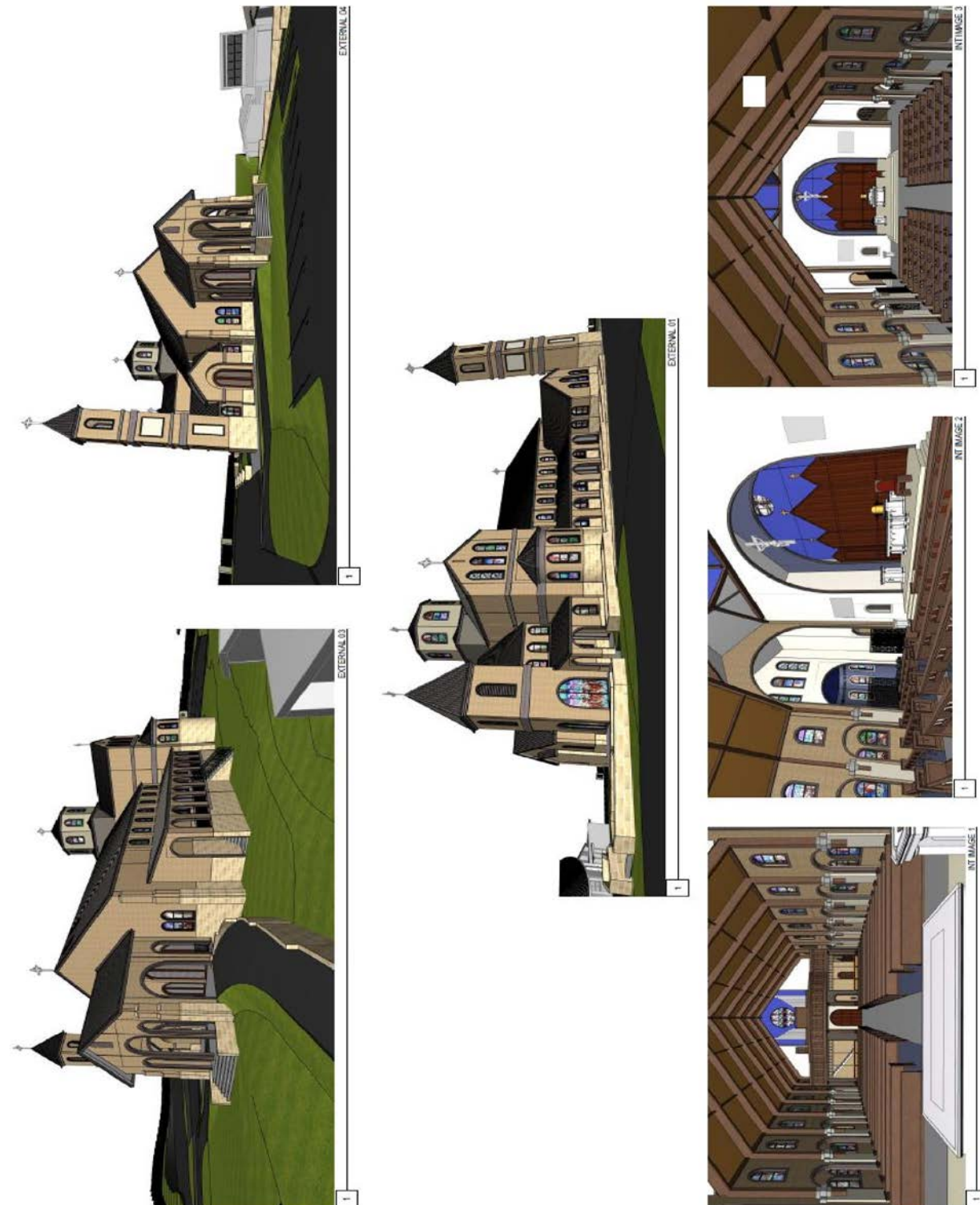




7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

ATTACHMENT 6

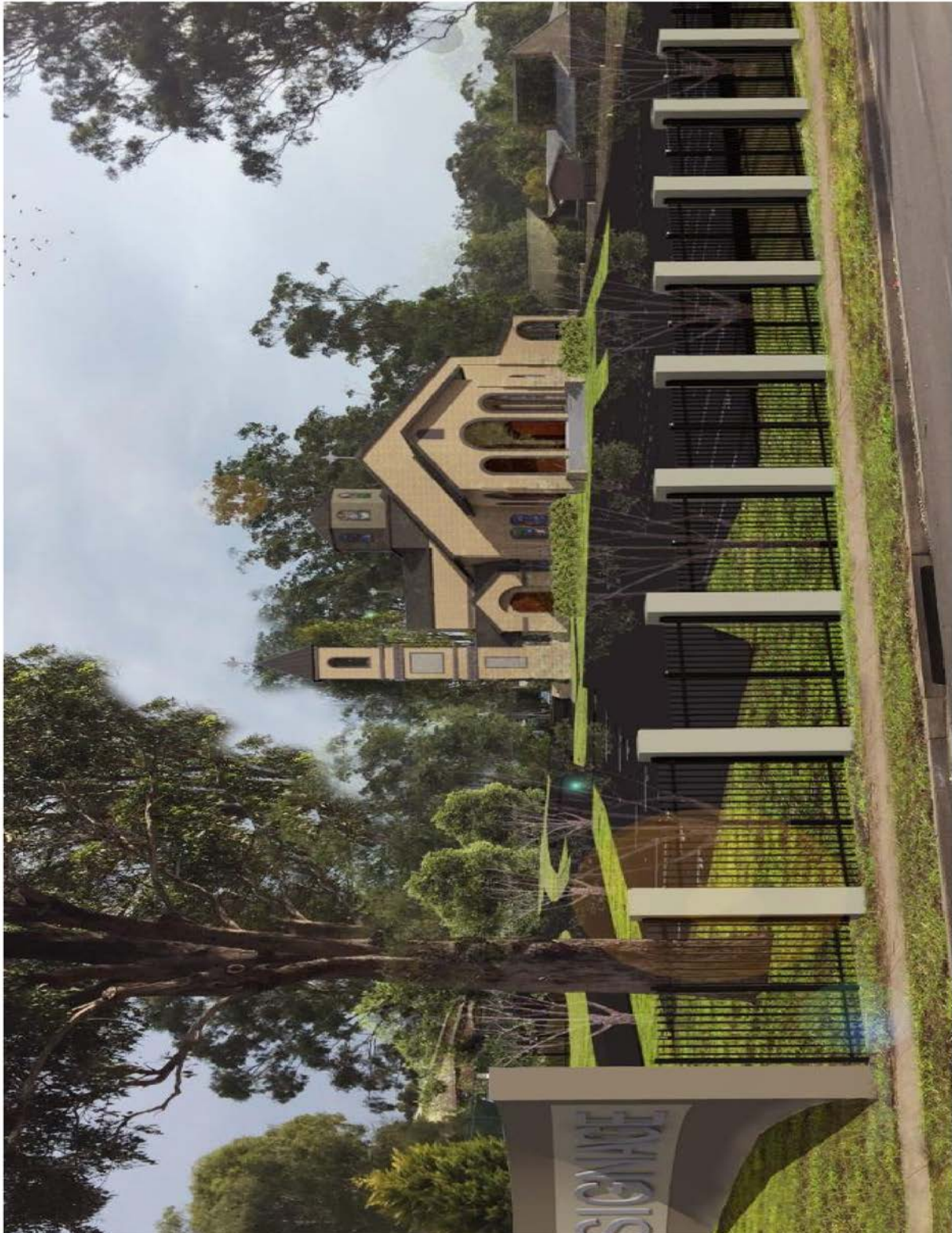
Perspective drawings



7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

ATTACHMENT 7

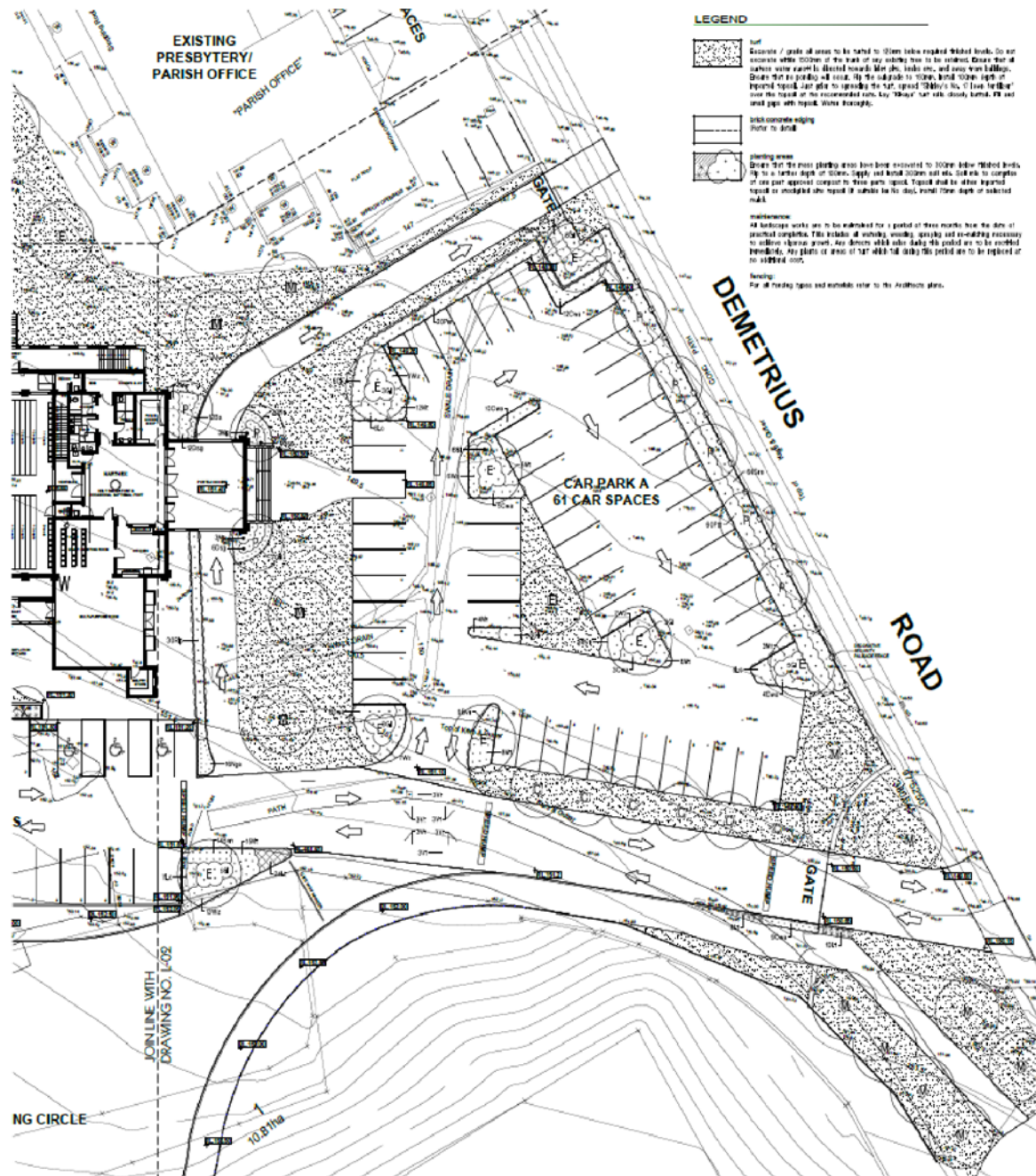
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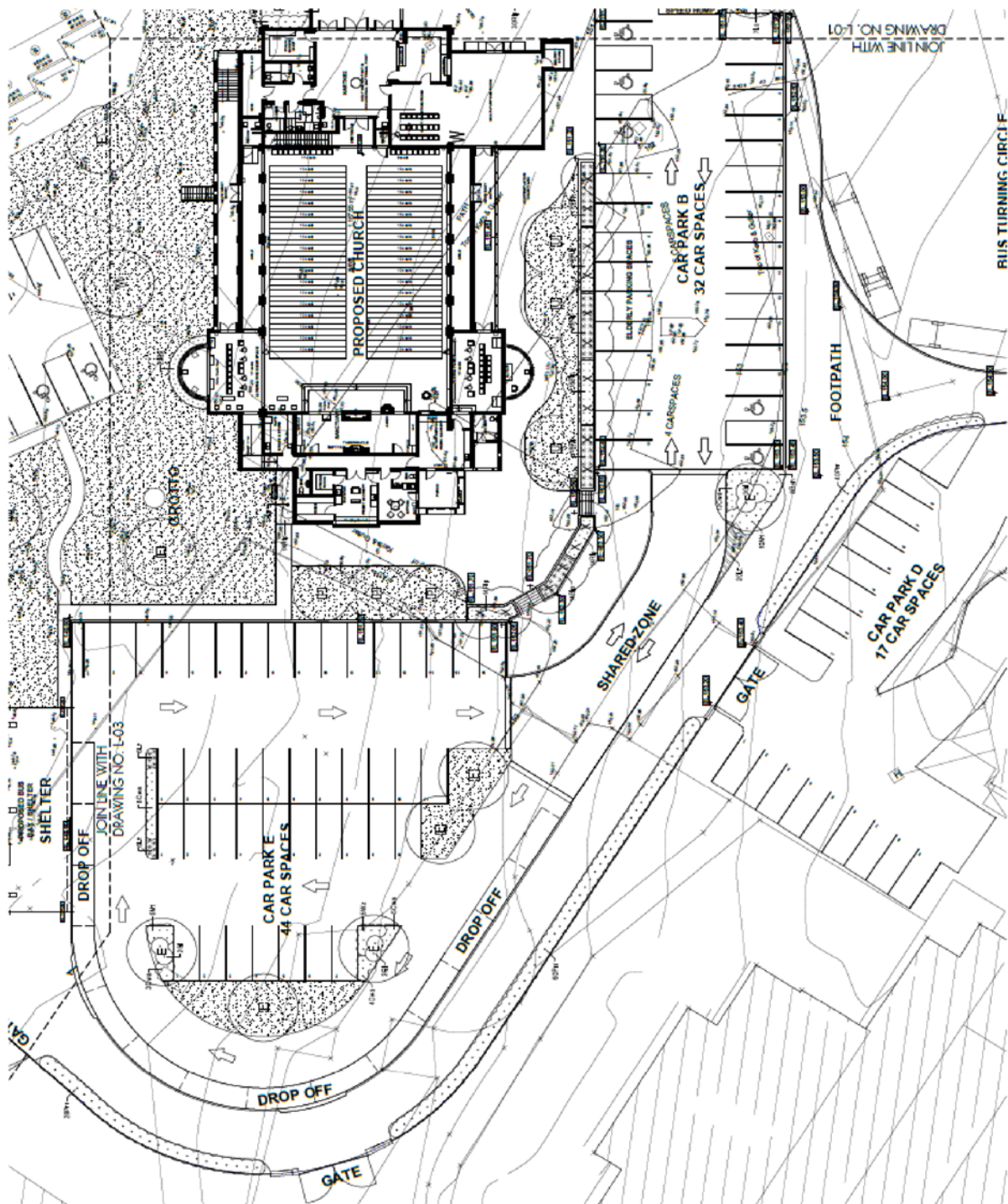
7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

ATTACHMENT 8

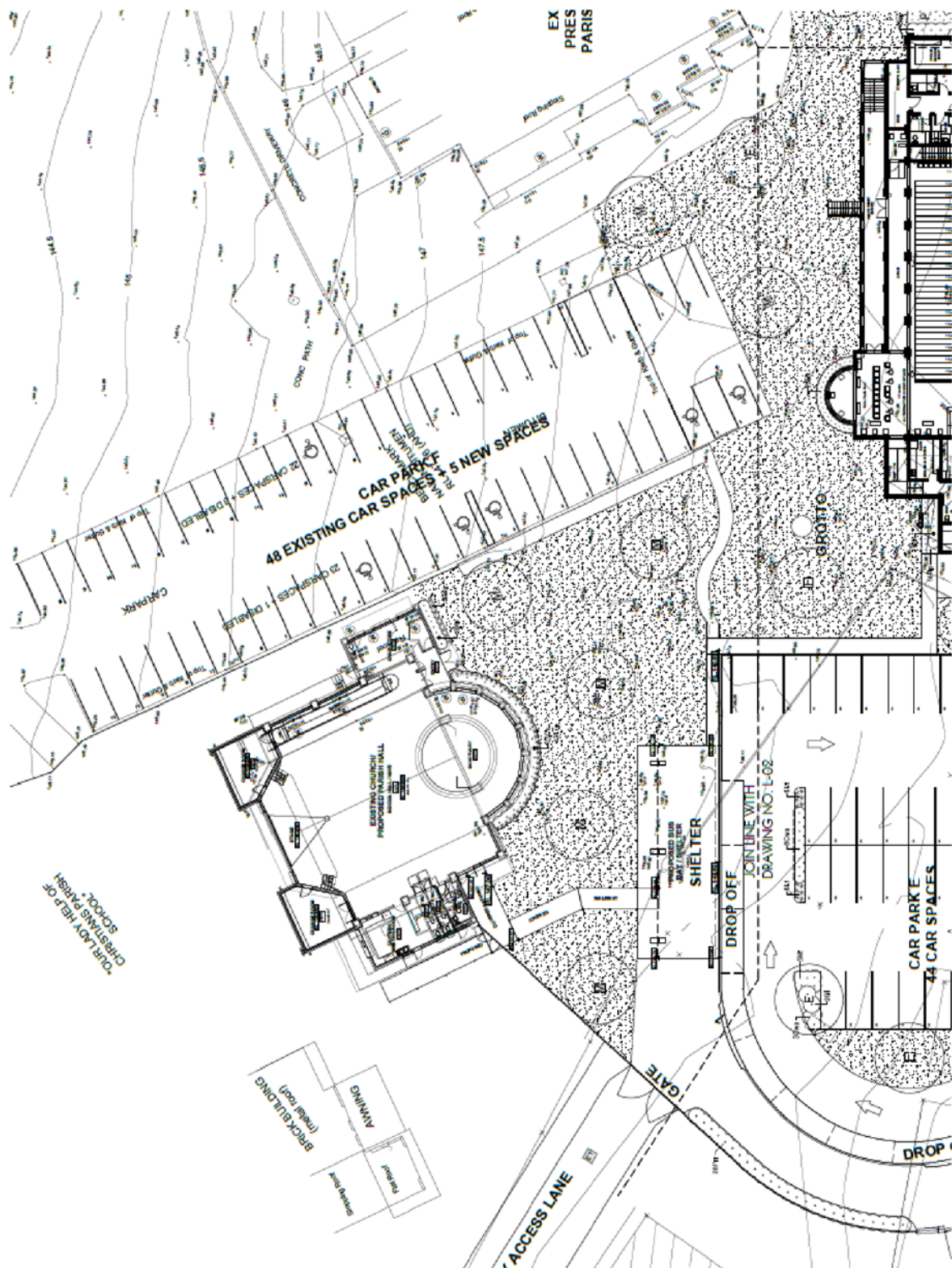
Landscaping plans



7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow



7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow



7.5 Construction And Use Of A New Church Building, Construction Of Additional Car Parking Areas, Alterations To An Existing Building And Associated Civil Landscaping Works At No. 80 Demetrius Road, Rosemeadow

ATTACHMENT 9

Notification plan



Properties notified



Site location – John Therry Catholic School, No. 80 Demetrius Road, Rosemeadow

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

7.6 Construction of a four storey boarding house containing 18 boarding rooms at No. 17 Iolanthe Street, Campbelltown

Division

City Development

Reporting Officer

Acting Manager Development Services

Attachments

1. Recommended conditions of consent (contained within this report)
2. Report to Committee Meeting of 10 March 2015 (contained within this report)
3. Locality plan (contained within this report)
4. Site plan (contained within this report)
5. Elevations (contained within this report)
6. Landscape plan (contained within this report)
7. Plan of Management and House Rules (contained within this report)
8. Occupancy Principles (contained within this report)
9. Amended Floor plans (distributed under separate cover - confidential - for privacy reasons this plan is not available to the public)
10. Notification plan (distributed under separate cover - confidential - for privacy reasons this plan is not available to the public)

Purpose

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

| | |
|-----------------------------|--|
| Property Description | Lot 2A DP 304073 No. 17 Iolanthe Street, Campbelltown |
| Application No | 1215/2014/DA-MAH |
| Applicant | ACA Design Consultants |
| Owner | DNM Management Pty Ltd |
| Provisions | Campbelltown 2025 – Looking Forward State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy (Infrastructure) 2007 Campbelltown (Urban Area) Local Environmental Plan 2002 Campbelltown (Sustainable City) Development Control Plan 2012 |
| Date Received | 21 May 2014 |

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

History

A development application was lodged with Council on 21 May 2014 for the construction of a boarding house at No. 17 Iolanthe Street, Campbelltown. The proposed development includes:

- site works
- construction of four storey building containing 18 boarding rooms
- four car parking spaces
- four motor cycles parking spaces
- four bicycle parking spaces
- landscaping.

The development application was reported to Council's Planning and Environment Committee on 10 March 2015 with a recommendation for approval subject to conditions.

Council at its meeting held 17 March 2015 resolved to defer the application to a later date to allow the applicant to respond to some perceived deficiencies in the development application.

Council wrote to the applicant on 24 March 2015 and again on 24 April 2015 requesting additional information to assist Council in determining the application. The matters required to be addressed included the following:

- a detailed plan of management and house rules that are to be displayed in a common and prominent position for residents. Should Council move to approve the development, the plan of management would form part of the conditions of consent.
- the development to provide a residence for an onsite manager. One of the rooms is to be reconfigured to accommodate the onsite manager.
- a suggestion that consideration be given to providing a communal laundry on each floor as the singular ground floor laundry proposed was not considered adequate to allow the 19 occupants sufficient access to laundry facilities given the small size and limited number of washing machines and dryers able to be accommodated in the proposed laundry.

The applicant amended the proposal and submitted all the requested additional information on 16 May 2016.

Report

The Amended Proposal

The original proposed boarding house development included the construction of a purpose built four storey building. The boarding house contained 19 boarding rooms including:

- ground level (three boarding rooms, common laundry and waste room)
 - levels 1 and 2 (six boarding rooms on each floor)
 - level 3 (four boarding rooms, communal room (34sqm) and balcony(17sqm) for open space).
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

The amended and current proposal contains 18 boarding rooms and one onsite manager's room comprising:

- ground level (two boarding rooms, one manager's room common laundry and waste room)
- levels 1 and 2 (six rooms and common laundry on each floor)
- level 3 (four boarding rooms, communal area (34sqm), common laundry and balcony (17sqm) for open space)

The applicant has provided both a Boarding House Plan of Management and House Rules document and an Occupancy Principles document as per the provisions of Section 30 and Schedule 1 of the *Boarding Houses Act 2012*.

This Plan of Management and House Rules and Occupancy Principles accompany this report at attachments 7 and 8.

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 amended 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 and Campbelltown (Urban Area) Local Environmental Plan 2002. While the residential development provisions of Campbelltown (Sustainable City) Development Control Plan 2012 do not strictly apply to the proposed development, it is also largely consistent with the development standards for dwellings specified therein. In this regard it is considered that the proposed development is compatible with the character of the local area, and accordingly the amended application is now recommended for approval.

Officer's Recommendation

That development application 1215/2014/DA-MAH for the construction of a boarding house at No. 17 Iolanthe Street, Campbelltown be approved, subject to the conditions detailed in attachment 1.

ATTACHMENT 1

Recommended Conditions of Consent

GENERAL CONDITIONS

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

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

1. Approved Development

The development shall be carried out in accordance with the approved plans prepared by ACA Design Consultants (and others), listed below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Plans prepared by ACA Design Consultants job no. 14005-01/09DA:

Drawing No. 1, Issue D, dated 11 May 2015
Drawing No. 2, Issue D, dated 11 May 2015
Drawing No. 3, Issue D, dated 11 May 2015
Drawing No. 4, Issue D, dated 11 May 2015
Drawing No. 5, Issue D, dated 11 May 2015
Drawing No. 6, Issue D, dated 11 May 2015
Drawing No. 7, Issue D, dated 11 May 2015

Plans prepared by Greenland Design (landscape architect):

Drawing No. 0822.L.01, Revision B, dated 07 October 2014

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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.

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

7. Garbage room

The garbage storage room identified on the approved plans shall:

- a. be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- b. the floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- c. a hose cock shall be provided within the room.
- d. garbage rooms shall be vented to the external air by natural or artificial means.

8. 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.

9. 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.

10. 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.

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 (Sustainable City) DCP Volumes 1 and 3.

13. Car parking spaces

Car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended). Four motor cycle and a minimum of four bicycles spaces shall also be provided and made available to users of the site.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

In addition to the above, one additional car parking space, designed in accordance with Australian Standard 2890.1 and 2 (as amended), shall be provided for the building manager in accordance with Clause 29(e)(iii) of State Environmental Planning Policy (Affordable Rental Housing) 2009.

14. Maximum number of lodgers per room

No boarding room shall be occupied by more than one adult lodger.

15. Maximum number of lodgers in the building

The maximum number of lodgers in the building at any given time is 19.

16. Mail collection

The building manager shall be responsible for mail collection on a daily basis, including the collection, distribution of advertising material and newspapers.

17. 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.

18. 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.

19. 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

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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.

20. 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.

21. Sydney Water stamped plans

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

22. 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.

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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 the nearest system under Council's control. All proposals shall comply with the Campbelltown (Sustainable City) DCP - Volumes 1 and 3.

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 applicant's expense and a compliance certificate, approving the works, shall be obtained from Council prior to the principal certifying authority issuing an occupation certificate.

27. 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.

28. 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.

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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. Fencing

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

37. Sydney Water

Prior to the commencement of any works on the land, the approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

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.

38. Construction work hours

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

| | |
|----------------------------|------------------|
| Monday to Friday | 7.00am to 6.00pm |
| Saturday | 8.00am to 1.00pm |
| Sunday and public holidays | No Work |

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

39. 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.

40. 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.

41. 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 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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

42. 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.

43. 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.

44. 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.

45. 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.

48. 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.

49. 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.

50. 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
 - c. 'Soils and Construction (2004) (Bluebook) and
 - d. Relevant Australian standards and State Government publications.
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

51. 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.

52. Medium density driveway and layback crossing

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's Medium Density Vehicle Crossing Specification.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

53. 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 (Sustainable City) DCP 2015 – 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: For the purpose of this development consent, 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 (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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

Application must be made through an authorised Water Servicing Coordinator.

For help either visit 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. Structural Engineering Certificate

Prior to the principal certifying authority issuing an occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings and relevant SAA Codes and is structurally adequate.

57. 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.

58. 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 (Sustainable City) DCP Volume 3 (as amended).

The applicant shall also submit a copy of the Works as Executed information to Council in an electronic format in accordance with the following requirements:

Survey information

- finished ground and building floor levels together with building outlines
 - spot levels every 5 metres within the site area
 - where there is a change in finished ground levels that are greater than 0.3 metres between adjacent points within the above mentioned 5 metres grid, intermediate levels will be required
 - a minimum of 15 site levels
 - if the floor level is uniform throughout, a single level is sufficient
 - details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development
 - all existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s
 - the surface levels of all other infrastructure.
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

Format

- MGA 94 (Map Grid of Australia 1994) Zone 56 - Coordinate System
- All level information to Australian Height Datum (AHD).

AutoCAD option

- The "etransmit" (or similar) option in AutoCAD with the transmittal set-up to include as a minimum:

| | |
|---------------------|---|
| Package Type | zip |
| File Format | AutoCAD 2004 Drawing Format or later |
| Transmittal Options | Include fonts Include textures from materials Include files from data links Include photometric web files Bind external references The drawing is not to be password protected |

MapInfo option

- Council will also accept either MapInfo Native format (i.e. .tab file) or MapInfo mid/mif.

All surveyed points will also be required to be submitted in a point format (x,y,z) in either an Excel table or a comma separated text file format.

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. 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.

BOARDING HOUSE 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 House Act 2012*, *Public Health Act 2010*, *Public Health Regulation 2012* and *Local Government Act 1993* and associated technical standards.

62. Sleeping accommodation

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 5.5sqm or more for each person sleeping in it (in the case of long-term sleeping accommodation) or 2.0sqm or more for each person sleeping in it (in any other case) (Public Health Regulation 2012).

63. 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 2008

64. Boarding House Plan of Management and House Rules

The Boarding House Plan of Management and House Rules submitted with this development application form a part of this consent and the boarding house is to be managed in accordance with that plan. The plan shall be prominently displayed both on the ground floor and in the communal area on the third floor at all times.

65. Occupancy Principles

The Occupancy Principles submitted with this development application form a part of this consent and pursuant to Schedule 1 of the *Boarding Houses Act 2012*, the boarding house is to be operated in accordance with these Principles. The Occupancy Principles shall be prominently displayed both on the ground floor and in the communal area on the third floor at all times.

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

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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) and the premises standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the premises standards.

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

Advice 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

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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. 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 7. 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 8. 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 WorkCover 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
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call WorkCover Asbestos and Demolition Team on 8260 5885.

Advice 9. 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 10. 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 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 11. *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

ATTACHMENT 2

Report to Planning and Environment Committee Meeting of 10 March 2015

3.4 Construction of a four storey boarding house containing 19 boarding rooms - No. 17 Iolanthe Street, Campbelltown

Reporting Officer

Acting Manager Development Services

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. Floor plans (confidential - for privacy reasons these are not available to the public)
5. Elevations (contained within this report)
6. Landscape plan (contained within this report)

Purpose

| | |
|-----------------------------|--|
| Property Description | Lot 2A DP 304073 No. 17 Iolanthe Street, Campbelltown |
| Application No | 1215/2014/DA-MAH |
| Applicant | ACA Design Consultants |
| Owner | DNM Management Pty Ltd |
| Provisions | Campbelltown 2025 – Looking Forward State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy (Infrastructure) 2007 Campbelltown (Urban Area) Local Environmental Plan 2002 Campbelltown (Sustainable City) Development Control Plan 2012 |
| Date Received | 21 May 2014 |

Report

A development application was lodged with Council on 21 May 2014 for the construction of a boarding house at No. 17 Iolanthe Street, Campbelltown. The proposed development of a boarding house includes:

- site works
 - construction of 4 storey building containing 19 boarding rooms
 - 4 car parking spaces
 - 4 motor cycles parking spaces
 - 4 bicycle parking spaces
 - include landscaping.
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

The site is located on the western side of Iolanthe Street and is currently vacant. The land is rectangular in shape and has a street frontage of 15.24 metres and average depth of 29.57 metres. The land has an area of 450.7 square metres.

Adjoining development includes a single storey weatherboard cottage to the north at No.15 Iolanthe Street, a single storey masonry commercial building to the south at No.21 Iolanthe Street that was originally constructed as a dwelling, there is no No. 19 in the street. A six storey residential flat building adjoins the site to the south west at No.12-14 King Street, single storey cottages are situated to the west and are being used for both commercial and residential purposes at No.8-10 King Street adjacent to the subject site across Iolanthe Street are a mix of one and two storey buildings used for commercial and residential purposes.

The proposed boarding house development would include the construction of a purpose built 4 storey building. The boarding house can be described as:

- Ground Level contains 3 boarding rooms, common laundry and waste room
- Levels 1 and 2 contain 6 boarding rooms
- Level 4 contains 4 boarding rooms, communal room and balcony for open space
- Communal room has an area of 34 square metres
- Fourth floor balcony has an area of 17 square metres.

Parking for the development will be provided within the front setback for motor vehicles, motor bikes and bicycles. The entrance to the building presents to Iolanthe Street.

1. Vision

Campbelltown 2025 - looking forward

'Campbelltown 2025 Looking Forward' is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- Responds to what Council understands people want the City of Campbelltown to look, feel and function like
- Recognises likely future government policies and social and economic trends
- Sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan for the City.

The strategic direction relevant to this application is:

- Creating education, employment and entrepreneurial opportunities
 - Development and land use that matches environmental capacity and capability.
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

The application is consistent with the above strategic directions as the proposal would support the creation of employment opportunities as part of the construction of the development.

2. Planning Provisions

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

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 10(a) Regional Comprehensive Centre Zone, which has been approved by Council as being equivalent to the R4 High Density Residential zone for the purpose of the application of the Exempt and Complying SEPP. Accordingly, the zones can be regarded as equivalent for the purposes of the applicability of this division of the Affordable Rental Housing SEPP to the subject land. The R4 High Density Residential zone 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.
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

This application proposes the construction of a boarding house. Therefore, this section of the SEPP applies to the subject development application.

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 10(a) Comprehensive Centre Zone is permissible with consent given the “equivalent zone” provisions set out above.

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

Comment

There is no floor space ratio that applies to the subject site. Therefore the application is not inconsistent with this subclause.

- (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

Comment

This subclause is not applicable, as residential accommodation is permitted on the land.

- (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
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

Comment

There is no maximum building height specified under any environmental planning instrument applying to the land (notwithstanding that Council's Sustainable City DCP 2012 sets a maximum 6 storey height limit, the SCDCP is not classified as an environmental planning instrument).

(b) landscaped area

if the landscape treatment of the front setback area is compatible with the streetscape in which the building is located

Comment

Landscaping is proposed along the street frontage as well as the site's side boundaries within the front setback. The landscaping proposed is consistent with the amount of landscaping on adjoining and surrounding sites in the immediate locality.

(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 more than three hours 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 of greater than 20 square metres and with a width of 3.0 metres is proposed at the rear of the building. The proposed boarding house would also contain an area in the rear yard of the facility that can be used for open space purposes.

Based on the capacity of the proposed boarding house, accommodation is not required to be provided for a boarding house manager, and no manager is proposed by the application. Therefore, subclause (ii) is not applicable.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

(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
- (ii) in the case of development not in an accessible area—at least 0.4 parking spaces are provided for each boarding room
- (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, and therefore requires at least 0.2 parking spaces per boarding room. The proposed boarding house has nineteen rooms, and therefore requires 3.8 parking spaces, which is rounded up to 4 parking spaces. The proposed boarding house would have 4 car parking spaces, including one accessible car parking space, and therefore complies with this subclause.

(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
- (ii) 16 square metres in any other case.

Comment

All of the proposed boarding rooms are at least 12m² in size up to a maximum of 16m² and are able to accommodate a single lodger.

- (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).

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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 19 boarding rooms, and proposes to provide one communal living room having an area of 34 square metres.

- (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 (excluding private kitchens or bathrooms) of more than 25m². The maximum room size is 16 square metres

- (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

Each proposed boarding room will have the capacity to accommodate one person only. Therefore, based on the proposed 19 rooms, the boarding house will have the capacity to accommodate 19 people. Accordingly, a boarding room for a boarding house manager is not required to be provided.

- (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
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

Comment

Environmental Planning Instruments applying to the land do not prohibit the use of the ground floor of the building for residential 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

Four bicycle spaces and four motorcycle spaces are required. Four motorcycle spaces and at least four bicycle spaces have been 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.

Comment

The design and siting of the boarding house has considered the development's compatibility with the character of the local area. The applicant was requested to provide additional information to address the design of the development and how it is appropriate for the local area.

An assessment of the proposal in terms of various aspects of its built form is outlined below:

- Local Area – the 'local area' is principally the visual catchment in which the development can be viewed. The area in which the land is located is relatively flat and without substantial tree cover and hence it can be said that the subject land has a wide visual catchment.

Within this local area there is a wide range of development mixes and uses and development constructed during various periods including early to mid 20th century as well as more recent commercial and residential flat building developments. There is a number of 4 to 6 storey buildings constructed in the last 5 to 10 years. The area is undergoing a period of transition and renewal.

- Building bulk and scale/site coverage – the proposed boarding house is approximately 13 metres wide, 21 metres deep and four storeys in height (12.4 metres). The development has a FSR of 1.53:1. It is considered that there are a number of buildings in the locality that have a similar height to that of the proposal, and other buildings of greater height than that of the proposal as the maximum height of buildings in the locality is 6 storeys. The draft LEP proposes an FSR of 2.5:1 for development in the zone.
 - Height – the four storey height of the development is less than the maximum six storey height limit in the locality that can be considered under the development controls within Campbelltown (Sustainable City) Development Control Plan. It is noted that the draft LEP proposes a height of 26 metres, or 8 storeys, in the zone.
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

- Setbacks – The setbacks of the proposed boarding house are 1.050 metres and 1.090 metres from the side boundaries. The proposed building is setback 19 metres from the front boundary and 3.1 metres from the rear boundary. The side and rear setbacks for residential flat buildings are contained within the Residential Flat Design Code and Campbelltown (Sustainable City) Development Control Plan. It is to be noted that a residential flat building would require a minimum side setback of 6 metres.

The design of boarding houses does not require a minimum side or rear setback requirement in the zone similar to commercial buildings providing the development complies with the BCA.

- Landscaping/Fencing – The proposed landscaping treatment is satisfactory and adequately softens the visual impact of the development. Landscaping is proposed to be provided within the front, side and rear setback areas of the boarding house. This is considered to be consistent with the landscaping provided by other sites in the vicinity of the site.

2.2 Campbelltown (Urban Area) Local Environmental Plan 2002

The subject site is zoned 10(a) - Regional Comprehensive Centre Zone under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002. The proposed development is defined as a *boarding house* and is permissible with Council's development consent within the zone.

A boarding house is defined as:

a house let in lodgings or a hostel, but does not include a motel.

The proposed boarding house is considered to be hostel-style accommodation and is therefore a boarding house.

The proposal is consistent with the following zone objectives:

- (b) to encourage employment and economic growth
- (c) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities in locations which are accessible to public transport, employment, retail, commercial and service facilities.

A further objective of this zone is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development.

2.3 Campbelltown (Sustainable City) Development Control Plan 2012

The application has been assessed under the provisions of the now repealed Campbelltown (Sustainable City) Development Control Plan 2012, as the application was lodged before the Campbelltown (Sustainable City) Development Control Plan 2014 came into effect. The provisions within the 2012 Plan that apply to the application are not substantially different from equivalent provisions within the 2014 Plan.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

It should be noted that neither the 2012 nor 2014 DCPs contain specific provisions relating to boarding houses, however 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:

Views and vistas – The proposal will not significantly impact views and vistas in the locality, and the appearance of the development from private and public places is considered to be satisfactory.

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, the proposed development includes a 3,500 litre rainwater tank.

Landscaping – The proposed landscaping is considered to be satisfactory and has been selected from native species. Landscaping is proposed to be provided within the front, side and rear setbacks of the boarding house. This is considered to be consistent with the landscaping provided by other sites in the vicinity of the site.

Flora and fauna – The subject site has no significant existing vegetation.

Waste management – A Waste Management Plan has been submitted with the application. The proposed waste management for existing materials at the site is satisfactory. Regarding the on-going waste management for the boarding house, Council's Waste and Recycling Section advised that the proposed configuration of the waste bin storage area is satisfactory, and collection of the bins from the kerbside area will be able to be undertaken.

Stormwater – The application proposes to drain to Iolanthe Street. The application was also referred to Council's Development Engineer, and conditions of consent have been provided.

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 2012's numerical cut/fill controls only apply to dwellings. There is no significant amount of cut and fill required with the development as proposed.

Fencing and retaining walls – The application proposes the construction of a 1.8 metre high 'colorbond' fence on the side and rear boundaries and this is considered acceptable in this instance.

3. Public Participation

The application was publicly exhibited between 1 July and 14 July 2014, and was notified to nearby and adjoining residents between 25 June and 8 July 2014. Council received one submission objecting to the proposal development, raising the following issues:

Concern - The lack of car parking proposed by the development will result in residents of the boarding house parking on the surrounding streets, which will cause traffic problems due to the site being located in a constrained parking environment.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

Comment - Under the State Environmental Planning Policy (Affordable Rental Housing) 2009, a boarding house that is located in an 'accessible area' such as the subject site is only required to provide 0.2 parking spaces per boarding room. The SEPP states that a consent authority must not refuse to grant consent on the basis of car parking if the proposed development complies with this standard. The rationale of this standard is that there would be low car ownership rates among boarding house tenants, and this is also reflected in the requirement for a boarding house to provide parking for motorcycles and bicycles. The lower parking rate for accessible areas reflects the availability of public transport options in these areas.

The proposed boarding house has seven rooms, and therefore requires 3.8 parking spaces, say 4. The proposed boarding house would have 4 car parking spaces, including one accessible car parking space, and therefore complies with the car parking provisions of the SEPP, meaning that Council is unable to refuse the application on the basis of car parking.

Concern - The development does not consider the socio-economic status of the area. If the development is approved, Iolanthe Street would be subjected to persons from a low socio economic status with a predisposition to drugs and social problems.

Comment – Council is unable to prejudice an application based on the socio-economic status of residents that may live in a boarding house. The potential of a development's resident to come from a low socio-economic status is not a relevant matter for consideration under the matters for consideration pursuant to Section 79C of the *Environmental Planning and Assessment Act 1979*.

Concern – No garbage disposal areas.

Comment – The development includes a waste room that can contain ten 240 litre bins. The waste will contain a tap for bin washing and waste water will be directed to the sewer.

Concern – Setbacks of the development and overshadowing.

Comment – Given the height of the development, it is likely that the development would overshadow the land to the south longer than a building of two storeys in height. The development to the south is used for commercial purposes and hence the overshadowing will not impact on the residential amenity of local residents.

Concern – The proposed development would sterilise development on No.15 Iolanthe Street.

Comment – The land at No.15 Iolanthe Street has an area of approximately 358 square metres and has limited development opportunities given its size and nature of adjoining development making consolidation difficult as the land at No.13 Iolanthe Street has been strata subdivided with potentially many owners.

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No.
17 Iolanthe Street, Campbelltown

The application is fully compliant with the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009 and Campbelltown (Urban Area) Local Environmental Plan 2002. While the residential development provisions of Campbelltown (Sustainable City) Development Control Plan 2012 do not strictly apply to the proposed development, it is largely consistent with the development standards for dwellings specified therein. It is considered that the proposed development is compatible with the character of the local area, and accordingly the application is recommended for approval.

Officer's Recommendation

That development application 1245/2014/DA-MAH for the construction of a boarding house at No 17 Iolanthe Street, Campbelltown be approved, subject to the conditions detailed in attachment 1.

ATTACHMENT 1

1215/2014/DA-MAH

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 prepared by ACA Design Consultants (and others), listed below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Plans prepared by ACA Design Consultants job no. 14005-01/09DA:

Drawing No. 1, Issue C, dated 01.10.2014
Drawing No. 2, Issue C, dated 01.10.2014
Drawing No. 3, Issue C, dated 01.10.2014
Drawing No. 4, Issue C, dated 01.10.2014
Drawing No. 5, Issue C, dated 01.10.2014
Drawing No. 6, Issue C, dated 01.10.2014
Drawing No. 7, Issue C, dated 01.10.2014

Plans prepared by Greenland Design (landscape architect):

Drawing No. 0822.L.01, Revision B, dated 07.10.2014

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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.

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

7. Garbage Room

The garbage storage room identified on the approved plans shall:

- a. Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- b. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- c. A hose cock shall be provided within the room.
- d. Garbage rooms shall be vented to the external air by natural or artificial means.

8. 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.

9. 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.

10. 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.

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 (Sustainable City) DCP Volumes 1 and 3*.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

13. Car Parking Spaces

4 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended). 4 motor cycle and a minimum of 4 bicycles spaces shall also be provided and made available to all users of the site.

14. Maximum number of lodgers per room

No boarding room shall be occupied by more than one adult lodger.

15. Maximum number of lodgers in the building

The maximum number of lodgers in the building at any given time is 19.

16. Sleeping Accommodation

The manager/owner of the premises must not allow any room or cubicle in the premises to be used for the purpose 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.

17. Acts and Regulations

The boarding house must comply (where relevant) 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 2008

18. 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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

19. 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.

20. 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.

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. Sydney Water Stamped Plans

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

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23. 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.

24. 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.

25. 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 the nearest system under Council's control. All proposals shall comply with the *Campbelltown (Sustainable City) DCP - Volumes 1 and 3*.

26. 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.

27. 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.

28. Section 94A Developer Contribution - Community Facilities and Services

Prior to Council or an accredited certifier issuing 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:

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

- 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) 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.

29. 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.

30. 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

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

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.

31. 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.

32. 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; and
- 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.

33. 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
 - b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

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

34. 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.

35. 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.

36. 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.

37. 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.

38. Fencing

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

39. Sydney Water

Prior to the commencement of any works on the land, the approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Building and Developing then Quick Check
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

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.

40. Construction Work Hours

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

| | |
|----------------------------|------------------|
| Monday to Friday | 7.00am to 6.00pm |
| Saturday | 8.00am to 1.00pm |
| Sunday and public holidays | No Work. |

41. Erosion and Sediment Control

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

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

42. 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.

43. 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:

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

- a. Must preserve and protect the building from damage
- b. If necessary, must underpin and support the building in an approved manner
- c. Must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

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.

44. 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.

45. 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.

46. 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.

47. 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.

48. 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.

49. 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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

50. 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*
- c. 'Soils and Construction (2004) (Bluebook)
- d. Relevant Australian standards and State Government publications.

51. 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.

52. Medium Density Driveway and Layback Crossing

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's *Medium Density Vehicle Crossing Specification*.

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

53. 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 (Sustainable City) DCP 2009 - Volumes 1 and 2*.

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

Note: For the purpose of this development consent, 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 > 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. Structural Engineering Certificate

Prior to the principal certifying authority issuing an occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings and relevant SAA Codes and is structurally adequate.

57. 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.

58. 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 (Sustainable City) DCP Volume 3 (as amended)*.

The applicant shall **also** submit a copy of the Works as Executed information to Council in an electronic format in accordance with the following requirements:

Survey Information

- Finished ground and building floor levels together with building outlines.
 - Spot levels every five metres within the site area.
 - Where there is a change in finished ground levels that are greater than 0.3.m between adjacent points within the above mentioned 5m grid, intermediate levels will be required.
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

- A minimum of fifteen site levels.
- If the floor level is uniform throughout, a single level is sufficient.
- Details of all stormwater infrastructure including pipe sizes and types as well as surface and invert levels of all existing and/or new pits/pipes associated with the development.
- All existing and/or new footpaths, kerb and guttering and road pavements to the centre line/s of the adjoining street/s.
- The surface levels of all other infrastructure.

Format

- MGA 94 (Map Grid of Australia 1994) Zone 56 - Coordinate System
- All level information to Australian Height Datum (AHD)

AutoCAD Option

- The "etransmit" (or similar) option in AutoCAD with the transmittal set-up to include as a minimum:

| | | |
|---------------------|---|---|
| Package Type | - | zip |
| File Format | - | AutoCAD 2004 Drawing Format or later |
| Transmittal Options | - | Include fonts Include textures from materials Include files from data links Include photometric web files Bind external references The drawing is not to be password protected. |

MapInfo Option

- Council will also accept either MapInfo Native format (i.e. .tab file) or MapInfo mid/mif.

All surveyed points will **also** be required to be submitted in a point format (x,y,z) in either an Excel table or a comma separated text file format.

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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

61. 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.

BOARDING HOUSE 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 House Act 2012, Public Health Act 2010, Public Health Regulation 2012 and Local Government Act 1993 and associated technical standards.

62. Sleeping Accommodation

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*).

63. 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 2008

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.
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

- 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. 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.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No.
17 Iolanthe Street, Campbelltown

Advice 6. 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 7. 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 8. 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
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

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

Advice 9. 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 10. 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 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.

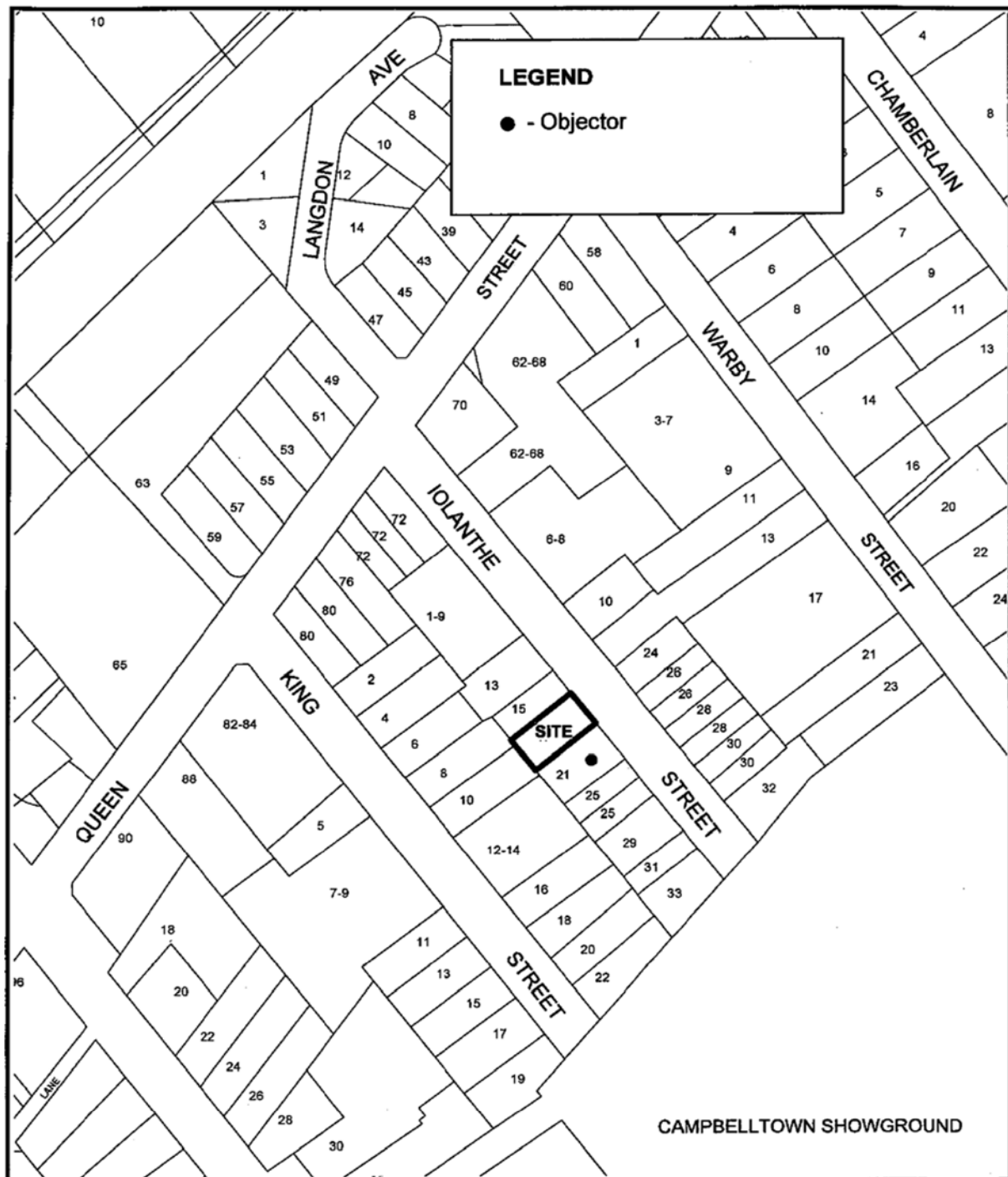
Advice 11. Telecommunications Act 1997 (Commonwealth)

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

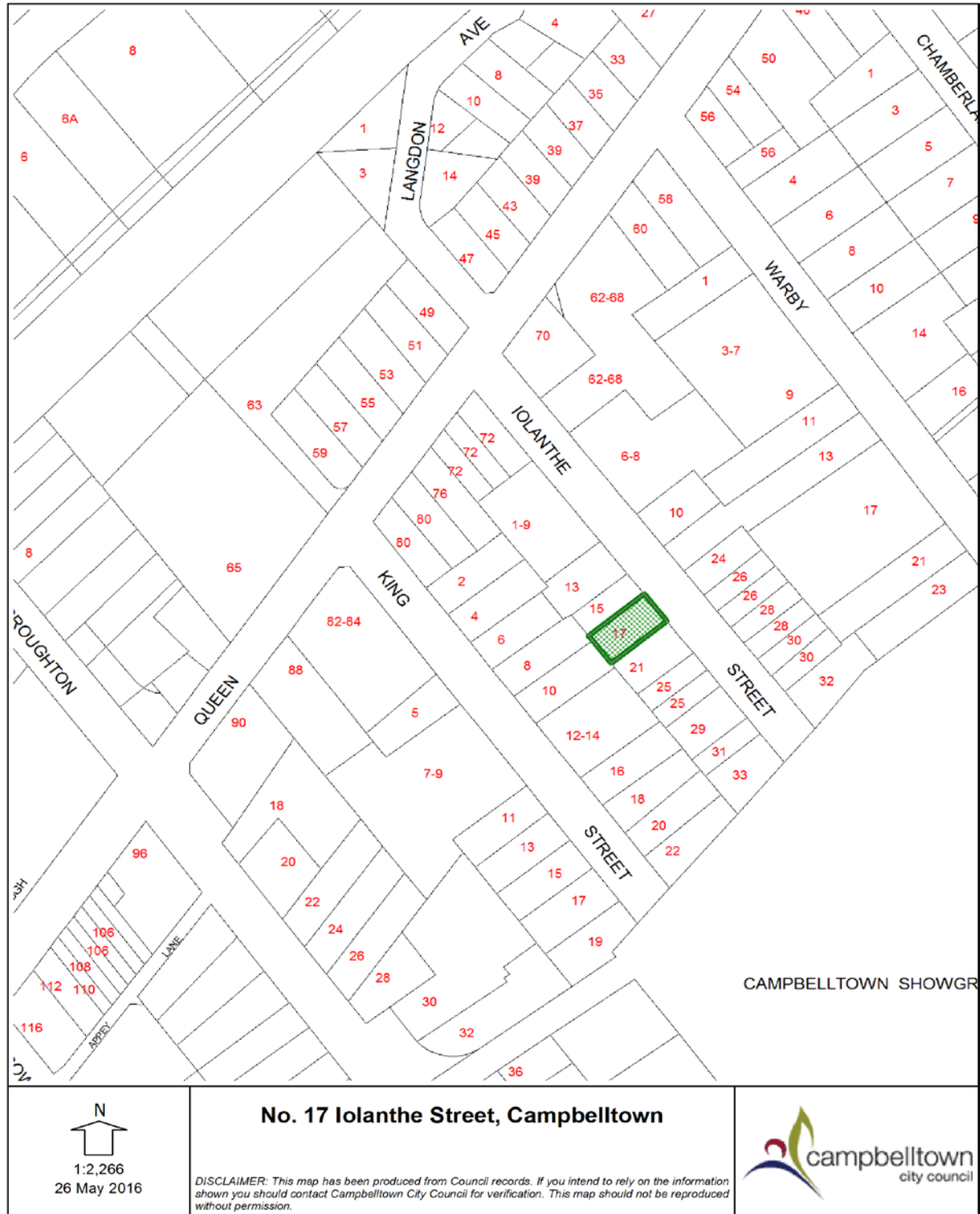
7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown



7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

ATTACHMENT 3

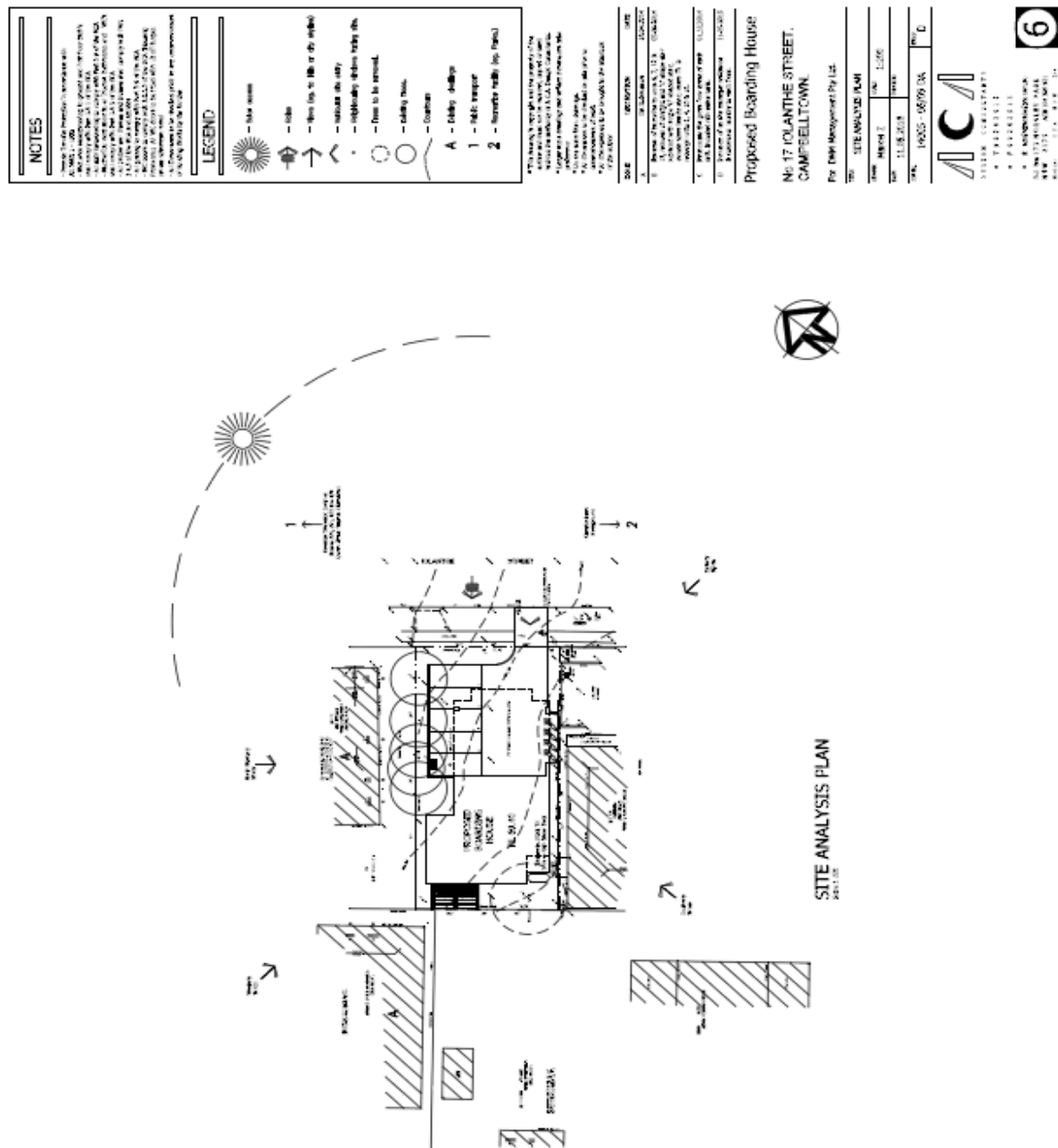
Locality Plan



7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

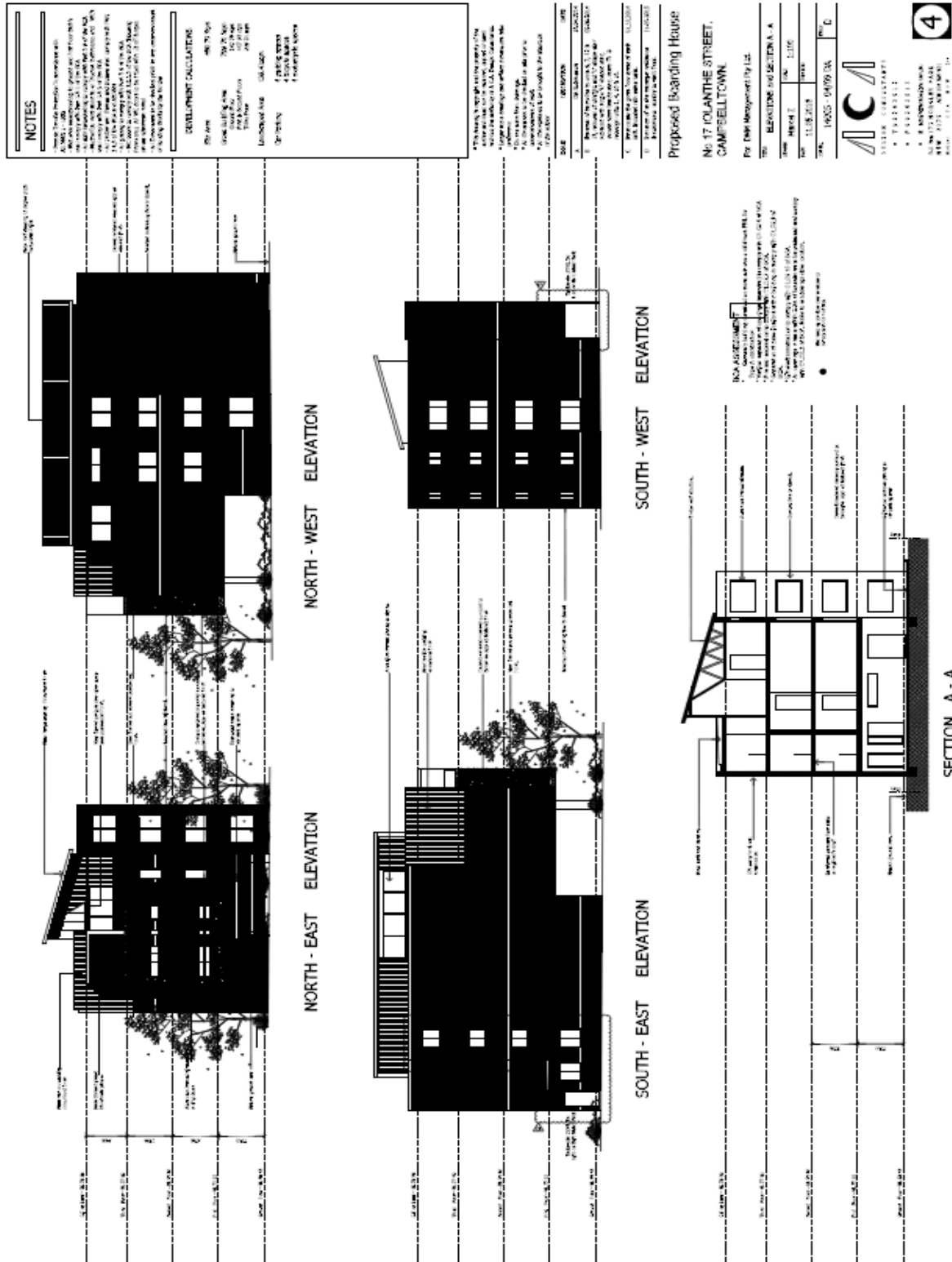
ATTACHMENT 4

Site Plan



ATTACHMENT 5

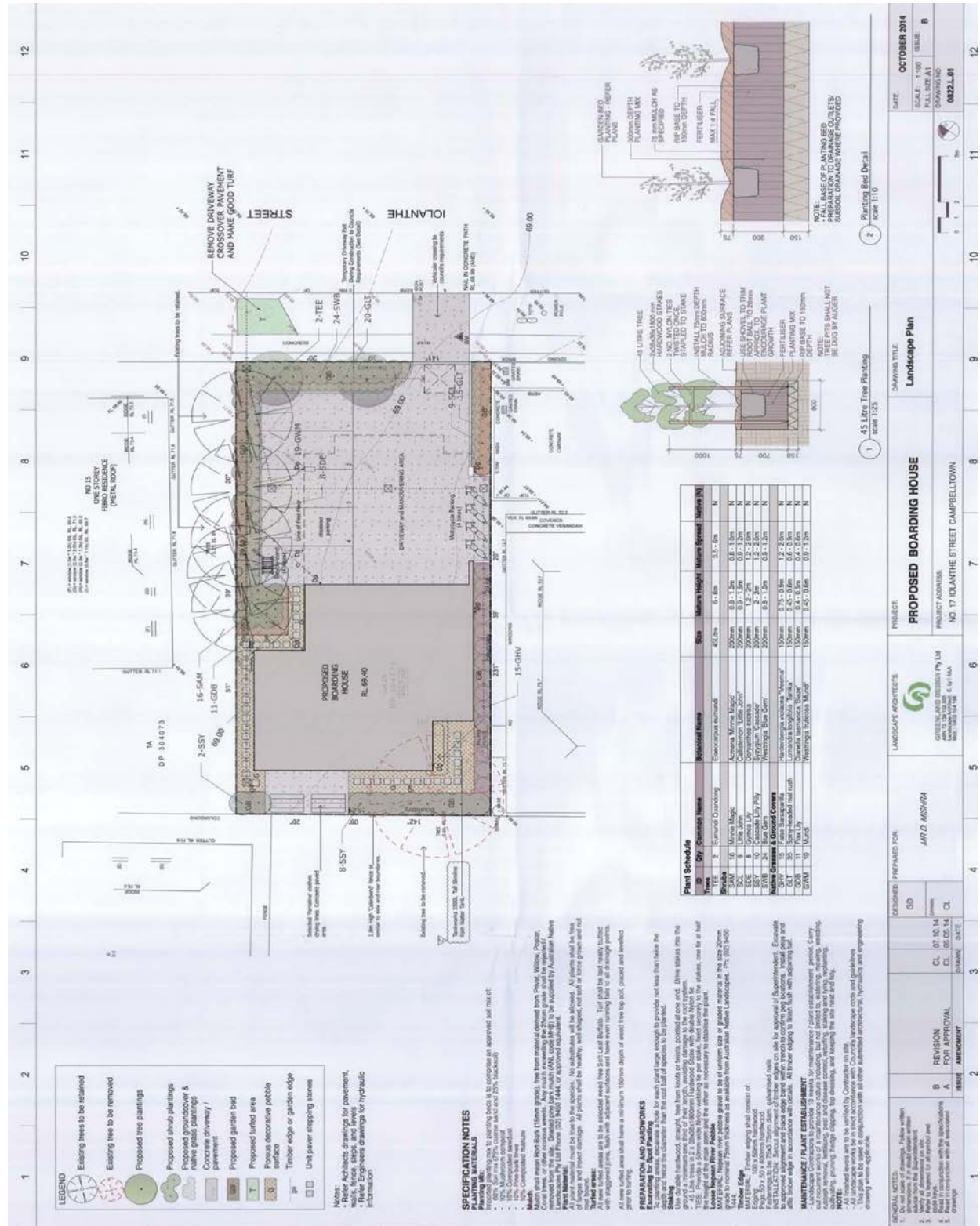
Elevations



7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

ATTACHMENT 6

Landscape Plan



ATTACHMENT 7

Plan of Management and House Rules

**Boarding House Plan of Management:
17 Iolanthe St, Campbelltown**

Attachment 1

BOARDING HOUSE PLAN OF MANAGEMENT AND HOUSE RULES FOR 17 IOLANTHE ST, CAMPBELLTOWN

Preliminary

17 Iolanthe St, Campbelltown is a *registrable boarding house* under Section 5(1) of the *Boarding Houses Act 2012*, being operated as a *general boarding house* with 19 single boarding rooms. It is not an *assisted boarding house*.

This management plan implements those *occupancy principles* for boarding houses in force under Section 30(1) of the *Boarding Houses Act 2012* that relate to the management and operation of the boarding house.

The occupancy principles in force at the time this management plan was authorised are set out in Schedule 1 of this plan.

1. Object of this Plan

1.1 A primary purpose of this Management Plan is to ensure that neighbours' amenity is not reduced by the operation of the premises as a Boarding House. To achieve this, the Management Plan has been prepared with the following matters in mind:

- a) to minimise disturbance to neighbours;
- b) to provide a procedure to receive and resolve complaints;
- c) to ensure a responsible person is readily contactable to assist in the ongoing implementation of this Management Plan;
- d) to ensure that this Management Plan is enforceable, and
- e) to make provision for this plan to be amended from time to time with the approval of Campbelltown City Council in order to facilitate timely and responsive operational changes to improve residential amenity within and external to the site.

2. Primary Person Responsible

2.1 The owner of the premises is responsible for ensuring that this Management Plan is properly implemented at all times. The owner will exercise this personally or through an appointed Property Management Agent ('Manager'). References in this Management Plan to 'Manager' means the specialist boarding house manager appointed to that role or if none is appointed, means the owner (see cl. 3.1 below).

2.2 The Manager shall give occupants copy of a document called "Boarding House Rules" ("the Rules") before they move into the boarding house. The Rules include guidelines for the conduct of occupants to minimise inappropriate behaviour that might reduce the amenity of neighbours or other lodgers. The Rules may not be inconsistent with this Management Plan or the conditions of development consent.

2.3 All residents in the boarding house are to sign an Occupancy Agreement which includes a requirement to comply with the Rules. The length of occupancy shall not be less than 90 days. Accommodation is not to be provided on a temporary basis to persons on recreational pursuits.

2.4 The Manager is responsible for enforcing the Rules.

2.5 The Manager shall have discretion to remove any person from the Boarding House who fails to comply with any Rule after reasonable warning.

2.6 The Manager shall maintain a register of occupants who have been evicted from the Boarding House and shall ensure that those people are prevented from entering the premises in the future.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

**Boarding House Plan of Management:
17 Iolanthe St, Campbelltown**

Attachment :

2.7 The Manager shall take all reasonable steps necessary to ensure that occupants of the Boarding House do not affect the amenity of neighbours. The Manager may evict occupants who unreasonably affect the amenity of neighbours.

2.8 The Manager shall ensure that the Rules are displayed in the entrance, communal room, corridors and rooms of the Boarding House.

2.9 A sign shall be maintained at the entrance to the Boarding House advising occupants to be aware and mindful of the amenity of neighbours when entering or leaving the premises.

2.10 The Manager shall provide a mobile number to Council, immediate neighbours and to lodgers on which the Manager can be contacted 24 hours a day.

3. Manager

3.1 As the total number of residents will be no more than 19 people at any given time, there is no requirement for a Resident Manager. The owner will manage the property or may appoint a specialist boarding house manager to manage the property (see cl.2.1 above).

3.2 The Manager shall inspect the premises at a minimum fortnightly interval to ensure compliance with all relevant provisions of this Management Plan and the Boarding House Rules, and any applicable conditions of development consent.

4. Residents Register

4.1 The Manager shall maintain a register which includes the lodger's name, previous address, drivers license details (if any), room number, date of commencing occupancy and date of ceasing occupancy. The register may be kept in writing and/or on computer.

4.2 A maximum of one (1) lodger can occupy each of the rooms at any one time. There are to be no more than 19 lodgers in residence at any time. Inspections of the property and the Register may be undertaken by properly authorised officers of Campbelltown City Council from time to time to ensure that this requirement is being satisfied.

5. Boarding House Rules

5.1 The Boarding House Rules shall include the following:

Lodgers:

- a) Will not smoke inside the Boarding House.
 - b) Will not drink alcohol or play music in the outdoor areas of the property between 8.00pm and 10.00am.
 - c) Will not use the outdoor areas of the Boarding House for recreation between the hours of 10.00pm and 7.00am. Not more than 19 persons (lodgers or visitors) may use the outdoor recreation areas at any time (other than on special occasions with the approval of the Manager).
 - d) Will not play music or make noise inside or outside the boarding house at a level that disturbs neighbours or other lodgers.
 - e) Will not operate musical instruments or sound equipment (including radios, TVs, tape recorders, record, compact disc, MP3 players or computer games) from 12 midnight to 8am on any Friday, Saturday or day immediately before a public holiday, or 10pm to 8am on any other day, inside a bedroom or communal area unless windows are closed and noise levels do not cause offensive noise to neighbours or other lodgers.
 - f) May use the communal room kitchen at any time other than between the hours of 12 midnight and 5.00am.
-

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No.
17 Iolanthe Street, Campbelltown

**Boarding House Plan of Management:
17 Iolanthe St, Campbelltown**

Attachment 1

- g) May use the indoor communal areas at any time other than between the hours of 12 midnight and 5.00am, unless with the agreement of the Manager.
- h) Will clean and put away any plates, pots and other utensils after using them and leave the communal room in a clean and tidy condition.
- i) Will not give or lend their key to the premises to anyone who is not a current lodger of the premises.
- j) Will not bring visitors to stay overnight.
- k) Will not be rude to other lodgers or neighbours.
- l) Will not disrupt peace and quiet or create tension with other lodgers or neighbours.
- m) Will not jeopardize the safety of other lodgers or neighbours.
- n) Will not bring illegal drugs or substances onto the property.
- o) Will not bring pets onto the property.
- p) Will not use candles, incense, element heaters or other device or thing that is liable to cause a fire in their room or common areas.
- q) Will pay lodging fees by the due date.
- r) Will vacuum, clean and maintain their room.
- s) Will restore communal areas to a neat, clean and tidy condition after using them.
- t) Will turn the water, lights and power off when not in use.
- u) Will put garbage and recyclable materials into the appropriate bin.
- v) Will safely go in and out of the driveway and property without causing danger to other lodgers or neighbours.
- w) Will only park motor cars, motorcycles or bicycles in the appropriate allocated parking spaces and not on any other part of the property.
- x) Will let the owner or Manager inspect their room at least once a month.
- y) Will notify the Manager immediately when there is reason to believe that the behaviour or action of other lodgers may cause harm or endanger lives or may cause damage to the premises/property.

6. Safety

6.1 The Manager shall ensure that all fire safety requirements of the Boarding House are met at all times, including ensuring the following:

- a) Fire exit signs are in working order.
- b) Emergency access routes are clear.
- c) Smoke detectors/alarms are in good working order.
- d) Any items that are a fire hazard are removed from the premises without delay.
- e) Generally maintain the premises in a fire-safe condition.

6.2 All occupants are to be provided with a pamphlet outlining the fire evacuation procedures for the Boarding House. This pamphlet shall contain details of any fire exits, fire blankets, fire hydrants and fire warning devices installed in the Boarding House.

7. Cleaning & Waste Management

7.1 The common areas of the premises are to be cleaned on a weekly basis, and garbage bins placed at the kerbside for collection. Arrangements for this will at all times be the responsibility of the Manager.

7.2 An adequate number of bins, including recycling bins, shall be provided to accommodate waste generated by the boarding house.

8. Pets

8.1 No pets of any kind are allowed on the boarding house premises.

9. Public Complaints Resolution Procedure

9.1 The Manager shall maintain a Complaints Register of any public (external) complaints.

9.2 This register shall comprise of forms to be completed by the Manager, lodgers and/or complainants. The form is to record the nature and date of any complaint and the name, address and phone number of the person making the complaint.

9.3 The Manager shall respond by telephone to a written or oral complaint within 24hrs (provided that the complainant has provided a phone number).

9.4 The Manager shall respond in writing within 7 days to a written complaint (provided that the complainant has provided contact details).

9.5 The Manager shall use best endeavours to meet with complainants until a complaint is resolved. The Manager shall keep minutes of such meetings and keep these minutes in the Complaints Register. The register is to be made available for inspection at any time by a duly authorised officer of the Council.

9.6 If a complaint cannot be resolved and the complainant wishes to escalate the matter, the complaint may be referred for resolution to the Community Justice Centre.

10. Variations to Plan of Management and House Rules

10.1 This approved Plan of Management may be varied from time to time by an authorised officer of the Council, on the application of the owner, without the need for formal modification of the development consent, providing Council's written approval is recorded below. A copy of the approved Plan of Management shall be kept by the owner, the Manager and Council at all times.

10.2 The object of this clause is to facilitate timely and responsive alterations to the Plan of Management where Council agrees that such alterations are appropriate and beneficial in preserving and enhancing residential amenity for occupants and/or neighbours.

11. Authorisation

This Plan of Management was approved by:

Name of authorised Council officer:.....

Position held by authorised officer:.....

Signature of officer:.....

Date signed:.....

ATTACHMENT 8

Occupancy

Principles

Boarding House: 17 Iolanthe St, Campbelltown

Attachment

Schedule 1 Occupancy principles

(in force under Section 30 of the *Boarding Houses Act 2012*)

1 State of premises

A resident is entitled to live in premises that are:

- (a) reasonably clean, and
- (b) in a reasonable state of repair, and
- (c) reasonably secure.

2 Rules of registrable boarding house

A resident is entitled to know the rules of the registrable boarding house before moving into the boarding house.

3 Penalties for breaches of agreement or house rules prohibited

A resident may not be required to pay a penalty for a breach of the occupancy agreement or the rules of the registrable boarding house.

4 Quiet enjoyment of premises

A resident is entitled to quiet enjoyment of the premises.

5 Inspections and repairs

A proprietor is entitled to enter the premises at a reasonable time on reasonable grounds to carry out inspections or repairs and for other reasonable purposes.

6 Notice of increase of occupancy fee

A resident is entitled to 4 weeks written notice before the proprietor increases the occupancy fee.

7 Utility charges

- (1) The proprietor is entitled to charge a resident an additional amount for the use of a utility if:
 - (a) the resident has been notified before or at the time of entering the occupancy agreement of the use of utilities in respect of which the resident will be charged, and
 - (b) the amount charged is based on the cost to the proprietor of providing the utility and a reasonable measure or estimate of the resident's use of that utility.
- (2) A utility for the purposes of this clause is each of the following:
 - (a) the supply of electricity,
 - (b) the supply of gas,
 - (c) the supply of oil,
 - (d) the supply of water,
 - (e) the supply of any other service prescribed by the regulations.

8 Payment of security deposits

- (1) The proprietor may require and receive a security deposit from the resident or the resident's authorised representative only if:
 - (a) the amount of the deposit does not exceed 2 weeks of occupancy fee under the occupancy agreement, and
 - (b) the amount is payable on or after the day on which the resident (or the resident's authorised representative) enters the agreement.
- (2) Within 14 days after the end of the occupancy agreement, the proprietor must repay to the resident (or the resident's authorised representative) the amount of the security deposit less the amount necessary to cover the following:
 - (a) the reasonable cost of repairs to, or the restoration of, the registrable boarding house or goods within the premises of the boarding house, as a result of damage (other than fair wear and tear) caused by the resident or an invitee of the resident,
 - (b) any occupation fees or other charges owing and payable under the occupancy agreement or this Act,
 - (c) the reasonable cost of cleaning any part of the premises occupied by the resident not left reasonably clean by the resident, having regard to the condition of that part of the premises at the commencement of the occupancy,
 - (d) the reasonable cost of replacing locks or other security devices altered, removed or added by the resident without the consent of the proprietor,
 - (e) any other amounts prescribed by the regulations.

7.6 Construction Of A Four Storey Boarding House Containing 18 Boarding Rooms At No. 17 Iolanthe Street, Campbelltown

Boarding House: 17 Iolanthe St, Campbelltown

Attachment

(3) The proprietor may retain the whole of the security deposit after the end of the occupancy agreement if the costs, fees or charges referred to in subclause (2) (a)–(e) are equal to, or exceed, the amount of the security deposit.

(4) In this clause:

security deposit means an amount of money (however described) paid or payable by the resident of a registrable boarding house or another person as security against:

- (a) any failure by the resident to comply with the terms of an occupancy agreement, or
- (b) any damage to the boarding house caused by the resident or an invitee of the resident, or
- (c) any other matter or thing prescribed by the regulations.

9 Information about occupancy termination

A resident is entitled to know why and how the occupancy may be terminated, including how much notice will be given before eviction.

10 Notice of eviction

- (1) A resident must not be evicted without reasonable written notice.
- (2) In determining what is reasonable notice, the proprietor may take into account the safety of other residents, the proprietor and the manager of the registrable boarding house.
- (3) Subclause (2) does not limit the circumstances that are relevant to the determination of what is reasonable notice.

11 Use of alternative dispute resolution

A proprietor and resident should try to resolve disputes using reasonable dispute resolution processes.

12 Provision of written receipts

A resident must be given a written receipt for any money paid to the proprietor or a person on behalf of the proprietor.

7.7 Legal Status Report

Division

City Development

Reporting Officer

Manager City Standards and Compliance

Attachments

City Development Division Monthly Legal Matters Status and Costs Summary (contained within this report)

Purpose

To update Council on the current status of the City Development Division's legal matters.

Report

This report contains a summary of the current status of the Division's legal matters for the 2016-2017 period as they relate to:

- The Land and Environment Court
- The Supreme Court
- The District Court
- The Local Court
- Matters referred to Council's solicitor for advice.

A summary of year-to-date costs and the total number of matters is also included.

Note: The year to date cost totals itemised in sections one to ten listed in the attachment, may differ from the costs to date of individual matters, as the costs to date shown in the attachment refer to total costs from commencement of the matter, which may have commenced in the previous financial year.

Officer's Recommendation

That the information be noted.

ATTACHMENT 1

1. Land and Environment Court Class 1 Matters – Appeals Against Council's Determination of Development Applications

| | |
|--|-------------|
| Total ongoing Class 1 DA appeal matters (as at 15/09/2016) | 2 |
| Total completed Class 1 DA appeal matters (as at 15/09/2016) | 1 |
| Costs from 1 July 2016 for Class 1 DA appeal matters: | \$21,721.32 |

| | |
|--------------------|--|
| 1 (a) | JD One Enterprise Pty Ltd |
| Issue: | An appeal against Council's refusal of development application No. 2952/2014/DA-C that sought consent for the construction of a medical centre and a childcare centre, and associated car parking. |
| Property: | Lot 50 DP 1028174, Campbellfield/Redfern's Cottage, 20 Lind Street, MINTO |
| Property Owner: | JD One Enterprise Pty Ltd |
| Council File: | Development Application No: 2952/2014/DA-C |
| Court Application: | Filed on 14 April, 2016 - File No. 10351 of 2016 |
| Applicant: | JD One Enterprise Pty Ltd |
| Costs Estimate: | \$40,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees) |
| Costs to date: | \$17,338.82 |
| Status: | Ongoing - proceedings listed for further telephone callover on 9 August 2016. |
| Progress: | <p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 2952/2014/DA-C that sought consent for the construction of a medical centre and a childcare centre, and associated car parking on land known as Campbellfield/Redfern's Cottage, 20 Lind Street, Minto.</p> <p>The proceedings were before the Court for first callover on 12 May 2016. The Registrar made certain directions and adjourned the proceedings to 9 August 2016 for conciliation conference to commence onsite at 9:30 AM. Following the conciliation conference the Commissioner made certain directions and adjourned the proceedings to 9 September for telephone callover.</p> <p>At the callover on 9 September 2016 the Commissioner made certain directions for the applicant to submit amended plans to Council and for Council to respond. The proceedings were further adjourned to 26 September for telephone callover and case management reporting.</p> |

| | |
|---------------------------|--|
| 1 (b) | Gwydir Holdings Pty Ltd |
| Issue: | An appeal against Council's deemed refusal of development application No. 3552/2015/DA-BH that sought consent for the demolition of existing structures, removal of a tree, construction of a new generation boarding house with car parking. |
| Property: | Lot 18A, DP 389816, 38 Parliament Road, MACQUARIE FIELDS |
| Property Owner: | Gwydir Holdings Pty Ltd |
| Council File: | Development Application No: 3552/2015/DA-BH |
| Court Application: | Filed on 14 July, 2016 - File No. 16/213119 |
| Applicant: | Gwydir Holdings Pty Ltd |
| Costs Estimate: | \$25,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees) |
| Costs to date: | Nil |
| Status: | Ongoing – proceedings listed for conciliation conference on 28 October 2016. |
| Progress: | <p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's deemed refusal of development application No. 3552/2015/DA-BH that sought consent for the demolition of existing structures, removal of a tree, construction of a new generation boarding house with car parking on land at 38 Parliament Road, Macquarie Fields.</p> <p>The proceedings were listed before the Court for first callover on 10 August 2016, where the Registrar made certain directions regarding exchange of information between the parties and adjourned the proceedings to 28 October 2016 for section 34 conciliation conference.</p> |

| |
|---|
| 2. Land and Environment Court Class 1 and 2 Matters – Appeals Against Notices, Orders, or Directions issued by Council |
|---|

| | |
|--|---------------|
| Total ongoing Class 1 and 2 appeal matters (as at 15/09/2016) | 0 |
| Total completed Class 1 and 2 appeal matters (as at 15/09/2016) | 0 |
| Costs from 1 July 2016 for Class 1 & 2 appeal matters: | \$0.00 |

3. Land and Environment Court Class 4 Matters – Civil Enforcement in respect of non-compliance with Planning Law or Orders issued by Council

| | |
|---|--------|
| Total ongoing Class 4 matters before the Court (as at 15/09/2016) | 0 |
| Total completed Class 4 matters (as at 15/09/2016) | 0 |
| Costs from 1 July 2016 for Class 4 matters | \$0.00 |

4. Land and Environment Court Class 5 - Criminal enforcement of alleged pollution offences and various breaches of environmental and planning laws

| | |
|---|--------|
| Total ongoing Class 5 matters before the Court (as at 15/09/2016) | 0 |
| Total completed Class 5 matters (as at 15/09/2016) | 0 |
| Costs from 1 July 2016 for Class 5 matters | \$0.00 |

5. Land and Environment Court Class 6 - Appeals from convictions relating to environmental matters

| | |
|--|--------|
| Total ongoing Class 6 matters (as at 15/09/2016) | 0 |
| Total completed Class 6 matters (as at 15/09/2016) | 0 |
| Costs from 1 July 2016 for Class 6 matters | \$0.00 |

6. Supreme Court of NSW – Contractual proceedings with WSN Environmental Solutions concerning South West Sydney Councils Resource Recovery Project

| | |
|---|--------|
| Total ongoing matters (as at 15/09/2016) | 0 |
| Total completed (as at 15/09/2016) | 0 |
| Costs contribution from 1 July 2016 for this matter | \$0.00 |

7. District Court of NSW – Appeals from the Local Court in respect of the Magistrate erred at law or severity of sentence imposed

| | |
|---|--------|
| Total ongoing matters (as at 15/09/2016) | 0 |
| Total completed (as at 15/09/2016) | 0 |
| Costs contribution from 1 July 2016 for this matter | \$0.00 |

8. Local Court prosecution matters

The following summary lists the current status of the Division's legal matters before the Campbelltown Local Court.

| | |
|---|-------------------|
| Total ongoing Local Court Matters (as at 15/09/2016) | 5 |
| Total completed Local Court Matters (as at 15/09/2016) | 14 |
| Costs from 1 July 2016 for Local Court Matters | \$1,180.50 |

File No: LP08/16 – Penalty Notice Court Election
Offence: Transport waste to unlawful waste facility
Act: *Protection of the Environment Operations Act 1997*

Final Costs: \$500.00 (legal costs) – Matter dealt with by Council's Legal and Policy Officer instructing a solicitor from Council's external legal panel.

Status: Completed – fine and costs imposed.

Progress: The matter was before the Court for first mention on 24 May 2016 where the defendant entered a not guilty plea. The Registrar adjourned the proceeding to 28 July 2016 for hearing.

At the hearing on 28 July 2016 the defendant, Ahmed Assoum, made no appearance. The Magistrate granted Council's application for the matter to proceed in the defendant's absence and after hearing the evidence and submissions found the offence proved. The Magistrate convicted the defendant imposing a \$2,000 fine and an order in favour of Council being clean-up costs in the sum \$238 and legal costs in the sum of \$500.

File No: LP10/16 – Penalty Notice Court Election
Offence: Neglect to comply with Chapter 7 requirement (failed to attend interview to answer questions regarding waste dumping incident)
Act: *Protection of the Environment Operations Act 1997*

Final costs: \$680.50 (legal costs) – Matter dealt with by Council's Legal and Policy Officer instructing a solicitor from Council's external legal panel.

Status: Completed – withdrawn and dismissed.

Progress: The matter was before the Court for first mention on 21 June 2016 where the defendant entered a not guilty plea. The Registrar adjourned the

| | |
|---|--|
| | <p>proceedings to 11 August 2016 for hearing.</p> <p>Subsequently, fresh evidence came to light which cast doubt as to proper service of the 'notice to attend interview' on the defendant. Accordingly, Council's solicitor advised that the matter should be withdrawn, as the issue of service was likely to prove problematic to Council's case.</p> <p>On 11 August 2016 the Court granted Council's application (with the defendant consenting) for the proceedings to be withdrawn and dismissed.</p> |
| File No: Offence: Act: | <p>LP20/16 – Penalty Notice Court Election Disobey no-stopping sign (school zone) <i>Road Rules 2014</i></p> |
| Final Costs: | <p>\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.</p> |
| Status: | <p>Completed – Proved without conviction/penalty</p> |
| Progress: | <p>The matter was before the Court for first mention on 9 August 2016 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.</p> |
| File No: Offence: Act: | <p>LP21/16 – Penalty Notice Court Election Disobey no-stopping sign <i>Road Rules 2014</i></p> |
| Costs to date: | <p>\$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.</p> |
| Status: | <p>Ongoing – listed for hearing 10 October 2016</p> |
| Progress: | <p>The matter was before the Court for first mention on 16 August 2016 where the defendant entered a not guilty plea. The proceedings have been adjourned to 10 October 2016 for hearing.</p> |

| | |
|---------------------|--|
| File No: | LP22/16 – Penalty Notice Court Election |
| Offence: | Stop in bus zone (school zone) |
| Act: | <i>Road Rules 2014</i> |
| Final Costs: | \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor. |
| Status: | Completed - Fine and Court costs imposed. |
| Progress: | The matter was before the Court for first mention on 23 August 2016 where the defendant, Hajarat Motunrayo Ajelara, made no appearance. The Magistrate granted Council's application for the matter to proceed in the defendant's absence and after hearing the evidence and submissions found the offence proved and convicted the defendant imposing a fine of \$150 and an order for Court costs of \$85. |

| | |
|---------------------|---|
| File No: | LP23/16 – Penalty Notice Court Election |
| Offence: | Disobey no-stopping sign (school zone) |
| Act: | <i>Road Rules 2014</i> |
| Final Costs: | \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor. |
| Status: | Completed – Proved without conviction/penalty |
| Progress: | The matter was before the Court for first mention on 30 August 2016 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. |

| | |
|---------------------|---|
| File No: | LP24/16 – Penalty Notice Court Election |
| Offence: | Disobey no-stopping sign (school zone) |
| Act: | <i>Road Rules 2014</i> |
| Final Costs: | \$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor. |
| Status: | Completed – Proved without conviction/penalty |
| Progress: | The matter was before the Court for first mention on 30 August 2016 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. |

| | |
|-----------------------|---|
| File No: | LP25/16 – Penalty Notice Court Election |
| Offence: | Development without development consent (secondary dwelling) |
| Act: | <i>Environmental Planning & Assessment Act 1979</i> |
| Costs to date: | \$0.00 – Matter being dealt with by Council's Legal and Policy Officer, external solicitor being instructed. |
| Status: | Ongoing – listed for hearing 18 November 2016 |
| Progress: | The matter was before the Court for first mention on 16 August 2016 where the defendant entered a not guilty plea. The proceedings have been adjourned to 18 November 2016 for hearing. |

| | |
|---------------------|--|
| File No: | LP26/16 & LP27/16 – Penalty Notice Court Election |
| Offence: | Dog not under effective control in public place |
| Act: | <i>Companion Animals Act 1998</i> (2 dogs) |
| Final Costs: | \$0.00 – Matters dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor. |
| Status: | Completed - Fines imposed. |
| Progress: | The matters were before the Court for first mention on 6 September 2016 where the defendant, David King, entered a guilty plea with explanation to both offences. After considering the evidence and submissions, the Magistrate found the offences proved and convicted the defendant imposing a \$300 fine for each offence (total \$600). |

| | |
|-----------------------|---|
| File No: | LP28/16 – Penalty Notice Court Election |
| Offence: | Not comply with Order (overgrown/untidy land) |
| Act: | <i>Local Government Act 1993</i> |
| Costs to date: | \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor. |
| Status: | New Matter – listed for mention |
| Progress: | The matter is listed for first mention on 4 October 2016. |

| | |
|-----------------------|---|
| File No: | LP29/16 – Penalty Notice Court Election |
| Offence: | Dog not under effective control in public place |
| Act: | <i>Companion Animals Act 1998</i> |
| Costs to date: | \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor. |
| Status: | New Matter – listed for mention |
| Progress: | The matter is listed for first mention on 4 October 2016. |

| | |
|-----------------------|---|
| File No: | LP30/16 – Penalty Notice Court Election |
| Offence: | Disobey no-stopping sign (school zone) |
| Act: | <i>Road Rules 2014</i> |
| Costs to date: | \$0.00 – Matter being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor. |
| Status: | New Matter – listed for mention |
| Progress: | The matter is listed for first mention on 4 October 2016. |

9. Matters referred to Council's solicitor for advice

Matters referred to Council's solicitors for advice on questions of law, the likelihood of appeal or prosecution proceedings being initiated, and/or Council liability.

| | |
|--|--------------------|
| Total Advice Matters (as at 15/09/2016) | 5 |
| Costs from 1 July 2016 for advice matters | \$15,426.70 |

| 10. Legal Costs Summary | | |
|--|--------------------|---------------------|
| The following summary lists the City Development Division's net legal costs for the 2016/2017 period. | | |
| Relevant attachments or tables | Costs Debit | Costs Credit |
| Class 1 Land and Environment Court - appeals against Council's determination of Development Applications | \$21,721.32 | \$8,000.00 |
| Class 1 and 2 Land and Environment Court - appeals against Orders or Notices issued by Council | \$0.00 | \$0.00 |
| Class 4 Land and Environment Court matters - non-compliance with Council Orders, Notices or prosecutions | \$0.00 | \$0.00 |
| Class 5 Land and Environment Court - pollution and planning prosecution matters | \$0.00 | \$0.00 |
| Class 6 Land and Environment Court - appeals from convictions relating to environmental matters | \$0.00 | \$0.00 |
| Supreme Court hearing and appeal matters | \$0.00 | \$0.00 |
| District Court appeal matters | \$0.00 | \$0.00 |
| Local Court prosecution matters | \$1,180.50 | \$0.00 |
| Matters referred to Council's solicitor for legal advice | \$15,426.70 | \$0.00 |
| Miscellaneous costs not shown elsewhere in this table | \$718.24 | \$0.00 |
| Costs Sub-Total | \$39,046.76 | \$8,000.00 |
| Overall Net Costs Total (GST exclusive) | \$31,046.76 | |

7.8 Traffic Committee

Division

City Delivery

Reporting Officer

Executive Manager Infrastructure

Attachments

Minutes of the Local Traffic Committee Meeting of 18 August 2016 (contained within this report)

Purpose

To seek Council's endorsement of the recommendations arising from the Local Traffic Committee meeting held on 18 August 2016.

Report

RECOMMENDATIONS OF LOCAL TRAFFIC COMMITTEE ON 18 AUGUST 2016

Reports Listed for Consideration

LTC 16/18 Farrow Road, Campbelltown - additional 3P parking and accessible parking

That Council approve the amended parking changes in Farrow Road as shown on Plan 12857 sheet 3 and 4.

LTC 16/19 Fuchsia Crescent, Macquarie Fields - school zone parking restrictions

1. That Council install 'No Stopping' 2.00pm to 3.30pm School Days parking restrictions in Fuchsia Crescent as indicated on Concept Plan 12815 Revision A.
2. The parking restriction be reviewed after a six month period.

LTC 16/20 Chamberlain Street/Lindesay Street, Campbelltown - parking near local shops

That Council install '1P' parking restrictions to 10 parking spaces at the local shopping centre located at the corner of Lindesay Street/Chamberlain Street shopping centre as indicated on Plan 12866.

General Business

LTC 16/21 Roads and Maritime Services Outstanding Issues

That the Roads and Maritime Services provide written responses to the issues that have not been resolved.

Officer's Recommendation

That the recommendations of the Local Traffic Committee as detailed in the Minutes of the meeting held on 18 August 2016 be adopted.

ATTACHMENT 1

Minutes Summary

ITEM TITLE

LOCAL TRAFFIC COMMITTEE MINUTES

- 1. ATTENDANCE**
- 2. APOLOGIES**
- 3. CONFIRMATION OF MINUTES**
- 4. BUSINESS ARISING FROM MINUTES**
- 5. REPORTS LISTED FOR CONSIDERATION**

LTC 16/18 Farrow Road, Campbelltown- additional 3P parking and accessible parking

LTC 16/19 Fuchsia Crescent, Macquarie Fields - school zone parking restrictions

LTC 16/20 Chamberlain Street/Lindesay Street, Campbelltown - parking near local shops

- 6. LATE ITEMS**
No reports this round

- 7. GENERAL BUSINESS**

LTC 16/21 Roads and Maritime Services Outstanding Issues

- 8. DEFERRED ITEMS**
No reports this round
-



LOCAL TRAFFIC COMMITTEE MINUTES

18 August 2016

LOCAL TRAFFIC COMMITTEE

Traffic matters related to the functions delegated to councils under the *Transport Administration Act 1988*.

LOCAL TRAFFIC COMMITTEE MINUTES

Traffic matters related to the functions delegated to Councils under the *Transport Administration Act 1988*.

Minutes of the Local Traffic Committee held on 18 August 2016

1. ATTENDANCE

Campbelltown City Council

Councillor P Lake (Chairperson)
Executive Manager Infrastructure - Mr K Lynch
Coordinator Traffic and Road Design - Mr A Arora
Team Leader Traffic Investigation - Mr F Sirc
Administrative Assistant - Mrs S Lambert

Roads and Maritime Services

Ms K Russell

Police Representatives

Senior Constable M Davies

Bus Companies

Interline Mr J Oliveri
 Mr M Pruss

Representatives of Local Members of Parliament

Nil

Acknowledgement of Land

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

2. APOLOGIES

Sergeant M Cotton
Representative of Local Member of Parliament - Mr R James

3. CONFIRMATION OF MINUTES

The Minutes of the previous electronic meeting held on 14 April 2016 were recommended and adopted by Council.

4. BUSINESS ARISING FROM MINUTES

No reports this round

5. REPORTS LISTED FOR CONSIDERATION

LTC 16/18 Farrow Road, Campbelltown- additional 3P parking and accessible parking

Previous Report: Nil
Electorate: Campbelltown
Author Location: Traffic and Road Design Unit

Attachments

1. Plan No 12857 Sheets 1 and 2 Farrow Road parking arrangement
2. Plan No 12857 Sheets 3 and 4 Farrow Road line marking and signage plan

Background (18/8/2016)

Council has received requests from the community for the provision of additional accessible parking spaces on the western side of Campbelltown Rail Station.

At present there are 16 accessible parking spaces along Farrow Road near the Station of which 8 spaces are on-street parking and 8 are within the Transport for NSW Commuter car park to the north of the station entrance (total 64) adjacent to the rail corridor.

Following the request to increase the number of accessible parking on the western side of the rail line, Council Officers have inspected the site on a number of occasions observing that all the 16 accessible parking bays are generally occupied.

Council Officers have developed a concept plan as shown in Attachments 1 and 2 with a proposal to modify existing on-street parking restrictions, relocating the 3P parking spaces and creating additional accessible parking. The following are the main features of the proposal;

1. On the western kerb near the commuter car park, convert nine 3P parking spaces to six additional accessible parking spaces (refer note 1, Attachment 1A).
 2. On the eastern kerb, on the departure end of the bus and taxi zones, provide eight 3P parking bays by (refer note 2, Attachment 1A);
 - a. Reducing a 'No Stopping' zone.
 - b. The existing bus zone is 70.5 m long and on enquiry with the bus operator it is noted that only one bus operates every twenty minutes. It is thus proposed that the existing bus zone be reduced to 47.5m which can accommodate two buses.
 - c. Relocating the 10m taxi zone to the southern end of the proposed reduced bus zone.
-

-
3. Provide 95m long BB Line marking to delineate two way traffic (refer note 3, Attachment 1A).
 4. Replace an existing access gate to Lot 4 (vacant parcel of land to the north of existing commuter car park) by a fence type gate as this would encourage pedestrians to follow the footpath to the pedestrian crossing at the station entrance (refer note 4, Attachment 1A).
 5. On the western kerb near the approach to Badgally Road roundabout provide 36.5m of 3P parking (six bay spaces) (refer note 5, Attachment 1B) by:
 - a. Reducing the existing 1/4P zone from 106m to 83m- and convert to 3P parking. Site observations were carried out by Council Officers to determine the utilisation of this 1/4P zone in both the morning and afternoon peak periods. It was noted that at a time maximum of 4 cars stop to pick up or drop off commuters. It is therefore proposed that this existing 1/4P zone be reduced from 106m to 83 m which can accommodate 14 cars.
 - b. Converting a 13.5m section of 'No Stopping' to '3P' parking.
 - c. Provide 95m long BB Line marking to delineate two way traffic (refer note 6, Attachment 1B).

The above proposal provides six additional accessible parking spaces bringing the total to 22 spaces on the western side of Campbelltown Rail Station. With the changes there is also an additional 5 spaces of 3P parking. It is recommended that the proposed changes to the parking on Farrow Road as shown on Plan 12857 sheet 3 and 4 be approved.

Officer's Recommendation

That Council approve the amended parking changes in Farrow Road as shown on Plan 12857 sheet 3 and 4.

Discussion (18/8/2016)

The committee discussed the matter and supported the recommendation as presented.

Recommendation of Local Traffic Committee

That Council approve the amended parking changes in Farrow Road as shown on Plan 12857 sheet 3 and 4.

LTC 16/19 Fuchsia Crescent, Macquarie Fields - school zone parking restrictions

Previous Report: CTC 16/5
Electorate: Macquarie Fields
Author Location: Traffic and Road Design Unit

Attachments

1. Photos showing restricted access to driveway and Fuchsia Crescent
2. Concept Plan 12815 Initial Consultation Plan
3. Concept Plan 12815 Second Consultation Plan Revision 'A'

Background (18/8/2016)

The Traffic Committee at its meeting of 10 March 2016 recommended a further report be provided following public consultation with local residents on the provision of 'No Stopping' restrictions from No 26 to No 38 Fuchsia Crescent, Macquarie Fields.

In response to the concerns raised by the residents, Council Officers have visited the site on numerous days at various times. During the investigation a number of photographs were taken (see attachment 1) which depicts the congestion that is occurring both in the street and at the bends. Drivers were found having difficulty manoeuvring their vehicles through this section of road safely and at instances blocked the driveways. Based on this information a concept plan was prepared for consultation with the residents. The plan provided a proposal for 175m of 'No Stopping' restriction 2:00PM to 3:30PM School Days on the inside leg of Fuchsia Crescent (refer attachment 2)

Council sent the concept plan to 50 affected residents but received a response from 13 residents only and out of these only 5 residents were in favour of the proposal and the other 8 did not support the proposal. The general comments by the residents were:

1. Signs were not necessary and if driveway access is required they would ask parents to move their vehicles.
2. That applying the parking restriction to only one side of the road will not resolve the issue as the problem will be shifted to the other side of the road.

In reviewing the comments made by the residents, and based on Council Officer's site assessments and the continued concerns about vehicle movement around the bends a revised Concept Plan revision A (refer attachment 3) was prepared. Further consultation with the residents was undertaken, providing 'No Stopping' zones (2:00 PM to 3:30pm School Days) from house number 35 to 45 and from 36 up to 1 Apple Place.

Council sent the revised concept plan to 59 residents but received only 6 responses. Only one resident objected to the proposal advising that the signs makes no difference and are not required. Two of the responses didn't oppose the treatment but suggested that more be

done otherwise parking problems will be shifted further down the street as well as on the opposite side of the road. They suggested parking restrictions on both sides of the street be provided.

From the results of first consultation and the second consultation, it is concluded the drivers are finding it unsafe to negotiate these two bends due to the parked vehicles and hence the second proposal is more acceptable to the residents. It is recommended that Council install the 'No Stopping' restrictions as shown on Concept Plan 12815 revision A, and monitor the traffic movement for a period of at least six months for future evaluation. In addition to this, Council's Compliance Officers will be advised for regular enforcement in the street which will assist in kerbing the concerns.

Officer's Recommendation

1. That Council install 'No Stopping' 2.00 PM to 3.30 PM School Days parking restrictions in Fuchsia Crescent as indicated on Concept Plan 12815 Revision A.
2. The parking restriction be reviewed after a six month period.

Discussion (18/8/2016)

The Committee discussed the matter and supported the recommendations as presented.

Recommendation of Local Traffic Committee

1. That Council install 'No Stopping' 2.00 PM to 3.30 PM School Days parking restrictions in Fuchsia Crescent as indicated on Concept Plan 12815 Revision A.
 2. The parking restriction be reviewed after a six month period.
-

LTC 16/20 Chamberlain Street/Lindesay Street, Campbelltown - parking near local shops

Previous Report: Nil
Electorate: Campbelltown
Author Location: Traffic and Road Design Unit

Attachments

1. Concept plan for consultation with the shop owners
2. Signage Plan 12866, Lindesay Street and Chamberlain Street

Background (18/8/2016)

Council received a request from one of the shopkeepers of Chamberlain Street located at the corner of Lindesay Street, Campbelltown, to consider installing parking restrictions in the parking area adjacent to the shops. The Shopkeeper advised that some motorists are parking in this car park for hours and even days at times reducing the capacity for shop customers.

At present the local shopping area has nine businesses facilitated by 24 parking spaces, 90° angle front to kerb, with one lot designated 'No Parking Australia Post Vehicles Excepted' in front of the Post Office and one lot for accessible parking.

Following discussion with the shopkeeper, Council prepared a concept plan (refer attachment 1) with a proposal to convert six car spaces on the Chamberlain Street frontage and four spaces on the Lindesay Street frontage as '1P' parking restriction, seven days a week. Consultation with the 8 shopkeepers was carried out and 7 supported the proposal one opposed to it.

Based on the overall support for the proposed parking restrictions, Council Officers have prepared a sign posting Plan 12866 (refer attachment 2) for the parking lots adjacent to these shops introducing 10 spaces with '1P' parking and 13 spaces unrestricted. It is recommended that Council install the parking changes as shown on Plan 12866.

Officer's Recommendation

That Council install '1P' parking restrictions to 10 parking spaces at the local shopping centre located at the corner of Lindesay Street/ Chamberlain Street shopping area as indicated on Plan 12866.

Discussion (18/8/2016)

The Committee discussed the matter and supported the recommendation as presented.

Recommendation of Local Traffic Committee

That Council install '1P' parking restrictions to 10 parking spaces at the local shopping centre located at the corner of Lindesay Street/ Chamberlain Street shopping area as indicated on Plan 12866.

6. LATE ITEMS

No reports this round

7. GENERAL BUSINESS

LTC 16/21 Roads and Maritime Services Outstanding Issues

Previous Report: Nil
Electorate: All Electorates
Author Location: Traffic and Road Design Unit

Attachments

Nil

Background (18/8/2016)

The Roads and Maritime Services representative was requested to provide responses to a number of outstanding issues which have not as yet been resolved.

1. Request for green arrow - traffic lights from Broughton Street onto Moore Oxley Bypass

Following a number of requests to RMS regarding safety issues at this intersection, the RMS representative advised that no further action will be taken regarding the request for a green arrow at the traffic lights from Broughton Street onto Moore Oxley Bypass. The RMS consider it is Council's responsibility to conduct the investigation and design. This information is then to be presented to RMS for their consideration. If supported RMS will undertake the works when funds are available.

2. Request for Pedestrian Refuge - Corner of Pembroke Road and Durham Street, Minto

The RMS representative advised that this matter is still being investigated, however the RMS could not justify providing funds for a pedestrian refuge. With regard to the installation of traffic signals the RMS representative advised that the volume of traffic would not warrant traffic signals at this location.

The RMS representative advised there is also a major drainage issues at this relocation and it would be costly to proceed with any pedestrian refuge or traffic signals. The Executive Manager Infrastructure advised that he was not aware of any drainage problems at this location.

3. Kellerman Drive/Appin Road Intersection - turning phase

The RMS representative advised that no further action will be taken regarding a turning phase at the traffic signals as RMS considers this is a Council issue.

4. Kellicar Road/Tindall Street - Upgrade

The Committee were advised that RMS have undertaken design and now seeking funds for the upgrade, however nothing as yet has been signed off.

5. Menangle Road - Road works

The Executive Manager Infrastructure requested information on why the speed has been reduced to 40kph during the present road works on Menangle Road.

The RMS representative advised she would follow up this request.

6. Narellan Road - Congestion

Following Council's repeated concerns regarding the carriageways on Narellan Road, the Executive Manager Infrastructure asked why Narellan Road has been reduced to two lanes west of the M31 and also why the works are taking so long to be completed. Major congestion is constantly being experienced and drivers are using alternate routes such as Raby Road and Menangle Road.

The RMS representative advised that she had discussed this issue with the Project Manager and has suggested that physical devices be installed after the University lights heading towards Narellan. The RMS representative has suggested VMS boards as a trial, however this project will last for twelve to eighteen months.

The RMS representative will follow up with the VMS boards and also investigate if the merge lane can be extended.

Recommendation of Local Traffic Committee

That Roads and Maritime Services provide written responses to the issues that have not been resolved.

8. DEFERRED ITEMS

No reports this round

There being no further business the meeting closed at 10.00am.

P Lake
CHAIRPERSON

7.9 Rail Noise Barrier Request at Ingleburn

Division

City Delivery

Reporting Officer

Director City Delivery

Attachments

Letter from the Hon. Duncan Gay MLC, Minister for Roads, Maritime and Freight dated 29 August 2016 (contained within this report).

Purpose

To provide an update on the request received via a petition for a noise barrier at Ingleburn adjacent to the southern railway line between Gordon Avenue and James Street, Ingleburn.

History

A petition regarding a request for a noise barrier at Ingleburn, adjacent to the southern railway line between Gordon Avenue and James Street, Ingleburn was presented to Council's meeting of 21 July 2015. Council resolved at the meeting as follows:

1. That Council write to the appropriate Minister and Department requesting the urgent installation of a noise barrier adjacent to the rail corridor along Redfern Road between Gordon Avenue and James Street, Ingleburn.
2. That Council write to the Local Member requesting his support in the matter.
3. That following the completion of recommendation one and two a report be presented outlining how much noise reduction would be made through the installation of noise barriers along the rail corridor and investigate other areas in the Glenfield to Macarthur rail corridor where noise barriers would be appropriate.

Accordingly, Council wrote to the Minister for Transport and Infrastructure, requesting the installation of a noise barrier and the Member for Macquarie Fields, requesting his support for the request. A report was also presented in regards to resolution 3 to the Council meeting of 27 October 2015 (Item 1.3 City Works Committee meeting 20 October 2015).

Responses were received from the Minister for Transport and Infrastructure and the Minister for Infrastructure and Regional Development.

Report

Advice has now been received from the Minister for Roads and Maritime Freight, advising that Transport for NSW has completed its investigations into rail noise at Redfern Street, Ingleburn.

The Minister advised that Transport for NSW conducted noise monitoring on the rail track opposite 9 Redfern Street for a two week period from 15 to 29 March 2016. He advised that this testing point was chosen as it is in the centre of the street and the house is representative of other properties in the street.

The results from the monitoring were used to calculate the noise impacts on the ten residences in Redfern Street. The results indicated the average day and night noise levels at Redfern Street residences at 62 dB(A). The threshold for treatment is 65 dB (A).The Minister advises that this level is typical of residences adjacent to straight and level tracks across the network and substantially lower than tracks on steep grades or with tight curves.

The Minister advised that, apart from exceptional cases, noise walls are not the preferred noise mitigation treatment due to their cost, visual impact and ongoing maintenance requirements. Therefore, based on the results, the noise wall at Redfern Street was not recommended. However, the Minister also advised that, while the noise levels at residences in Redfern Street fell below the threshold required for treatment under the Freight Noise Attenuation Program, Transport for NSW, identified two adjacent properties located at 5 James Street and 2 Gordon Avenue which may be eligible for treatment and Transport for NSW will contact the residents of these properties and provide them with information about the program.

At this point in time, the only program in Australia which specifically addresses the impacts of freight rail noise on residential properties is the NSW Government's Freight Noise Attenuation Program which was launched in August 2015. The Australian Rail Track Corporation does not have a similar program.

The Minister advised that discussions between Transport for NSW and the Australian Rail Track Corporation regarding the responsibility for managing rail noise impacts are ongoing.

Officer's Recommendation

1. That the information be noted.
 2. That the head petitioner be informed of the outcome of the investigation undertaken by Transport for NSW.
-

ATTACHMENT 1



The Hon. Duncan Gay MLC
Minister for Roads, Maritime and Freight
Leader of the Government in the Legislative Council

BN16/00577

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

SEP02'16 07:59:27 RCVD

Dear Mrs Deitz

Further to the Minister for Transport and Infrastructure's correspondence of 13 April 2016, Transport for NSW has completed its investigations into rail noise at Redfern Street, Ingleburn.

Transport for NSW conducted noise monitoring on the rail track opposite 9 Redfern Street for a two-week period from 15 to 29 March 2016. This testing point was chosen as it is in the centre of the street and the house is representative of other properties in the street.

The results were used to calculate the noise impacts on the 10 residences in Redfern Street. I am advised the average day and night noise levels at Redfern Street residences was 62 dB (A). This is typical of residences adjacent to straight and level tracks across the network, and substantially lower than tracks on steep grades or with tight curves.

Apart from exceptional cases, noise walls are not the preferred noise mitigation treatment due to their cost, visual impact and ongoing maintenance requirements. Based on these monitoring results, I am advised a noise wall at Redfern Street is not recommended.

The NSW Government launched the Freight Noise Attenuation Program in August 2015. This program, valued at \$50 million over ten years, offers noise reduction treatments to residents' houses impacted by high levels of rail freight noise. Treatments include the installation of acoustically rated windows and doors, sealing gaps and ventilation. The threshold for treatment under this program is average night noise levels of 65 dB(A).

I am advised this is the only program in Australia which specifically addresses the impacts of freight rail noise on residential properties. The Australian Rail Track Corporation does not have a similar program.

While the noise levels at residences in Redfern Street fall below the threshold required for treatment under the program, Transport for NSW has identified two adjacent properties located at 5 James Street and 2 Gordon Avenue which may be eligible for treatment.

I have asked Transport for NSW to contact the residents at these properties and provide them with information about the program.

Discussions between Transport for NSW and the Australian Rail Track Corporation regarding responsibility for managing rail noise impacts are ongoing.

If you require further information on this issue, Mr Justin McGuire, Principal Manager Freight Access and Performance at Transport for NSW, would be pleased to take your call on (02) 8202 2591. I hope this has been of assistance.

Yours sincerely

Signature has been removed

Duncan Gay MLC 29-8-16

7.10 Revised Policy - Community Development

Division

City Lifestyles

Reporting Officer

Manager Community Resources and Development

Attachments

Community Development (contained within this report)

Purpose

To seek Council's endorsement on the Community Development - People with Disability Policy.

History

The above mentioned policy was adopted by Council on 12 November 2013 and is now due for review in accordance with the Records and Document Management Policy.

Report

The above mentioned policy was reviewed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

A few minor amendments have been made as follows:

- To strengthen conditions for community wellbeing through building on the strengths, assets and opportunities of the community. This is reflected in the additional wording added under the heading Objectives.
 - Build foundations of community wellbeing through the development of aspirational policy, advocating for resources, building the capacity of community organisations and community leaders, enabling community participation and encouraging early intervention in priority issues. This is reflected in the additional wording added under the heading Policy Statement.
-

Officer's Recommendation

1. That the revised Community Development Policy as attached be adopted.
 2. That the Policy review date be set at 30 September 2019.
-

ATTACHMENT 1

| | | |
|---|---|---------------|
|  | | POLICY |
| Policy Title | Community Development | |
| Responsible Officer | Manager Community Resources and Development | |

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

1. To develop and implement high quality community development programs.
2. To engage residents, non-government organisations and government agencies in comprehensive community development.
3. To strengthen conditions for community wellbeing through building on the strengths, assets and opportunities of the community.
4. To attain optimum social outcomes for the City of Campbelltown.

Policy Statement

1. Develop and implement programs using the social justices' principles outlined in the Integrated Planning and Reporting Framework for Local Government in NSW.
2. Develop and implement community development programs using best practice models such as early intervention and a strength-based approach.
3. Build foundations of community wellbeing through the development of aspirational policy, advocating for resources, building the capacity of community organisations and community leaders, enabling community participation and encouraging early intervention in priority issues.
4. Use a partnership approach to ensure that programs are comprehensive and sustainable.
5. Engage community leaders in the development and implementation of programs to ensure broad commitment from the community.
6. Integrate community development programs into the operation and services provided by Council.
7. Work with the other levels of government to ensure that community services are planned, funded and delivered in a coordinated and cost effective manner.

END OF POLICY STATEMENT

7.11 Revised Policy - Access and Equity - People with Disability

Division

City Lifestyles

Reporting Officer

Manager Community Resources and Development

Attachments

Access and Equity - People with Disability (contained within this report)

Purpose

To seek Council's endorsement on the Access and Equity - People with Disability Policy.

History

The above mentioned policy was adopted by Council on 21 March 2000 and is now due for review in accordance with the Records and Document Management Policy.

Report

The above mentioned policy was reviewed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

The Access and Equity - People with a Disability Policy has been reviewed and found that the legislative requirement for Local Government to have a Disability Inclusion Action Plan (DIAP) in place by 1 July 2016 has been included in the policy. It is recommended that the policy be adopted and a new review date set.

The DIAP will include four key focus areas that have been identified as primary importance in creating an inclusive community:

These are:

- Developing positive community attitudes and behaviours
 - Developing positive liveable communities
 - Supporting access to meaningful employment
 - Improving access to services through better systems and processes
-

Officer's Recommendation

1. That the revised Access and Equity - People with Disability Policy as attached be adopted.
2. That the Policy review date be set at 30 September 2019.

ATTACHMENT 1

| | | |
|---|--|---------------|
|  | | POLICY |
| Policy Title | Access and Equity - People with a Disability | |
| Responsible Officer | Manager Community Resources and Development | |

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To ensure that people with a disability as far as possible have equal access to all Council facilities and services.

Policy Statement

1. Council will act in accordance with the Disability Discrimination Act to ensure there is no discrimination as far as possible based on disability in any of its functions, services and programs and will encourage any of the organisations to which it provides facilities or funding to do the same.
2. Council will work cooperatively with the community to ensure that people with disability have access to services and facilities that allow them to live and participate in their community.
3. Council will monitor the needs of people with disability and their carers and where possible, respond as appropriate on a priority basis depending on available resources.
4. Council will work towards its objective of ensuring that physical access for people with disability provided as far as possible at all the facilities it controls and encourage other organisations to provide similar access, unless they are exempted by specific legislation.
5. Council will pursue work practices which do not discriminate against people with disability.
6. Council will ensure staff have opportunities to undertake training related to disability awareness and have the skills required to provide a level of service which takes into account the needs of people with disability.
7. Council will enforce the relevant building standards and other legislative requirements for the provision of access to new and redeveloped buildings.
8. Council will ensure as far as possible that local pedestrian networks are accessible to all people in the community.
9. Council develops and implements a Disability Inclusion Plan as required by the NSW Disability Inclusion Act 2014.

9. Council will actively seek funding for projects that may raise community awareness and provide better services and facilities for people with disability.
10. Council will ensure all members of the community including people with disability are able to participate in Council activities, including Community Consultative Committees.

END OF POLICY STATEMENT

7.12 Proposed road closure - section of land off Menangle Road, Menangle Park

Division

City Governance

Reporting Officer

Manager Property Services

Attachments

Locality Plan (contained within this report)

Purpose

To seek Council approval for the closure of an additional section of public road situated off Menangle Road, Menangle Park to satisfy statutory requirements.

History

Council at its meeting of 28 August 2012 approved the closure of a section of unformed road off Menangle Road, Menangle Park.

In accordance with the resolution a road closure application was forwarded to the NSW Department of Industry - Lands for approval. NSW Department of Industry - Lands approved the closure however the formal process was held in abeyance as a survey of Councils adjoining holdings was required to identify the boundaries.

As part of the sale of Councils development reserve land holdings at Menangle Park a detailed survey was undertaken which identified the section of road to be closed in a separate survey plan.

All the necessary work in respect to Councils previous resolution has now been undertaken with the road closure plan forwarded to NSW Department of Industry – Lands for signing prior to lodgement at the Land Titles Office.

Report

NSW Department of Industry - Lands have since advised that there is an additional portion of land situated between Menangle Road and the original portion of land for which Council sought road closure approval. NSW Department of Industry - Lands have requested that this additional section of land also be formally closed in order to regularise the road closure of this section.

On this basis NSW Department of Industry - Lands have indicated that Council can rely upon the original road closure application however a new 28 day notification period in accordance with the *Roads Act 1993* is required to meet the statutory obligations. The subject section of road has an area of approximately 339sqm which is in addition to the area of approximately 1480sqm that was subject to the road closure application. The land is currently zoned IDO 15, 1 Non Urban (40ha minimum).

Following the notification period the relevant documentation will be forwarded to NSW Department of Industry - Lands for consideration in conjunction with the original road closure application and associated plan.

Upon closure of the subject sections of land, title will be issued in Councils name. In order to comply with the terms and conditions in the Contract for Sale associated with the recent sale of Councils development reserve land at Menangle Park, the section of closed road land will then be formally transferred into the ownership of the new owner, Dahua.

Following the road closure the land will be required to be classified as operational land in order to be able to transfer the subject section of closed road to Dahua.

Accordingly it is recommended that Council approve the proposed road closure and undertake a new 28 day notification period in order that an application can be made to NSW Department of Industry - Lands and the creation of a new title in Councils name.

Officer's Recommendation

1. That Council approve the closure of the unformed subject section of road off Menangle Road, Menangle Park and for an application to be forwarded to the NSW Department of Industry - Lands to effect such closure, if required.
 2. That Council undertake a 28 day notification period under the provisions of the *Roads Act 1993* period and forward the relevant letters and responses to NSW Department of Industry - Lands for consideration with the existing road closure application.
 3. That upon formal closure of the residue section of that part of Menangle Road, Menangle Park the land be classified as operational land.
 4. That all documentation associated with the road closure be executed under the Common Seal of Council, if required.
 5. That all documentation associated with the transfer of the section of closed road be executed under the Common Seal of Council, if required.
-

ATTACHMENT 1



7.13 Proposed dedication of roadway adjoining O'Sullivan Road, Leumeah

Division

City Governance

Reporting Officer

Manager Property Services

Attachments

Locality Plan showing area to be dedicated (contained within this report)

Purpose

To seek Council approval to accept the dedication of a strip of land from NSW Land and Housing Corporation for road widening purposes.

Report

Council has received a request from NSW Land and Housing Corporation (NSWLHC) proposing to dedicate a strip of land along O'Sullivan Road, Leumeah to Council for road widening purposes.

NSWLHC have advised that as part of their Housing and Property Group audit process, periodic assessment of their assets has been carried out which revealed a sliver of land within Councils Local Government Area (LGA) that should have previously been dedicated to Council as roadway.

NSWLHC propose to dedicate the subject section of land for road widening purposes as public road shown in the attached Deposited Plan 817530. The subject section of land has an area of approximately 16.38sqm (1.075m wide at its widest point).

Council officers from City Delivery have indicated that they have no issue in accepting dedication of the subject strip of land.

In this respect it is recommended that Council accept dedication of the subject strip of land along O'Sullivan Road, Leumeah from NSW Land and Housing Corporation for road widening purposes as public road.

The dedication of the road widening strip is to be at no cost to Council.

Officer's Recommendation

1. That Council accept dedication of a strip of land from NSW Land and Housing Corporation for road widening purposes at O'Sullivan Road, Leumeah.
2. That all documentation associated with the dedication of the land be executed under the Common Seal of Council, if required.

ATTACHMENT 1

7.14 Financial Assistance Grant 2016-2017

Division

City Governance

Reporting Officer

Executive Manager Corporate Services and Governance

Attachments

1. Letter from NSW Local Government Grants Commission dated 15 August 2016 (contained within this report)
2. Extract from Schedule of Recommendations from NSW Local Government Grants Commission (contained within this report)

Purpose

To provide a report outlining Council's allocation of Financial Assistance Grant Funding for 2016-2017.

Report

Council received correspondence dated 15 August 2016 from the NSW Local Government Grants Commission advising of their recommendation for the allocation of the 2016-2017 Financial Assistance Grant. The grant is made up of two components; the General Purpose component and a Local Roads component and is paid to local councils under the provisions of the *Commonwealth Local Government (Financial Assistance) Act 1995*.

Although there are two separately identified grant components, the total funds are paid to Council as unconditional grants and therefore may be used for any purpose according to Council's local priorities. Council allocates the General Purpose component to fund various operational activities, however the Local Road component, is specifically allocated for the renewal of Council's local road network.

Financial Assistance Grant - History

| Year | General Purpose \$ | Local Roads \$ | Total entitlement \$ | Total entitlement % change | CPI/Pop adjustment \$ | Total payments \$ |
|-----------|-----------------------|-------------------|-------------------------|-------------------------------|--------------------------|----------------------|
| 2012-2013 | 8,745,250 | 1,554,544 | 10,299,794 | 2.9% | (229,919) | 10,069,875 |
| 2013-2014 | 8,744,340 | 1,610,313 | 10,354,653 | 0.5% | (12,782) | 10,341,871 |
| 2014-2015 | 8,588,854 | 1,621,702 | 10,210,556 | -1.4% | 58,664 | 10,269,220 |
| 2015-2016 | 8,311,948 | 1,616,785 | 9,928,733 | -2.8% | 11,104 | 9,939,837 |
| 2016-2017 | 7,897,795 | 1,626,151 | 9,523,946 | -4.1% | 1,520 | 9,525,466 |

As part of the 2014-2015 Federal Budget the Government announced that it "...will achieve savings of \$925.2m over four years by pausing indexation of the Local Government Financial Assistance Grants Programme for three years commencing 1 July 2014." Accordingly, there will be no further adjustments to the overall national funding pool for CPI and population growth until the 2017-2018 year. It is expected that there will be annual adjustments to the general purpose pool to take into account population share changes across jurisdictions. As per the advice from the NSW Local Government Grants Commission this pausing of indexation remains in place.

The general purpose component has decreased by \$414,153 from the 2015-2016 year. This is due to this component of the grant being allocated to the States on a population basis. Combined with the pause in indexation, it is anticipated the NSW share of the general purpose component grant will decrease over the next two years. NSW will continue to receive its 29% fixed share of the local roads component.

The CPI and population estimates used by the Commonwealth to determine 2015-2016 grants varied from the actual results. This resulted in an underpayment occurring for the amount paid to NSW in 2015-2016. The underpayment amounted to \$92.8K for the general purpose component and no change for the local roads component. The adjustments are made across the 2016-2017 quarterly instalments and amount to \$1,520 for Campbelltown City Council.

Details of the amount allocated to Council for the 2016-2017 Financial Assistance Grant as compared to budget are shown in the table below:

| Component | General Purpose \$ | Local Roads \$ | Total \$ |
|--------------------------|-------------------------------|---------------------------|---------------------|
| 2016-2017 entitlement | 7,897,795 | 1,626,151 | 9,523,946 |
| 2015-2016 CPI adjustment | 1,520 | 0 | 1,520 |
| TOTAL | 7,899,315 | 1,626,151 | 9,525,466 |
| 2016-2017 budget | 8,300,000 | 1,621,700 | 9,921,700 |
| Adjustment required | (400,685) | 4,451 | (396,234) |


The table above reflects a reduced amount of \$396,234 in the 2016-2017 Financial Assistance Grant as compared to the original budget. This adjustment will be subject to a further report in the September Quarterly Financial Review.

Officer's Recommendation

1. That the information be noted.
2. That the 2016-2017 Financial Assistance Grant budget be adjusted in the September 2016 quarterly review.

ATTACHMENT 1

Strengthening local government



**Local Government
Grants Commission**

5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

Our Reference: A506311
Your Reference:
Contact: Bruce Wright
Phone: 02 4428 4132

AUG19'16 07:47:07 RCVD

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

15 August 2016

Dear Mrs Deitz

The NSW Minister for Local Government, the Hon Paul Toole MP and the Commonwealth Minister for Infrastructure and Transport, the Hon Darren Chester MP, have approved the Grants Commission's recommendations for the 2016-17 financial assistance grants.

The 2016-17 estimated entitlement for Campbelltown City Council is \$9,523,946. This consists of two components:

- a general purpose component of \$7,897,795
- a local roads component of \$1,626,151.

The local roads component consists of a population and local road length formula amount of \$1,488,489 and a bridge length formula amount of \$137,662.


The total grant is a general purpose grant with no conditions attached to the expenditure of these funds.

Campbelltown City Council's payments for 2016-17 are made up of the 2016-17 estimated entitlement of \$9,523,946 **plus** an adjustment for 2015-16. The 2015-16 adjustment for Campbelltown City Council, which amounts to \$1,520, applies to the general purpose component, there is no adjustment for the local roads component. The adjustment is necessary because of a determination by the Federal Treasurer of the *final factor* for the 2015-16 grants, as required under the provisions of the *Local Government (Financial Assistance) Act 1995* (Cwlth).

The grant payments for Campbelltown City Council, which total \$9,525,466, are made up of \$7,899,315 for the general purpose component and \$1,626,151 for the local roads component, will be paid by way of instalments as set out below:

| <u>Date</u> | <u>Amount</u> |
|------------------------------------|------------------|
| Not before 16 August 2016 | : \$2,381,366.50 |
| Not before 16 November 2016 | : \$2,381,366.50 |
| Not before 16 February 2017 | : \$2,381,366.50 |
| Not before 16 May 2017 | : \$2,381,366.50 |

T 02 4428 4132 F 02 4428 4199 TTY 02 4428 4209
E grants@dlg.nsw.gov.au
W <http://www.dlg.nsw.gov.au> (follow the "Commissions & Tribunals" links)



You are reminded that as part of the 2014-15 Federal Budget the Government announced that it *"...will achieve savings of \$925.2 million over four years by pausing indexation of the Local Government Financial Assistance Grants Programme for three years commencing 1 July 2014."* Accordingly, there will be no significant changes to the overall national funding pool until at least the 2017-18 year.

It should be noted that the general purpose component of the grants is allocated to the States on a population basis. This will mean the NSW share of the general purpose component grant will change during the period of paused indexation because of annual changes in population growth relativities across jurisdictions.

NSW will continue to receive its 29% fixed share of the local roads component.

The grants to individual councils will continue to fluctuate during this period as the Grants Commission makes its annual assessment of relative need. Accordingly, councils are urged to exercise caution with their financial assistance grants budget forecasts.

A Grants Commission circular (GC 143) has been e-mailed to Council showing a schedule of councils' grant entitlements for 2016-17, together with background information about the grants. Further information is available from the Grants Commission's web site at www.olg.nsw.gov.au (follow the "Commissions & Tribunals" links).

Should you require any further information please contact me on (02) 4428 4132 or by email at bruce.wright@olg.nsw.gov.au.

I trust this information is of assistance.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Bruce Wright
Executive Officer

ATTACHMENT 2

**NSW LOCAL GOVERNMENT GRANTS COMMISSION
2016-17 FINANCIAL ASSISTANCE GRANTS - SCHEDULE OF RECOMMENDATIONS**

| Council | Estimated Entitlement 2016-17 | | +/- Adjustment 2015-16 | | Cash Payment 2016-17 | | Total Cash payment 2016-17 |
|----------------------|-------------------------------|-------------|------------------------|-------------|----------------------|-------------|----------------------------|
| | General Purpose | Local Roads | General Purpose | Local Roads | General Purpose | Local Roads | |
| Albury (C) | \$4,668,773 | \$1,286,247 | \$884 | \$0 | \$4,669,657 | \$1,286,247 | \$5,955,904 |
| Armada Regional | \$3,781,716 | \$2,279,958 | \$693 | \$0 | \$3,782,409 | \$2,279,958 | \$6,062,367 |
| Ballina (S) | \$2,826,331 | \$1,259,997 | \$470 | \$0 | \$2,826,801 | \$1,259,997 | \$4,086,798 |
| Bairnald (S) | \$2,396,104 | \$1,231,239 | \$408 | \$0 | \$2,396,512 | \$1,231,239 | \$3,627,751 |
| Bathurst Regional | \$4,114,049 | \$1,817,539 | \$792 | \$0 | \$4,114,841 | \$1,817,539 | \$5,932,380 |
| Bega Valley (S) | \$4,798,228 | \$1,821,985 | \$887 | \$0 | \$4,799,115 | \$1,821,985 | \$6,621,100 |
| Bellingen (S) | \$2,489,312 | \$855,689 | \$455 | \$0 | \$2,489,767 | \$855,689 | \$3,345,456 |
| Berrigan (S) | \$2,982,246 | \$1,277,741 | \$552 | \$0 | \$2,982,798 | \$1,277,741 | \$4,260,539 |
| Blacktown (C) | \$14,017,190 | \$3,098,501 | \$2,697 | \$0 | \$14,019,887 | \$3,098,501 | \$17,118,388 |
| Bland (S) | \$4,189,031 | \$2,746,813 | \$742 | \$0 | \$4,189,773 | \$2,746,813 | \$6,936,586 |
| Blayney (S) | \$1,597,790 | \$785,755 | \$296 | \$0 | \$1,598,086 | \$785,755 | \$2,383,841 |
| Blue Mountains (C) | \$6,980,234 | \$1,308,637 | \$1,245 | \$0 | \$6,981,479 | \$1,308,637 | \$8,290,116 |
| Bogan (S) | \$2,341,884 | \$1,341,895 | \$392 | \$0 | \$2,342,276 | \$1,341,895 | \$3,684,171 |
| Botany Bay (C) | \$932,090 | \$293,230 | \$166 | \$0 | \$932,256 | \$293,230 | \$1,225,486 |
| Bourke (S) | \$3,516,406 | \$1,772,460 | \$596 | \$0 | \$3,517,002 | \$1,772,460 | \$5,289,462 |
| Brewarrina (S) | \$2,328,924 | \$1,214,846 | \$391 | \$0 | \$2,329,315 | \$1,214,846 | \$3,544,161 |
| Broken Hill (C) | \$3,728,530 | \$477,136 | \$710 | \$0 | \$3,729,240 | \$477,136 | \$4,206,376 |
| Burwood | \$723,052 | \$245,538 | \$133 | \$0 | \$723,185 | \$245,538 | \$968,723 |
| Byron (S) | \$1,772,881 | \$1,095,250 | \$295 | \$0 | \$1,773,176 | \$1,095,250 | \$2,868,426 |
| Cabonne | \$2,546,085 | \$1,915,773 | \$455 | \$0 | \$2,546,540 | \$1,915,773 | \$4,462,313 |
| Camden | \$2,334,395 | \$1,151,111 | \$388 | \$0 | \$2,334,783 | \$1,151,111 | \$3,485,894 |
| Campbelltown (C) | \$7,897,795 | \$1,626,151 | \$1,520 | \$0 | \$7,899,315 | \$1,626,151 | \$9,525,466 |
| Canada Bay (C) | \$1,777,046 | \$594,150 | \$324 | \$0 | \$1,777,370 | \$594,150 | \$2,371,520 |
| Canterbury-Bankstown | \$8,726,605 | \$2,499,439 | \$1,679 | \$0 | \$8,728,284 | \$2,499,439 | \$11,227,723 |
| Carrathool (S) | \$3,201,259 | \$2,143,662 | \$549 | \$0 | \$3,201,808 | \$2,143,662 | \$5,345,470 |
| Central Coast | \$19,999,642 | \$4,158,441 | \$3,512 | \$0 | \$20,003,154 | \$4,158,441 | \$24,161,595 |
| Central Darling (S) | \$3,470,375 | \$1,482,736 | \$584 | \$0 | \$3,470,959 | \$1,482,736 | \$4,953,695 |
| Cessnock (C) | \$5,167,808 | \$1,578,545 | \$968 | \$0 | \$5,168,776 | \$1,578,545 | \$6,747,321 |
| Clarence Valley | \$7,139,758 | \$3,062,972 | \$1,295 | \$0 | \$7,141,053 | \$3,062,972 | \$10,204,025 |
| Cobar (S) | \$3,652,343 | \$1,606,335 | \$631 | \$0 | \$3,652,974 | \$1,606,335 | \$5,259,309 |
| Coffs Harbour (C) | \$4,947,558 | \$2,009,083 | \$894 | \$0 | \$4,948,452 | \$2,009,083 | \$6,957,535 |
| Coolamon (S) | \$2,123,859 | \$1,139,841 | \$372 | \$0 | \$2,124,231 | \$1,139,841 | \$3,264,072 |
| Coonamble (S) | \$2,196,703 | \$1,376,105 | \$403 | \$0 | \$2,197,106 | \$1,376,105 | \$3,573,211 |
| Cowra (S) | \$2,857,020 | \$1,352,179 | \$523 | \$0 | \$2,857,543 | \$1,352,179 | \$4,209,722 |

7.15 Investment Report - July and August 2016

Division

City Governance

Reporting Officer

Executive Manager Corporate Services and Governance

Attachments

Investment portfolio performance for the months of July and August 2016 (contained within this report)

Purpose

To provide a report outlining Council's investment portfolio performance for July and August 2016.

Report

Council holds a number of reserves in order to fund significant future liabilities or future objectives. These liabilities include insurance claims, employee leave entitlements and asset replacement. In addition, Council is also required to hold funds that under the *Local Government Act 1993*, are not permitted to be used for any other purposes than those originally collected for. These include developer contributions, specific purpose grants, domestic waste management, contributions and stormwater management funds.

Council invests funds through the financial instrument designated by the Ministerial Order from the Office of Local Government. The *Local Government Act 1993* and the *Local Government (General) Regulation 2005* require a monthly investment report be presented to Council.

Council's Investment Portfolio as at 31 August 2016 stood at approximately \$135m. Funds are currently being managed both by Council staff and Fund Managers and are in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2005* and Council's Investment Policy.

Portfolio Performance

Directly managed investments have consistently outperformed the AusBond bank bill index benchmark.

| Monthly annualised return | August | July |
|------------------------------------|--------|-------|
| Council Managed Funds | 2.93% | 2.98% |
| Benchmark: AusBond Bank Bill Index | 2.03% | 2.08% |

Investment returns can fluctuate during any one reporting period based on market perceptions, or as in the case of funds under management, changes in asset classes. As such, any measurement of performance is better reflected over a rolling 12 month period to average out any fluctuations in monthly performance. Council's total investment portfolio has outperformed the benchmark on average over the last 12 months.

| Rolling year to date return | August | July |
|------------------------------------|--------|-------|
| Council Managed Funds | 3.10% | 3.11% |
| Benchmark: AusBond Bank Bill Index | 2.20% | 2.20% |

Council's portfolio as at 31 August 2016 is diversified with 73% in term deposits of varying lengths of maturity which are managed in accordance with market expectations and Council's investment strategy, 25% in floating rate deposits which gives Council a set margin above either 30 or 90 day bank bills and 2% in funds in a short term at call account.

| Maturity profile | 31 August |
|--------------------|--------------|
| Short term at call | \$2,042,229 |
| 0 – 3 months | \$37,950,432 |
| 3 – 6 months | \$35,469,961 |
| 6 – 12 months | \$24,662,519 |
| 12 months + | \$35,000,000 |

All investments are placed with approved deposit taking institutions. No funds are placed with any unrated institutions.

| Credit exposure (S&P Long Term / Short Term Rating) | 31 August |
|--|-----------|
| Long AAA to AA- / Short A-1 | 62% |
| Long A+ to A- / Short A-1 | 28% |
| Long BBB+ to BBB- / Short A-2 | 10% |

Economic outlook

The Board of the Reserve Bank of Australia (RBA) elected to further lower the cash rate by 25 basis points to its present level of 1.50% at its 2 August meeting. This was maintained when the RBA met on 6 September 2016 amid concerns that rates are becoming less effective at reducing the high Australian dollar or increasing growth within the economy.

Many economists believe that whilst there is room for further reductions to official interest rates, the closer it gets to zero may prove ineffective and the RBA may need to look at alternate methods to stimulate the economy.

Summary

Council's investment portfolio continues to outperform the benchmark of the AusBond bank bill index. The Local Government Investment Guideline leaves little scope for the enhancement of Council's investment portfolio with the various investment products being offered. However, to enhance the portfolio, advantage is taken on the length of maturity of the investment given the rating of the institution, as well as reviewing any new investment products offered in consultation with Council's financial advisor, Spectra Financial Services.

Regular liaison with Council's external financial advisor assists in monitoring all of the risk factors to maximise Council's return on the investment portfolio, while minimising the risk associated with this strategy.

Officer's Recommendation

That the information be noted.

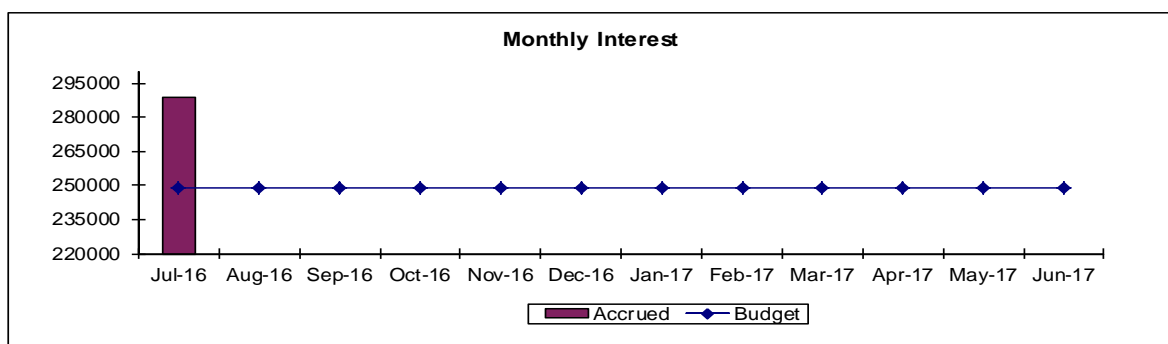
ATTACHMENT 1

CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO

July 2016

Benchmark AusBond Bank Bill Index
Portfolio Balance \$114,811,754.24

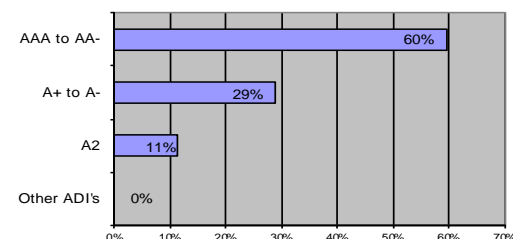
| Monthly Performance | Return (mth) | Return (pa) |
|---------------------------------|--------------|-------------|
| AusBond Bank Bill Index | 0.18% | 2.08% |
| Portfolio - Direct Investments | 0.25% | 2.98% |
| <i>Performance to Benchmark</i> | + 0.08% | + 0.91% |
| Short Term Call Account | 0.18% | 2.15% |



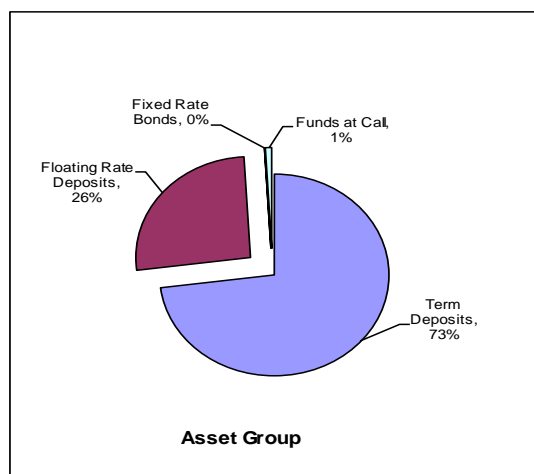
Year to Date Performance Credit Exposure (S&P Long Term Rating)

Rolling 12 Month Period
3.11% Council Managed Funds
2.20% Benchmark

Interest Budget to Actual
Average Budget to Period \$248,733
Actual Accrued to Period \$288,541



Portfolio Diversity



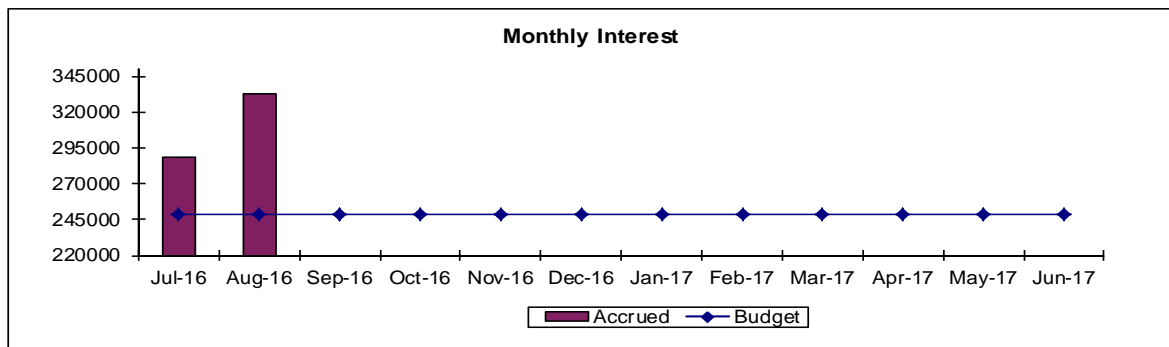
| | | | % |
|-------------------------|--------------------------|-----|-------------|
| NAB Funds at Call | \$ 1,036,632.44 | AA- | 1% |
| NSW Treasury | \$ 2,810,000.00 | AA+ | 2% |
| National Australia Bank | \$ 48,349,951.69 | AA- | 42% |
| ANZ Bank | | AA- | 0% |
| Westpac Bank | \$ 3,000,000.00 | AA- | 3% |
| Commonwealth Bank | \$ 5,000,000.00 | AA- | 4% |
| Bank Western Australia | \$ 8,276,009.74 | AA- | 7% |
| AMP Bank | \$ 5,000,000.00 | A+ | 4% |
| Suncorp Metway | \$ 18,217,238.76 | A+ | 16% |
| Rural Bank | \$ 4,029,238.36 | A- | 4% |
| Bank of Queensland | \$ 6,014,367.12 | A- | 5% |
| Peoples Choice CU | \$ 1,000,000.00 | A2 | 1% |
| My State CU | \$ 3,000,000.00 | A2 | 3% |
| Credit Union Aust | \$ 4,000,000.00 | A2 | 3% |
| Heritage Bank | \$ 2,000,000.00 | A2 | 2% |
| ME Bank | \$ 3,078,316.13 | A2 | 3% |
| | \$ 114,811,754.24 | | 100% |

CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO

August 2016

Benchmark AusBond Bank Bill Index
Portfolio Balance \$135,125,141.04

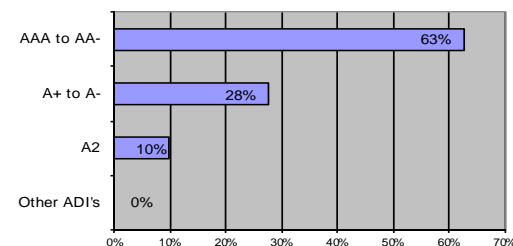
| Monthly Performance | Return (mth) | Return (pa) |
|---------------------------------|--------------|-------------|
| AusBond Bank Bill Index | 0.17% | 2.03% |
| Portfolio - Direct Investments | 0.25% | 2.93% |
| <i>Performance to Benchmark</i> | + 0.08% | + 0.91% |
| Short Term Call Account | 0.18% | 2.08% |



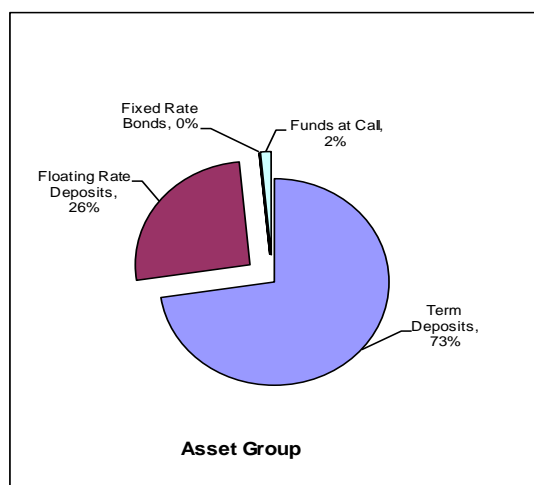
Year to Date Performance **Credit Exposure (S&P Long Term Rating)**

Rolling 12 Month Period
3.10% Council Managed Funds
2.20% Benchmark

Interest Budget to Actual
Average Budget to Period \$497,467
Actual Accrued to Period \$621,225



Portfolio Diversity



| | | | % |
|-------------------------|--------------------------|-----|-------------|
| Funds at Call | \$ 2,042,229.49 | AA- | 2% |
| NSW Treasury | \$ 2,810,000.00 | AA+ | 2% |
| National Australia Bank | \$ 48,436,995.56 | AA- | 36% |
| ANZ Bank | \$ - | AA- | 0% |
| Westpac Bank | \$ 3,052,520.55 | AA- | 2% |
| Commonwealth Bank | \$ 20,000,000.00 | AA- | 15% |
| Bank Western Australia | \$ 8,334,009.74 | AA- | 6% |
| AMP Bank | \$ 5,000,000.00 | A+ | 4% |
| Suncorp Metway | \$ 20,327,464.09 | A+ | 15% |
| Rural Bank | \$ 4,029,238.36 | A- | 3% |
| Bank of Queensland | \$ 8,014,367.12 | A- | 6% |
| Peoples Choice CU | \$ 1,000,000.00 | A2 | 1% |
| My State CU | \$ 3,000,000.00 | A2 | 2% |
| Credit Union Aust | \$ 4,000,000.00 | A2 | 3% |
| Heritage Bank | \$ 2,000,000.00 | A2 | 1% |
| ME Bank | \$ 3,078,316.13 | A2 | 2% |
| Total | \$ 135,125,141.04 | | 100% |

7.16 Monthly Rates Summary - September 2016

Division

City Governance

Reporting Officer

Executive Manager Corporate Services and Governance

Attachments

1. Monthly rates summary (contained within this report)
2. Actual to budget result (contained within this report)
3. Rates statistics (contained within this report)

Purpose

To provide details of the 2016-2017 rates and charges levy and cash collections for the period ending 30 September 2016.

Report

Rates and Charges levied for the month ending 30 September 2016 totalled \$100,371,509, representing 99.9% of the estimated budget for the year.

Rates and Charges collected to the end of September totalled \$32,859,824. In percentage terms this amount represents 32.3% of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 32.6%.

Debt recovery action during the month involved the issue of 7,991 missed instalment reminder notices to all ratepayers with an outstanding balance less than \$500. Defaulters with balances exceeding \$500 received a seven-day letter of demand requesting urgent attention to payment of the amount due or suitable arrangements to be made.

These letters were issued to 1,959 ratepayers with a collective debt of \$2,319,412. Instruction was given to Council's agents, Executive Collections, to issue a second seven-day letter to 495 ratepayers who had failed to pay the amount due. Interest charges aside no additional costs have been incurred by defaulters at this stage, formal legal action is due to commence early in October 2016. A reduction in the amount outstanding has been realised on these matters alone of \$1,801,412.

Ratepayers who have purchased property since the annual notices were issued are sent a 'Notice to New Owner' letter. This letter advises ratepayers the annual amount levied and any balance unpaid since settlement occurred. During September 32 of these notices were sent to ratepayers.

Officer's Recommendation

That the information be noted.

ATTACHMENT 1

RATES SUMMARY

STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

| RATE - CHARGE | NET ARREARS 1/7/2016 | NET LEVY FOR YEAR | PENSION REBATES | EXTRA CHARGES | TOTAL RECEIVABLE | CASH COLLECTED | NET AMOUNT DUE | POSTPONED RATES & INTEREST | GROSS AMOUNT DUE |
|----------------|-------------------------|----------------------|--------------------|------------------|---------------------|-------------------|-------------------|-------------------------------|---------------------|
| RESIDENTIAL | 2,170,612.20 | 56,943,517.93 | 1,392,175.70 | 186,480.17 | 57,908,813.05 | 18,128,394.07 | 39,780,418.98 | 295,993.02 | 40,076,411.63 |
| BUSINESS | 257,250.55 | 17,977,877.31 | | 23,431.00 | 18,258,558.86 | 6,364,884.82 | 11,893,674.04 | | 11,893,674.04 |
| BUSINESS - IND | 95.13 | 0.00 | | 0.00 | 95.13 | 2.21 | 92.92 | | 92.92 |
| FARMLAND | 0.00 | 585,372.08 | 879.71 | 1,333.07 | 585,825.44 | 119,531.40 | 466,294.04 | 150,800.89 | 617,094.93 |
| MINING | 0.00 | 24,186.96 | | 0.00 | 24,186.96 | 24,186.96 | 0.00 | | 0.00 |
| LOAN | 67,957.99 | 0.00 | | 207.50 | 68,165.49 | 1,859.92 | 66,305.57 | 17,774.80 | 84,080.37 |
| INFRASTRUCTURE | 202,204.59 | 5,719,971.22 | | 2,328.34 | 5,924,504.15 | 1,869,631.95 | 4,054,872.20 | 25,905.63 | 4,080,777.83 |
| TOTAL | \$2,698,498.91 | \$81,250,925.50 | \$1,393,055.41 | \$213,780.08 | \$82,770,149.08 | \$26,508,491.33 | \$56,261,657.75 | \$490,474.34 | \$56,752,131.72 |
| GARBAGE | 658,148.44 | 18,769,479.31 | 820,047.28 | 9,236.45 | 18,616,816.92 | 5,904,891.86 | 12,711,925.06 | | 12,711,925.06 |
| STORMWATER | 45,533.08 | 1,319,121.38 | | 129.79 | 1,364,784.25 | 446,440.74 | 918,343.51 | | 918,343.51 |
| GRAND TOTAL | \$3,402,180.43 | \$101,339,526.19 | \$2,213,102.69 | \$223,146.32 | \$102,751,750.25 | \$32,859,823.93 | \$69,891,926.32 | \$490,474.34 | \$70,382,400.29 |

| | |
|--|---------------|
| Total from Rates Financial Transaction Summary | 70,030,828.86 |
| Overpayments | -351,571.43 |
| Difference | 0.00 |

ANALYSIS OF RECOVERY ACTION

| | |
|---|--------------|
| Rate accounts greater than 6 months less than 12 months in arrears | 672,197.88 |
| Rate accounts greater than 12 months less than 18 months in arrears | 149,469.92 |
| Rate accounts greater than 18 months in arrears | 30,688.49 |
| TOTAL rates and charges under instruction with Council's agents | \$852,356.29 |

ATTACHMENT 2

COMPARISON OF BUDGET TO ACTUAL

| DESCRIPTION | ORIGINAL BUDGET | REVISED BUDGET | ACTUAL | BALANCE STILL REQD. | % RAISED |
|--------------------------|--------------------|-------------------|-------------|------------------------|----------|
| RESIDENTIAL | 56,040,300 | 56,040,300 | 56,943,518 | (903,218) | 101.61% |
| BUSINESS | 18,063,600 | 18,063,600 | 17,977,877 | 85,723 | 99.53% |
| FARMLAND | 616,500 | 616,500 | 592,862 | 23,638 | 96.17% |
| MINING | 24,400 | 24,400 | 24,187 | 213 | 99.13% |
| INFRASTRUCTURE | 5,849,200 | 5,849,200 | 5,719,971 | 129,229 | 97.79% |
| SUB TOTAL | 80,594,000 | 80,594,000 | 81,258,415 | (664,415) | 100.82% |
| INTEREST CHARGES | 260,000 | 260,000 | 49,086 | 210,914 | 18.88% |
| LEGAL COSTS RECOVERED | 820,000 | 820,000 | 174,061 | 645,939 | 21.23% |
| PENSIONERS - Sec 575 | (1,886,400) | (1,886,400) | (1,844,453) | (41,947) | 97.78% |
| PENSIONERS - Sec 582 | (382,800) | (382,800) | (368,649) | (14,151) | 0.00% |
| PENSIONERS SUBSIDY | 1,037,520 | 1,037,520 | 1,014,449 | 23,071 | 97.78% |
| SUB TOTAL | (151,680) | (151,680) | (975,507) | 823,827 | 643.13% |
| DOMESTIC WASTE CHARGES | 18,106,600 | 18,106,600 | 18,253,255 | (146,655) | 100.81% |
| COMMERCIAL WASTE CHARGES | 650,300 | 650,300 | 516,224 | 134,076 | 79.38% |
| STORMWATER MNGMNT | 1,310,000 | 1,310,000 | 1,319,121 | (9,121) | 100.70% |
| | 20,066,900 | 20,066,900 | 20,088,601 | (21,701) | 100.11% |
| GRAND TOTALS | 100,509,220 | 100,509,220 | 100,371,509 | 137,711 | 99.86% |

COLLECTIONS AS A % OF:

| | TOTAL RECEIVABLE | TOTAL LEVIED | TOTAL RECEIVABLE | TOTAL LEVIED |
|----------------|---------------------|-----------------|--------------------------|-----------------|
| RESIDENTIAL | 31.31% | 31.84% | | |
| BUSINESS | 34.86% | 35.40% | RATES | 32.63% |
| FARMLAND | 20.40% | 20.42% | WASTE | 31.46% |
| INFRASTRUCTURE | 31.56% | 32.69% | STORMWATER | 33.84% |
| ALL RATES | 32.03% | 32.63% | TOTAL RATES & CHARGES | 32.77% |

RATES STATISTICS

[illegible]

7.17 Exhibition of the Greater Macarthur Priority Growth Area Package

Division

City Growth and Economy

Reporting Officer

Director City Growth and Economy

Attachments

1. Extract - Greater Macarthur Urban Land Release Investigation - Map of Proposed Urban Release Areas (contained within this report)
2. Council's submission to Greater Macarthur Urban Land Release Investigation (contained within this report)
3. Council's submission to draft Glenfield to Macarthur Corridor Strategy (contained within this report)
4. Memorandum of Understanding - Campbelltown City Council and NSW Department of Planning and Environment - Greater Macarthur Priority Growth Area (contained within this report)
5. Officers Report - Memorandum of Understanding - Campbelltown City Council and NSW Department of Planning and Environment (contained within this report)
6. Greater Macarthur Priority Growth Area Map (contained within this report)

Purpose

To seek Council's endorsement to prepare a submission to the NSW Department of Planning and Environment on the proposed Greater Macarthur Priority Growth Area, based on the matters outlined in this report.

History

Councillors received a briefing on this matter by the Director City Growth and Economy on Tuesday 11 October, 2016.

1. Greater Macarthur Urban Land Release Investigation

The NSW Department of Planning and Environment (the Department) initially undertook a major broad-brush investigation into the potential for extensive new urban release area development in southern parts of the Campbelltown Local Government Area and in parts of Wollondilly Shire in 2015.

In September 2015, the results of that investigation were publicly exhibited, together with proposals that highlighted certain areas that could be developed in the period between 2015 and 2036. In the Campbelltown Local Government Area (LGA) these areas included land at Menangle Park, Mount Gilead and Campbelltown South. In the Wollondilly Shire, a proposed new town at Wilton Junction was proposed.

A copy of an extract from the exhibition material depicting an overall plan of the proposed urban land release is shown in attachment 1 of this report.

Certain other precincts were investigated and found to have either limited urban release area development potential, or if such potential was identified, such areas would not be considered until beyond 2036.

Campbelltown City Council made a detailed submission to the Department, a copy of which is shown in attachment 2 of this report.

Importantly, the areas depicted on attachment 1 and located within the Campbelltown LGA, had an identified potential for approximately 18,000 new dwellings.

It may also be of interest for Councillors to note that certain parts of these land areas are currently subject to specific rezoning proposals under Council consideration:

- Menangle Park Urban Release Area draft Local Environmental Plan (approximately 3,500 new dwellings)
- Mt Gilead Planning Proposal (approximately 1,700 new dwellings).

The planning for both these developments continues to proceed and is led by Council, and in broad terms is not inconsistent with what was exhibited by the Department in 2015.

2. Draft Glenfield to Macarthur Priority Urban Renewal Corridor

Campbelltown City Council worked in close collaboration with the Department throughout 2015 over the preparation of the draft Glenfield to Macarthur Priority Urban Renewal Corridor Strategy (draft Corridor Strategy). This project investigated the capacity to increase housing supply and job opportunities in railway station based CBD areas along the T2 Southern Line between Glenfield and Macarthur.

The draft Strategy was placed on public exhibition in 2015.

The draft Strategy identified a potential for approximately 15,000 new dwellings and 20,700 new jobs within these station based precincts, to be achieved through urban renewal (primarily redevelopment) at medium to high densities. The draft Strategy also assessed the capacity of infrastructure such as open space, roads, public transport, drainage, education facilities and other social infrastructure and the like, to accommodate this urban growth. A range of infrastructure enhancements were also identified.

Campbelltown City Council made a detailed submission to the Department, a copy of which is shown in attachment 3 of this report.

3. Memorandum of Understanding between Campbelltown City Council and the Department - Greater Macarthur Priority Growth Area

A Memorandum of Understanding (MOU) was executed between Council and the Department earlier this year, as endorsed by Council at its meeting on 19 July 2016.

The MOU commits Council and the Department to work in partnership to plan the development of the Greater Macarthur Priority Growth Area. A copy of the MOU and accompanying correspondence from Council to the Department is shown in attachment 4 of this report. A copy of the Officer's report to Council and the subsequent Council resolution is shown in attachment 1 of this report.

Importantly, in principle the MOU confirmed the introduction of an infrastructure funding delivery mechanism for key regional/state level infrastructure to meet the needs of urban release areas in the Menangle Park and Mt Gilead precincts and within the Glenfield to Macarthur Corridor.

This includes a Special Infrastructure Contribution (SIC) levy and "Special Arrangements" provisions to ensure appropriate regional funding and delivery arrangements for regional level infrastructure are in place prior to rezoning.

The MOU that Council has entered into will help to facilitate proper and co-ordinated planning for the successful delivery of the Greater Macarthur Priority Growth Area.

Report

Preliminary

The proposed Greater Macarthur Priority Growth Area brings together two significant planning initiatives that Council is involved with presently:

- The Greater Macarthur Urban Land Release Investigation
- The Glenfield to Macarthur Priority Urban Renewal Corridor Strategy.

By combining the two projects and proposing them to be implemented under a special State Environmental Planning Policy, these areas effectively become acknowledged as a NSW Government nominated "Growth Centre".

The Department of Planning and Environment exhibited a range of materials under the banner of the Greater Macarthur Priority Growth Area during August and September 2016. Given Council's reporting timetable and implications arising from the then forthcoming Council elections, the General Manager sought the assistance of the Department in allowing Council an extension to the time in which to lodge a submission. That extension was granted until 28 October 2016, enabling the newly elected Campbelltown City Councillors sufficient time to receive a briefing and report on the matter.

Part A - Contents of the Exhibition**1. Proposal for a Macarthur Priority Growth Area**

The NSW Department of Planning and Environment has publicly exhibited its proposed Greater Macarthur Priority Growth Area, and invited submissions for its consideration.

A map depicting the proposed Greater Macarthur Priority Growth Area is shown in attachment 6 of this report.

The Department has announced that this proposal will:

- focus on supporting the ongoing sustainability of the Campbelltown-Macarthur Regional City Centre (as the Macarthur's hub of higher order economic, employment, service and facility provision)
- facilitate co-ordinated land use and infrastructure planning and delivery for:
 - new proposed urban land release areas of Menangle Park and Mount Gilead (precincts)
 - the draft Glenfield to Macarthur Corridor railway station based business centre precincts.

a. Draft Glenfield to Macarthur Priority Urban Renewal Corridor Strategy

The Department stated as part of the exhibition material that it is reviewing planning for the Corridor to take account of:

- amendments to the Glenfield precinct to deal with the "changed" future for part of the Hurlstone Agricultural High School site (some 140 ha to be disposed following the Government's decision to relocate the Agricultural High School to Richmond)
- a number of proposed changes to other precincts (arising in response to the consideration of comments received from the public exhibition of the draft Corridor Strategy in 2015).

The Department has recently advised that it is unlikely amendments to the draft Corridor Strategy will be exhibited before the end of 2016, and that this delay is related to the need to first consider the outcomes arising from the Department's exhibition of the Greater Macarthur Priority Growth Area.

b. Greater Macarthur Urban Land Release Areas

The exhibited proposal introduces the inclusion of the West Appin precinct within the Greater Macarthur Urban Land Release Area (previously set aside) in recognition of its longer term capacity to deliver new housing supply.

The proposal also incorporates a southwards extension of the Gilead growth precinct all the way to the Campbelltown LGA boundary (with Wollondilly Shire) and onwards to incorporate areas around Appin village and stretching to West Appin.

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

Whilst no definitive development estimates arising from the inclusion of these new areas as part of the Greater Macarthur Urban Land Release have been published, it can be reasonably anticipated that the West Appin precinct could potential yield (compared to what was exhibited by the Department in 2015) a further 20,000 new dwellings and the southwards extension of Gilead, possibly an additional 1000+ dwellings.

The exhibited material provides an assurance that new infrastructure will be provided in time for new homes and communities and that regional level infrastructure is intended to be delivered by the private sector and that Federal and State Governments will also contribute.

Land for schools and health is to be provided by developers and the NSW Government will build the infrastructure as communities grow.

A Special Infrastructure Contributions (SIC) Framework is to be established and new development charged a SIC levy to fund new regional level infrastructure including roads and traffic facilities.

The exhibited material also indicates an intention to coordinate statutory planning (rezoning processes and the determination of development applications) for the Priority Growth Area under the State Environmental Planning Policy (Growth Centres). Council may be interested to note that this statutory planning framework (i.e. the use of a State Environmental Planning Policy) is currently in place for new urban release areas at Bardia (New Breeze estate) and at East Leppington (Willowdale estate).

2. Wilton New Town Priority Growth Area

The exhibition has also announced the Department's forthcoming declaration of approximately 16,000 new homes and supporting retail, commercial and employment uses at Wilton New Town. Please see attachment 6 of this report. This will include a new major town centre including health and education services and a range of new jobs including retail, industrial, and highway services.

3. Results of the previous public exhibition (2015) of the Greater Macarthur Urban Land Release Investigation

The Department received 164 submissions in total. The Department suggests 101 submissions were generally supportive of new growth areas at Menangle Park, Mount Gilead and at Wilton.

Some 72 submissions raised concerns, mainly relating to the impacts of development intensification. The most frequently raised items in the submissions included feedback on:

- biodiversity and waterways
 - transport and traffic
 - heritage
 - community facilities/services
 - development opportunities/potential of sites
 - impact on rural character
-

- employment and business space
- infrastructure delivery
- timing of development
- boundary changes.

The Department's summary of the key Issues raised by submissions include:

- suitability of the area for growth:
 - biodiversity and water quality
 - loss of rural character
 - air quality
 - coal mining
 - concerns about urban sprawl.
- transport and traffic
 - need for road upgrades (Appin Road and Picton Road/Hume Hwy)
 - safe efficient and convenient connectivity to Campbelltown-Macarthur Regional City Centre.
- community facilities and services
- employment opportunities - town and village centres and the need for economic development actions.

The exhibition material also indicated that requests were received for additional sites to be included in the Menangle Park and Mount Gilead growth areas:

- nos. 10-22 Menangle Road
- no. 430 Appin Road
- Gilead landowners group.

Requests were also received to include certain land at West Appin as a priority growth area.

The Department has stated that the key outcomes that arose from its consideration of submissions to the exhibition of the greater Macarthur Urban Land Release Investigation included:

- finalise amendments to Growth Centres State Environmental Planning Policy (SEPP) to formally recognise priority growth areas
 - formally exhibit the Menangle Park and Mount Gilead areas as a proposed Greater Macarthur Priority Growth Area
 - declare (gazette) the Wilton Priority Growth Area
 - prepare more detailed land use and infrastructure strategies for the priority growth areas
 - Department of Planning to commence work on Special Infrastructure Contributions Scheme to secure private sector funding and delivery of enabling infrastructure.
-

4. Results of the previous public exhibition (2015) of the draft Glenfield to Macarthur Priority Urban Renewal Corridor Strategy

The Department received 94 submissions and 418 on-line surveys were completed.

Only 8% of submissions objected to the draft Strategy, 53% expressed comment and 39% expressed support with comment.

The main issues raised by the submissions included:

- housing and built form (some support for increased building heights close to stations)
- transport and parking (more parking required, improve traffic congestion, better bus transport, better walking and cycling connections and infrastructure)
- open space and public domain (retain and improve existing open space, improve public domain)
- retail and centres
- employment
- need for an infrastructure delivery and funding strategy (Council and State)
- need an employment development strategy for the Corridor
- government to support precinct planning, especially for Campbelltown-Macarthur, Leumeah and Ingleburn
- need to prepare detailed open space strategies for each precinct including funding.

The Department has stated that further refinements to the exhibited draft Glenfield to Macarthur Priority Urban Renewal Corridor Strategy were required:

- a review to be undertaken of the exhibited Glenfield Land Use and Infrastructure Plan (to take account of proposed sale of part of the site of Hurlstone Agricultural High School) which would then be placed on public exhibition
- that such exhibition would also incorporate any further amendments to the draft Corridor Strategy arising from the Department's detailed consideration of submissions to the 2015 exhibition.

Part B - Essential elements and major identified implications

1. Greater Macarthur Urban Land Release

There has been a relatively significant amendment to the proposed urban release areas located within the Campbelltown LGA compared to what was originally exhibited in 2015. In total, it is estimated that the development yield for the newly configured Menangle Park and Gilead growth precincts is in the order of 20,000+ new dwellings (compared to approximately 18,000 originally estimated).

Importantly, the exhibited material indicates that there is now greater certainty associated with planning for and funding key infrastructure to support the Priority Growth Precincts of Menangle Park and Gilead, such as for regional roads:

- staged major upgrades and duplication is planned for Appin Road
- extension of a link road from Spring Farm to Campbelltown LGA (Hume Highway and Menangle Road) including a government announcement of \$40 million towards the upgrade of Appin Road and the Spring Farm link road
- new Hume Highway interchanges, bus routes and cycle ways
- widening of Picton Road.

The Spring Farm link road and Appin Road upgrade/duplication will be delivered through a funding strategy by means of the imposition of a SIC levy on new development, supported with a NSW Government contribution (Housing Acceleration Fund) which gives a formal delivery basis for road design, land acquisition and construction.

A Voluntary Planning Agreement can also be struck between developers and the NSW Government to satisfy this proposed legal requirement.

This SIC approach is appropriate and provides Council and the community with a satisfactory level of certainty that regional level infrastructure will be funded and delivered.

Upgrades to Appin Road and the construction of the Spring Farm link road for instance, can be implemented according to staging of development (and payment) of SIC levies, and development triggers can be established to ensure required regional level infrastructure is in place to satisfy the needs generated by new development at the appropriate time.

Notwithstanding, and consistent with Council's previous submission to the Department on the Menangle Park and Mt Gilead Growth precincts, Council must be satisfied with the "adequate arrangements" that are to be put into place by the Department and developer, prior to any formal rezoning taking place. This point needs to be reiterated to the Department.

There is an issue however that arises from the proposal to extend the Gilead precinct and include the newly identified areas around Appin Village including the West Appin Growth Precinct. Council must be satisfied that currently planned upgrades and duplication works on Appin Road must accommodate additional demand generated by this extensive and additional urban development.

A further issue arises due to the inclusion of these additional priority growth precincts, and the implications for changes that will be needed in planning for additional employment opportunities. Further, Council is advised to request the Department to ensure that no proposed jobs are lost in the Campbelltown LGA as a result of any alteration to the retail centres hierarchy (as originally proposed) to take account of the additional population to be accommodated around Appin and at West Appin.

In addition, Council is also urged to request the Department to work with Council to put into place, statutory planning provisions that "tie" the release of new housing to the satisfactory delivery of job creation targets. i.e. prevent the release of development approvals for subdivisions (subsequent to the initial stages of development) until such time as the Department and Council can be satisfied that satisfactory employment opportunities are accessible within the precinct or out of precinct, according to agreed criteria.

In light of the significance the community placed on a range of issues associated with the original exhibition of the Greater Macarthur Urban Land Release Investigation, Council is also encouraged to seek a commitment from the Department to ensure that in finalising technical studies and statutory planning for the priority growth precincts at Menangle Park and Gilead, the following matters are addressed:

- protecting valuable biodiversity resources and enhancing fauna movement connectivity between the Georges and Nepean Rivers
- heritage resources are adequately protected
- urban development will have no net negative impact on water quality in the Georges and Nepean Rivers
- a local economic/employment development strategy for the Macarthur Priority Growth Area is prepared and delivered by the NSW Government, in consultation with Council.

On the matter of intra-regional connectivity, and in light of the Department's announcement in 2015 to examine the feasibility of electrifying the T2 Southern Line from Macarthur to Menangle Park, it is also imperative that Council request the Department to consider two significant opportunities:

- planning and investigation associated with the electrification of the T2 Southern Railway Line from Macarthur to Menangle Park (as originally mooted by the Department in 2015) should be expedited and widened to take proper account of the connection of the South West Rail Link extension from Narellan to Campbelltown-Macarthur, including an option for the development of a new station at Menangle Park.
- the establishment of 'satellite' commuter car parking facilities located within the Greater Macarthur Priority Growth release area precincts should be put into place and linked by high frequency (peak) priority bus services to Macarthur and Campbelltown Stations.

These requirements should be included as part a formal submission to the Department.

2. Draft Glenfield to Macarthur Corridor Strategy

The proposed delay in the adoption of the Glenfield to Macarthur Priority Urban Renewal Corridor Strategy is not welcomed. Whilst accepting that the Glenfield precinct requires review and re-exhibition to take account of the sale of part of the Hurlstone Agricultural High School site, to delay the adoption or re-exhibition of the remainder of the Strategy is not acceptable and does little to capture the community interest and momentum that was generated with the original engagement over the project.

Council must convey its disappointment with this delay to the Department and seek the immediate adoption of the Strategy (exclusive of the Glenfield precinct which should proceed to public re-exhibition urgently). Council should request a briefing by the Department over the Glenfield precinct proposals and other intentions concerning the broader Corridor Strategy, as a matter of the highest priority.

Again, it is suggested that these matters be raised in a formal submission to the Department.

Part C – Conclusions

The Department's agreement to extend the deadline to receive a submission from Campbelltown City Council over the exhibition of the Greater Macarthur Priority Growth Area "package" was welcomed and appreciation should be formally expressed. This extension has provided the newly elected Council with the opportunity to consider:

- community feedback on previously exhibited material concerning the Greater Macarthur Urban Land Investigation and the draft Glenfield to Macarthur Priority Urban Renewal Corridor Strategy
- proposed amendments to the originally proposed (and exhibited) priority growth precincts (release areas) within the Campbelltown LGA
- the announcement of a formal regional level infrastructure funding and delivery mechanism for land within the proposed Greater Macarthur Priority Growth Area and
- implications arising from the exhibited material to be further negotiated by Council with the Department.

The proposed Macarthur Priority Growth Area is welcomed and has significant merit for the Campbelltown community and for Council. It is worthy of Council's support. The primary positive benefits that stand to be derived from the announcement include:

- an additional 20,000+ new dwellings in the proposed urban release areas within Greater Macarthur together with an additional 15,000+ additional dwellings to be located within the Glenfield to Macarthur Priority Urban Renewal Corridor - will drive the future growth of Campbelltown Regional City, and consolidate its position as the epicentre of the South West Growth Corridor
 - the proposed 16,000 new dwellings at Wilton New Town will support the longer term sustainability of the Campbelltown-Macarthur Regional City Centre
 - formal recognition by the Department of the significance of such potential future urban growth, worthy of the support of Campbelltown City Council by the Government to assist it to facilitate and deliver new housing and infrastructure, and the expansion of the Campbelltown-Macarthur Regional City Centre in terms of economic, employment and services development
 - a direct response from the Department to Council's previously expressed concerns over the doubt and lack of formal commitment to a funding and delivery strategy for regional level infrastructure to support urban release areas such as Mt Gilead and Menangle Park
 - the current planning proposal for Mt Gilead and the draft local environmental plan for Menangle Park can now be progressed for consideration in light of greater certainty associated with the upgrade of regional road infrastructure, with this announcement confirming for the Council, community and development sector, the Department's intentions to implement a SIC levy scheme
-

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

- the inclusion of Badgally Road within the proposed Greater Macarthur Priority Urban Growth Area means that Council now has improved certainty over the potential for inclusion of the upgrade of that road in a SIC levy scheme for the Glenfield to Macarthur Priority Urban Renewal Corridor.

Notwithstanding the above, Council is urged to make representations to the Department for the following:

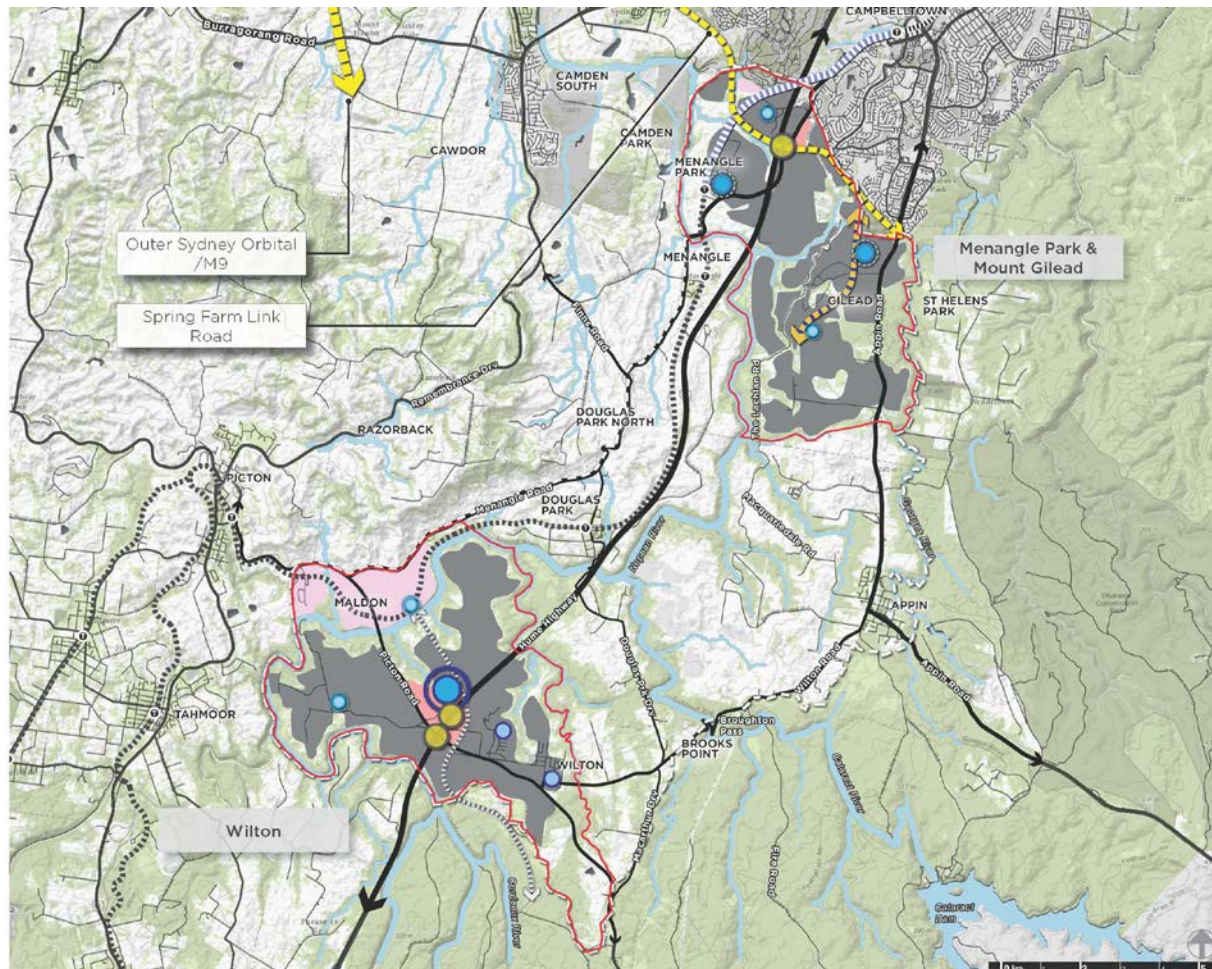
- the immediate adoption of the Corridor Strategy (exclusive of the Glenfield precinct which should proceed to public re-exhibition urgently)
 - a briefing by the Department to Council over the Glenfield precinct proposals and other intentions concerning the broader Corridor Strategy, as a matter of the highest priority
 - in finalising technical studies and statutory planning for the priority growth precincts at Menangle Park and Gilead ensure that:
 - valuable biodiversity resources are protected and fauna movement connectivity between the Georges and Nepean Rivers is enhanced
 - heritage resources are adequately protected
 - urban development will have no net negative impact on water quality in the Georges and Nepean Rivers
 - a local economic/employment development strategy for the Macarthur Priority Growth Area is prepared and delivered by the NSW Government, in consultation with Council
 - the Department's agreement to Council being satisfied with the "adequate arrangements" provisions that are to be put into place by the Department and developer, prior to any formal rezoning taking place
 - that planned upgrades and duplication works on Appin Road must accommodate additional demand generated by the extensive and additional urban development planned for the areas around Appin, West Appin and the southern extension to the Gilead growth precinct
 - ensure that adequate development triggers, agreed to by Council and the Department, will be established to ensure required regional level infrastructure is in place to satisfy the needs generated by new development at the appropriate time
 - ensure that no proposed jobs are lost in the Campbelltown LGA as a result of any alteration to the retail centres hierarchy (as originally proposed) to take account of the additional population to be accommodated around Appin and at West Appin
 - to put into place statutory planning provisions that "tie" the release of new housing to the satisfactory delivery of job creation targets. i.e. prevent the release of development approvals for subdivisions (subsequent to the initial stages of development) until such time as the Department and Council can agree that satisfactory employment opportunities are accessible within the precinct or out of precinct, according to criteria agreed to by Council and the Department
-

- to ensure that adequate arrangements are put into place to expedite the planning and delivery of priority bus connections from the Greater Macarthur Priority Growth Land Release precincts and from Wilton New Town to the Campbelltown-Macarthur Regional City Centre, so that such connectivity is available from the early stages commencement of occupation of these places
- to ensure that planning and investigation associated with the electrification of the T2 Southern Railway Line from Macarthur to Menangle Park is expedited and widened to take proper account of the connection of the South West Rail Link extension from Narellan to Campbelltown-Macarthur, including an option for the development of a new station at Menangle Park
- a commitment to the establishment of 'satellite' commuter car parking facilities located within the Greater Macarthur Priority Growth release area precincts, linked by high frequency (peak) priority bus services to Macarthur and Campbelltown Stations.

Officer's Recommendation

That Council make a formal submission to the NSW Department of Planning and Environment concerning the exhibition of the Greater Macarthur Priority Urban Growth Area in August to September 2016, addressing the matters raised in the above report.

ATTACHMENT 1



Preliminary Vision Structure

- | | |
|---|---|
|  | Greater Macarthur Land Release Investigation Area |
|  | Priority Precinct Boundary |
|  | Existing Rail & Station |
|  | Investigate Rail Electrification |
|  | Proposed New Interchange |
|  | Existing Roads |
|  | Planned Major Roads |
|  | Proposed Bus Priority Corridor |
|  | Preserve Maldon to Dombarton Freight Rail |
|  | Waterways |
|  | Proposed Major Centre |
|  | Proposed Town Centre |
|  | Proposed Village Centre |
|  | Existing Village Centre |
|  | Developable Land |
|  | Employment Land |
|  | Service Industry / Large Format Retail |

ATTACHMENT 2



25 November 2015

Brendan O'Brien
Executive Director, Housing and Employment Delivery
NSW Department of Planning and Environment
GPO Box 39,
SYDNEY NSW 2000

Dear Sir

Greater Macarthur Land Release

Council at its meeting on 17 November 2015 considered a report (attached) on the Greater Macarthur Land Release Investigation and resolved:

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

Council's principle comments on the Menangle Park / Mt Gilead Priority Precinct Structure Plan as outlined in the report are as follows:

Structure Plan's inconsistency with existing planning proposals

The Menangle Park/Mt Gilead Structure Plan is not consistent with the detailed planning work already undertaken as part of the draft LEP amendment for the Menangle Park Urban Release Area and the Mt Gilead and Glenlee Planning Proposals. For example the Glenlee Planning Proposal seeks rezoning of land for employment/industrial purposes, whilst the Menangle Park and Mt Gilead Structure Plan shows this land as 'developable land' (residential).

Further the structure plan shows a proposed town centre and proposed bus priority corridor over land in Mt Gilead which is proposed under the current Planning Proposal to be zoned residential and open space.

These anomalies need to be addressed by the structure plan.

Rezoning Process

The investigation indicates that the preferred rezoning process is a state-led rezoning through an amendment to State Environmental Planning Policy (Sydney Region Growth Centres), 2006, however this does not acknowledge that the Menangle Park draft LEP amendment and the Mt Gilead Planning Proposal are at an advanced stage and (subject to regional infrastructure funding resolution) could be rezoned sooner via the existing planning proposal process.

Commitment to Fund Regional Infrastructure

The investigation indicates that the preferred approach to funding the nominated range of infrastructure requirements will need to be delivered through an appropriate mechanism, which could take the form of a SIC at no cost to government or a series of planning agreements entered into between the Minister for Planning and the relevant proponents.

The Preliminary Strategy and Action Plan states:

“A Special Infrastructure Contribution will create a framework to share the costs and co-ordinate delivery of major new transport and community infrastructure”

Whilst it is understood that a SIC levy on new development and VPAs are amongst a range of options to fund the required infrastructure upgrades, Council must be assured that the appropriate level of infrastructure is in place, where it is needed, in a timely manner. Indeed, the Preliminary Strategy and Action Plan further states:

“Before rezoning takes place, an appropriate mechanism will need to be in place to secure infrastructure needed to support growth”.

At this stage, no such ‘appropriate mechanism’ has been confirmed to fund the delivery of the required regional level infrastructure.

In this regard, the proponents of the Mt Gilead Planning Proposal have recently lodged a Regional Voluntary Planning Agreement with the NSW Department of Planning and Environment to fund the portion of the required Appin Road upgrade attributable to its development. However to date, it is understood that the NSW Government/Department of Planning and Environment has not committed to either funding or delivering the balance of the cost of the required upgrading works to Appin Road.

Without this matter being resolved the Mt Gilead Urban Release Area should not be rezoned. A similar scenario can be put forward for the Spring Farm Link Road and its significance in terms of progressing the Menangle Park Urban Release Area rezoning.

Council is therefore seeks a formal commitment by the NSW Government confirming that it will ensure the timely delivery of the required key infrastructure items for the Menangle Park/Mt Gilead Precinct, as listed in the Investigation documentation.

Greater Macarthur Strategic Transport Plan

While the Investigation was placed on public exhibition on 29 September 2015, one of the major contributory studies the Greater Macarthur Strategic Transport Plan was not released for public comment until 27 October 2015. While this reduced time frame has not allowed a

detailed assessment of this document it is apparent that there are anomalies between its findings and the Investigations actions. For example the Investigation lists as one of its actions to 'Further investigate the extension of the Sydney Trains electrified rail network to Menangle Park to integrate this area with the suburban rail network', however the Greater Macarthur Strategic Transport Plan indicates that the extension is not feasible.

Notwithstanding this initial indication, a new station at Menangle Park on an electrified system is seen to be a logical and strategically critical component of the Glenfield to Macarthur Urban Renewal Corridor considerations, with associated higher urban densities in close proximity to employment land at Glenlee and a potential junction to connect the T2 and T5 lines with the proposed expanded Southwest Rail Link to Narellan and onto the Western Sydney Airport.

Air Quality

Further information is required from the NSW Government to determine what current baseline air quality data and resources are available for the priority growth area air technical working group to determine future air quality impacts in the absence of a detailed technical report.

Biodiversity

The Hawkesbury Nepean Corridor and Priority Conservation Lands as shown in attachment 4 should be expanded to include all existing east-west fauna corridors between the Georges and Nepean Rivers to the south of Noorumba Reserve in order to ensure the long-term protection of current vegetation corridors. The proposed widths of these corridors should also be reviewed and adjusted as necessary to ensure they are sufficient to enable safe migration of Koala and other fauna between the two river systems.

Coal Seam Gas

The NSW Government amend all existing documents containing separation distances between existing coal seam gas wells and residential areas to one consistent standard.

Economic Development and Employment Development

There is a significant dependence upon new households settling within the Macarthur Urban Investigation Area (both the Menangle Park/Mt Gilead and Wilton Precincts), accessing the majority of their employment needs in areas outside of the Investigation area. Such an example is the Campbelltown/Macarthur Regional City Centre.

Hence there is a need for Council to secure arrangements with the NSW Government to ensure efficient, convenient and safe connectivity between these new neighbourhoods and the Campbelltown/Macarthur Regional City Centre. Notwithstanding, it is considered a matter of the highest priority that a higher level of attention is paid to the planning for and support of the creation of new jobs and further sustainable employment growth within the Campbelltown/Macarthur Regional City Centre. Consistent with the policy position set out in 'A Plan for Growing Sydney.' Therefore Council seeks the assistance of the Government in preparing an economic and employment development strategy specifically for the Macarthur Urban Investigation Area, which includes as a centrepiece, the generation of new knowledge jobs around the proposed education/health precinct at Campbelltown/Macarthur.

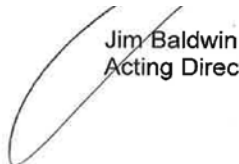
7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

Council staff look forward to the opportunity to work with your team through the Greater Macarthur Steering Group in addressing these issues as the individual planning precincts are developed.

If you require any further information please contact Andrew Spooner on 02 4645 4598.

Yours sincerely

SIGNATURE HAS BEEN REMOVED



Jim Baldwin
Acting Director Planning and Environment



Planning and Environment Committee Meeting 10/11/2015

TITLE Greater Macarthur Land Release Investigation

Reporting Officer

Manager Environmental Planning

Attachments

1. Greater Macarthur Vision to 2036 (contained within this report)
2. Menangle Park and Mount Gilead Structure plan (contained within this report)
3. Land suitability for the Menangle Park and Mount Gilead Priority Precinct (contained within this report)
4. Biodiversity Constraints (contained within this report)

Purpose

The purpose of this report is to:

1. provide Council with an overview of the Greater Macarthur Land Release Investigation (including the Preliminary Strategy and Action Plan) and the potential implications for the Campbelltown Local Government Area (LGA) and Council
2. seek Council's in principle support for the Greater Macarthur Land Release Investigation, and in particular the preliminary Strategy and Action Plan, subject to a number of matters being addressed
3. endorse the matters raised in this report for inclusion within a Council submission to the NSW Department of Planning and Infrastructure on the Greater Macarthur Land Release Investigation documentation that has been publicly exhibited

History

In December 2014, the NSW Government released 'A Plan for Growing Sydney' which identifies how Sydney can create additional housing stock, (33,200 new homes annually to meet projected population growth to 2036). This metropolitan planning strategy also addresses employment opportunities and infrastructure delivery, while seeking to protect the significant and iconic natural environment and improving the liveability of the city.

As part of meeting this challenge, the NSW Government has indicated that it will maintain its continued investment in the North West and South West Priority Growth Areas along with priority urban renewal precincts and prioritise increasing the rate of housing delivery in new urban release areas.

Within 'A Plan for Growing Sydney', the Greater Macarthur was identified as a potential area where urban development could potentially occur in order to cater for the growing population

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

of Sydney. This metropolitan strategy committed the NSW Government to examine in more detail the suitability of urban development in the Greater Macarthur.

NSW Department of Planning and Environment has progressed work on this initiative since the release of 'A Plan for Growing Sydney' late last year, and on 22 September 2015 a preliminary assessment of the suitability and infrastructure capacity of the Greater Macarthur area was released for public comment.

The Greater Macarthur Land Release Investigation - Background

The Greater Macarthur Land Release Investigation (the Investigation) identifies certain land that is suitable for future urban development, the infrastructure required to support sustainable growth, and how the Greater Macarthur could be connected to jobs and other services within the greater metropolitan Sydney area. The Investigation documentation includes a 'Preliminary Strategy and Action Plan' to assist in the delivery of new urban development within the Menangle Park/Mt Gilead Priority Precinct as well as the Wilton Priority Precinct.

A range of technical studies have been undertaken as part of the Investigation supporting the declaration of Menangle Park/Mt Gilead and Wilton as Priority Precincts. These studies include:

- Biodiversity Assessment
- Bushfire Preliminary Asset Protection Zone Assessment
- Economic and Employment Analysis
- Heritage Analysis
- Housing Market Needs Analysis
- Resource Mining Framework
- Services Infrastructure Assessment
- Social Infrastructure Assessment
- Water Management Assessment
- Strategic Transport Plan

The Greater Macarthur Land Release Investigation has recognised immediate opportunities to deliver up to a total of 34,700 homes in the Menangle Park/Mt Gilead Priority Precinct and within a new town at Wilton.

Beyond 2036 it is noted that there may be potential to accommodate further opportunities to provide an additional 33,100 homes and strategic employment opportunities, supported by the construction of the Outer Sydney Orbital, an upgraded Hume Highway interchange and Maldon-Dombarton freight rail line.

The NSW Government has indicated that a coordinated approach to land use planning and infrastructure delivery will be required to achieve the desired outcomes for Menangle Park/Mt Gilead and for the proposed new town at Wilton. The planning vision for Greater Macarthur will be implemented by:

- identifying Menangle Park, Mt Gilead and Wilton as Priority Growth Areas by including them in the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP)
 - investigating the declaration of Menangle Park, Mt Gilead and Wilton as Special Infrastructure Contribution Areas (SIC) to coordinate the funding and delivery of infrastructure that is necessary to support growth in these areas
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7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

- continuing to work closely with Wollondilly Shire Council, Campbelltown City Council, and across NSW Government agencies to facilitate outcomes that deliver new communities with homes, jobs, infrastructure and services while protecting the environment and natural resources.

Councillors were provided with a briefing on the Greater Macarthur Land Release Investigation (the investigation) by the Director Strategy on 29 September 2015.

On 23 October 2015, Council staff met with representatives of NSW Planning and Environment for the inaugural meeting of the Greater Macarthur Steering Group, which will oversee planning for the implementation of the Menangle Park and Mt Gilead Priority Growth Areas. Council is represented on the Steering Group by the Director Strategy, Acting Director Planning and Environment and the Manager Sustainable City and Environment. At this meeting Council staff secured an extension of time until 18 November 2015 to lodge Councils submission to the public exhibition of the investigation.

This report provides an outline of the investigation documentation and expresses in principle support for the Preliminary Strategy and Action Plan that deal specifically with the Menangle Park/Mt Gilead Precinct, subject to a range of matters raised in the report being addressed by the NSW Government. The report concludes by recommending that Council make a submission to the NSW Department of Planning and Environment.

Report

Whilst the Greater Macarthur Land Release Investigation (the investigation) discussed the attributes of the Menangle Park, Mt Gilead and Wilton as Priority Areas, this report will focus on those areas located within the Campbelltown Local Government Area i.e. Menangle Park and Mt Gilead. The vision for Greater Macarthur to 2036 is shown in attachment 1.

Menangle Park and Mt Gilead Priority Precinct – Structure Plan

The Menangle Park/Mt Gilead Priority Precinct (the precinct) has an area of approximately 3,601ha and is characterised by relatively flat terrain with a flood plain associated with the Nepean River covering the south-west portion of the precinct. The precinct is also characterised by gorges adjoining the Nepean River and its tributaries, and rolling hills in the eastern portion of the precinct. The Menangle Park and Mt Gilead Structure Plan (the plan) is shown in attachment 2.

The investigation has identified that the precinct has the opportunity to be released for urban development for the following reasons:

- it is an extension of Sydney's metropolitan urban area south of Campbelltown
 - the land in the Precinct is relatively unencumbered by constraints to development
 - there are less requirements for substantial transport and utility infrastructure upgrades when compared to other parts of the Greater Macarthur Area, as the precinct could connect to the existing transport and service infrastructure at Campbelltown
 - it has relatively direct access to the Campbelltown - Macarthur Regional City and other strategic employment areas in Western Sydney
 - the location of the precinct makes it suitable for a range of employment generating uses, including retail and subregional industries
 - there is significant private sector interest, with planning proposals at advanced stages
 - Sydney Water is progressing servicing strategies for these planning proposals and the proponents have made some 'in principle' commitments to fund and/or deliver other required infrastructure
-

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

The precinct has a total of 849ha of land suitable for residential development, with a further 363ha which is currently encumbered but could possibly be developed, subject to further examination in accordance with the principles outlined in the Investigation. These combined areas are anticipated to accommodate approximately 18,100 new dwellings (suitable land 12,700 and encumbered land 5,400). The precinct has a total of 15ha of unencumbered land suitable for employment uses, with a further 9ha of encumbered land with potential to be developed for employment related purposes.

It is proposed that the precinct will contain four centres being:

- Mt Gilead – a local centre with approximately 10,000-20,000sqm of employment Gross Floor Area (GFA)
- Menangle Park – a local centre with approximately 20,000-30,000sqm of employment GFA
- Glenlee – a village centre with approximately 5,000sqm of employment GFA
- Gilead – a village centre with approximately 5,000-10,000sqm of employment GFA.

Land suitability for the Menangle Park/Mt Gilead Priority Precinct (upon which the above estimates have been based) is shown in attachment 3. The extent and density of future potential urban development is subject to further detailed transport assessment.

The Preliminary Strategy and Action Plan list the following actions to deliver future urban development in the precinct:

- upgrade the Hume Highway between Picton Road and Raby Road
- rezoning land for 4,900 homes through the Mt Gilead and Menangle Park planning proposals by the end of 2015, with the first new houses possible within two years
- upgrades to Appin Road to provide direct connections to Campbelltown-Macarthur Regional City Centre
- construction of the Spring Farm Link Road and new access ramps to the Hume Highway, to help ease congestion on Narellan Road
- provision of a north-south bus priority corridor to promote public transport links to the Campbelltown – Macarthur Regional City Centre
- further investigation of the extension of the Sydney Trains electrified rail network to Menangle Park to integrate this area with the suburban rail network
- further release of land to provide up to 13,200 homes, in addition to the homes proposed for Mt Gilead and Menangle Park by current planning proposals

The investigation acknowledges that infrastructure requirements will need to be delivered through an appropriate mechanism, which could take the form of a Special Infrastructure Contribution (SIC) at no cost to government or a series of planning agreements entered into between the Minister for Planning and the relevant proponents.

The exhibited documentation indicates that the preferred rezoning process is a state-led rezoning through an amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the SEPP) as this process:

- a. gives the precincts priority growth area status and makes use of the established Growth Centres implementation process administered by the Department of Planning and Environment;
 - b. enables opportunity for a whole precinct to be comprehensively planned, rather than relying on individual planning proposals;
 - c. provides the potential for acceleration of housing supply through fast tracking preparation of the SEPP amendment; and
-

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- d. allows the State Government to coordinate agency input on complex planning issues such as mining, transport and infrastructure.

There are four existing planning proposals currently being dealt with by Council that deal with land that is located within the Menangle Park/Mt Gilead Precinct being:

- Menangle Park Urban Release Area which proposes 3,400 residential lots – this proposal came off public exhibition in February 2013 and has not progressed due to unresolved funding issues relating to regional infrastructure including the Spring Farm Link Road, on and off ramps to the M31 and the upgrade of Menangle Road
- Part of the Glenlee Employment Lands Planning Proposal which is a proposed rezoning of 110ha of land currently zoned non-urban (the site is split across Campbelltown and Camden LGAs) – technical studies are being prepared to enable this proposal to progress to public exhibition
- The Mt Gilead Urban Release Area which proposes 1,700 residential lots – this proposal came off public exhibition on 30 June 2015 and has not progressed due to issues relating to regional infrastructure (Appin Road)
- The South Campbelltown Urban Release area which proposes up to 12,000 residential lots – this proposal was deferred by Council at its meeting on 6 May 2014 pending the outcome of the Greater Macarthur Land Release Investigation.

Menangle Park/Mt Gilead Priority Precinct - Investigation of Existing Values and Constraints

The investigation's Preliminary Strategy and Action Plan includes a structure plan for the Menangle Park/Mt Gilead Priority Precinct which was based on the findings of a number of technical studies examining the existing values and constraints within the investigation area. A brief summary of these investigations is provided below:

Waterways and Flooding

The investigation identified land at Menangle Park that is within the 100 year Average Recurrence Interval

Comment: It is noted that flood impact on future urban areas has been considered as part of the previous detailed investigations for the Menangle Park Urban Release Area.

Biodiversity and Bushfire

The Investigation categorised 'biodiversity constrained' land into a number of categories (see attachment 4) which include:

- waterways
- high Constraint Biodiversity
- moderate Constraint Biodiversity
- ecologically Endangered Community
- bio-banking Sites
- Hawkesbury Nepean Corridor and Priority Conservation Lands.

Comment: After reviewing these constraint categories, it is recommended that the Hawkesbury Nepean Corridor and Priority Conservation Lands as shown in attachment 4 be expanded to include all existing east-west fauna corridors between the Georges and Nepean Rivers to the south of Noorumba Reserve in order to ensure the long-term protection of current significant vegetation

corridors. The proposed widths of these corridors should also be reviewed and adjusted as necessary to ensure they are sufficient to enable safe migration of Koala and other fauna between the two river systems.

Mining

The investigation quantifies the existing and proposed long-wall mining and existing coal seam gas extraction activity within the precinct.

Comment: The only current remaining long-wall mining activity within the Campbelltown LGA (Longwall 38) is located just outside the investigation study area at Wedderburn. Mining of Longwall 38 is expected to be completed by early 2016.

The existing and active coal seam gas wells within the LGA are located within the Menangle Park Urban Release Area. The Investigation identifies the following as encumbered land for development:

- land within 200 metres of an existing coal seam gas well
- Rosalind Park Gas Plant.

Comment: The inclusion of a 200 metre development exclusion zone around existing coal seam gas wells provides direction to Council as to the management of potential land use interface issues, and assists with the resolution of this matter that was being dealt with as part of the Menangle Park Urban Release Area planning process. Previous advice from State Government agencies on how to manage the interface between existing coal seam gas wells and future encroaching urban development in Menangle Park was to 'assess the impact like any other industrial development.' Unfortunately a range of separation distances have been published within existing Guidelines and State Environmental Planning Policies varying from between 5 to 50 metres. Therefore, in light of the NSW Government's support of a 200m exclusion zone as part of the Investigation, it is suggested that the NSW Government amend all existing documents containing separation distances between existing Coal Seam Gas Wells and future residential development to one consistent standard.

There are three active coal seam gas wells within the Menangle Park Urban Release Area and the land on which they are located is currently proposed to be zoned RE1 – Public Recreation under a draft LEP amendment. As a result of the adoption of a 200m exclusion zone, a slight amendment to the land use zoning map would be required to ensure a 200m radius is provided between these wells and the adjoining proposed R2 – Low Density Residential zone.

Agriculture

Agriculture is a prominent land use in the study area. The Office of Environment and Heritage (OEH) has developed a Land and Soil Capability Assessment Scheme to facilitate the assessment of land and soils for agricultural uses.

The capability of land to sustain a range of land uses and management is ranked in eight classes. "Class 1" and "Class 2" land are the highest value agricultural lands as they can be used for intensive vegetable production.

Comment: There is no Class 1 land located within in the precinct. The Class 2 land in the precinct is currently being used for grazing and the irrigation of modified pastures and not for any higher value activities such as vegetable production. The proposed Menangle Park Urban Release Area draft LEP amendment and Mt Gilead Urban Release Area Planning Proposal both considered the impacts of urban development upon agricultural land as part of their detailed investigations. Any further proposals within the precinct will need to consider the impact of development upon agriculture.

Heritage

The investigation area contains a number of significant heritage items and conservation areas with Aboriginal and European significance at both a state and local level. It is important that the values of these items and conservation areas are conserved in order to preserve the character of the area and its history. Where particular heritage items or conservation areas are considered to have high significance, future development is required to:

- a. integrate with the character of these items/areas;
- b. incorporate adaptive reuses; or
- c. provide sufficient curtilage to avoid diminishing their significance.

Comment: The existing planning proposals before Council for Menangle Park and Mt Gilead have considered in detail both Aboriginal and European heritage and the specialist supporting studies suggest that these lands can be developed in a sympathetic nature. Site specific heritage impact assessments will be required to be undertaken for all further proposals and at development application stage to determine the appropriate treatment of heritage items and conservation areas.

Landscape Character

The investigation classified the land within the study area into ten distinctive landscape units based on topography; vegetation; drainage patterns; geology; and land use patterns. These areas were assessed on their scenic quality and 'absorptive' capability, with the absorptive capability of the land being a test of how well a landscape setting is able to accommodate change or development, and is generally applied at a broader scale as opposed to localised visual modifications.

There are three distinct landscape units occur within the part of the Menangle Park/Mt Gilead Priority Precinct. Menangle Park contains Unit 2 – Scenic Hills and Unit 7 – Open Pastoral Valley while Mt Gilead is wholly classified Unit 8 - Open Pastoral Uplands.

Comment: The scenic quality and adsorptive capability of these landscape units ranges from low to moderate and are characteristic of previously cleared and altered landscapes. With the exception of parts of landscape Unit 2, these areas could be developed without specific restriction of visual qualities. This issue has been considered as part of detailed investigations into the Menangle Park Urban Release Area and will be considered for any future proposals.

Air Quality

The investigation documentation states that photochemical smog (ozone) and particle pollution currently continue to exceed national air quality standards in the Sydney basin, including in the Macarthur region, with poor air quality on 4 to 11 days per year over years 2010 to 2014.

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Comment: Despite this and noting that air quality issues were the major reason why earlier and previous iterations of the Macarthur South Urban Land Release did not proceed, the Investigation does not appear to have included a detailed air quality assessment. In addition, the cumulative impact of other urban release areas and the proposed Western Sydney Airport upon the formation, distribution and dispersion of ozone needs to be understood.

The investigation proposes to manage air quality issues through the establishment of a priority growth area air technical working group consisting of representatives from the Department of Planning and Environment, the NSW Environment Protection Authority and the Office of Environment and Heritage to inform ongoing planning decisions.

Therefore it is not considered unreasonable to request further information from the NSW Government to help determine what current baseline air quality data and resources will be available for the priority growth area air technical working group to determine future air quality impacts and mitigation strategies appropriate for the Greater Macarthur Land Release.

Existing and Planned Service Infrastructure Capacity

There is currently capacity within the existing infrastructure to service the proposed Menangle Park/Mt Gilead Planning urban land releases, however further investigations and funding will be required to service the remainder of the precinct with water, sewer, electricity, gas, telecommunications, schools, health and medical facilities, emergency services, cultural facilities, justice services, cemeteries, sporting and recreation facilities.

Key Transport Infrastructure

The investigation documentation relevant to the Menangle Park/Mt Gilead Priority Precinct highlight the need for major (regional) transport infrastructure to deliver urban growth which includes:

- construction of the Spring Farm Link Road and new access ramps to the Hume Hwy to help ease congestion on Narellan Road, and linking Spring Farm to Appin Road
- upgrades to Appin Road to provide direct connections to Campbelltown/Macarthur (to 4 lane arterial standard between Rosemeadow and the southern edge of the precinct at Mt Gilead)
- upgrade of Menangle Road
- upgrade of the Hume Hwy between Picton Road and Raby Road
- construction of a bus priority corridor
- investigation of the feasibility of the electrification of the Southern Highlands Railway Line to Menangle Park.

Comment: The recognition of the need to provide the above transport related infrastructure in order to deliver planned urban growth within Menangle Park/Mt Gilead is welcomed. This recognition acknowledges the importance of providing efficient, convenient and safe connectivity between these new urban areas and the Campbelltown/Macarthur Regional City Centre and other metropolitan destinations, where key and higher order facilities such as public hospitals, tertiary education facilities, retail shopping facilities, sport and cultural infrastructure are located. These connections are also critical for access to strategically significant employment opportunities for the residents of new dwellings proposed for the Menangle Park/Mt Gilead Precinct.

Without the provision of this level of enhanced accessibility, many thousands of proposed new households could be argued to be disadvantaged.

Council staff have also identified that there may be an opportunity to co-ordinate the proposed investigation of the electrification of the T2 Southern Railway Line from Macarthur Station to Menangle Park Station with the Government's current considerations relating to the potential extension of the South west Rail Link from Narellan to the T2 Southern Line. Therein lies some potential for planning for improved connectivity between the Menangle Park/Mt Gilead Precinct and Campbelltown/Macarthur, the proposed Western Sydney Airport and the Broader Western Sydney Employment Area.

Additional and Principal Comments on the Menangle Park/Mt Gilead Priority Precinct Structure Plan

Structure Plan's inconsistency with existing planning proposals

The Menangle Park/Mt Gilead Structure Plan as shown in attachment 2 is not consistent with the detailed planning work already undertaken as part of the draft LEP amendment for the Menangle Park Urban Release Area and the Mt Gilead and Glenlee Planning Proposals. For example the Glenlee Planning Proposal seeks rezoning of land for employment/industrial purposes, while the Menangle Park and Mt Gilead Structure Plan shows this land as 'developable land' (residential).

Further the structure plan shows a proposed town centre and proposed bus priority corridor over land in Mt Gilead which is proposed under the current Planning Proposal to be zoned residential and open space.

These anomalies need to be addressed by the structure plan.

Rezoning Process

The investigation indicates that the preferred rezoning process is a state-led rezoning through an amendment to State Environmental Planning Policy (Sydney Region Growth Centres), 2006, however this does not acknowledge that the Menangle Park draft LEP amendment and the Mt Gilead Planning Proposal are at an advanced stage and (subject to regional infrastructure funding resolution) could be rezoned sooner via the existing planning proposal process.

Commitment to Fund Regional Infrastructure

The investigation indicates that the preferred approach to funding the nominated range of infrastructure requirements will need to be delivered through an appropriate mechanism, which could take the form of a SIC at no cost to government or a series of planning agreements entered into between the Minister for Planning and the relevant proponents.

The Preliminary Strategy and Action Plan states:

"A Special Infrastructure Contribution will create a framework to share the costs and co-ordinate delivery of major new transport and community infrastructure"

Whilst it is understood that a SIC levy on new development and VPAs are amongst a range of options to fund the required infrastructure upgrades, Council must be assured that the

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appropriate level of infrastructure is in place, where it is needed, in a timely manner. Indeed, the Preliminary Strategy and Action Plan further states:

“Before rezoning takes place, an appropriate mechanism will need to be in place to secure infrastructure needed to support growth”.

At this stage, no such ‘appropriate mechanism’ has been confirmed to fund the delivery of the required regional level infrastructure.

In this regard, the proponents of the Mt Gilead Planning Proposal have recently lodged a Regional Voluntary Planning Agreement with the NSW Department of Planning and Environment to fund the portion of the required Appin Road upgrade attributable to its development. However to date, it is understood that the NSW Government/Department of Planning and Environment has not committed to either funding or delivering the balance of the cost of the required upgrading works to Appin Road.

Without this matter being resolved the Mt Gilead Urban Release Area should not be rezoned. A similar scenario can be put forward for the Spring Farm Link Road and its significance in terms of progressing the Menangle Park Urban Release Area rezoning.

At the least, Council is encouraged to seek a formal commitment by the NSW Government confirming that it will ensure the timely delivery of the required key infrastructure items for the Menangle Park/Mt Gilead Precinct, as listed in the Investigation documentation.

Greater Macarthur Strategic Transport Plan

While the Investigation was placed on public exhibition on 29 September 2015, one of the major contributory studies the Greater Macarthur Strategic Transport Plan was not released for public comment until 27 October 2015. While this reduced time frame has not allowed a detailed assessment of this document it is apparent that there are anomalies between its findings and the Investigations actions. For example the Investigation lists as one of its actions to ‘Further investigate the extension of the Sydney Trains electrified rail network to Menangle Park to integrate this area with the suburban rail network’, however the Greater Macarthur Strategic Transport Plan indicates that the extension is not feasible.

Notwithstanding this initial indication, a new station at Menangle Park on an electrified system is seen to be a logical and strategically critical component of the Glenfield to Macarthur Urban Renewal Corridor considerations, with associated higher urban densities in close proximity to employment land at Glenlee and a potential junction to connect the T2 and T5 lines with the proposed expanded Southwest Rail Link to Narellan and onto the Western Sydney Airport.

Air Quality

Further information is required from the NSW Government to determine what current baseline air quality data and resources are available for the priority growth area air technical working group to determine future air quality impacts in the absence of a detailed technical report.

Biodiversity

The Hawkesbury Nepean Corridor and Priority Conservation Lands as shown in attachment 4 should be expanded to include all existing east-west fauna corridors between the Georges and Nepean Rivers to the south of Noorumba Reserve in order to ensure the long-term protection of current vegetation corridors. The proposed widths of these corridors should also

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be reviewed and adjusted as necessary to ensure they are sufficient to enable safe migration of Koala and other fauna between the two river systems.

Coal Seam Gas

The NSW Government amend all existing documents containing separation distances between existing coal seam gas wells and residential areas to one consistent standard.

Economic Development and Employment Development

There is a significant dependence upon new households settling within the Macarthur Urban Investigation Area (both the Menangle Park/Mt Gilead and Wilton Precincts), accessing the majority of their employment needs in areas outside of the Investigation area. Such an example is the Campbelltown/Macarthur Regional City Centre.

Hence there is a need for Council to secure arrangements with the NSW Government to ensure efficient, convenient and safe connectivity between these new neighbourhoods and the Campbelltown/Macarthur Regional City Centre. Notwithstanding, it is considered a matter of the highest priority that a higher level of attention is paid to the planning for and support of the creation of new jobs and further sustainable employment growth within the Campbelltown/Macarthur Regional City Centre. Consistent with the policy position set out in 'A Plan for Growing Sydney', it is recommended that Council seek the assistance of the Government in preparing an economic and employment development strategy specifically for the Macarthur Urban Investigation Area, which includes as a centrepiece, the generation of new knowledge jobs around the proposed education/health precinct at Campbelltown/Macarthur.

Conclusion

The nomination of new areas for future urban development within the Greater Macarthur Land Release Area will stand to strengthen the significance of The Macarthur Region as a metropolitan scale urban growth area.

The Greater Macarthur Urban Land Release project, if planned and managed appropriately, supported by integrated infrastructure planning, funding and delivery will add value to the future capacity of Campbelltown-Macarthur to develop as a true Regional City Centre, growing as a major focus of higher level services and facilities – both private and public, and as the major transport node and employment/economic hub for South West Sydney.

Connectivity of new residential neighbourhoods with employment opportunities and higher level services and facilities will be a critical challenge.

The success and longer term sustainability of the Greater Macarthur Land Release depends to no small degree on the commitment by the NSW Government to assure the community that the required regional level infrastructure as set out in the Investigation documentation, will be in place, where it is needed and in a timely manner, and to demonstrate that these outcomes will be secured by an appropriate funding and delivery mechanism.

The creation of employment opportunities for the residents of the Greater Macarthur Land Release Areas must be a major priority for Government to address, and in partnership with Council. The enhanced support of Government by working closely with Council and key business and institutional stakeholders to bring to life the educational/health precinct at Campbelltown/Macarthur is one significant opportunity that should be seriously examined with a view to job creation, to offset the traditional jobs deficit ordinarily and historically created through the 'greenfield' model of urban development.

It is recommended that Council endorse a submission to the NSW Department of Planning and Environment that offers Council's support in principle for the proposed Greater Macarthur land release project including in particular, the Preliminary Strategy and Action Plan as it relates to the Menangle Park/Mt Gilead Priority Precinct, subject to the matters raised in this report being satisfactorily addressed.

Officer's Recommendation

1. That Council express in principle support for the Greater Macarthur Land Release Investigation, subject to the matters outlined in the report being addressed.
2. That Council forward a submission on the Investigation (and its supporting documents) to the NSW Department of Planning and Environment consistent with the matters outlined in the report.

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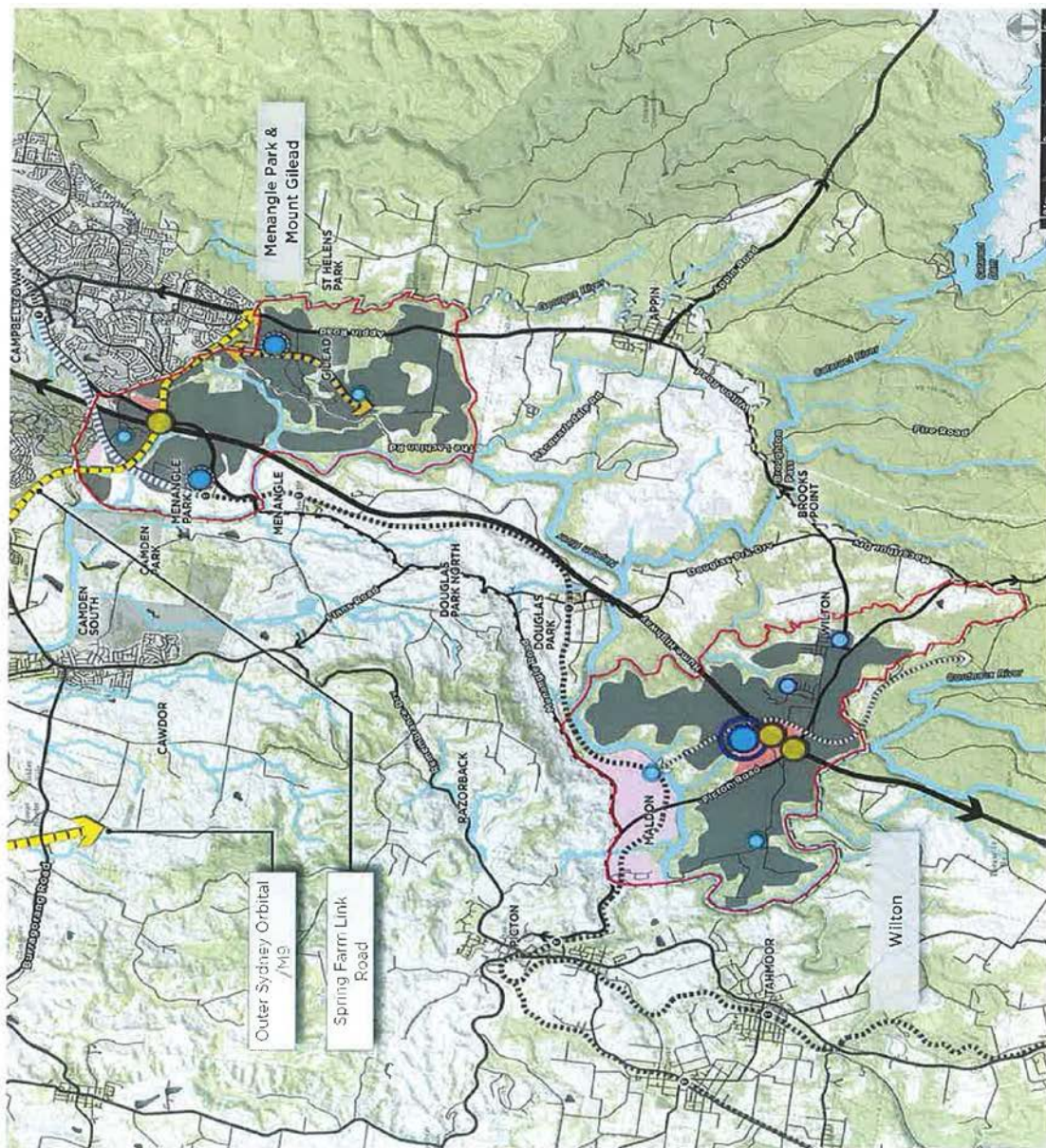
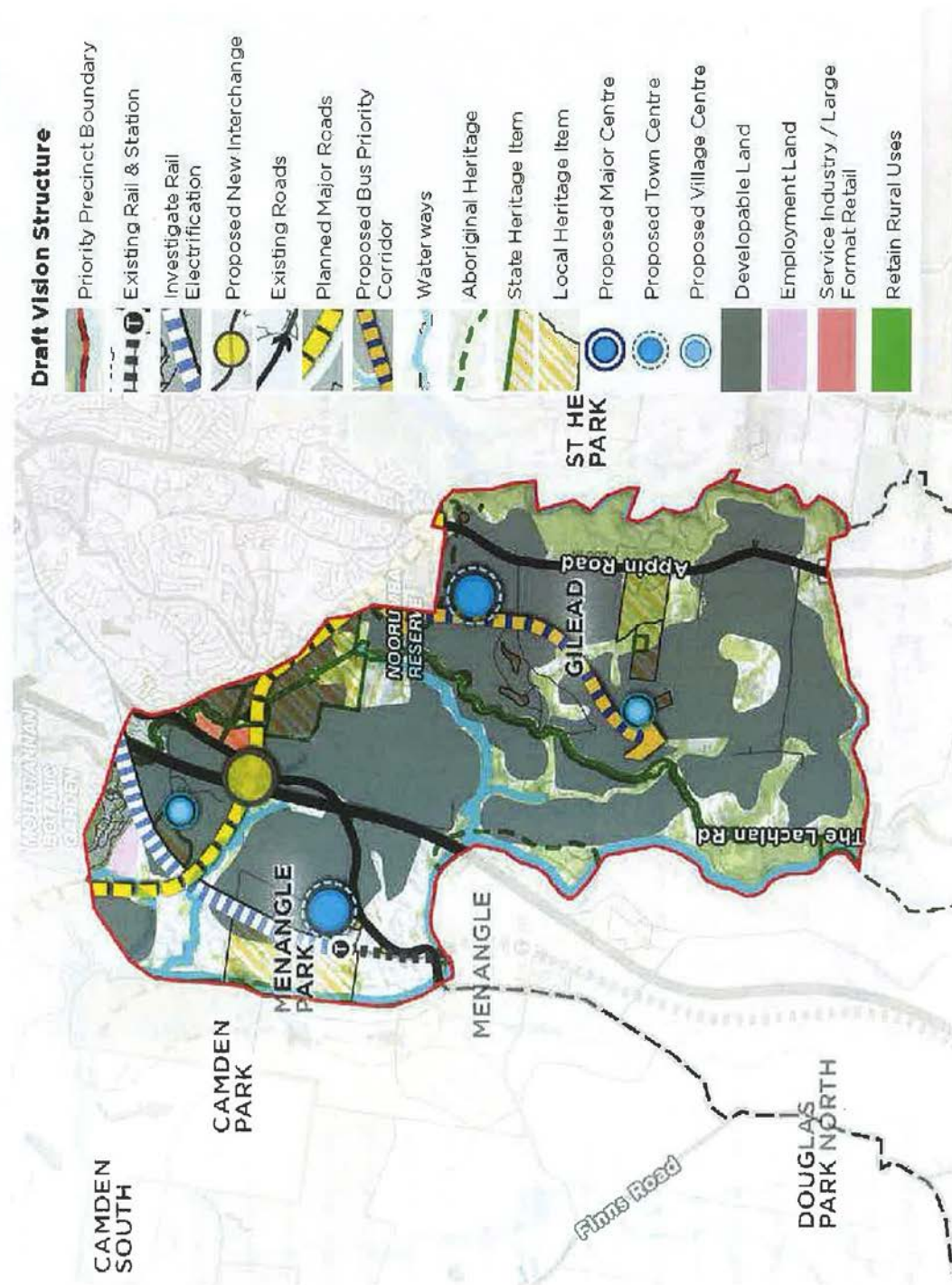
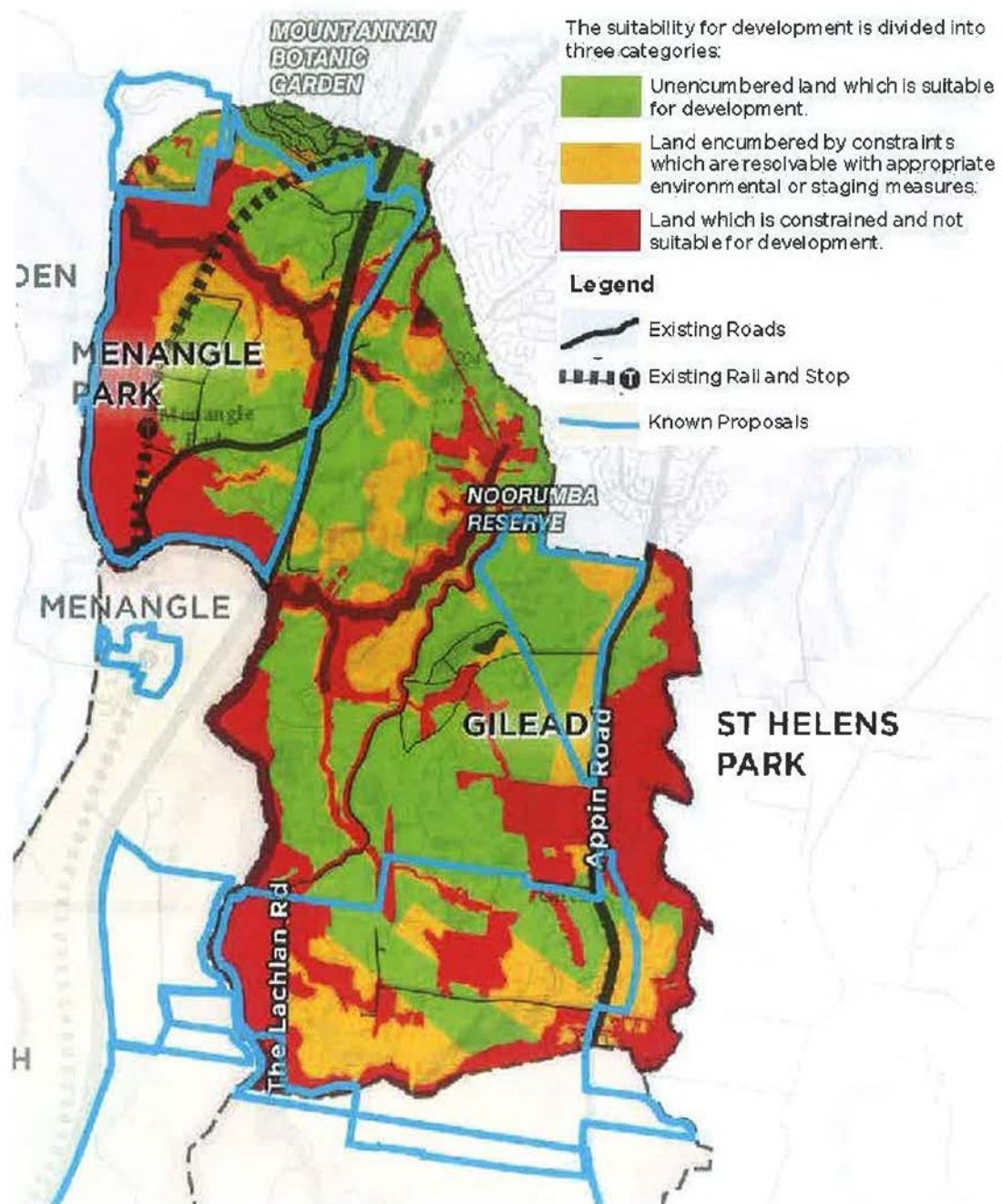


Figure 1 Greater Macarthur Vision to 2036

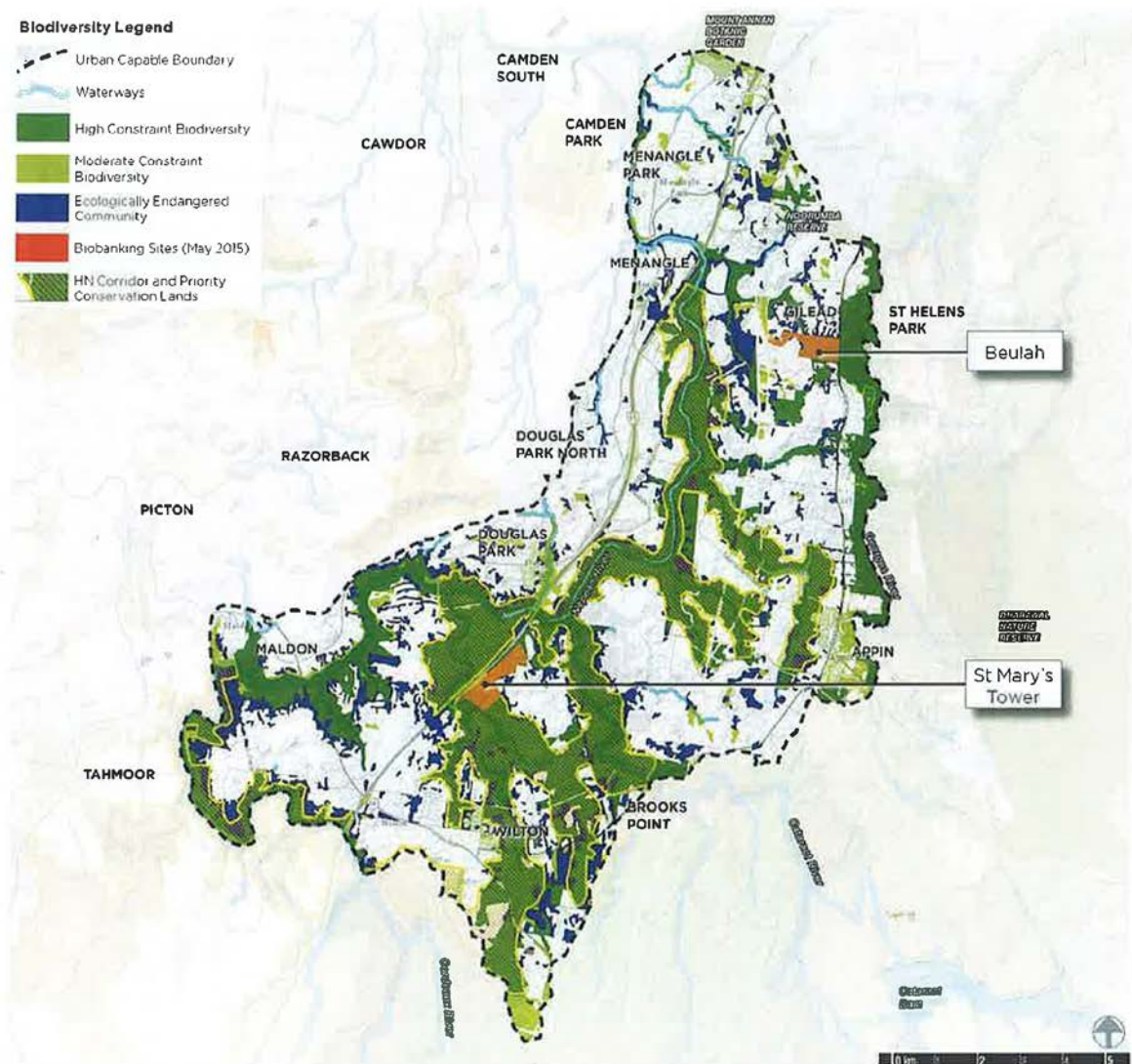
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[Greater Macarthur Land Release Investigation](#)**User Instructions**

If necessary to view the original Report, double-click on the 'Agenda Report' blue hyperlink above.

Action Item

Unless otherwise indicated below Council at its meeting of 17 November 2015 adopted the following Committee's Recommendation with Resolution No 209.

2.3 Greater Macarthur Land Release Investigation**Officer's Recommendation**

1. That Council express in principle support for the Greater Macarthur Land Release Investigation, subject to the matters outlined in the report being addressed.
2. That Council forward a submission on the investigation (and its supporting documents) to the NSW Department of Planning and Environment consistent with the matters outlined in the report.

Committee Note: Ms Maroun and Mr Lonza addressed the Committee.

Amendment: (Kolkman/Oates)

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

LOST**Committee's Recommendation: (Rowell/Thompson)**

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 November 2015 (Kolkman/Oates)

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

CARRIED

ATTACHMENT 3



14 October 2015

Mr B O'Brien
Executive Director Housing and Employment Delivery
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr O'Brien

Glenfield to Macarthur Urban Renewal Corridor Strategy

Council would like to extend its sincere appreciation to the Department for sharing its confidence in the potential for renewal and revitalisation within a number of business centres located along the T2 Southern Railway Line between Glenfield and Macarthur.

Further, Council acknowledges the strategic significance of the contribution that redevelopment along the Glenfield to Macarthur Corridor can make towards generating additional housing and employment in South Western Sydney, thereby supporting a number of the recommended strategies set out in "A Plan for Growing Sydney".

The Glenfield to Macarthur Urban Renewal Corridor Strategy was prepared with the cooperation of Council's senior planning staff and involved input from other divisional areas including Community Services and City Works/Technical Services. The spirit and goodwill demonstrated by all parties involved, including the Department's consultants, contributed much to the success of the planning process, including strategy preparation and community consultation.

In response to the invitation by the Department for Council to consider the Strategy, a detailed review was carried out and reported to the Council at its Extraordinary Meeting held on 6 October 2015.

The Council subsequently adopted a number of recommendations:

1. That Council express "in principle" support for the Glenfield to Macarthur Corridor Strategy, subject to the following matters being addressed:
 - a commitment by the NSW Government and its Agencies to work collaboratively with Council to address the issues (including proposed amendments) identified in the above report

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- the preparation of a detailed infrastructure delivery plan for each centre in partnership with Council, and which integrates higher and local level infrastructure planning with an appropriate funding model(s)
 - the preparedness of the Government to pro-actively prepare and support an employment development strategy for the Glenfield to Macarthur Urban Renewal Corridor
 - the support of the Government through financial and other in kind assistance to expedite the preparation of detailed precinct plans (including statutory plans, development control plans and infrastructure delivery plans) for:
 - Campbelltown/Macarthur Regional City Centre
 - Leumeah
 - Ingleburn.
2. That Council forward a submission on the Strategy (and its supporting documents) to the NSW Department of Planning and Environment consistent with the terms expressed in Item 1 above
3. That Council receive further and appropriately detailed reports concerning the following key items:
- the establishment of a Design Review Panel to assist Council with future significant development proposals in Campbelltown/Macarthur, Ingleburn and Leumeah including working with development proponents and providing Council with advice on applications from an architectural merit/urban design perspective
 - the establishment of a key stakeholders group, representing key interests in the Campbelltown/Macarthur Regional City Centre and including the Western Sydney University, the Campbelltown Public and Private Hospitals, Campbelltown TAFE College, and Council, to assist Council and the NSW Government to deliver the Campbelltown Health and Education Precinct
 - the potential and economic feasibility of outdoor dining and food related retailing to help underpin improved livability and economic attraction value associated with increased residential densities, and the visitor appeal of Campbelltown/Macarthur, Ingleburn and the Leumeah centre precincts
 - the implications and opportunities for Council's strategic landholdings in the Campbelltown/Macarthur, Ingleburn and Leumeah centres, arising from the Glenfield-Macarthur Corridor Strategy, and their capacity to assist in the realisation of the visions and actions outlined in the Strategy
 - strategic planning for the Leumeah precinct in order to maximise the opportunities afforded by existing investment in sporting and recreation facilities, to deliver the Governments' proposal for Leumeah to become a regionally significant sport, recreation and entertainment precinct
 - a suggested resourcing strategy to accommodate the work required to be undertaken pursuant to the recommendations outlined in this report.

I have attached a copy of the relevant officer's report (referred to in the above adopted recommendations) to this correspondence for the Department's consideration. The report

proceeds in considerable detail over matters of particular relevance for the Department in finalising the Strategy. A number of amendments to the exhibited documentation have been sought, that relate to a range of issues concerning a range of matters including:

- errors/inaccuracies (including mapping errors)
- Council's concerns over certain land use structure planning proposals
- Council's concerns over certain infrastructure issues
- funding mechanisms (including apportionment of funding responsibility) for certain infrastructure requirements

Council would welcome an opportunity to discuss these items in more detail with the Department prior to finalising the Strategy and at its earliest convenience, to enable Council to explain its position and present alternative solutions.

Further, a range of issues were raised in discussion by Councillors and officers at the Extraordinary Meeting which may be relevant to the Department's consideration of Council's response to the Strategy. These matters are discussed below.

Council views the Corridor Strategy as a major commitment by the NSW Government to deliver on the policies and actions set down in *"A Plan for Growing Sydney"*, and that in order for such a commitment to result in the construction of housing and the creation of new employment opportunities, Council would respectfully expect the NSW Government to:

- work in partnership with, and support Council in developing more detailed precinct planning for each of the centres with priority granted to Campbelltown/Macarthur Regional City Centre, Ingleburn and Leumeah.

It is proposed by Council that such detailed precinct planning be expedited and "collapse" planning timeframes to ensure the preparation of statutory planning instruments, development control plans, infrastructure service delivery plans and developer contributions plans as soon as possible

- support the funding and delivery of critical infrastructure that will facilitate redevelopment and revitalisation, harnessing the capacity of the development process itself to contribute to infrastructure upgrades through mechanisms such as local developer contributions, special infrastructure contributions, voluntary planning agreements and potentially matched with government program funding where appropriate and tied to the delivery of housing and/or jobs
 - ensure that no requirement or expectation would be imposed upon Council to deliver or fund (both directly and indirectly) infrastructure, the need/benefit for/from which would be generated by urban development in areas outside of the Campbelltown Local Government Area. This could include for example, certain commuter car parking facilities principally provided to service commuters residing in the Camden LGA or beyond
 - support the "full" connection of Campbelltown/Macarthur Regional City Centre to the South West Growth Centre via Badgally Road and across the T2 Southern Rail Line into the CBD. This essential piece of regional level infrastructure must be addressed. If the Government is seeking to service the Growth Centre with higher order facilities located in the Centre, then an additional east-west connection (supplementing Narellan Road and avoiding prolonged congestion in the longer term) via Badgally Road, is a necessity
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- prepare an economic and employment delivery strategy for the Corridor in cooperation with Council in order to provide the community with a greater level of certainty that redevelopment through residential densification will be supported by direct and positive action by the Government to drive job creation "in place"

Council is determined that the 'livability' of each of the centres achieved through the renewal and revitalisation process, is underpinned by the Government's genuine support of high quality standards for urban design and amenity that Council will insist upon, reflected in appropriately configured development controls.

For example, Council has long held a policy position that requires the provision of elevators for residential apartment development of three or more storeys in height.

Similarly, the value which Council attaches to planning controls such as floor space ratio and building height controls, married with integrated planning requirements that address setbacks, deep soil planting, on-site waste management and collection, solar access, on-site recreation amenities, built form articulation and the like, cannot be underestimated.

Opportunities for the establishment of 'design themes', appropriate for each centre and reflective of a desired 'urban character and function', should be explored and factored into the detailed planning for each precinct. This would contribute towards "re-imaging" and thereby help to establish a renewed and distinctive 'essence or sense of place' for each of the centres along the corridor.

At a higher strategic level, the relationship of the Corridor Strategy to the proposed extension of the South West Rail Link needs to be acknowledged and dealt with as an opportunity to enhance connectivity between the Corridor centres and others in the region, thereby helping to support their future economic development and sustainability.

This connectivity would be facilitated by extending the South West Rail Link beyond Narellan to link with the T2 Southern Line and back to the Campbelltown/Macarthur Regional City Centre

The Corridor Strategy promotes the densification of residential development (approximately 15,000 dwellings) and the creation of new employment opportunities (approximately 20,000 jobs) around station based precincts along the corridor.

The connection of the Campbelltown/Macarthur Regional City Centre with direct rail access to proposed stations at Narellan, Oran Park, Maryland, Bringelly and to the proposed Western Sydney Airport, the Broader Western Sydney Employment Area and beyond, would serve to bolster the economic development potential of not just the Campbelltown/Macarthur Regional City Centre, but also those centres around the newly proposed stations along the South West Rail Link as well as the centres located along the Glenfield to Macarthur Corridor.

The strategic significance of an extension of the South West Rail Link to connect with the T2 Southern Line and back to Campbelltown/Macarthur, also relates to the creation of a railway "circuit" route which would ordinarily be expected to enhance the efficiency and take up of public transport infrastructure. This "circuit" would discourage the prevalence of 'one way' movements of passengers "away" from their station points of origin, especially during peak times, and additionally, contribute to those station based centres becoming destinations in their own right.

The business case for such an extension is only improved when account is taken of the potential connectivity of the proposed Menangle Park/Mt Gilead Urban Release Areas (recently announced by the NSW Government) to Campbelltown/Macarthur and the wider

Sydney rail network, as acknowledged by the Government's recently announced commitment to examine the feasibility of electrifying the T2 Southern Line to Menangle Park.

Indeed, there may arise the need to reconsider the Corridor Strategy to embrace an eighth station based precinct – Menangle Park, in the future.

Council is keen to progress with the implementation of the Corridor Strategy, subject to the issues raised in this submission (and the Officer's Report to the Extraordinary Meeting of Council held on 6 October 2015) being addressed to Council's satisfaction. This "in-principle" support is sincere, and there is an appetite to proceed quickly to capture the interest and energy which has been expressed to it by a number of community members and the development sector, for the benefit of Campbelltown as a whole.

I can advise that already, Council has commenced preparations for precinct planning for Campbelltown/Macarthur and Leumeah and substantial review work associated with Council's draft Ingleburn Structure Plan will now be initiated.

Council looks forward to continuing to work in partnership with the Department on this important planning initiative.

For further enquiries, please do not hesitate to contact either myself on (02) 46 454 659 or Council's Director Strategy Jeff Lawrence on (02) 46 454 656.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz
General Manager

ATTACHMENT 4



20 July 2016

Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2000

Dear Ms McNally

Memorandum of Understanding between Campbelltown City Council and the Department of Planning and Environment – Greater Macarthur Priority Growth Area

I refer to your letter dated 14 July 2016 concerning the above matter. The Memorandum of Understanding was the subject of a report that was considered by the full Council at its meeting held on 19 July 2016. At that meeting, the Council resolved as follows:

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

Accordingly, please find enclosed a copy of the Memorandum of Understanding previously signed by yourself, signed by Council's General Manager, Ms Lindy Deitz, for the Department's records. I have retained a second copy of the Memorandum of Understanding, signed by both yourself and Council's General Manager, for Council's records.

With respect to the Council's second resolution above, I would like to arrange to meet with senior staff of the Department as soon as possible to discuss the means by which Council can be satisfied over the "satisfactory arrangements" provisions proposed by the Department.

Should you require any further information, please do not hesitate to contact me directly on (02) 46 454 656.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Jeff Lawrence
Director City Growth and Strategy

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



Greater Macarthur Priority Growth Area

Memorandum of Understanding

between

Department of Planning and Environment (the Department)

and

Campbelltown City Council (Council)

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

Memorandum of Understanding

Dated this day ..20-7-16

Parties

Department of Planning and Environment of 23-33 Bridge Street Sydney, NSW 2000

and

Campbelltown City Council of Cnr Queen and Broughton Streets, Campbelltown, NSW 2560

1. Background

- (a) The NSW Government has identified opportunities for new jobs, homes and services in the south-west district. Studies of the Glenfield to Macarthur urban renewal corridor and Greater Macarthur Land Release Area confirmed the capability of these areas to provide urban development, new homes and employment opportunities for the district in the short to medium term.
- (b) *A Plan for Growing Sydney* identifies the Campbelltown-Macarthur Regional City as a major focus for housing, jobs and services for the south-west. Specific actions for the future development of the area include:
- Work with Council to promote continued growth of the Campbelltown Macarthur region as a regional city centre to support the surrounding communities.
 - Work with Council to retain a supply of opportunities for retail and office development and supplemented by residential apartment development in the CBD core to encourage the activation of the centre and growth of employment in the Campbelltown Macarthur region.
 - Work with Council to concentrate capacity for additional mixed-use development around train stations, including retail, services and housing.
 - Support the development of a major health and education precinct Campbelltown Macarthur, capitalising on Campbelltown Hospital and the University of Western Sydney.
 - Work with Council to investigate business park opportunities on the western side of the train line.
 - Work with Council to improve walking, cycling and bus connections to train stations on the western side of the train line, and to Campbelltown Hospital and Queen Street.
- (c) To coordinate the planning of growth in and around the Campbelltown-Macarthur Regional City Centre, a Greater Macarthur Priority Growth Area will be declared. This incorporates the Glenfield to Macarthur urban renewal corridor and the Mt Gilead / Menangle Park land release area. It may also incorporate areas of Wollondilly Shire Council.
- (d) The Department is working with Campbelltown City Council, Transport for NSW, and other agencies to prepare a Land Use and Infrastructure Strategy for the Menangle Park and Mount Gilead precincts of the Greater Macarthur Priority Growth Area. The strategies will integrate important elements of the precincts including transport, open space, housing, employment lands and environmental protection.
- (e) A new Special Infrastructure Contribution (SIC) levy will be established to cover the cost of infrastructure to support the forecast growth in homes and jobs over the life of the strategies to 2036. The priority precincts for immediate implementation of a SIC will be, but not limited to:
- Campbelltown-Macarthur Regional City Centre;
 - Menangle Park land release area; and
 - Mt Gilead land release area.
-

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

- (f) Relevant infrastructure will include regional road and transport infrastructure, regional open space and recreation, district cultural facilities, schools, emergency services and health facilities, environmental protection measures and any associated administrative costs to meet the infrastructure requirements of the Priority Growth Area. The proposed levy will include upgrades to the regional road network as identified in the relevant transport studies, including as a minimum:

- Appin Road;
- Spring Farm Link Road; and
- Badgally Road.

2. Purpose

- (a) This Agreement details the roles, tasks, and responsibilities of the Department and Council for the purposes of progressing the planning and implementation of growth opportunities within the Greater Macarthur Priority Growth Area as set out in Schedule A.

3. Project program

- (a) As outlined in Schedule A, the Project Steering Group and Project Team will agree to a Project Plan and Scope, with appropriate deliverables and timeframes.

Signed by the Secretary of the **Department
Planning and Environment**

SIGNATURE HAS BEEN REMOVED

Date: 14.7.16

Signed on behalf of **Campbelltown City
Council** by General Manager

SIGNATURE HAS BEEN REMOVED

Date: 20-7-16

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

Schedule A – Heads of Agreement

| | Department of Planning and Environment (the Department) | Campbelltown City Council (Council) |
|--|---|-------------------------------------|
| Purpose | <p>To identify the roles, tasks and responsibilities of the Department and Council for the purposes of:</p> <ul style="list-style-type: none"> • Preparing a Land Use and Infrastructure Strategy and Special Infrastructure Contributions Scheme for Mt Gilead and Menangle Park; and • Finalising the Glenfield to Macarthur Urban Renewal Corridor Strategy and establishing Special Infrastructure Contributions schemes across the corridor, including as a priority the Campbelltown-Macarthur Regional City Centre | |
| Outcomes and Guiding Principles | <p>The Strategy will:</p> <ul style="list-style-type: none"> - Take account of the planning studies and decisions of the NSW Government and Council to date. - Guide rezoning and detailed planning for each precinct of the Growth Areas. - Integrate important elements of the precincts including transport, open space, housing, employment lands and environmental protection. - Provide a cohesive framework to guide investment decisions and policy actions to support growth of Campbelltown-Macarthur as a key regional centre. - Provide a whole of government and joint position with Council on growth and development to coordinate spending and implementation actions to improve the supply of housing and jobs and to protect the environment. - Articulate the essential social and physical infrastructure and environmental improvements required to ensure the Priority Growth Area is a great place to live and work. <p>The Special Infrastructure Contributions Schemes will:</p> <ul style="list-style-type: none"> - Identify the timing, staging, scope and specification of infrastructure required to support development and growth including the cost of bringing forward any infrastructure that would not otherwise have been a high priority for Government funding in the planning horizon of the Area. - Identify the land acquisition, planning and capital costs associated with providing infrastructure in a timely fashion. - Outline delivery mechanisms including the relationship between any voluntary planning agreements and external funding mechanisms for infrastructure. - Provide an equitable basis for sharing costs between benefiting landowners or developers - Provide a transparent and achievable mechanism for sharing the cost of infrastructure provided in kind by developers and which benefits the development of other land beyond the developer's land for which the initial work was constructed. - Identify mechanisms for monitoring, reporting, evaluation, review and improvement. - Take proper account of economic analyses and the market's 'capacity to pay'. | |
| Governance | <ul style="list-style-type: none"> • A Steering Group will be established consisting of representatives from the Department, Transport for NSW, and the Council, to provide direction on the preparation of the Strategy at key milestones. • A Project Team consisting of planning staff from the Department, Council staff nominated by the General Manager of the Council, professional staff from Transport for NSW and technical | |

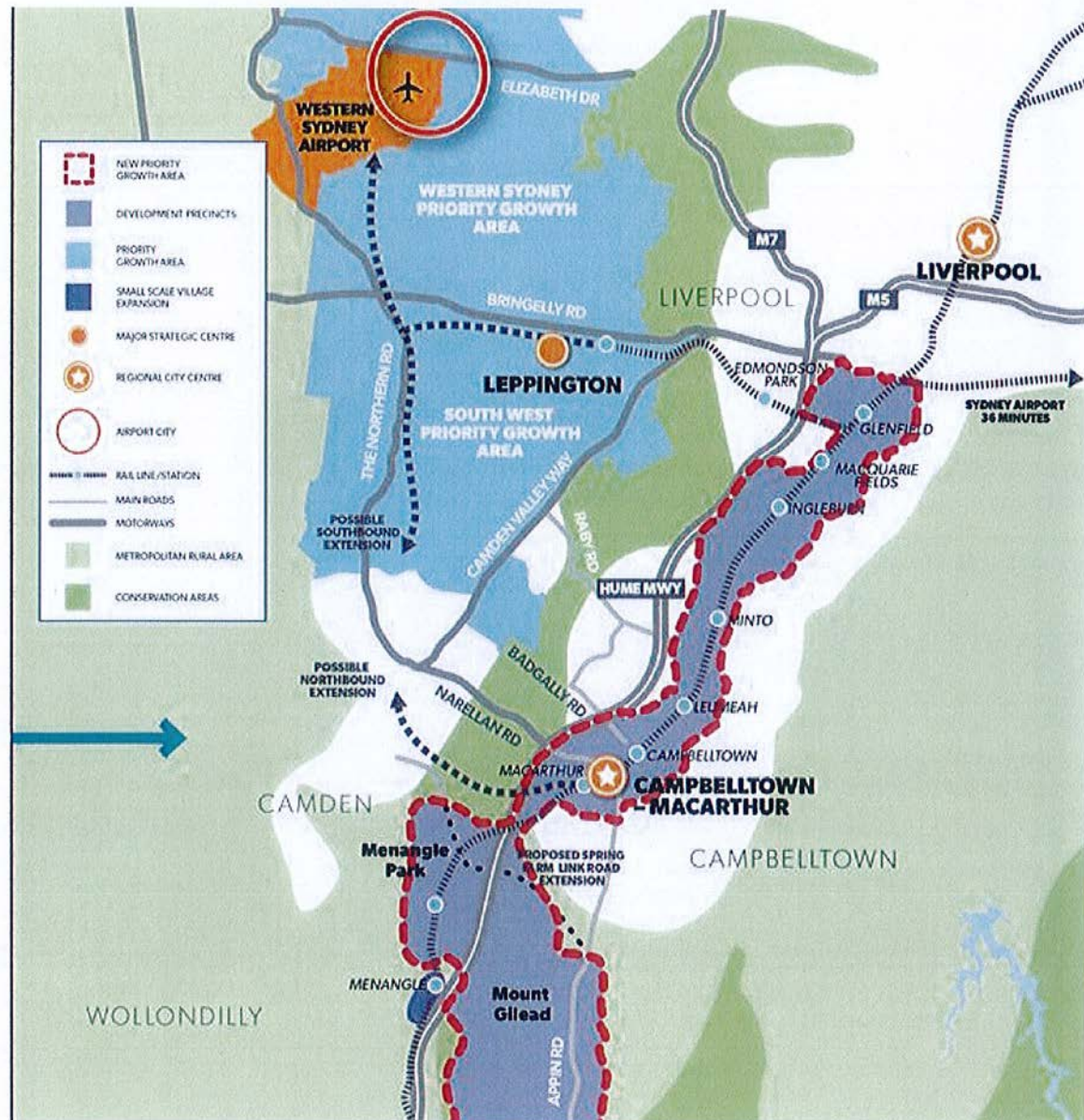
7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

| | | |
|---------------------------|---|--|
| | <p>consultants, with involvement of steering group members or council staff, will be established to undertake the day to day delivery of the project and prepare the Strategy and associated procurement, technical studies and communication materials.</p> <p>The Steering Group and Project Team are to agree to a Project Plan and Scope, with appropriate deliverables and timeframes.</p> | |
| Collaboration | <p>The Steering Group will meet once per month, or at key milestones to:</p> <ul style="list-style-type: none"> • provide advice, guidance and endorsement of the program and project deliverables. • identify, discuss and resolve any issues arising during the project. • to review and provide comment on project products, including scope of procurement, draft Strategy or products. • share information to support the planning task. • support achievement of the program. <p>Matters to be presented to and discussed by the Steering Group shall remain confidential unless otherwise agreed by the Department and Council.</p> <p>The Project Team will meet regularly as required to:</p> <ul style="list-style-type: none"> • share information and guide the planning task • provide an update of progress and work completed to date • identify, discuss and resolve any issues arising during the project • ensure achievement of program. <p>The Steering Group will engage with the Greater Sydney Commission at key milestones to inform the strategy.</p> | |
| Guiding Behaviours | <p>The Steering Group and Project Team will:</p> <ul style="list-style-type: none"> • work collaboratively and commit to deliver a Strategy which: <ul style="list-style-type: none"> ◦ is contemporary, progressive and reflects best practice ◦ advances opportunity for employment and housing delivery ◦ reflects consideration of regional, subregional and local interests, and supports the achievement of a holistic vision for Western Sydney • engage with each other with honesty, openness and transparency • treat each other with respect at all times and share an understanding that differing views may enrich the planning outcome • commit to the achievement of our roles and responsibilities throughout the project program. | |
| Agency Roles | <p>The Department will:</p> <ul style="list-style-type: none"> • lead coordination of the program • ensure specialist consultants are engaged, as required • lead the land use, transport and infrastructure planning analysis to inform the strategy • lead consultation with Commonwealth, State agencies, Greater Sydney Commission, service providers, and other stakeholders to consider their interests and inform the strategy • identify transport and infrastructure requirements to support the Strategy • lead stakeholder and community consultation of the strategy. | <p>Council will:</p> <ul style="list-style-type: none"> • partner with the Department to: <ul style="list-style-type: none"> ◦ inform the scope and adequacy of technical investigations ◦ identify of constraints and opportunities ◦ inform appropriate land use and built form for the strategy, as well as transport and infrastructure requirements to support growth. • ensure integration of their broader organisation with the project as and when required • support consultation with landowners, key stakeholders and the community throughout the planning process and exhibition. |
| Agency Tasks | <p>The Department will:</p> <ul style="list-style-type: none"> • prepare and execute a Project Plan and Communication Strategy for the project; | <p>Council will:</p> |

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

| | | |
|--|---|--|
| | <ul style="list-style-type: none"> • coordinate the procurement and management of contracts for: <ul style="list-style-type: none"> ○ strategic land use planning and constraints analysis ○ traffic, transport, and infrastructure ○ economic and employment feasibility, and others. • identify state infrastructure requirements, costs and funding arrangements • arrange and share the chairing of monthly steering group meetings, jointly with the Council • brief or support Council in briefing the full elected Council on key project milestones, on an as required basis. | <ul style="list-style-type: none"> • Share the chairing of monthly steering group meetings, or milestone meetings, as required, jointly with the Department • advise on the scope and adequacy of technical investigations, as required • participate and provide direction at meetings and planning workshops to support development of the strategy • review and provide comment on draft project deliverables and coordinate the review of project deliverables throughout their broader organisation, as required • brief the elected Council on key project milestones, as required • support the Department in stakeholder and community consultation of the strategy. |
|--|---|--|

Schedule B – Greater Macarthur Priority Growth Area



ATTACHMENT 5

13. REPORT OF DIRECTOR STRATEGY

13.1 Memorandum of Understanding - Greater Macarthur Priority Growth Area

Attachments

Greater Macarthur Priority Growth Area Memorandum of Understanding

Report

Council would be aware that the NSW Government and in particular the Department of Planning and Environment has been working collaboratively with Council over strategic planning work concerning the Greater Macarthur Urban Investigation project - Mt Gilead/Menangle Park precincts) and the Glenfield to Macarthur Corridor Priority Urban Renewal Corridor Strategy. The Draft Corridor Strategy is currently under review and Council understands it is scheduled to be released for re-exhibition in the near future.

The Department is now seeking to consolidate planning for these two areas into one large Priority Growth Area which attaches special significance and resourcing by the Government.

Council has received correspondence from the Secretary of the NSW Department of Planning and Environment seeking Council's agreement (execution) to enter into a Memorandum of Understanding (MOU) with the Department. The MOU addresses planning arrangements for a new "Greater Macarthur Priority Growth Area" and identifies the roles, tasks, and responsibilities of the Department and Council for the purposes of:

- preparing a Land Use and Infrastructure Strategy and Special Infrastructure Contributions Scheme for Mt Gilead and Menangle Park urban release areas
- finalising the Glenfield to Macarthur Urban Renewal Corridor Strategy and establishing Special Infrastructure Contributions Schemes across the corridor, including as a priority the Campbelltown-Macarthur Regional City Centre.

A copy of the correspondence from the Secretary and the MOU is shown as an attachment to this report.

The letter from the Secretary also notes that the NSW Government has allocated \$40m from its Housing Acceleration Fund to advance detailed design and costing for the Appin Road Upgrade and the Spring Farm Link Road.

Councillors may recall the MOU was raised in a recent briefing session undertaken by Mr Brendan Obrien, the Department's Executive Director Infrastructure, Housing and Employment, on Tuesday 5 July 2016.

Council's attention is drawn to the following key items included in the MOU:

1. Background
 - (c) To coordinate the planning of growth in and around the Campbelltown-Macarthur Regional City Centre, a Greater Macarthur Priority Growth Area will be declared. This incorporates the Glenfield to Macarthur urban renewal corridor and the Mt Gilead/Menangle Park land release area. It may also incorporate areas of Wollondilly Shire Council.
 - (d) The Department is working with Campbelltown City Council, Transport for NSW, and other agencies to prepare a Land Use and Infrastructure Strategy for the Menangle Park and Mount Gilead precincts of the Greater Macarthur Priority Growth Area. The strategies will integrate important elements of the precincts including transport, open space, housing, employment lands and environmental protection.
 - (e) A new Special Infrastructure Contribution (SIC) levy will be established to cover the cost of infrastructure to support the forecast growth in homes and jobs over the life of the strategies to 2036. The priority precincts for immediate implementation of a SIC will be, but not limited to:
 - Campbelltown-Macarthur Regional City Centre;
 - Menangle Park land release area; and
 - Mt Gilead land release area.
 - (f) Relevant infrastructure will include regional road and transport infrastructure, regional open space and recreation, district cultural facilities, schools, emergency services and health facilities, environmental protection measures and any associated administrative costs to meet the infrastructure requirements of the Priority Growth Area. The proposed levy will include upgrades to the regional road network as identified in the relevant transport studies, including as a minimum:
 - Appin Road;
 - Spring Farm Link Road; and
 - Badgally Road

Comment

The MOU is a strategic document that articulates the NSW Government's and Council's recognition of the importance to support future urban growth earmarked for the Campbelltown Local Government Area (Local Government Area) with proper planning and financial/administrative arrangements dealing with the provision of critical infrastructure.

The declaration by the government of the establishment of the "Greater Macarthur Priority Growth Area" is due recognition and proper consolidation (in terms of planning and administration) of the extensive future urban growth capacity that is proposed for the Campbelltown Local Government Area. The declaration confirms the metropolitan level of significance that is attached to such growth potential, for the future sustainability of Sydney as a whole.

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

The formal commitment to the establishment of a Special Infrastructure Contributions Scheme(s) similar to schemes already in place in areas such as the South West Growth Centre, as a means to fund the critical and higher (regional) level infrastructure to support the development of the Mt Gilead and Menangle Park Urban Release Areas, and the Glenfield to Macarthur Priority Urban Renewal Project, is a major achievement and follows ongoing and extended advocacy by Campbelltown City Council.

The commitment to establish a SIC scheme for the Priority Growth Area is new in so far as the means to deal with addressing the costs of key regional infrastructure required to satisfy the emerging development needs along the Glenfield to Macarthur Corridor, and builds on earlier indications that the Government was contemplating a SIC scheme to fund regional level infrastructure associated with the roll out of the Greater Macarthur Urban Investigation Area project.

The specific commitment for the Special Infrastructure Contributions Levy to include upgrades to Appin Road, the Spring Farm Link Road and Badgally Road is both essential and welcomed, although it must be noted that the Transport Studies yet to be undertaken/finalised will determine the extent and nature of such upgrades. Council staff will ensure that Councillors are made aware of the outcomes of such technical investigations and the implications for the upgrades of major infrastructure, including matters of funding.

There is ongoing dialogue between the Department and Council concerning the need to ensure employment development strategies are put into place to deliver jobs to support the extent of urban growth proposed throughout the Priority Growth Area. Notably, the MOU makes a number of references to employment. (Please note text in bold made by report author).

The Strategy will:

- provide a cohesive framework to guide investment decisions and policy actions to **support growth of Campbelltown-Macarthur as a key regional centre**
- provide a whole of government and joint position with Council on growth and development to coordinate spending and implementation actions to **improve the supply of housing and jobs**
- Articulate the essential social and physical infrastructure and environmental improvements required to **ensure the Priority Growth Area is a great place to live and work.**

The strategies will integrate important elements of the precincts including transport, open space housing, employment lands and environmental protection.

The administrative provisions of the MOU have been reviewed by Council officers and are considered to be satisfactory.

It is also considered to be worthy of special mention that the covering letter signed by the Secretary includes the following:

"The Department will continue to develop the Land Use and Infrastructure Strategy and Special Contributions Framework for the Growth Area. This will include funding for regional roads and other transport, land for schools and bio-certification. In the interim, and prior to any rezoning being determined, the

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

Department will ensure that satisfactory arrangements are in place to guarantee the staged delivery of critical infrastructure to support growth. The Department will continue to work with Council to mutually agree the relevant growth thresholds for roads and other key infrastructure."

This is an important matter for Council in any future consideration of planning proposals/rezoning proposals for land in the Mt Gilead and Menangle Park precincts in particular.

It is recommended that the Council seek to organise with the Department that the satisfactory arrangements to be put into place for regional level infrastructure prior to rezoning being determined, meet with Council's satisfaction. On this basis and subject to Council resolving to execute the MOU, the current assessment of the planning proposals for the Mt Gilead urban land release and for the Menangle Park urban land release can now be progressed.

The MOU is commended to the Council for execution.

Officer's Recommendation

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

Council Meeting 19 July 2016 (Lake/Lound)

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

LOST

A **Division** was called in regard to the Motion moved Councillor Lake Seconded Councillor Lound for Item 13.1 - Memorandum of Understanding - Greater Macarthur Priority Growth Area with those voting for the Motion being Councillors Greiss, Lake, Matheson, Mead, Rowell and Thompson.

Voting against the Motion were Councillors Borg, Brticevic, Chanthivong, Dobson, Glynn, Hawker, Kolkman, Lound and Oates.

Councillor Dobson retired from the meeting during discussion on this item

Council Meeting 19 July 2016 (Bricevic/Oates)

1. That the Memorandum of Understanding between Campbelltown City Council and the NSW Department of Planning and Environment shown as the attachment to the above report be executed and the General Manager be authorised to sign the Memorandum on Council's behalf with the exception of the Hurlstone Agricultural High School site.
2. That Council does not endorse the proposed plans resulting in the loss of valuable land at the Glenfield Precinct around Hurlstone Agricultural High School for increased excessive urbanisation, congestion and over development.
3. That Council writes to the Premier, the Minister for Planning and the Minister for Education, outlining our community's rejection of their proposed plans to overdevelop the land around Hurlstone and calls on the government to develop a new masterplan for the precinct to be used for educational purposes and accessible open space.
4. That Council write to the Secretary of the Department of Planning and Environment seeking to organise with the Department that the "satisfactory arrangements" referred to in her letter to Council dated 14 July 2016, to be put into place for regional level infrastructure prior to rezoning being determined, meet with Council's satisfaction.

LOST

A **Division** was called in regard to the Motion moved Councillor Bricevic seconded Councillor Oates for Item 13.1 - Memorandum of Understanding - Greater Macarthur Priority Growth Area with those voting for the Motion being Councillors Borg, Bricevic, Chanthivong, Glynn, Kolkman, Lound and Oates.

Voting against the Motion were Councillors Greiss, Hawker, Lake, Matheson, Mead, Rowell and Thompson.

LOST on the Casting Vote of the Mayor



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

16/08364

Dear Ms Deitz

A handwritten signature in blue ink, appearing to read "Lindy", written over the name "Ms Deitz".

I write to request the execution of a Memorandum of Understanding between Campbelltown City Council and the Department of Planning and Environment.

The Memorandum has been developed in consultation with your officers and reflects the Department's intent to work collaboratively with Council to achieve planning and investment outcomes for the city of Campbelltown as part of the Greater Macarthur Priority Growth Area.

I am pleased to confirm that the NSW Government has allocated \$40 million in Housing Acceleration Funds to advance the detailed design and costings of Spring Farm Link Road and Appin Road. This will enable the proposed urban development of Menangle Park and Mount Gilead to progress.

The Department would like you to advance the planning proposals for these areas in parallel with the strategic planning the Department is undertaking for the Greater Macarthur Priority Growth Area.

The Department will continue to develop the Land Use and Infrastructure Strategy and Special Infrastructure Contributions Framework for the Growth Area. This will include funding for regional roads and other transport, land for schools and bio-certification. In the interim and prior to any rezoning being determined, the Department will ensure that satisfactory arrangements are in place to guarantee the staged delivery of critical infrastructure to support growth. The Department will continue to work with Council to mutually agree the relevant growth thresholds for roads and other key infrastructure.

If you are satisfied with the form of this agreement, please return both signed copies to my office, where countersignature of the agreement will be arranged and one copy returned to you.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Carolyn McNally
Secretary

14.7.16



Greater Macarthur Priority Growth Area

Memorandum of Understanding

between

Department of Planning and Environment (the Department)

and

Campbelltown City Council (Council)

Memorandum of Understanding**Dated this day****Parties**

Department of Planning and Environment of 23-33 Bridge Street Sydney, NSW 2000

and

Campbelltown City Council of Cnr Queen and Broughton Streets, Campbelltown, NSW 2560

1. Background

- (a) The NSW Government has identified opportunities for new jobs, homes and services in the south-west district. Studies of the Glenfield to Macarthur urban renewal corridor and Greater Macarthur Land Release Area confirmed the capability of these areas to provide urban development, new homes and employment opportunities for the district in the short to medium term.
- (b) *A Plan for Growing Sydney* identifies the Campbelltown-Macarthur Regional City as a major focus for housing, jobs and services for the south-west. Specific actions for the future development of the area include:
- Work with Council to promote continued growth of the Campbelltown Macarthur region as a regional city centre to support the surrounding communities.
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 - Work with Council to concentrate capacity for additional mixed-use development around train stations, including retail, services and housing.
 - Support the development of a major health and education precinct Campbelltown Macarthur, capitalising on Campbelltown Hospital and the University of Western Sydney.
 - Work with Council to investigate business park opportunities on the western side of the train line.
 - Work with Council to improve walking, cycling and bus connections to train stations on the western side of the train line, and to Campbelltown Hospital and Queen Street.
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7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

- (f) Relevant infrastructure will include regional road and transport infrastructure, regional open space and recreation, district cultural facilities, schools, emergency services and health facilities, environmental protection measures and any associated administrative costs to meet the infrastructure requirements of the Priority Growth Area. The proposed levy will include upgrades to the regional road network as identified in the relevant transport studies, including as a minimum:

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- Spring Farm Link Road; and
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2. Purpose

- (a) This Agreement details the roles, tasks, and responsibilities of the Department and Council for the purposes of progressing the planning and implementation of growth opportunities within the Greater Macarthur Priority Growth Area as set out in Schedule A.

3. Project program

- (a) As outlined in Schedule A, the Project Steering Group and Project Team will agree to a Project Plan and Scope, with appropriate deliverables and timeframes.

Signed by the Secretary of the **Department
Planning and Environment**

SIGNATURE HAS BEEN REMOVED

Date: 14.7.16

Signed on behalf of **Campbelltown City
Council** by General Manager

.....
Date:

7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

Schedule A – Heads of Agreement

| | Department of Planning and Environment (the Department) | Campbelltown City Council (Council) |
|--|---|-------------------------------------|
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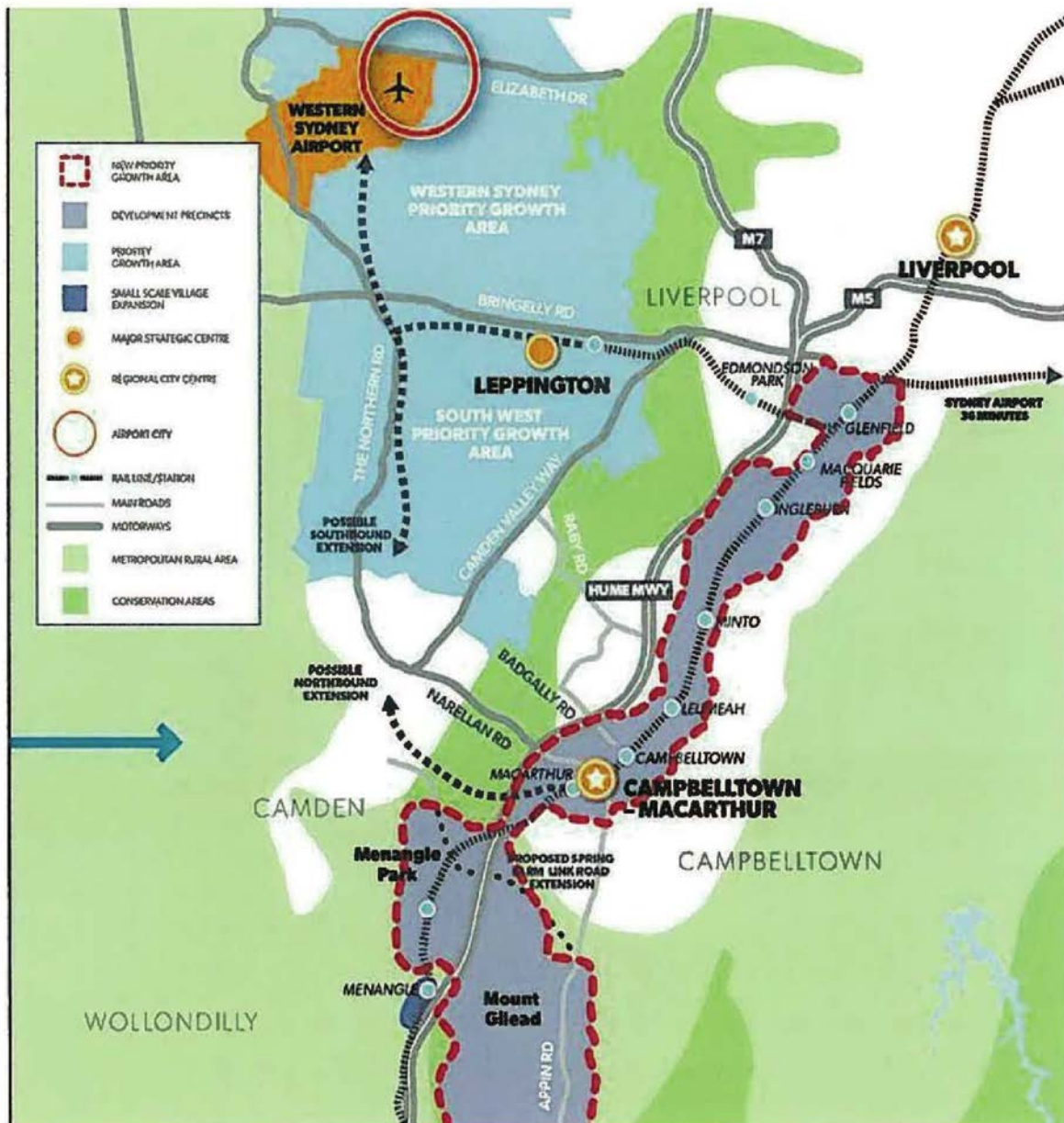
7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

| | | |
|---------------------------|---|--|
| | <p>consultants, with involvement of steering group members or council staff, will be established to undertake the day to day delivery of the project and prepare the Strategy and associated procurement, technical studies and communication materials.</p> <p>The Steering Group and Project Team are to agree to a Project Plan and Scope, with appropriate deliverables and timeframes.</p> | |
| Collaboration | <p>The Steering Group will meet once per month, or at key milestones to:</p> <ul style="list-style-type: none"> • provide advice, guidance and endorsement of the program and project deliverables. • identify, discuss and resolve any issues arising during the project. • to review and provide comment on project products, including scope of procurement, draft Strategy or products. • share information to support the planning task. • support achievement of the program. <p>Matters to be presented to and discussed by the Steering Group shall remain confidential unless otherwise agreed by the Department and Council.</p> <p>The Project Team will meet regularly as required to:</p> <ul style="list-style-type: none"> • share information and guide the planning task • provide an update of progress and work completed to date • identify, discuss and resolve any issues arising during the project • ensure achievement of program. <p>The Steering Group will engage with the Greater Sydney Commission at key milestones to inform the strategy.</p> | |
| Guiding Behaviours | <p>The Steering Group and Project Team will:</p> <ul style="list-style-type: none"> • work collaboratively and commit to deliver a Strategy which: <ul style="list-style-type: none"> ◦ is contemporary, progressive and reflects best practice ◦ advances opportunity for employment and housing delivery ◦ reflects consideration of regional, subregional and local interests, and supports the achievement of a holistic vision for Western Sydney • engage with each other with honesty, openness and transparency • treat each other with respect at all times and share an understanding that differing views may enrich the planning outcome • commit to the achievement of our roles and responsibilities throughout the project program. | |
| Agency Roles | <p>The Department will:</p> <ul style="list-style-type: none"> • lead coordination of the program • ensure specialist consultants are engaged, as required • lead the land use, transport and infrastructure planning analysis to inform the strategy • lead consultation with Commonwealth, State agencies, Greater Sydney Commission, service providers, and other stakeholders to consider their interests and inform the strategy • identify transport and infrastructure requirements to support the Strategy • lead stakeholder and community consultation of the strategy. | <p>Council will:</p> <ul style="list-style-type: none"> • partner with the Department to: <ul style="list-style-type: none"> ◦ inform the scope and adequacy of technical investigations ◦ identify of constraints and opportunities ◦ inform appropriate land use and built form for the strategy, as well as transport and infrastructure requirements to support growth. • ensure integration of their broader organisation with the project as and when required • support consultation with landowners, key stakeholders and the community throughout the planning process and exhibition. |
| Agency Tasks | <p>The Department will:</p> <ul style="list-style-type: none"> • prepare and execute a Project Plan and Communication Strategy for the project; | <p>Council will:</p> |

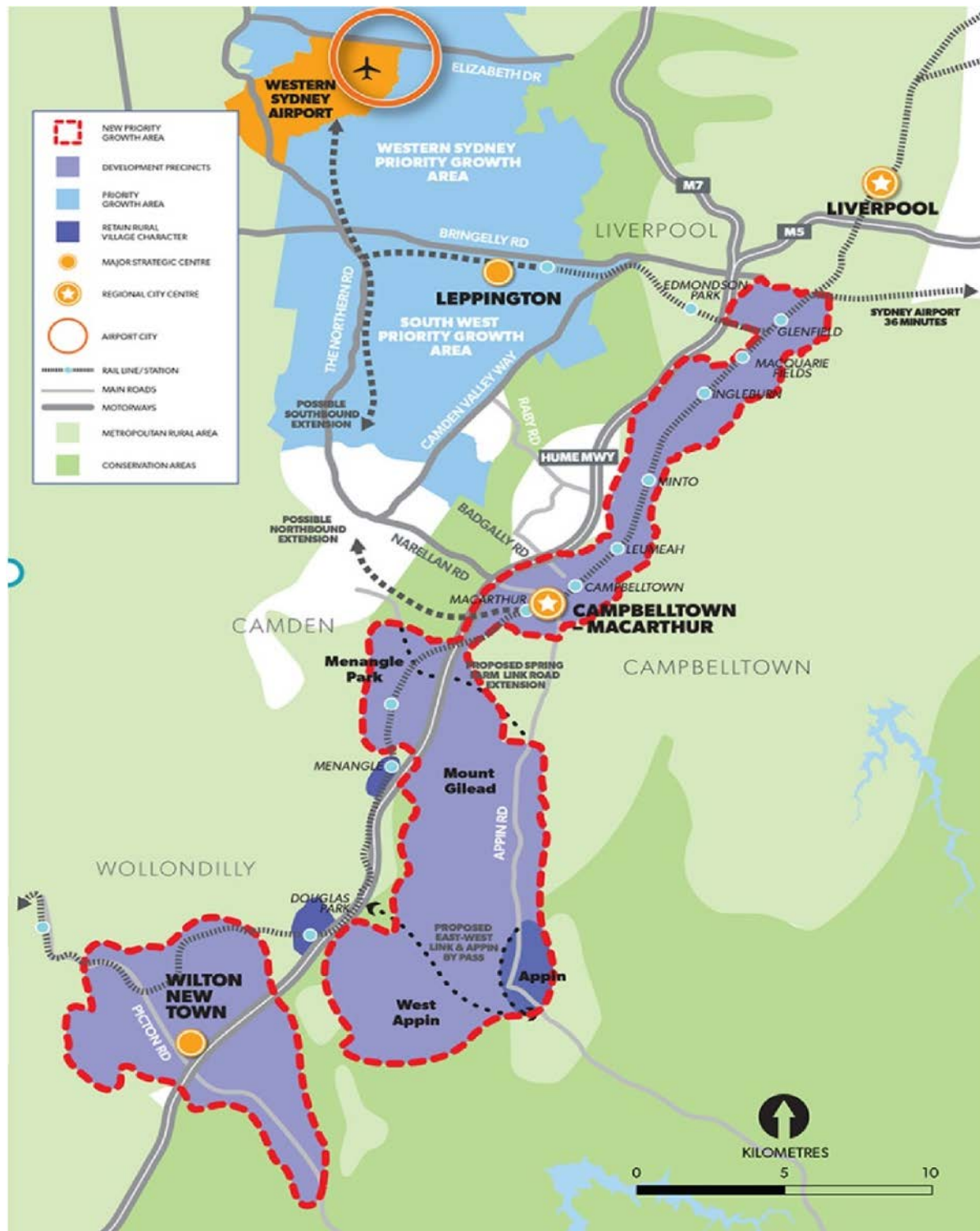
7.17 Exhibition Of The Greater Macarthur Priority Growth Area Package

| | | |
|--|---|--|
| | <ul style="list-style-type: none"> • coordinate the procurement and management of contracts for: <ul style="list-style-type: none"> ○ strategic land use planning and constraints analysis ○ traffic, transport, and infrastructure ○ economic and employment feasibility, and others. • identify state infrastructure requirements, costs and funding arrangements • arrange and share the chairing of monthly steering group meetings, jointly with the Council • brief or support Council in briefing the full elected Council on key project milestones, on an as required basis. | <ul style="list-style-type: none"> • Share the chairing of monthly steering group meetings, or milestone meetings, as required, jointly with the Department • advise on the scope and adequacy of technical investigations, as required • participate and provide direction at meetings and planning workshops to support development of the strategy • review and provide comment on draft project deliverables and coordinate the review of project deliverables throughout their broader organisation, as required • brief the elected Council on key project milestones, as required • support the Department in stakeholder and community consultation of the strategy. |
|--|---|--|

Schedule B – Greater Macarthur Priority Growth Area



ATTACHMENT 6



8. QUESTIONS WITH NOTICE

8.1 Lysaght Road, Wedderburn

Councillor Rowell has given notice of the following Questions With Notice that will be asked at the Ordinary Meeting of Council held 25 October 2016.

1. Could the General Manager give an update on discussions with Wollondilly Council regarding the possible opening up of Lysaght Road, Wedderburn.
 2. Have there been any discussions with local residents and the Member for Campbelltown and Government officials and if so what outcomes or future strategies have been put in place.
 3. Have Mayor Brticevic and Mayor Hannon been briefed on the talks between both Councils.
-

9. RESCISSION MOTION

No rescission motion this round

10. NOTICE OF MOTION

10.1 Cemetery - Scenic Hills

Councillor Brticevic has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 25 October 2016.

1. That this Council obtain urgent legal advice exploring avenues of appeal to the recent zoning approval for a 136,000 plot cemetery within the Scenic Hills.
 2. That Council invite the Minister for Planning the Honourable Rob Stokes to inspect the Scenic Hills and Varroville House. Also to meet with the owners of Varroville House Jacqui Kirkby/Peter Gibbs along with other members of the Scenic Hills Association, Mayor and interested Councillors.
 3. That Council invite Greater Sydney Planning Commission District Commissioner Sydney South West Ms Sheridan Dudley to inspect the Scenic Hills and Varroville House. Also to meet with the owners of Varroville House Jacqui Kirkby/Peter Gibb along with other members of the Scenic Hills Association, Mayor and interested Councillors.
-

10.2 Tennis Courts - Cleopatra Drive - Rosemeadow

Councillor Brticevic has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 25 October 2016.

That a report be presented investigating the feasibility of turning the dilapidated tennis courts located at Cleopatra Drive, Rosemeadow into multipurpose courts.

10.3 Distribution of Rate Collection

Councillor Brticevic has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 25 October 2016.

That Council investigate options into a fairer distribution of rate collection across the Local Government Area due to the significant rate rises especially in the suburbs of Ingleburn, Macquarie Fields and Glenfield as a result of recent Valuer General evaluations.

10.4 Provision of Bus Services along Blaxland Road, Campbelltown

Councillors Morrison, Borg, and Moroney have given Notice in writing of their intention to move the following Motion at the next meeting of Council on 25 October 2016.

That Council write to the Minister for Transport requesting the provision of bus services along Blaxland Road.

10.5 Divestment of Councils investment portfolio away from fossil fuels

Councillor Moroney has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 25 October 2016.

1. That Council recognises the damage to the local environment caused by coal and coal seam gas mining, as well as the global threat posed by anthropogenic climate change.
 2. That Council notes the global shift in investment away from coal and coal seam gas.
 3. That Council notes that high-profile, financially sustainable NSW Councils such as City of Sydney, Byron Shire and the City of Newcastle have all divested or begun divestment of their portfolios from institutions which invest in fossil fuels.
 4. That Council requests the Executive Manager Corporate Services and Governance to prepare a report, to be presented to Council at the earliest convenience, investigating the feasibility of divesting Council's investment portfolio from any institutions which invest in fossil fuels. This report shall outline a potential process to gradually divest Council's term investments in a way which:
 - a. Does not break any term agreements, contracts or otherwise incur financial penalty.
 - b. Is compliant with Council's existing investment policy.
 - c. Ensures funds are invested at rates of interest comparable to or better than those offered by fossil fuel aligned financial institutions.
-

11. URGENT GENERAL BUSINESS

No reports this round

12. PRESENTATIONS BY COUNCILLORS

13. CONFIDENTIAL REPORTS FROM OFFICERS

13.1 Directors of Companies - City Development

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

13.2 Request for Extension of Sick Leave

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(b) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors).

13.3 Compulsory acquisition of Council land at Glenfield by RMS

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.
-

Minutes Summary 8 November 2016

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 8 November 2016

Present

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

It was **Moved** Councillor Borg, **Seconded** Councillor Rowell that the **APOLOGY** from Councillor Morrison be received and accepted.

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

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 25 October 2016

It was **Moved** Councillor Hunt, **Seconded** Councillor Chowdhury that the Minutes of the Ordinary Meeting of Council held 25 October 2016, copies of which have been circulated to each Councillor, be taken as read and confirmed with an amendment to page 16 to remove the duplication of Councillor Hunt's name recorded in the voting for item 10.1.

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

4. DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

5. MAYORAL MINUTE

No mayoral minute this round

6. PETITIONS

No Petitions this round

7. CORRESPONDENCE

7.1 Senator The Hon James McGrath

Meeting Note: Mr Gay addressed the meeting regarding this item.

It was **Moved** Councillor Lake, **Seconded** Councillor Thompson that the letter be received and the information be noted.

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

8. REPORTS FROM OFFICERS

8.1 Amendment No. 2 to Campbelltown Local Environmental Plan 2015 to reflect the re-alignment to the Campbelltown - Camden Local Government Boundary

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

1. That Council adopt Amendment No 2 to Campbelltown Local Environmental Plan 2015 as proposed by the draft planning proposal contained in attachment 2, to amend various maps and associated principal development standards in the Campbelltown Local Environmental Plan 2015 (CLEP 2015) so to be consistent with the previous gazettal of the re-alignment of the Campbelltown/Camden Local Government Area (LGA) boundary.
-

8.2 Development Services Statistics July And August 2016

2. That Council's delegate, the General Manager, make Amendment No 2 to Campbelltown Local Environmental Plan 2015 under delegation, pursuant to Section 59 of the *Environmental Planning and Assessment Act 1979* as authorised by the Delegate of the Greater Sydney Commission.
3. That Council informs the Department of Planning and Environment of its decision to adopt and make Amendment No 2 to Campbelltown Local Environmental Plan 2015.
4. That Council advise the affected land owners and parties responsible for submissions (where not the owner) of its decision on this matter.

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

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

Voting against the Council Resolution: nil.

8.2 Development Services Statistics July and August 2016

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

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

8.3 Change of use from a hotel and function centre to a club and function centre - No. 170 Menangle Road, Menangle Park

Meeting Note: Mr Brown addressed the meeting.

It was **Moved** Councillor Greiss, **Seconded** Councillor Lound that development application 1040/2016/DA-U for the change of use from a hotel and function centre to a club and function centre with associated internal alterations at No. 170 Menangle Road, Menangle Park be approved, subject to the conditions detailed in attachment 1 of this report.

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

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

Voting against the Council Resolution: nil.

8.4 Construction Of A 10 Bedroom Boarding House Within Two Detached Buildings - No. 27 Saywell Road, Macquarie Fields

8.4 Construction of a 10 bedroom boarding house within two detached buildings - No. 27 Saywell Road, Macquarie Fields

Meeting Note: Mr Purohit, Reverend Ould, Ms Roberts and Mr Shanahan addressed the meeting.

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

1. That development application 545/2016/DA-BH for the construction of a ten bedroom boarding house within two detached buildings at No. 27 Saywell Road, Macquarie Fields, be approved, subject to the conditions detailed in attachment 1 of this report.
2. That an investigation is conducted to confirm if prior approval was obtained with respect to the removal of trees that were previously situated on the site.

An **Amendment** was **Moved** Councillor Lound and **Seconded** Councillor Moroney:

1. That development application 545/2016/DA-BH for the construction of a ten bedroom boarding house within two detached buildings at No. 27 Saywell Road, Macquarie Fields, be approved, subject to the conditions detailed in attachment 1 of this report with condition number 21 amended as follows:

21. Parking

- a. Two car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 6 (as amended).
 - b. Two motorcycle parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 (as amended).
 - c. A bicycle cage shall be provided to securely accommodate two bicycles, designed and made available to users of the site in accordance with Australian Standards 2890.3 (as amended).
 - d. The existing parking bay on the north side of the access road shall be formally extended to accommodate five additional car parking spaces. The parking spaces shall be designed, constructed, sealed, line marked and made available to the public in accordance with Council's requirements.
 - e. The eastern extent of the existing on-road parking bay is to be designed to accommodate the unimpeded turning of garbage trucks. The turning bay is to include pavement line marking to delineate the turning bay and regulatory sign positing to prevent the parking of vehicles within the turning bay.
 - f. The applicant is to provide a formalised 'No Stopping' area along the north side (and for the full length) of the access road (excluding the formal parking area).
-

8.5 Construction Of A Telecommunications Facility Comprising Of A 40 Metre High Monopole And Ancillary Equipment At No. 206 Minerva Road Wedderburn

Prior to Council or an accredited certifier issuing a construction certificate, the applicant must obtain separate approval from the Council's Local Traffic Committee for any proposal for the construction or installation of prescribed traffic control devices, parking facilities and/or all line marking and sign posting proposed within a public road area.

2. That an investigation is conducted to confirm if prior approval was obtained with respect to the removal of trees that were previously situated on the site.

WON and became the Motion.

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

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

Voting against the Council Resolution were Councillors: Borg, George, Rowell and Thompson.

8.5 Construction of a telecommunications facility comprising of a 40 metre high monopole and ancillary equipment at No. 206 Minerva Road Wedderburn

It was **Moved** Councillor Lound, **Seconded** Councillor Borg that development application 253/2016/DA-O for the construction of a telecommunication facility comprising of a 40 metre high monopole and ancillary equipment at No. 206 Minerva Road, Wedderburn, be approved, subject to the conditions detailed in attachment 1 of this report.

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

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

Voting against the Council Resolution: nil.

8.6 Renaming of Gilchrist Drive Bridge

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

1. That in accordance with the *NSW Roads Act 1993* Council advertise and place on public exhibition the proposal to rename the Gilchrist Drive Bridge, Campbelltown as the James Rookes Bridge.
2. That following the public exhibition period, staff report back to Council with the results of the consultation.

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

A **Division** was called in regard to the Resolution for Item 8.6 - Renaming of Gilchrist Bridge with those voting for the Resolution being Councillors Borg, Brticevic, Chivers, Chowdhury, George, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Oates, Rowell and Thompson.

Voting against the Resolution: nil.

8.7 Insurance and Care NSW - Expression of Interest - Life Designs NSW

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

1. That Council endorse the Expression of Interest for Insurance and Care NSW funding through a consortium led by Community Options Australia.
2. That Council be advised of the outcome of the Expression of Interest process once known.

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

8.8 Community Capacity Building Funding Projects

It was **Moved** Councillor Oates, **Seconded** Councillor Lound that Council approves funding to the following groups under the Seeding Grants Program, with the amounts specified below.

| Applicant | Project | Amount |
|---|---|----------------|
| Filipino and Friends Parish Community Association | Reduce isolation in western side of Campbelltown | \$500 |
| Macfields Master Chef | Sensory Garden | \$500 |
| Te kopu o te reo | Cultural and language development | \$499 |
| Macquarie Fields Homework Club | Homework Club - Assisting children in the completion of home work | \$500 |
| Total | | \$1,999 |

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

8.9 Proposed operating hours during the Christmas holiday period 2016-2017

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

1. That Council Offices and the Works Depot close from Wednesday 28 December - Friday 30 December 2016 with staff taking annual or flexi leave for these days.
2. That the holiday opening hours for the Council offices, Depot, Animal Care Facility, Campbelltown Visitor Information Centre, Education and Care Services, Leisure Services, Campbelltown Arts Centre and Libraries as detailed in the report, be approved and advertised through local papers, on Council's website, social media and at the relevant centres and services.

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

8.10 Parliament of NSW Aboriginal Art Prize update

It was **Moved** Councillor Oates, **Seconded** Councillor Rowell that Council endorse the proposal to be presented to the Deputy Premier.

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

8.11 Audit, Risk and Improvement Committee Member Fees

It was **Moved** Councillor Borg, **Seconded** Councillor Chivers that Council approve an increase in professional fees for independent Audit, Risk and Improvement Committee members of \$1200 per meeting for the Chairperson and \$1000 per meeting for the two independent members. Fees are inclusive of travel expenses.

An **Amendment** was **Moved** Councillor Thompson and **Seconded** Councillor Moroney that Council approve an increase in professional fees for independent Audit, Risk and Improvement Committee members of \$1000 per meeting for the Chairperson and \$750 per meeting for the two independent members. Fees are inclusive of travel expenses.

LOST

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

8.12 Investment Report - September 2016

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

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

8.13 Reports Requested

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

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

8.14 Draft Submission on the Western Sydney Rail Needs Scoping Study Discussion Paper

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

1. That Council note the information provided on the Western Sydney Rail Needs Scoping Study - Discussion Paper.
2. That Council note the submission on the Western Sydney Rail Needs Scoping Study - Discussion Paper, prepared by Deloitte and ARUP on behalf of the Western Sydney Rail Alliance.
3. That Council endorse the draft submission that has been prepared by Council officers in response to the Western Sydney Rail Needs Scoping Study - Discussion Paper (provided at attachment 1 to this report).

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

9. QUESTIONS WITH NOTICE

No reports this round

10. RESCISSION MOTION

No rescission motion this round

11. NOTICE OF MOTION

11.1 Proposed Georges River Bush Cycle Track

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

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.

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

11.2 Proposed extension of shelter structures

It was **Moved** Councillor Chowdhury, **Seconded** Councillor Hunt that Council writes to Transport for NSW to provide extensions to the shelter structures for both taxi drivers and passengers at Ingleburn Station and Minto Station to accommodate for increased passenger numbers.

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

11.3 Intersection of Minto and Ohlfsen Roads, Minto

It was **Moved** Councillor Chowdhury, **Seconded** Councillor Rowell that Council conduct a traffic study at the intersection of Minto Road and Ohlfsen Road, Minto, and on completion, if the need is identified, write to the Roads and Maritime Services requesting alternate traffic safety measures such as a roundabout or similar traffic safety measure.

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

11.4 Trial program for Children on the Autism Spectrum

It was **Moved** Councillor Chivers, **Seconded** Councillor Borg that Council officers investigate and report on how to provide a program that could be trialled through Library Services that caters for children on the autism spectrum, which includes but is not limited to:

- a. considering timing options for the program (eg opening a library one hour earlier on a Saturday to run the trial program) as well as how best to promote such a program to targeted audiences
- b. obtaining advice from experts in programming for children on the autism spectrum on how this can be best delivered (including programs involving therapy dogs and shadow puppet shows) and
- c. providing a collection of resources for parents and carers of children on the autism spectrum (if Council does not already have same) to supplement such a program.

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

A **Division** was called in regard to the Resolution for Item 11.4 - Trial Program for Children on the Autism Spectrum with those voting for the Resolution being Councillors Borg, Brticevic, Chivers, Chowdhury, George, Greiss, Hunt, Lake, Lound, Manoto, Moroney, Oates, Rowell and Thompson.

Voting against the Resolution: nil.

11.5 Design Excellence Panel

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

1. That a report and a briefing be presented to Council detailing the cost associated with establishing and running a Design Excellence Panel (DEP) to encourage high quality urban design within the Campbelltown Local Government Area (LGA) including any honorariums, and the feasibility of any other options to ensure the best practice function of the panel.
 2. That the report consider establishing a DEP to provide an independent and transparent specialist peer review of major urban development and high density dwellings within the Local Government Area based on the following criteria:
 - a. The Design Excellence Panel be comprised of five members consisting of, four professionals and one community representative, with membership open to:
 - o well-known and respected professionals who are involved in the design of major projects and have extensive expertise in areas of architecture, urban design and/or landscape architecture; and
 - o a community representative with a demonstrated understanding and experience in architecture, urban design, landscape architecture or a related field.
-

- o to ensure the panel's independence, a panel member cannot be a Councillor or council employee.
- b. Expert members must not live or do business in the council area in a related field. Community representatives must live in the area, but not do business in the Campbelltown area in a related field.
- c. That the panel members' tenure should be limited to two years with an optional extension for another two years.
- d. That a selection committee be established to undertake the selection of panellists. The selection committee should include the Mayor or his/her Councillor, representative and one other Councillor. Two senior staff members and two distinguished independent people with knowledge of the development assessment system. All members of the selection committee to be approved by a council resolution.
- e. That the appropriate Policy and Procedure and Code of Conduct be developed in line with ICAC recommendations to ensure the panel demonstrate the highest ethical standards in the exercise of their duties and responsibilities, maintain the integrity of the panel and to provide for fair and transparent dealings in making decisions.

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

11.6 Independent Hearing and Assessment Panel

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

1. That a report and briefing be presented to Council detailing the cost associated with the establishing and running an Independent Hearing and Assessment Panel (IHAP) including any honorariums, and the feasibility of any other options to ensure the best practice function of the panel.
 2. That based on the following points, the report also consider the establishing of a IHAP to provide an independent and transparent specialist peer review of the officers' assessment and recommendations to the Council/Councillors on development applications within the Local Government Area that are significant in size or complexity or have unresolved objections.
 - a. A IHAP consisting of five members including the chair of the design panel, two professional members and one community member.
 - b. The chairperson should be a renowned expert in one of the specialist fields or with experience in the Land and Environment Court
 - c. A pool of panel members of at least ten independent experts and four community members should be established to enable random selection
 - d. The pool should include experts in the fields of planning, design, law and environmental science, traffic/engineering, heritage, land economics and social planning
-

-
- e. To ensure the panel's independence and transparency, a panel member cannot be a Councillor or council employee
 - f. That an expert members must not live or do business in the council area in a related field. Community representatives must live in the area, but not do business in the Campbelltown area in a related field
 - g. That the panel members' tenure should be limited to two years with an optional extension for another two years
 - h. That a selection committee be established to undertake the selection of panellists. The selection committee should include the Mayor or his/her Councillor representative, and one other Councillor, two senior staff members and two distinguished independent people with knowledge of the development assessment system. All members of the selection committee to be approved by a council resolution
 - i. That the appropriate Policy and Procedure and Code of Conduct be developed in line with ICAC recommendations to ensure the panel demonstrate the highest ethical standards in the exercise of their duties and responsibilities, maintain the integrity and transparency of the panel and to provide for fair dealings in making decisions.

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

12. URGENT GENERAL BUSINESS

No reports this round

13. PRESENTATIONS BY COUNCILLORS

13.1 Presentations by Councillors

- 1. Councillor Oates advised that she recently represented the Mayor at the Youth Solutions Project Launch for Drug and Alcohol Use and Abuse. It was noted that as part of this project a number of youth produced a video which highlights how young people can go out with friends whilst avoiding binge drinking and teaches them how to celebrate safely. This video will be distributed to all local schools. Councillor Oates noted that the event was very successful and it was wonderful to share the experience with the youth in attendance.
 - 2. Councillor Chowdhury advised that he recently represented the Mayor at the Mosque Open Day in Minto which was a wonderful event.
 - 3. Councillor Chowdhury advised that he represented the Mayor at the recent Indian Cricket Tournament in Glenfield.
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4. Councillor Hunt advised that she represented the Mayor recently at the Lifeline Gala Dinner "Shine like a Diamond" noting the event was very successful and raised over \$6000.
5. Councillor Lound advised that he represented the Mayor at the Endicott Cup. The Endicott Cup is a multidisciplinary award including academic, sport and cooking.
6. Councillor Moroney advised that he recently attended the Diwali Festival which was a wonderful event.
7. Councillor Moroney advised that he represented the Mayor recently at the National Day of Action Rally for black deaths in custody.
8. Councillor Borg advised that he recently represented the Mayor at the Campbelltown Golf Tournament. Feedback received by participants was very positive. Councillor Borg passed on his congratulations to Campbelltown Catholic Club and Council staff for the initiative.
9. Councillor Greiss congratulated Communications and Marketing staff for their efforts and coordination of the recent Fisher's Ghost Art Award, the event was well received by the community. Councillor Greiss noted that the new format worked very well.
10. Councillor Greiss noted that the Festival of Fisher's Ghost Street Parade was once again a very successful event and all of the weekend's events were fantastic.
11. Councillor Brticevic advised that he recently attended the Wests Tigers Beyond Blue Ball and noted that it was a wonderful evening for a very good cause. Councillor Brticevic noted that Wests Tigers are doing some wonderful work with regards to raising awareness and reducing the stigma surrounding mental health.
12. Councillor Brticevic congratulated Communications and Marketing staff for their efforts with regards to Fred's First Night which is a wonderful initiative.
13. Councillor Brticevic advised that he recently attended the Campbelltown Lions Youth of the Year award.
14. Councillor Brticevic thanked Councillors for representing him at a number of recent events and noted that Council receives a large number of requests for representatives.

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.

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

The Ordinary Meeting of Council was adjourned at 9.57pm and reconvened as a meeting of the Confidential Committee at 9.58pm.

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Directors of Companies - City Development

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

CARRIED

Motion

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 9.59pm.

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

There being no further business the meeting closed at 10.00pm.

Confirmed by Council on

..... General Manager Chairperson

CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES

At the Council Meeting held 8 November 2016 the following Council minutes were adopted:

There being no further business at the meeting of 25 October 2016, the meeting closed at 9.53pm.

Confirmed by the Chairperson:

A handwritten signature in black ink, appearing to read 'G. Anticic', is written over the text 'Confirmed by the Chairperson:'.