



**CAMPBELLTOWN**  
CITY COUNCIL

# **ORDINARY BUSINESS PAPER**

**14 JULY 2020**

## COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BASIX	Building Sustainability Index Scheme
BCA	Building Code of Australia
BIC	Building Information Certificate
BPB	Buildings Professionals Board
CLEP 2002	Campbelltown Local Environmental Plan 2002
CLEP 2015	Campbelltown Local Environmental Plan 2015
CBD	Central Business District
CPTED	Crime Prevention Through Environmental Design
CSG	Coal Seam Gas
DA	Development Application
DCP	Development Control Plan
DDA	<i>Disability Discrimination Act 1992</i>
DPE	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
FFTF	Fit for the Future
FSR	Floor Space Ratio
GRCCC	Georges River Combined Councils Committee
GSC	Greater Sydney Commission
HIS	Heritage Impact Statement
IDO	Interim Development Order
IPR	Integrated Planning and Reporting
KPoM	Koala Plan of Management
LEC	Land and Environment Court
LEC Act	<i>Land and Environment Court Act 1979</i>
LEP	Local Environmental Plan
LGA	Local Government Area
LG Act	<i>Local Government Act 1993</i>
LPP	Local Planning Panel
LTFP	Long Term Financial Plan
NGAA	National Growth Areas Alliance
NOPO	Notice of Proposed Order
NSWH	NSW Housing
OEH	Office of Environment and Heritage
OLG	Office of Local Government, Department of Premier and Cabinet
OSD	On-Site Detention
OWMS	Onsite Wastewater Management System
PCA	Principal Certifying Authority
PoM	Plan of Management
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PMF	Probable Maximum Flood
PN	Penalty Notice
PP	Planning Proposal
PPR	Planning Proposal Request
REF	Review of Environmental Factors
REP	Regional Environment Plan
RFS	NSW Rural Fire Service
RL	Reduced Levels
RMS	Roads and Maritime Services
SANSW	Subsidence Advisory NSW
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SREP	Sydney Regional Environmental Plan
SSD	State Significant Development
STP	Sewerage Treatment Plant
SWCPP	Sydney Western City Planning Panel (District Planning Panel)
TCP	Traffic Control Plan
TMP	Traffic Management Plan
TNSW	Transport for NSW
VMP	Vegetation Management Plan
VPA	Voluntary Planning Agreement
PLANNING CERTIFICATE	– A Certificate setting out the Planning Rules that apply to a property (formerly Section 149 Certificate)
SECTION 603 CERTIFICATE	- Certificate as to Rates and Charges outstanding on a property
SECTION 73 CERTIFICATE	- Certificate from Sydney Water regarding Subdivision



07 July 2020

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 14 July 2020 at 6.30pm.

Lindy Deitz  
General Manager

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## **1. ACKNOWLEDGEMENT OF LAND**

I acknowledge the Dharawal people whose ongoing connection and traditions have nurtured and continue to nurture this land.

I pay my respects and acknowledge the wisdom of the Elders – past, present and emerging and acknowledge all Aboriginal people here tonight.

## **2. APOLOGIES/LEAVE OF ABSENCE**

Nil at time of print.

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

#### **3.1 Minutes of the Ordinary Meeting of Council held 9 June 2020**

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

That the Minutes of the Ordinary Meeting of Council held 9 June 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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##### **Report**

That the Minutes of the Ordinary Meeting of Council held 9 June 2020 are presented to Council for confirmation.

##### **Attachments**

1. Minutes of the Ordinary Meeting of Council held 9 June 2020 (contained within this report)

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 9 June 2020.

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 9 June 2020**

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

## **1.     ACKNOWLEDGEMENT OF LAND**

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

### **Council Prayer**

The Council Prayer was presented by the General Manager.

## **2.     APOLOGIES/LEAVE OF ABSENCE**

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Nil

Note: That Councillor R George has been granted a leave of absence from Council incorporating all meetings until further notice.

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## **3.     CONFIRMATION OF MINUTES**

### **3.1   Minutes of the Ordinary Meeting of Council held 12 May 2020**

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

That the Minutes of the Ordinary Council Meeting held 12 May 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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

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

##### **Pecuniary Interests**

Councillor Morrison – Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Morrison advised he has a pecuniary interest and will leave the meeting.

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

Councillor Greiss – Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Greiss in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Greiss also advised his former employee has made a submission to the review and he is a member of the Sydney Western Planning Panel and will leave the meeting.

Councillor Lound – Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Lound in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Lound advised is a member of the Sydney Western Planning Panel and will leave the meeting.

Councillor Greiss – Item 8.3 – Kellicar Road Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western Planning Panel and will leave the meeting.

Councillor Lound – Item 8.3 – Kellicar Road Planning Proposal. Councillor Lound advised he is a member of the Sydney Western Planning Panel and will leave the meeting.

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

Nil

##### **Other Disclosures**

Nil

##### **Special Disclosures of Interest**

The Mayor, Councillor Brticevic in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Brticevic advised that he intends to remain in the meeting and vote on the matter.

Councillor Chivers in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Chivers advised that she intends to remain in the meeting and vote on the matter.

Councillor Chowdhury in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Chowdhury advised that he intends to remain in the meeting and vote on the matter.

Councillor Gilholme in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Gilholme advised that he intends to remain in the meeting and vote on the matter.

Councillor Hunt in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Hunt advised that she intends to remain in the meeting and vote on the matter.

Councillor Lake in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Lake advised that he intends to remain in the meeting and vote on the matter.

Councillor Manoto in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Manoto advised that he intends to remain in the meeting and vote on the matter.

Councillor Moroney in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Moroney advised that they intend to remain in the meeting and vote on the matter.

Councillor Oates in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Oates advised that she intends to remain in the meeting and vote on the matter.

Councillor Thompson in accordance with clause 4.37 of the Code of Conduct, made a Special Disclosure of a Pecuniary Interest in relation to Item 8.2 – Consideration of Submissions – Review of Campbelltown Local Environmental Plan 2015. Councillor Thompson advised that he intends to remain in the meeting and vote on the matter.

## **5. MAYORAL MINUTE**

## **6. PETITIONS**

## 7. CORRESPONDENCE

### 7.1 Establishment of a Service NSW Centre in Campbelltown

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

That the letters be received and the information be noted.

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

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## 8. REPORTS FROM OFFICERS

### 8.1 Development Application Status

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#### Officer's Recommendation

That the information be noted.

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An **Amendment** was **Moved** Councillor Lake, **Seconded** Councillor Morrison:

That Council prepare a feasibility report with regard to the development of a physical and virtual model of the LGA from Macarthur Square to Leumeah to provide a visual perspective of proposed developments in the LGA to be displayed in the foyer of the Council building and placed on Council's website.

The Amendment became the motion.

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

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**Meeting note:** Having declared an interest in Item 8.2 Councillor Greiss, Councillor Lound and Councillor Morrison left the meeting at 7.00pm and did not take part in the discussion or vote on the matter.

## 8.2 Consideration of Submissions - Review of Campbelltown Local Environmental Plan 2015

**Meeting note:** written submissions from Mr Barry Durman, Mr Matthew Choi and Ms Patricia Durman were distributed and read at the meeting. Written submissions from Dr Sharyn Cullis, Mr Robert Chambers and Ms Jacqui Kirkby were distributed and noted.

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

1. That the following amendments be made to the Planning Proposal at attachment 1 to this report:
  - a. An additional permitted uses map be added for that part of Lot 3098 DOP 1230014 (Western Sydney University) north of University Drive and William Downes Avenue
  - b. The repeal of IDO 15 be removed from the planning proposal
  - c. That all changes proposed for 717 Appin Road, Mt Gilead be removed from the planning proposal and that this land remain a deferred matter.
2. That once the changes referred to in point 1 have been made, the planning proposal be forwarded to the Minister for Planning and Public Spaces along with a request that Amendment No. 24 to the Campbelltown Local Environmental Plan 2015 (CLEP 2015) be made and the concurrent repeal of Campbelltown (Urban Areas) Local Environmental Plan 2002, Interim Development Order No. 29 and Campbelltown Local Environmental Plan – District 8 (Central Hills Lands).
3. That everyone who was recorded as making a submission in response to the public exhibition of the planning proposal be advised of Council's decision.

An Amendment was Moved Councillor Lake:

That the above recommendation be adopted with the addition of point 1 d) that the area surrounded by Blaxland Road, Narellan Road, Badgally Road and the railway line be zoned as 4B.

Lapsed for lack of Secunder.

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

Voting against the Resolution was Councillor P Lake.

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

**Meeting note:** At the conclusion of the discussion regarding Item 8.2 Councillor Morrison returned to the meeting at 7:36pm.

**Meeting note:** Having declared an interest in Item 8.3 Councillor Greiss and Councillor Lound did not re-join the meeting and did not take part in the discussion or vote on the matter.

### 8.3 Kellicar Road Planning Proposal

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**Meeting note:** a written submission from Mr Wayne Gersbach was distributed and read at the meeting.

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

1. That Council support the planning proposal at attachment 1 to this report and forward the planning proposal to the Department of Planning, Industry and Environment and request a Gateway Determination.
  2. That Council request delegation from the Department of Planning, Industry and Environment to allow Council to finalise the planning proposal.
  3. That Council request the following be required as conditions of any Gateway Determination:
    - a. A detailed traffic study that identifies short, medium and long term traffic solutions for the precinct
    - b. A flood study considering the impacts of flooding from Birunji Creek
    - c. A comprehensive public domain plan
    - d. An evidence based site sustainability and resilience strategy
    - e. A site specific Development Control Plan
    - f. A study/strategy/plan that details how affordable housing will be provided within the future development of this site
  4. That Council advise all land owners within the subject site of its decision.
- 

An **Amendment** was **Moved** Councillor Moroney, **Seconded** Councillor Hunt:

That consideration and submission of the planning proposal be deferred until Council receives or develops:

1. A detailed traffic study that identifies short, medium and long term traffic solutions for the precinct
  2. A flood study considering the impacts of flooding from Birunji Creek
-

- 
3. A comprehensive public domain plan
  4. An evidence based site sustainability and resilience strategy
  5. A site specific Development Control Plan
  6. A study/strategy/plan that details how affordable housing will be provided within the future development of this site.

A Division was recorded in regard to the Amendment Resolution for Item 8.3 with those voting for the Motion being Councillor B Moroney.

Voting against the Amendment Resolution were Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, P Lake, W Morrison, B Thompson and T Rowell.

The Amendment on being Put was **LOST**.

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A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, P Lake, W Morrison, B Thompson and T Rowell.

Voting against the Resolution was Councillor B Moroney.

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

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**Meeting note:** At the conclusion of Item 8.3 Councillor Greiss and Councillor Lound returned to the meeting at 8:26pm.

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## **8.4 Investments and Revenue Report - April 2020**

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

That the information be noted.

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

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## **8.5 Reports and Letters Requested**

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

That the information be noted.

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

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## **8.6 Council Elections - Universal Postal Voting**

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

1. That the information be noted.
2. That Council be provided a further briefing when the NSW Government commences the consultation with NSW Councils.

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

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## **8.7 Agency Payments Tender Process**

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It was **Moved** Councillor Thompson, **Seconded** Councillor Morrison:

That Council declines to accept the offer of National Australia Bank Pty Ltd and Windcave Pty Ltd for the provision of Payment Gateways Option 1 – Over the Counter Payments.

1. That in accordance with section 178 of the Local Government (General) Regulation 2005 Council declines to accept the tenders for the provision of Payment Gateways Option 1 – Over the Counter Payments.
2. That Council enter into negotiations with the incumbent contractor, Australia Postal Corporation t/a Australia Post for the provision of Over the Counter Payment at its current locations. The evaluation panel do not see any benefit in inviting fresh tenders for the same service as the market was tested through this process and satisfactory results were not achieved. It was determined appropriate for Council to enter into negotiations with Council's current over the counter provider, Australia Post, as they have previously demonstrated they can meet Council's requirements and have provided a satisfactory service to Council in the past.
3. That the unsuccessful Tenderers be notified of the results of tender process for Option 1.
4. That a memo of recommendation is provided to the General Manager for Option 2. In accordance with the amendments to s377(1)(i) of the *Local Government Act*, the General Manager has the delegation to approve a tender of this nature.

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

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## 8.8 Proposed Closure of a Section of Road, Claymore

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

1. That Council approves the road closure of the subject land off Rosslyn Drive/Officer Lane, Claymore as outlined in this report and once the closure is complete create title in Councils name.
2. That Council classify the subject land as 'operational land'.
3. That Council approves the transfer of the subject land to NSW Land and Housing Corporation at nil cost.
4. That Council agrees that NSW Land and Housing Corporation be responsible for all costs associated with the road closure, creation of title and land transfer.
5. That all documentation associated with the road closure process be executed under the Common Seal of Council, if required.

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

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## 8.9 Minutes of the Audit Risk and Improvement Committee Report

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It was **Moved** Councillor Morrison, **Seconded** Councillor Thompson:

That the minutes of the Audit Risk and Improvement Committee held 19 May 2020 be noted.

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

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## 8.10 Economic Development Strategy

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

That Council endorse the Campbelltown Economic Development Strategy.

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

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## 8.11 Minutes of the Campbelltown Arts Centre Strategic Committee Report

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

That the minutes of the Campbelltown Arts Centre Strategic Committee held 15 April 2020 be noted.

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

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## 9. QUESTIONS WITH NOTICE

Nil

## 10. RESCISSION MOTION

Nil

## 11. NOTICE OF MOTION

### 11.1 Extension of the Sponsorship Policy

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

1. That Council seeks a feasibility report to consider extending the sponsorship policy in relation to the following:
  - a. The extension of the roundabout beautification program by offering corporate sponsorship of major thoroughfare locations such as the intersection of Pembroke and Ben Lomond Roads at Minto.
  - b. Expanding Council tree planting days by offering corporate sponsorship and consideration be given to include the expansion in the Koala Town Project.

Councillor Moroney voted against the motion.

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

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## 11.2 Data Capture

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

That a report be presented to Council that explores opportunities to engage and educate our community on the value of capturing, sharing and using data to help people, businesses and government make better evidence-based decisions and improve the lives of our citizens.

A Division was recorded in regard to the Resolution for Item 11.2 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney and W Morrison.

Voting against the Resolution were Councillors P Lake, B Thompson, G Greiss and T Rowell.

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

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## 11.3 Drive-in-Theatre

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

That a feasibility report be prepared on the introduction of a pilot Drive-in Theatre/Outdoor Cinema at an appropriate location within the LGA, that includes an assessment of considerations such as:

- a) Financial costs and benefits
- b) Opportunities to include sponsorship to offset costs
- c) Participation by community groups
- d) Use of mobile food retailers local to Campbelltown
- e) all COVID-19 rules and restrictions regarding gathering and the assembly of movie goers in an open area, especially car positioning and people distancing
- f) Seasonal factors.

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

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## 12. URGENT GENERAL BUSINESS

Nil

### 13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates provided Council with an update on the work of the 2020 Bicentenary Committee. Many events and programs have had to be postponed or cancelled due to COVID-19 restrictions, however there will still be lots happening and dates set once restrictions ease. A social media campaign, 200 years together, has started displaying photos over the decades back to the 1820s with residents invited to share their photos. A program titled Break the Cinnamon Branch looks at exploring cultural cuisines and will be run online with videos available in August. Once restrictions ease, the Fringe Lily planting will take place along with the threatened species art competitions and spring into nature walks and talks. It is hoped that FEAST may proceed in September. Councillor Oates passed on her thanks to the City Lifestyles team.
2. Councillor Darcy Lound passed on his thanks to the City Lifestyles team for their work on Campbelltown Sports Stadium. Councillor Lound noted that two NRL matches (Panthers vs Warriors and Raiders vs Knights) were played at the stadium on the weekend and commented on how well the surface had been prepared for the matches and how wonderful it was to have Campbelltown being mentioned repeatedly through both Channel Nine and Foxtel's broadcasting of the games.
3. Councillor Masood Chowdhury shared with the meeting that the Holy month of Ramadan concluded with the celebration of Eid on 24 April.
4. Councillor Rey Manoto thanked the City Delivery team for their work on weed management. Councillor Manoto advised that under the *NSW Biosecurity Act 2015* Council is a Local Control Authority who regulate priority weeds within the LGA. Council delegated staff are authorised to undertake inspections for priority weeds on public and private lands with officers undertaking surveillance to quickly identify and manage new high threat weeds that enter the LGA and manage other priority weeds that require control activities in the LGA.
5. Councillor Rey Manoto with The Mayor, Councillor Brticevic marked World Environment Day on 5 June by visiting a planting site at Macquarie Fields. This year's theme was biodiversity which focused on the role of mature trees, in cleaning the air but also providing a home and food to our native wildlife. Councillor Manoto noted the importance of protecting the koala habitat with the planting of seedlings and removing weeds and invited the community to be involved through helping with bushcare programs.
6. Councillor Ben Moroney expressed support for the Black Lives Matter movement and solidarity with the local indigenous community for their shared struggles with the African American community. Councillor Moroney reiterated Black Lives Matter.
7. Councillor Warren Morrison shared that National Sorry Day took place on 25 May. Councillor Morrison advised that this is a time to recognise and learn about our shared histories and culture and how everyone can actively support reconciliation. Councillor Morrison thanked Council staff for working with Camden Council and consulting with Aboriginal elders in working to repair the damage from vandalism at the Mt Annan Botanic Gardens.
8. The Mayor, Councillor Brticevic passed on his thanks to the City Lifestyles team for their work in obtaining and arranging for the big screen to be permanently installed at Campbelltown Sports Stadium, it is great community asset for Council which will enhance the viewing experience at the stadium.



9. The Mayor, Councillor Brticevic passed on his thanks to the City Delivery teams for their efforts for the beautification and creation of Waminda Oval and Eagle Farm Reserve.

#### **14. CONFIDENTIAL REPORTS FROM OFFICERS**

Nil

There being no further business the meeting closed at 9.37pm.

Confirmed by Council on

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

### **3.2 Minutes of the Extraordinary Meeting of Council held 30 June 2020**

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

That the Minutes of the Extraordinary Meeting of Council held 30 June 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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#### **Report**

That the Minutes of the Extraordinary Meeting of Council held 30 June 2020 are presented to Council for confirmation.

#### **Attachments**

1. Minutes of the Extraordinary Meeting of Council held 30 June 2020 (contained within this report)

# **CAMPBELLTOWN CITY COUNCIL**

## **Minutes Summary**

**Extraordinary Council Meeting held at 6.30pm on Tuesday, 30 June 2020.**

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<b>ITEM</b>	<b>TITLE</b>	<b>PAGE</b>
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<b>2.</b>	<b>APOLOGIES/ LEAVE OF ABSENCE</b>	<b>2</b>
<b>3.</b>	<b>DECLARATIONS OF INTEREST</b>	<b>2</b>
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<b>4.</b>	<b>REPORTS FROM OFFICERS</b>	<b>3</b>
4.1	Operational Plan, Budget, Fees and Charges - Adoption	3
<b>5.</b>	<b>URGENT GENERAL BUSINESS</b>	<b>5</b>

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**Minutes of the Extraordinary Meeting of the Campbelltown City Council held on 30 June 2020**

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

### **1.     ACKNOWLEDGEMENT OF LAND**

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

#### **Council Prayer**

The Council Prayer was presented by the General Manager.

### **2.     APOLOGIES/ LEAVE OF ABSENCE**

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

That the apologies from Councillor M Oates and Councillor B Thompson be received and accepted.

Note: That Councillor R George has been granted a leave of absence from Council incorporating all meetings until further notice.

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

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### **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

Nil

## Other Disclosures

Nil

## 4. REPORTS FROM OFFICERS

### 4.1 Operational Plan, Budget, Fees and Charges - Adoption

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

That Council adopt the following corporate documents and make the 2020-2021 rates and charges contained herein:

- 1. The Delivery Program 2017-2021 and Operational Plan 2020-2021 incorporating the Budget and Revenue Pricing Policy reflecting the rating structure outlined below:

#### Ordinary Rate

- a. That the Ordinary Rate of 0.3206 cents in the dollar with a minimum of \$742.81 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as RESIDENTIAL in accordance with Section 516 of the *Local Government Act 1993* be made for the year 2020-2021.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **RESIDENTIAL**.

- b. That the Ordinary Rate of 0.2489 cents in the dollar with a minimum of \$742.81 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as FARMLAND in accordance with Section 515 of the *Local Government Act 1993* be made for the year 2020-2021.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **FARMLAND**.

- c. That the Ordinary Rate of 0.5888 cents in the dollar with a minimum of \$742.81 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as BUSINESS in accordance with Section 518 of the *Local Government Act 1993* be made for the year 2020-2021.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **BUSINESS**.

- d. That the Ordinary Rate of 0.7494 cents in the dollar with a minimum of \$742.81 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as MINING in

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accordance with Section 517 of the *Local Government Act 1993* be made for the year 2020-2021.

In accordance with Section 543(1) of the *Local Government Act 1993* this rate be named **MINING**.

### **Special Rate**

That the Special Rate of 0.028 cents in the dollar with a minimum of \$2 in accordance with Section 548(3)(b) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown in accordance with Section 495 of the *Local Government Act 1993* be made for the year 2020-2021.

In accordance with Section 543(2) of the *Local Government Act 1993* this rate be named **SPECIAL RATE - INFRASTRUCTURE**.

### **Domestic Waste Management Service**

- a. That a Domestic Waste Management Charge be made for the provision of domestic waste, recycling and organic waste removal services for each parcel of occupied land for which the service is available in the amount of \$357.52 per annum representing a weekly amount of \$6.87 in accordance with Section 496 of the *Local Government Act 1993* for the year 2020-2021.

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named **DOMESTIC WASTE MANAGEMENT (WRG)**.

- b. That a Domestic Waste Management Charge be made for the provision of domestic waste and recycling waste removal services for which the service is available in the amount of \$302.87 per annum representing a weekly amount of \$5.82 in accordance with Section 496 of the *Local Government Act 1993* for the year 2020-2021.

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named **DOMESTIC WASTE MANAGEMENT (WR)**.

- c. That the Domestic Waste Management Availability Charge be made for the availability of the service to vacant land in the amount of \$71.48 per annum representing a weekly amount of \$1.37 in accordance with Section 496 of the *Local Government Act 1993* for the year 2020-2021.

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named **DOMESTIC WASTE MANAGEMENT AVAILABILITY**.

- d. That the Additional Recycling – Domestic (dialysis) Charge be made for the provision of an additional recycling waste removal services for which the service is available based on information supplied by NSW Health in the amount of \$1 per annum in accordance with Section 496 of the *Local Government Act 1993* for the year 2020-2021.

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named **ADDITIONAL RECYCLING DIALYSIS**.

- 
- e. That all other Domestic and Commercial Waste Management Charges be made and adopted in accordance with the 2020-2021 Fees and Charges.

**Stormwater Management Service**

That in accordance with Section 496A of the *Local Government Act 1993*, Council make an annual charge for stormwater management services for each parcel of urban land within the City of Campbelltown and categorised for rating purposes as Residential or Business excluding vacant land, land owned by the Crown (this includes Housing NSW).

For the 2020-2021 year, the following charges be made in respect of land to which the charge applies:

- \$25 per urban Residential rateable parcel
- \$12.50 per Residential (strata) rateable unit
- \$25 per 700sqm or part thereof for non-vacant Business land, capped to a maximum of \$1000
- \$25 per 700sqm or part thereof of surface land area for strata Business unit (proportioned to each lot based on unit entitlement) not less than \$5 or greater than \$1000.

In accordance with Section 543(3) of the *Local Government Act 1993* this charge be named **STORMWATER MANAGEMENT CHARGE**.

2. The 2020-2021 Fees and Charges including the amendment to Community Hall Hire - Security provided by Council per guard to \$50 per hour.
3. The 2020-2030 Long-Term Financial Plan.
4. The 2020-2024 Workforce Management Plan.
5. The 2020-2030 Asset Management Strategy.
6. The 2020-2030 Asset Management Plans.

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

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**5. URGENT GENERAL BUSINESS**

Nil

There being no further business the meeting closed at 6.37pm.

Confirmed by Council on

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

**4. DECLARATIONS OF INTEREST**

**Pecuniary Interests**

**Non Pecuniary – Significant Interests**

**Non Pecuniary – Less than Significant Interests**

**Other Disclosures**

**5. MAYORAL MINUTE**

**6. PETITIONS**



## **7. CORRESPONDENCE**

### **7.1 Loss of Funding Grants - Campbelltown Arts Centre**

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

That the letters be received and the information be noted.

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A letter from Caroline Fulton, Acting First Assistant Secretary, Office of the Arts, on behalf of the Hon Paul Fletcher MP in response to Council's correspondence regarding the loss of funding for Campbelltown Arts Centre. A copy of the letter sent to the Hon Paul Burke MP and Dr Mike Freeland MP has been attached. A meeting was held with Dr Mike Freeland MP in response to Council's correspondence.

#### **Attachments**

1. Copy of the letter from Caroline Fulton, Acting First Assistant Secretary, Office for the Arts on behalf of the Hon Paul Fletcher MP regarding the loss of funding grants (contained within this report)
2. Copy of the letter sent to the Hon Paul Fletcher MP regarding the loss of funding grants (contained within this report)
3. Copy of the letter sent to Dr Mike Freeland MP regarding the loss of funding grants (contained within this report)
4. Copy of the letter sent to the Hon Tony Burke MP regarding the loss of funding grants (contained within this report)

**Australian Government**

**Department of Infrastructure, Transport,  
Regional Development and Communications**  
Office for the Arts

MC20-003754

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

[council@campbelltown.nsw.gov.au](mailto:council@campbelltown.nsw.gov.au)

Dear Ms Deitz

Thank you for your letter of 22 April 2020 to the Hon Paul Fletcher MP, Minister for Communications, Cyber Safety and the Arts about Government's response to COVID-19 and support for local government arts and cultural facilities. The Minister has asked me to reply on his behalf.

All of us who care about the arts in Australia find it distressing to see museums and galleries closed, productions halted, and artists, performers and other arts sector workers out of work.

The Government is delivering substantial economic support across the economy, which includes support for workers and organisations in the cultural and creative sector. A total of \$320 billion, equivalent to 16.4 per cent of GDP, in economic measures will enhance the nation's safety net for individuals and businesses affected by COVID-19. Many businesses and organisations in the cultural and creative sector will be able to draw on these economy wide measures.

The Government has recognised that, in addition to the extensive support the cultural and creative sector will receive through the JobKeeper and JobSeeker payments, there are specific needs in some parts of the sector which it has sought to address. On 9 April, the Government announced a \$27 million targeted support package for areas of the cultural and creative sector identified as being most affected by COVID-19, with dedicated financial support immediately available to Indigenous art centres, regional arts and the live music and performance industry.

The Government is investing almost \$750 million in the arts and cultural sector in 2019-20 – the highest amount ever. This includes a diverse range of programs and organisations across the visual arts, performing arts, literature, national collecting institutions, Indigenous arts and languages, screen and music. It also includes significant funding of \$212 million for the Australia Council to support Australian artists and arts organisations.

The Australia Council has advised that the 2021-2024 Found Year Funding program was highly competitive. Sadly, it is unavoidable that there will always be those who miss out in a highly competitive funding round.

The outcome of the 2021-2024 Four Year Funding program does not diminish the significant role that the Campbelltown Arts Centre provides in promoting and influencing the arts in the local community.

The Australia Council has worked with the Australian Government to develop a COVID-19 response package to support artists, arts practitioners, arts groups and arts organisations. This includes redirecting five million dollars to establish the 2020 Resilience Fund and provide immediate support for the sector to survive, adapt and create. More information is available on the Australia Council's website at [www.australiacouncil.gov.au/](http://www.australiacouncil.gov.au/).

In addition to the national economic response, state and territory governments are implementing their own targeted responses. Further details on New South Wales' response are available at [www.nsw.gov.au](http://www.nsw.gov.au).

This is a tough time for Australia's arts community – as it is for so many other sectors of our society. The Government's highest priority will continue to be protecting Australian lives and livelihoods.

Thank you again for writing and I trust this information is helpful.

Yours sincerely

*SIGNATURE HAS BEEN REMOVED*

Caroline Fulton  
Acting First Assistant Secretary  
Office for the Arts

6 May 2020

Office of the General Manager



22 April 2020

The Hon Paul Fletcher MP  
Minister for Communications, Cyber Safety and the Arts  
Suite 1, Level 2,  
280 Pacific Highway  
Lindfield NSW 2070

Dear Minister Fletcher

**COVID-19 Response: Local Government Arts and Cultural Facilities**

Thank you for your government's swift and decisive leadership that has enabled Australia to curtail a severe community wide impact from the COVID-19 pandemic. As instructed, Campbelltown City Council mobilised quickly and responded by closing facilities including our major arts and cultural facility, Campbelltown Arts Centre, causing great impact and disconnection community wide.

Just over five weeks ago, Campbelltown Arts Centre was celebrating the opening of the Biennale of Sydney. This joyous opening week saw a significant increase from new audiences, both locally and internationally. Following the opening week, visitor numbers declined due to COVID-19. On 23 March, Campbelltown Arts Centre closed its doors to the public in response to government advice and our commitment to the safety of our community. We also suspended all onsite programs, these two factors combined see us having lost audiences of up to 3,000 per week.

Our award winning Arts Centre is situated within the metropolitan heart of Campbelltown, supporting 50% of the growth in Sydney's Western City. Campbelltown City Council recognises and supports the importance and influence of the arts within the community and the closure of Campbelltown Arts Centre has seen the loss of its core programs including: Little Orange, a working studio for local artists that identify with a disability; Yirran Miigaydhu Weavers, a women's weaving program for Aboriginal women in South West Sydney to connect and embrace knowledge; Sweet Tonic, a seniors singing group designed for fellowship and making music; and Wiritjiribin, a dance group for Aboriginal and Torres Strait Islander girls that focuses on increasing knowledge and participation in culture.

The artistic and public programming of Campbelltown Arts Centre is just one of many services that has ceased. All commercial revenue streams have also stopped, including rent from the onsite café that is open seven days a week, weddings and receptions, corporate and private events and external entertainment hire of its 180 capacity performance studio. As reflected here and across many other cultural institutions which

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ABN: 31 459 914 087

like ours, sit at the heart of our communities, we are witnessing critical programs and the economic and social benefits they create vanish before our eyes.

Unfortunately, recent Federal stimulus package announcements have left Local Government out of the picture. As in all parts of the economy, Local Government is suffering. Projections for any quick recovery acknowledge the importance of community and culture – we need to ensure that any bounce back works to sustain all.

In the most recent funding round of Australia Council for the Arts, Campbelltown Arts Centre was unsuccessful in receiving four year funding although it had made it through the EOI process receiving extremely positive feedback. The Arts Centre had previously received \$800,000 from Australia Council for the Arts through the four year funding program. This loss, compounded with the loss of revenue from the COVID-19 crisis is creating much damage to an already fragile ecosystem.

With increased costs and loss of revenue across the board, Council will find it impossible to address the Arts Centre's financial losses. We implore the Federal Government to implement an arts stimulus package that includes support for Local Government arts facilities and cultural programs to alleviate the cultural and identity loss being experienced in Campbelltown, and across Macarthur which sits in the heart of one of Australia's fastest growing regions.

We would welcome the opportunity to meet with you to discuss how we may work together to ensure the stability of the arts for the community during this difficult time. I can be contacted on (02) 4645 4659 to organise a meeting.

Yours sincerely,

*SIGNATURE HAS BEEN REMOVED*

Lindy Deitz  
General Manager

Office of the Mayor



22 April 2020

Dr Michael Freeland  
Member for Macarthur, New South Wales  
PO Box 88  
Campbelltown NSW 2560

Dear Dr Freeland

**COVID-19 Response: Local Government Arts and Cultural Facilities**

Just over five weeks ago, Campbelltown Arts Centre was celebrating the opening of the Biennale of Sydney. This joyous opening week saw a significant increase from new audiences, both locally and internationally. Following the opening week, visitor numbers declined due to COVID-19. On 23 March, Campbelltown Arts Centre closed its doors to the public in response to government advice and our commitment to the safety of our community. We also suspended all onsite programs, these two factors combined see us having lost audiences of up to 3,000 per week.

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The artistic and public programming of Campbelltown Arts Centre is just one of many services that has ceased. All commercial revenue streams have also stopped, including rent from the onsite café that is open seven days a week, weddings and receptions, corporate and private events and external entertainment hire of its 180 capacity performance studio. As reflected here and across many other cultural institutions which like ours, sit at the heart of our communities, we are witnessing critical programs and the economic and social benefits they create vanish before our eyes.

Unfortunately, recent Federal stimulus package announcements have left Local Government out of the picture. As in all parts of the economy, Local Government is suffering. Projections for any quick recovery acknowledge the importance of community and culture – we need to ensure that any bounce back works to sustain all.

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In the most recent funding round of Australia Council for the Arts, Campbelltown Arts Centre was unsuccessful in receiving four year funding although it had made it through the EOI process receiving extremely positive feedback. The Arts Centre had previously received \$800,000 from Australia Council for the Arts through the four year funding program. This loss, compounded with the loss of revenue from the COVID-19 crisis is creating much damage to an already fragile ecosystem.

With increased costs and loss of revenue across the board, Council will find it impossible to address the Arts Centre's financial losses. We implore the Federal Government to implement an arts stimulus package that includes support for Local Government arts facilities and cultural programs to alleviate the cultural and identity loss being experienced in Campbelltown, and across Macarthur which sits in the heart of one of Australia's fastest growing regions.

We would like to organise a meeting with you to discuss how we may work together to ensure the stability of the arts for the community during this difficult time.

Yours sincerely,

*SIGNATURE HAS BEEN REMOVED*

Cr George Brticevic  
Mayor



6 July 2020

The Hon Tony Burke, MP  
Shadow Minister for the Arts  
PO Box 156  
PUNCHBOWL NSW 2196

Dear Mr Burke,

**COVID-19 Response: Local Government Arts and Cultural Facilities**

I am writing to you in regard to the Federal Government's stimulus packages and would like to reiterate the importance of Local Government and how it has been affected by COVID-19.

Local Government arts organisations deliver the majority of arts and cultural activities, north, south and west of Parramatta and are facing a massive financial crisis due to the COVID-19 pandemic. It is critical that stimulus support is afforded to Local Government run arts organisations in-line with other parts of the arts and cultural sector.

As in all parts of the economy, Local Government is suffering. Projections for any quick recovery acknowledge the importance of community and culture – we need to ensure that any bounce back works to sustain all.

Our award winning Campbelltown Arts Centre is situated within the metropolitan heart of Campbelltown, supporting 50% of the growth in Sydney's Western City. Campbelltown City Council recognises and supports the importance and influence of the arts within the community and the closure of Campbelltown Arts Centre has seen a financial loss which will reduce the artistic program by 30%. Western Sydney and Regional NSW communities will be dramatically affected if we miss out on this stimulus.

Unfortunately, recent Federal stimulus package announcements have left Local Government out of the picture. As in all parts of the economy, Local Government is suffering. Projections for any quick recovery acknowledge the importance of community and culture – we need to ensure that any bounce back works to sustain all.

In the most recent funding round of Australia Council for the Arts, Campbelltown Arts Centre was unsuccessful in receiving four year funding although it had made it through the EOI process receiving extremely positive feedback. The Arts Centre had previously received \$800,000 from Australia Council for the Arts through the four year funding program. This loss, compounded with the loss of revenue from the COVID-19 crisis is creating much damage to an already fragile ecosystem.

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Page 1 of 2



With increased costs and loss of revenue across the board, Council will find it impossible to address the Arts Centre's financial losses. We implore the Federal Government to implement an arts stimulus package that includes support for Local Government arts facilities and cultural programs to alleviate the cultural and identity loss being experienced in Campbelltown and across Macarthur, which sits in the heart of one of Australia's fastest growing regions.

We would welcome the opportunity to meet with you to discuss how we may work together to ensure the stability of the arts for the community during this difficult time. I can be contacted on (02) 4645 4659 to organise a meeting.

Yours sincerely

*SIGNATURE HAS BEEN REMOVED*

Lindy Deitz  
**General Manager**

## **8. REPORTS FROM OFFICERS**

### **8.1 Development Application Status**

#### **Reporting Officer**

Director City Development  
City Development

#### **Community Strategic Plan**

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

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

That the information be noted.

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#### **Purpose**

To advise Council of the status of development applications within the City Development Division.

#### **Report**

In accordance with the resolution of the Council meeting held 13 March 2018, that:

Councillors be provided with monthly information detailing the status of each report considered by the (IHAP), now known as the Local Planning Panel (LPP), South Western City Planning Panel and approved by the General Manager under delegation of a value of more than \$1m, the attachment to this report provides this information as requested.

#### **Attachments**

1. Development Application Status (contained within this report)

## Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
389/2017/DA-RA	'Raith' 74 Fern Avenue, Campbelltown	Construction of a residential development containing 134 residences and alterations to and use of the existing heritage building.	\$26,000,000	>20 million (registered prior to \$30mil threshold)	Under assessment	
308/2019/DA-C	22-32 Queen Street, Campbelltown	Concept plan for a proposed multi-storey mixed use residential and commercial development	\$132,572,272	>\$30 million capital investment value	Briefing scheduled	
1227/2019/DA-M	12-16 Francis Street and 121 Minto Road, Minto	Demolition of four existing dwellings and construction of 23 'affordable rental housing' townhouses and basement car parking	\$7,995,408	>\$5 million capital investment value for affordable rental housing	Under assessment	
2117/2019/DA-DE	Lot 104 Hephher Road, Campbelltown	Construction and operation of a waste management facility in the form of a community recycling centre	\$480,000	Designated development	Completed	Approved with conditions
434/2020/DA-C	158 Queen Street Campbelltown	Amalgamation of two allotments, demolition of structures and construction of an 11 storey building comprising of a 2 storey RSL club with 152 hotel rooms above	\$50,056,894	>\$30 million capital investment value	Under assessment	
4204/2016/DA-RA/B	6-12 Dumaresq Street Campbelltown	Modification of a development consent to construct a multi-storey mixed use building	N/A	>\$30 million capital investment value	Briefing scheduled	
4609/2018/DA-SW	Appin Road, Gilead	Staged subdivision to create 424 residential lots, 20 residue lots and associated civil works	\$33,446,465	>\$30 million capital investment value	Under assessment	

## Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2255/2018/DA-C	Western Sydney University, 183 Narellan Road, Campbelltown	Construction and operation of the Campbelltown Sports and Health Centre of Excellence including a two storey building, 120 on-site parking spaces, new driveways and landscaping works	\$29,214,249	>\$5 million capital investment value Council application	On public exhibition	
906/2020/DA-SW	Gidley Crescent, Claymore	Subdivision to create 179 residential lots two residual lots including associated works - Stage 4	\$13,940,148	>\$5 million capital investment value Crown development	On public exhibition	

DAs to be considered by the Department of Planning						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
SSD 17_8593	16 Kerr Road, Ingleburn	Expansion of existing waste recovery and reuse facility, extension of operating hours to 24 hours per day	\$1,813,000	State Significant Development	Under assessment	
SSD-9476	Commissioners Drive, Denham Court	Construction and operation of a new public primary school	Unavailable	State Significant Development	Under assessment	
SSD-10420	6A Watsford Road, Campbelltown	Construction and operation of a new school	Unavailable	State Significant Development	Under assessment	

## Development Application Register

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2238/2017/DA-RA	37 Cumberland Road, Ingleburn	Demolition of an existing dwelling and construction of a five storey residential apartment building containing 30 units, basement car parking	\$8,712,418	Residential Flat Building - more than 3 storeys	Completed	Refused for several reasons
3885/2017/DA-SW	Lot 3 Menangle Rd, Menangle Park	Stage 1 – Menangle Park Urban Release Area – civil works and subdivision of land to create 255 residential lots and seven super lots	\$19,330,000	VPA	Completed	Approved with conditions
368/2016/DA-U	150 Georges River Road, Kentlyn	Extension of existing poultry sheds	\$10,000	Number of objections	Waiting on information from Department of Planning	
368/2016/DA-U	104 Hephher Road, Campbelltown	Subdivision into two allotments	Nil	Council-owned land	Completed	Approved with conditions
743/2018/DA-SW	901 & 913 Appin Road, Campbelltown	Subdivision into 333 residential allotments, 5 residue allotments with associated civil works including road construction, stormwater management facilities & tree removal Stage 1	\$19,072,587	Number of objections, VPA	Under assessment	
3493/2017/DA-RS	Lot 1 Linum and Lot 143 Lantana Streets, Macquarie Fields	Construction of 12 two storey dwellings and subdivision into 12 Torrens title allotments	\$3,200,000	Council land	Awaiting further information from applicant	
4618/2018/DA-C	4 Stranraer Drive, St Andrews	Use of building as an outside school hours child care facility	\$165,000	Council land	Reported to April 2020 LPP meeting. Deferred for further information.	
1545/2020/DA-S	Hurley Street, Campbelltown	Consolidation of three allotments and subdivision into two allotments	Nil	Council land	Completed	Approved with conditions

**Development Application Register**

<b>DAs with a stated value of \$1 million or more approved under Delegated Authority by the General Manager since last Council meeting</b>						
<b>DA No.</b>	<b>Address</b>	<b>Description</b>	<b>Value</b>	<b>Authority Criteria</b>	<b>Status</b>	<b>Determination</b>
181/2020/DA-I	46 Airds Road, Minto	Demolition of the existing fire pump house and sprinkler tank, construction of a new fire pump house, two sprinkler tanks, fire suppression system and associated pipework	\$1,500,000	Delegated	Completed	Approved with conditions

## 8.2 Accessible Housing

### Reporting Officer

Executive Manager Urban Centres  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

That Council require Certified Access Reports with Development Applications it receives for commercial and public infrastructure developments and continues to encourage building owners to provide dignified and equitable access throughout the Campbelltown Local Government Area.

### Purpose

The purpose of this report is to provide a response to a Council resolution relating to certified access consultant audits and encouraging dignified and equitable access throughout the Campbelltown local government area.

### History

In response to a Notice of Motion put forward by Councillor Gilholme at a previous full meeting of Council, the following resolution was adopted:

1. That Council seeks a report into the feasibility of requiring certified access consultant audits as part of the development application process for public infrastructure and commercial developments.
2. Further, that Council advocate to the appropriate authority for a diverse range of housing that incorporates universal design, making it accessible for people across their various life stages.

### Report

This report responds to the Council's question as to the feasibility of certified access consultant audits being required as part of the development application process for public infrastructure and commercial development.

In responding to the resolution, there is a range of existing legislation that provides rights for people with a disability as well as obligations on those people/entities that construct and own buildings to provide equitable access. Section 23 of the federal *Disability Discrimination Act 1992* provides the following in regards to access to premises:

### Section 23 - Access to Premises

It is unlawful for a person to discriminate against another person on the grounds of the other person's disability:

- a) By refusing to allow the other person to access to, or the use of, any premises that the public or a section of the public is entitled or allowed to use (whether for payment or not); or
- b) In the terms or conditions on which the first mentioned person is prepared to allow the other person access to, or the use of, any such premises; or
- c) In relation to the provision of means of access to such premises; or
- d) By refusing to allow the other person the use of any facilities in such premises that the public or a section of the public is entitled or allowed to use (whether for payment or not); or
- e) In the terms or conditions on which the first-mentioned person is prepared to allow the other person the use of any such facilities; or
- f) By requiring the other person to leave such premises or cease to use such premises.

The Disability (Access to Premises - Buildings) Standards 2010 (Premises Standards) commenced on 1 May 2011. These standards mean that buildings must comply with regulations under the Building Code of Australia.

New buildings or those undergoing significant refurbishment or alteration must be made accessible, unless giving access would impose an unjustifiable hardship. Building designers, builders, owners, lessees and users of premises also have responsibilities and rights under the *Disability Discrimination Act 1992*.

On 1 May 2011 the Building Code of Australia (BCA) was amended to achieve consistency with the Access Code for buildings (Schedule 1 of the Premises Standards), and the Premises Standards came into effect. The objectives of the Premises Standards are:

- To ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with a disability.
- To give certainty to building certifiers, building developers and building managers that, if access to buildings is provided in accordance with the Premises Standards, the provision of that access, to the extent covered by the Premises Standards, will not be unlawful under the *Disability Discrimination Act 1992*.

The requirements of the Premises Standards apply to new buildings and existing buildings being upgraded, refurbished or altered where a building approval or building permit is required. This applies to buildings of a commercial nature (such as shops, boarding houses, short term accommodation, hotels, factories, schools, hospitals etc.) and common areas with apartment buildings.



However, there are no direct requirements within the *Environmental Planning and Assessment Act, 1979* itself that require an applicant to provide, in their submission in support of a development application, how equitable access will be provided.

It is also of note that a Development Application is not required for certain forms of public infrastructure and even some forms of commercial development. In such cases requirements for equitable access need to be considered and responded to through either a Complying Development Certificate process or through a Review of Environmental Factors prepared by, or on behalf of, the public agency responsible for the infrastructure.

Whilst there might be an opportunity to require a certified access consultant audit report on some Development Applications, the legislative aspects described above, significantly limit any ability and/or feasibility of the Council in requiring a certified access consultant audits across all development types.

Having said that, Council has specialist staff who are trained and experienced in accessibility requirements. Where Development Applications are received by Council for commercial or infrastructure developments, as an order of normal assessment process, an Access Consultants report verifying the proposed development's capability of satisfying the provisions of the Premises Standard, National Construction Code and Australian Standards and thereby the intent of the *Disability Discrimination Act 1992* is required. In addition to the above, Council's standard conditions for development consent have been reviewed to ensure they are consistent with the access to premises standard.

Notwithstanding the above accessibility issues are not limited to the area of new developments. Accessibility issues also arise as changes to the use of a building occur over time, for example when new commercial uses occupy older premises. In many cases, changes of use can be undertaken outside of the Development Application process. Notwithstanding this, the provisions of the *Disability Discrimination Act 1992* still prevails and imposes legal obligations on building owners, lessees and users to comply with the relevant standards.

Council's website includes a page that provides information on accessibility throughout the Campbelltown Local Government Area. This information includes a map showing locations of accessible toilets and car parking in major CBD locations.

A dedicated email has been created ([disabled@campbelltown.nsw.gov.au](mailto:disabled@campbelltown.nsw.gov.au)) which gives people in the community a platform in which they can actively engage with Council to voice ideas, opinions and concerns.

To further strengthen the awareness and level of compliance with the above, it is proposed to create a Frequently Asked Questions (FAQs) sheet targeted at developers informing them of their obligations and Council's requirements for new development and alterations to existing development. This will also be made available on Council's website.

In Campbelltown, approximately 5.9 percent of the population is needing help in their day to day lives due to living with disability. In order to promote universal housing, the Campbelltown (Sustainable City) Development Control Plan requires that a minimum of 10 percent of the total number of dwellings in a residential flat building is to be adaptable. The ability to include additional controls within the development control plan will be reviewed as the development control plan is progressively amended.

Further to this work, a Local Housing Strategy is currently being prepared that will address the types and forms of housing required to respond to the communities needs moving forward. As part of the preparation of the strategy, consultation is occurring in regards to the community's aspirations, needs and barriers in regard to housing, including consultation with the disability sector. This consultation will inform the development of the strategy and identify mechanisms to address these aspirations and any existing barriers.

Additionally, and as part of the recent adoption of the Council Local Strategic Planning Statement, Council has made a commitment to the following action (action 1.25).

- 1.25 Support the health and wellbeing of the community through master planning (including that of key public spaces) and encouraging healthy urban design outcomes, particularly for children, seniors and people with a disability.

The power of including this requirement in the Local Strategic Planning Statement (LSPS) is that all future planning proposals need to demonstrate consistency with the requirements of the LSPS. The demonstration of compliance with the LSPS and therefore action 1.25, is an important aspect of every future Planning Proposal Request.

## Conclusion

Through its relevant standards and policies, as part of a Development Application, Council requires a developer to provide an Access Audit report verifying the proposed development's capability of satisfying the provisions of the Premises Standard, National Construction Code and Australian Standards and thereby the intent of the *Disability Discrimination Act 1992*.

Where the development is undertaken outside of the Development Application pathway, the Council is without power to require a report be provided to the relevant authority, if the authority is not the Council. Where the Council is not the authority, the Council is also without power to force a higher level of compliance across the board, or the requirement to provide an Access Report. This is particularly the case where a development complies with the higher order legislation and standards that relate to their development type, which effectively supersedes Council's requirements.

However, and despite the above, the obligation always remains with the applicant/owner/operator to comply with the relevant access standards, and in that regard, Council continues to actively educate and inform the same of their legal obligations to comply with those standards.

Having regard to the above and regardless of the limitations of the Council, it is recommended that continues to require Access Reports for Development Applications it receives for commercial and public infrastructure development and Council at all times continues to encourage building owners to provide dignified and equitable access throughout the Campbelltown Local Government Area.

## Attachments

Nil

### **8.3 Request to amend Gateway Determination and Exhibition of Site Specific Development Control Plan - 22-32 Queen Street, Campbelltown**

#### **Reporting Officer**

Executive Manager Urban Centres  
City Development

#### **Community Strategic Plan**

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

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

1. That Council support the proposed amendments to the planning proposal outlined in this report and the planning proposal be amended to reflect the expanded area of open space and changes to the height of buildings map as detailed in this report.
2. That the amended planning proposal be forwarded to the Department of Planning, Industry and Environment with a request that the Gateway Determination be altered to reflect the revised proposal.
3. That Council endorse the future public exhibition of the draft amendment No 10 to the Campbelltown (Sustainable City) Development Control Plan 2015 which seeks to add Part 14, 22-32 Queen Street Campbelltown, as shown at attachment 1 to this report, subject to the tower setback to Queen Street being increased from 8m to 10m.

#### **Purpose**

The purpose of this report is to seek Council's agreement to request an alteration to the Gateway determination for the planning proposal for 22-32 Queen St, Campbelltown. This report also seeks Council's endorsement to proceed with the public exhibition of a draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 to introduce a new Part 14 "22-32 Queen Street Campbelltown" once the planning proposal is ready for public exhibition. Part 14 will provide site specific development controls to guide future development on the subject land.

**Property Description:** 22 Queen Street, Campbelltown (Lot X DP 409704)  
24 Queen Street, Campbelltown (Lot 15 DP 14782)  
32 Queen Street, Campbelltown (Lot 1 DP 1154928)

**Applicant:** Pacific Planning Pty. Ltd.

**Owner:** Campbelltown 88 Pty. Ltd., Supa 88 Pty. Ltd.

## Executive Summary

- A planning proposal for 22-32 Queen Street, Campbelltown, was considered by Council at its meeting on 11 June, 2019. The planning proposal was supported by the Council and seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) by amending the maximum height of buildings map from the current 26m limit to a range of heights including 1.5m, 26m, 32m, 38.5m and 45m. The 1.5m height limit was to apply to an area of open space adjacent to the state heritage listed Warby's stables and barn. The other heights (26m, 32m, 38.5m and 45m) reflected the height of the 6 proposed residential towers to above the proposed commercial floors. In supporting this proposal Council noted the need for further studies, a need for increased open space and for a site specific development control plan and requested a gateway determination.
- The Gateway determination was issued on 17 January, 2020 and in response to comments from Council, included requirements to explore the increase of open space within the site and to prepare a draft site specific development control plan to accompany and be exhibited with the planning proposal.
- The proponent has responded to the Gateway determination by preparing studies and by altering their plans for proposal which now include an increased amount of open space on the site. This has been achieved by the removal of one of the proposed towers. The proponent's plans now also include an increase to the height of the other 5 buildings relative to those previously supported by Council. The maximum height of buildings now sought are of 1.5m, 3.6m, 7m, 42.5m, 45.6m, 49m and 52m.
- The proponent has also prepared a draft site specific development control plan which was referred to Council's newly established Design Excellence Panel (DEP) for advice. While generally happy with the draft site specific development control plan, the DEP requested some changes which have been made and incorporated into the draft development control plan attached to this report.
- The proposed alteration to the planning proposal to increase the open space on the site is a positive outcome for future residents, businesses and customers of the site. The requested changes to the maximum building height are still consistent with the original concept of maximum 15 storeys supported originally supported by Council. There is no change to the overall floor space ratio of development, although both the gateway determination and planning proposal note that this is subject to further testing. It is however recommended that the building heights be rounded to whole numbers to simplify the height of buildings map.
- It is recommended that Council amend the planning proposal to reflect the increased area of open space and revised maximum building heights of 1.5m, 7m, 42m, 45m, 49m and 52m and request an altered Gateway determination. It is also recommended that Council endorse the public exhibition of the draft site specific development control plan attached to this report with a change to the tower setback to Queen Street. The exhibition of the draft DCP amendment would occur concurrently with the exhibition of the draft planning proposal.

## History

On 22 June 2018, Pacific Planning submitted a planning proposal request to Campbelltown City Council seeking an amendment to Clause 4.3 (Height of Buildings) of the CLEP 2015 in relation at Nos. 22-32 Queen Street, Campbelltown. The planning proposal request sought to increase the height of buildings to enable a development that included that demolition of the substantial commercial structure (formerly a factory outlet centre) currently located on the site.

The planning proposal originally sought to amend the CLEP 2015 by requesting an increase to the maximum permissible building height from 26m to a range of heights with the highest being 87m.

The planning proposal was considered by the Campbelltown Local Planning Panel (LPP) on 28 November 2019. The report to the LPP recommended lower heights than proposed by the applicant. Advice was provided by the LPP and were incorporated into the planning proposal which was then reported to Council for consideration. The amended planning proposal reported to council recommended increasing the maximum permissible height of buildings in Clause 4.3 of CLEP 2015 from 26m to a range of heights including 1.5m, 26m, 32m, 38.5m and 45m. This report also included commentary on the need to provide a high quality public domain and increase the amount of open space at ground level.

At its meeting of 11 June 2019, the elected Council's resolved to support the proposal and sought a gateway determination. A copy of the report to and minutes of this meeting are attached.

A Gateway determination for the proposal was issued by DPIE on 17 January 2020 and is attached to this report. One of the requirements of the Gateway determination is the preparation of a site specific DCP which, when endorsed by Council, will be exhibited concurrently with the planning proposal.

In response to issues raised in the Council report, the Gateway Determination also required the exploration of options to increase the size of the proposed local open space together with opportunities for increased solar access, and where found necessary, introduce amendments into the planning proposal.

The applicant has responded to these issues raised by Council, and included in the Gateway determination, by significantly increasing the provision of open space at ground level, in the eastern corner of the site adjacent to both the adjoining heritage item and the Campbelltown Performing Arts High School. The proponent has also provided studies, and updates to studies previously provided, in response to the Gateway determination. A revised proposal has also been prepared which seeks different building heights to those originally agreed to by Council and detailed in the Gateway determination. There is a reduction in building height as one of the residential towers has been removed from the proposal and largely replaced with open space and partially replaced with a much lower structure suitable for a commercial use like a child care centre. There is a proposed increase to the height of the other 5 buildings relative to those previously supported by Council. The maximum height of buildings now sought are of 3.6m, 7m, 42.5m, 45.6m, 49m and 52m.

This request does not seek to alter the proposed floor space ratio (FSR) of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use development. Both the planning proposal and the Gateway Determination note that the proposed FSR is subject to further testing.

The draft site specific DCP was considered by the Campbelltown Design Excellence Panel (DEP) on 26 March 2020. The DEP requested some changes to the draft site specific development control plan and these have been made by the proponent's planning consultant and incorporated into the draft DCP attached to this report.

## **Report**

### **1. Summary of current Planning Proposal originally supported by Council**

The planning proposal supported by Council at its meeting on 11 June, 2019 sought to amend the development controls for land at 22-32 Queen Street, Campbelltown to apply a maximum building height for the land of 1.5m, 26m, 32m, 38.5m and 45m; apply a floor space ratio (FSR) of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use developments and insert a new local clause. The planning proposal also outlines the intention to apply a site specific development control plan.

During the assessment of the planning proposal Council raised issues regarding the amount of open space on the site. These were reflected in the Council report and in turn in the Gateway determination issued by DPIE on 17 January, 2020. Specifically, the gateway determination included the following condition:

- (f) explore options to increase the size of the proposed local open space, together with opportunities for increased solar access, and where found necessary, introduce amendments into the planning proposal.

The proponent has considered their options and determined that they are able to provide additional open space in the eastern corner of the site adjacent to the heritage item on adjoining land. They have shown this in plans and information provided to Council including in the attached site specific development control plan.

### **2. Proposed alteration to the planning proposal and height of buildings map**

The planning proposal ultimately seeks to amend the height of buildings map under the CLEP 2015 to enable the future development of the site. In response to issues raised in the further assessment of the proposal, the proponent has provided amended plans with revised heights.

The investigation of options to increase the amount of open space provided on site has resulted in additional open space being proposed in the eastern part of the site adjacent to Warby's stables and barn and the Campbelltown Performing Arts High School. It is therefore proposed that this part of the site have a lower height limit than originally supported by Council. Most of this part of the site would have a height limit of 1.5m. Two small sections of this site are proposed to have a height of 3.6m and 7m to enable a small scale commercial structure adjacent to the open space. It is recommended that the height of buildings map for this small section be simplified to just use the height of 7m. The proposed changes to remove a building and reduce the maximum building height in the east part of the site adjacent to Warby's barn and stables is supported.

The applicant has also indicated that the proposed 45 metre height limit would not correlate to the 15 storeys concept supported by Council. The first two storeys being commercial would at least require 9.5 metres combined. This would leave 35.5m for residential development ( $45\text{m} - 9.5\text{m} = 35.5\text{m}$ ). The remaining residential storeys would need a minimum of 3.1 metres from finished floor level to finished floor level ( $35.5\text{m} / 3.1 = 11.4$  storeys). As such, a five metre increase would be required to enable a 15 storey building to be constructed on the part of the site where a 45m height limit is current proposed.

Changes are also proposed to the height of other buildings on the site. The following table summarises the changes to the proposed height of the residential towers.

Original Proposed heights	Requested heights
45m	52m
38.5m	49m
38.5m	45.6m
32m	42.5m
32m	42.5m
26m	Deleted

The proposed alterations to the height of buildings map do not include any proposed alterations to the proposed floor space ratio (FSR) of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use developments. Therefore the overall density of development would remain consistent with the density supported by Council at its meeting on 11 June, 2019.

In summary, the changes proposed by the proponent are:

- Increase in quantum of open space to nearly 4,000sq.m;
- Remove former Building C to accommodate the additional open space;
- Increase in the front setback to Queen Street to 5 metres at the ground level and 8 metres above;
- Retain a maximum height of 15 storeys, however slightly amend the heights of other buildings to 12, 13 and 14 storeys;
- Refine the heights in metres to accommodate floor to ceiling heights, including 5.1 metres for the ground floor (as recommended by the Design Excellence Panel) and 4.5 metres for the commercial level 1;
- Retain an FSR of 4.2:1.

### 3. Draft Site Specific Controls

Draft site specific controls have been prepared and are proposed to form Part 14 of Volume 2 'Site Specific DCPs' in the Campbelltown (Sustainable City) DCP 2015. The purpose is to provide additional controls in relation to the future development of the site. Where development controls are not specified within the site specific DCP, development would be required to be consistent with the requirements outlined in Volume 1 of the Campbelltown (Sustainable City) DCP 2015. Controls outlined in the site specific DCP, including the revisions made in response to the recent Design Excellence Panel recommendations, which are explained later in this report.

### 3.1 Layout/Master Plan

The draft DCP includes a layout for the site that specifies the footprints of building, public open spaces, pedestrian and traffic access, traffic movements and open space, including a plaza and a local park. Figure 14.2 (22 - 32 Queen Street Masterplan) of the site specific DCP, located in attachment 1, indicates how the proposed building envelopes will be configured on site.

The layout was designed to maximise solar access while also respecting the heritage item. Proposed building separation within the site complies with the requirements under the State's Apartment Design Guide (ADG) with towers separated by 24m which is also consistent with Council's recent support for the Kellicar Road Planning Proposal.

As a result of the Gateway Determination and discussions with Council staff, the layout of the site was revised to significantly increase the provisions of open space at ground level. This includes the provision of additional open space in the in the eastern corner of the site adjacent to provide greater separation to the adjoining state listed heritage item Warbys stables and barn and to the Campbelltown Performing Arts High School.

### 3.2 Setbacks

The attached draft site specific DCP outlines the following setbacks in relation to the project:

- a minimum nine metre setback to the boundary of the adjoining Warby's Stables and Barn, in addition to a minimum 15m setback to nearest mixed-use tower building
- a minimum podium setback of five metres and building tower setback of eight metres to Queen Street
- building separations will be in accordance with the Apartment Design Guide (ADG).

The increased setback from Queen Street is in response to the Gateway Determination and Council's desire to enable an active street frontage to Queen Street with outdoor dining and landscaping. However the draft reimagining Campbelltown master plan currently on exhibition proposes a 10m setback to Queen Street for development above the podium. As such, it is recommended that the Development Control Plan be amended prior to public exhibition to require an increase to the tower setback proposed to Queen Street from 8m to 10m.

### 3.3 Location to Heritage Items

The subject site adjoins the Warby's Stables and Barn. Both structures are listed in Part 1 (Heritage items), Schedule 5 (Environmental heritage) of the CLEP 2015 as heritage items with state significance. As a result controls are proposed within the site specific DCP to minimise any future impact(s) on these historic items.

The modified site layout provides a greater amount of open space in the vicinity of Warby's stables and barn compared to the original plan. This is supported.



### 3.4 Views and Visual Context

The setting of Campbelltown as a City in a Valley is one of importance to our community. It is important that distant views of the building not pose a significant impact on the wider views of the LGA, and in that regard the buildings need to be sufficiently separated to allow views to penetrate between buildings to the hills. The appearance and perception given by the buildings both during the day and at night, through lighting, will help form the future perception of Campbelltown as a thriving centre, as a place and as a community.

The applicant provided information as part of the submission of the planning proposal request that demonstrated the visual impact of the proposed development, including the locations from where it would be visible and the locations from where it would have limited impact. The building heights and gaps between the buildings as articulated in the draft DCP are suitable to enable views from the site and through the site. The plans within the development control plan are reflective of the proposal adopted by Council, albeit with an increased area of open space and an increase to the proposed building heights. The written controls within the draft DCP require compliance with the plans.

### 3.5 Proposed Car Parking

Objective 3J-1 of the ADG states that the minimum parking requirement for this type of mixed-use development is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant Council, whichever is less.

As a result, the relevant parking requirements for this site, based upon RMS Guidelines, is shown in the following table:

Land Use	Rate
1 Bedroom Residential Apartment	Minimum 0.4 spaces per unit
2 Bedroom Residential Apartment	Minimum 0.7 spaces per unit
3 Bedroom Residential Apartment	Minimum 1.2 spaces per unit
Visitors	1 space per 5 units
Disabled and Adaptable Units	Clause 5.5.3(b) of the SCDCP 2015 requires 10% of dwellings within a residential flat building to be adaptable.
Bicycle Parking	1 space per 5 units.

The car parking rates for retail and commercial uses are based on the table included in Table 6.4.2.1 (Car Parking Rates) of the Campbelltown (Sustainable City) DCP 2015.

Serviced Apartments	1 space per 4 apartments plus 1 manager's space
Bulky goods premises	1 per 60 sqm GFA
Shops (Ground Floor)	1 per 25 sqm GFA
Gymnasium	1 per 25 sqm GFA
Restaurants	1.5 spaces per 10 sqm GFA
Business Premises	1 per 35 sqm GFA
Child Care Centres	1 space per 4 children.

The proposed car parking rates are generally consistent with the car parking rates recommended in the 2017 Campbelltown/Macarthur Regional City Parking Strategy (parking strategy). The only significant departure between the parking rates identified above and the rates identified in the parking strategy is in regards to parking for restaurants where the parking strategy proposed 1 space per 30sqm. The higher parking rate proposed for restaurants at 22-32 Queen St is acceptable given the distance of this site from other similar sites and the core Campbelltown CBD.

### **3.6 Interface with Public Domain**

The site specific DCP also provides the following controls in relation to activating the Queen Street frontage(s):

- all building facades that are visible from the public domain will need to be architecturally treated with a significant level of articulation.
- new pedestrian links are required to provide high quality access and connection to the mixed-use buildings proposed on site.
- provision of shade trees and established windbreaks to mitigate the impacts of climate on site, in addition to the mandatory BASIX requirements.

Additional to these controls, Clause 7.9 of the CLEP 2015 will apply to the assessment of any future development applications for the site. Clause 7.9 provides that development consent must not be granted to the erection of a building that will contain a residential component unless the consent authority is satisfied that the building will have an active street frontage. An active street frontage, in this clause, means that all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises. The proposed DCP controls are considered to complement those of the CLEP 2015.

Further, it was considered that the addition of a pedestrian friendly plaza should be also included in the revised site specific DCP and ensure it is established in conjunction with the development of the site. Appropriate controls are included in sections 14.3.4 and 14.3.7 of the draft DCP.

### **3.7 Relationship to Campbelltown (Sustainable City) Development Control Plan (DCP)**

These proposed controls apply only to the development of 22-32 Queen Street, Campbelltown. These controls do not repeat controls expressed elsewhere in the DCP. Where development controls are not specified within the site specific DCP, development would be required to be consistent with the requirements outlined in Volume 1 of the Campbelltown (Sustainable City) DCP 2015.

## **4. Design Excellence Recommendations**

In accordance with Clause 21A of Environmental Planning and Assessment Regulations 2000, Council cannot approve a draft DCP containing provisions that apply to residential development unless it has taken into consideration any comments made by the Campbelltown Design Excellence Panel (DEP) concerning those provisions and Parts 1 and 2 of the Apartment Design Guide. The subject DCP was reported to the DEP on 26 March 2020. The Panel's advice was required in response to whether the proposed draft DCP

satisfactorily addressed the matters listed in Clause 7.13 (4) of the CLEP 2015. Future development applications submitted for 22-32 Queen Street, Campbelltown, will also need to satisfy this Clause, as follows:

- (4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters—
- (a) Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved.
  - (b) Whether the form and external appearance of the development will improve the quality and amenity of the public domain.
  - (c) Whether the development detrimentally impacts on view corridors.
  - (d) How the development addresses the following matters:
    - (i) the suitability of the land for development
    - (ii) existing and proposed uses
    - (iii) heritage issues and streetscape constraints
    - (iv) bulk, massing and modulation of buildings
    - (v) street frontage heights
    - (vi) environmental impacts such as sustainable design, overshadowing, wind and reflectivity
    - (vii) the achievement of the principles of ecologically sustainable development
    - (viii) pedestrian, cycle, vehicular and service access, circulation and requirements
    - (ix) the impact on, and any proposed improvements to, the public domain
    - (x) the interface with the public domain
    - (xi) the quality and integration of landscape design

Additionally, the DEP also provided advice in response to the measures required to improve the design and interaction of the public, in regard to:

- a) Seasons
- b) Day time, evening and night
- c) Lighting
- d) Extreme weather

The DEP considered an earlier version of the draft DCP. The DEP's advice was provided to the applicant and as a result a revised DCP was submitted to Council on 13 May 2020 which included the following changes to address the DEP recommendations:

- an additional objective, in the revision to Section 14.3.5, which ensures that the completed development's building interface will enhance and complement the public domain
- the provision of a 'link' through the larger (DFO) site which connects with the greenspace, located on the southern side of this land, by including an additional control and updated diagrams in the revision to Section 14.3.5
- the inclusion of street awnings to provide suitable weather protection in Section 14.3.5;
- clarification on how the 'civic centre' will integrate and be used in conjunction with the proposed day/child care centre on site, in the revision to Section 14.3.7
- the inclusion of a new control, in the revision to Section 14.3.8, which ensures that the number of proposed driveways will have minimal impact on the public domain
- an additional control in Section 14.3.8 which ensures that all servicing of the proposed retail/commercial building levels be strictly limited to the internal loading docks on site

- a new section which requires the NSW Police Service's Crime Prevention through Environmental Design (CPTED) be addressed in any development application submitted for the area specified in the DCP.

## **5 Re-imagining Campbelltown Master Plan**

The planning proposal originally supported by Council was considered against, and found to be consistent with, high level strategic planning documents including the Greater Sydney Region Plan, the Western City District Plan and the Glenfield to Macarthur Urban Renewal Corridor Strategy. This assessment is found in the attachment to the previous Council report. The proposed alterations to the planning proposal do not alter this assessment and the planning proposal would remain consistent with the documents.

However, since the proposal was previously considered by Council, the reimagining Campbelltown Master Plan has been considered by Council and placed on exhibition. The following section therefore reviews the proposal against the reimagining Campbelltown Master Plan.

The Reimagining Campbelltown Master Plan sets the community's vision for the future of the Campbelltown, Macarthur and Leumeah centres. It aims to create a Metropolitan CBD, a leading centre of health services, medical research and med-tech activity. The city would be designed for ambition, innovation and opportunity.

Reimagining Campbelltown CBD sets out six pillars/principles for growing the Campbelltown/Macarthur CBD, as follows:

1. No Grey to be seen
2. City and Bush
3. Connected Places and Community
4. Confident and Self Driven
5. Centre of Opportunity
6. The Good Life

The Reimagining Campbelltown (Phase 2) master plan (RCMP) is currently on public exhibition. The masterplan establishes a framework to ensure smooth strategic planning and deliver on its Vision. The masterplan does not detail proposed building heights but rather provides an assessment framework against which each Planning Proposal Request is able to be assessed.

The proposed modifications to the planning proposal are considered generally consistent with the main directions of RCMP and supports the pillars in various ways. A detailed analysis of the planning proposal against the commitments made in the RCMP is included in the table below.

Commitments	Key Outcomes	Assessment of Planning Proposal
<b>Pillar 1 – Confident and Self Driven</b>		
1.1 Seek and act upon opportunities	<ul style="list-style-type: none"> <li>• Innovative attitude</li> <li>• Seeks and acts on opportunities</li> <li>• Align opportunities with strategic directions</li> </ul>	The proposal is consistent with this commitment.
1.2 Smart City approach	<ul style="list-style-type: none"> <li>• Data as a community asset</li> <li>• Better monitoring and reporting the delivery of Master Plan</li> <li>• Improved insights and better decisions</li> <li>• Evidence driven advocacy</li> </ul>	The future development of the site is able to be accomplished in a manner that is consistent with this commitment and contributes to the gathering of evidence and the achievement of the identified indicators.
1.3 Collaborating for change	<ul style="list-style-type: none"> <li>• Valuing our diversity</li> <li>• Partnering with industry</li> <li>• Collaboration with agencies</li> <li>• Partnering with State and Federal Government</li> </ul>	The site is of a scale that is able to contribute to the diversity of the city but is also able to do that in a manner that complements the role of the Campbelltown precinct under RCMP. Formal consultation will be undertaken with state agencies as required by the Gateway determination.
1.4 Reduce shocks and stresses	<ul style="list-style-type: none"> <li>• We integrate resilience into planning and design</li> <li>• We plan for disruptions</li> <li>• We invest in resilience</li> <li>• We connect for strength</li> </ul>	The future development of the site is able to be done in a manner consistent with this commitment. The design caters well for solar access. The integration of a child care centre into the development and proximity to education establishments provides resilience opportunities.
<b>Pillar 2 – Connected Place</b>		
2.1 Streets for people	<ul style="list-style-type: none"> <li>• Vibrant high street</li> <li>• Healthy local streets</li> <li>• City boulevards</li> <li>• Intuitive wayfinding</li> <li>• East-west rail connections</li> </ul>	The future development of the site is capable of being undertaken in a manner consistent with this commitment, and have been documented within the controls for landscaping, public open space, streetscape and connectivity in the site specific development control plan. The future development of this site will be within the confines of the B4 mixed use zone so that it does not attract the types of uses that should be directed to the B3 commercial core zone along Queen Street. The future development of the site is able to be done with an active street frontage and in that context is a much improved planning outcome compared to the existing concrete walled former factory outlet that currently occupies the site. This proposal does not seek to rezone the land.
2.2 Optimise connectivity and servicing	<ul style="list-style-type: none"> <li>• Seamless connections between the three centres</li> <li>• Efficient freight/loading and servicing</li> <li>• Effective city centre parking management</li> </ul>	The site has been well designed to enable loading and unloading of freight without impacting other site users and the draft DCP has bespoke parking controls particularly suited to the context of this site and proposed land uses. The site is well placed for bus connections to the retail core and to Campbelltown Station.

	<ul style="list-style-type: none"> <li>• Future-proof for emerging technologies</li> <li>• Flexible event mode</li> <li>• Convenient bus layover</li> </ul>	
2.3 Enhance connections to Macarthur	<ul style="list-style-type: none"> <li>• Expanded city-shaping network</li> <li>• Connected personal mobility network</li> <li>• On demand services for equitable and convenient access</li> </ul>	These issues are beyond the scope of this proposal which already has a gateway determination.
2.4 Connect to greater Sydney	<ul style="list-style-type: none"> <li>• Efficient connections to Greater Sydney</li> <li>• Connecting the city centre to the regions</li> <li>• Inviting transport gateways</li> </ul>	The site is well placed to benefit from enhanced connections to greater Sydney. While the site is at the limits of generally accepted walking catchments, the bus network connects it to Campbelltown railway station providing the opportunity for efficient connections to Greater Sydney.
<b>Pillar 3 – Centre of Opportunity</b>		
3.1 Cluster business	<ul style="list-style-type: none"> <li>• Core CBD</li> <li>• World class health, knowledge and innovation precinct</li> <li>• Sports and entertainment precinct</li> <li>• Cultural precinct</li> <li>• Tech and city servicing innovation precinct</li> </ul>	The proposal is located outside of these precincts. The proposal does not seek to rezone the site. Future development will be consistent with the B4 mixed use zone.
3.2 Intensify land use	<ul style="list-style-type: none"> <li>• High intensity core CBD</li> <li>• Intensive innovative Macarthur</li> <li>• High intensity health</li> <li>• A transition from low to medium intensity</li> </ul>	This proposal seeks to intensify the land use. The site includes 2 buildings that are not currently used to their potential and the proposal involves their demolition which itself will be of benefit to the city. The proposed modification to the gateway determination does not seek to increase the FSR already agreed to by Council and therefore the proposed density is considered appropriate for the locality.
3.3 Increase local jobs	<ul style="list-style-type: none"> <li>• Increased number of jobs</li> <li>• High amenity</li> <li>• Attractive business environment</li> <li>• Entrepreneurial ecosystem</li> </ul>	The proposal is well placed to assist the delivery of this commitment by providing an appropriate amount of employment floor space and a residential density that will assist its viability for urban servicing. The proposed alteration to the gateway by increasing the amount of open space at ground level increases the amenity of the site for future residents and for users of the adjoining heritage buildings. The, quality public domain proposed has the potential to assist in the attraction of employers/businesses which offer high value health and education jobs.
3.4 Upskill local residents	<ul style="list-style-type: none"> <li>• Extensive education offer</li> <li>• Build on existing sector strengths</li> <li>• Pathways for learning</li> </ul>	The proposal will provide additional floor space which, being within the B4 mixed use zone, is available for use for education purposes, however this is not the primary intent of this proposal.

<b>Pillar 4 – No Grey be seen</b>		
4.1 Connected green grid	<ul style="list-style-type: none"> <li>• Active and healthy people places for urban liveability</li> <li>• An accessible and connected network of green</li> <li>• Growing our native urban forest</li> <li>• Green and blue not grey infrastructure</li> </ul>	The proposed amendments to the planning proposal include an increase to the open space available on the site. This is provided in response to concerns raised by Council during its assessment of the planning proposal. The site specific development control plan includes controls in regards to the public domain and open space.
4.2 Enhanced and resilient blue grid	<ul style="list-style-type: none"> <li>• Attractive, healthy and accessible waterways</li> <li>• Bow Bowing</li> <li>• Resilient water management</li> <li>• A water smart city centre community</li> </ul>	The future development of the site will need to comply with the relevant controls including BASIX. As this proposal is already post Gateway it is considered unreasonable to increase the requirements in this regard, however the future developer may choose to provide a higher standard of development in regards to water management to ensure they are competitive with other developments.
4.3 Low resource, low carbon, low waste	<ul style="list-style-type: none"> <li>• Improve resources recovery</li> <li>• Low energy and carbon technologies are embedded throughout the city</li> <li>• Use water efficiently</li> </ul>	The future development of the site is able to reasonably cater for the achievement of these commitments. Controls related to resource recovery, low energy and carbon technologies and water efficiency need to be incorporated into volume 1 of the DCP so that they apply more broadly across the CBD.
4.4 Reduce urban heat	<ul style="list-style-type: none"> <li>• A city centre that works with water</li> <li>• Materials that cool</li> <li>• Shading and protection</li> </ul>	The modification of the proposal to increase the amount of available open space and deep soil will improve the urban heat outcomes for the site compared to the proposal supported by Council at the June 2019 Council meeting. The proposal is also a better outcome for urban heat than the existing concrete building that occupies the majority of the site. The draft site specific development control plan includes requirements for providing both appropriate solar access and shade and for deep soil.

<b>Pillar 5 – City and Bush</b>		
5.1 Multi-use open space	<ul style="list-style-type: none"> <li>• Gathering, events and celebration</li> <li>• Cultural education and learning</li> <li>• Passive recreation and community life</li> <li>• Discovery and adventure play</li> <li>• Active and programmed recreation</li> <li>• Different times and seasons</li> </ul>	The modifications proposed provide a better outcome in regards to multi-use open space compared to the proposal originally supported by Council. The increased open space adjacent to the heritage item will serve to both protect the item and provide a well located gathering space suitable for passive recreation and cultural learning.
5.2 Active urban spaces	<ul style="list-style-type: none"> <li>• The cultural precinct as a site for creativity</li> <li>• Great civic spaces</li> <li>• Small scale spaces</li> <li>• Fine grain connections</li> </ul>	The proposal is able to achieve this commitment, through its combination of open space and controls relating to public spaces, streetscape and connectivity contained in the site specific DCP.
5.3 A city in a valley	<ul style="list-style-type: none"> <li>• A city skyline framed in green</li> <li>• Memorable green arrivals</li> <li>• A city centre infused in green</li> <li>• Place-responsive buildings and spaces to navigate the city centre</li> </ul>	The site is well placed to provide a memorable arrival to the CBD and was considered by the Local Planning Panel as a Gateway site. The proposed building separation enables views through the site and the modifications proposed increase the amount of deep soil provided. The draft DCP requires a separation between towers of at least 24m. It also requires a setback for towers from Queen Street of 8m. It is recommended that this be increased to 10m to be consistent with this commitment and with the recently supported Kellicar Road planning proposal..
5.4 Campus city	<ul style="list-style-type: none"> <li>• Dense urban core</li> <li>• Hillside campus</li> <li>• Valley campus</li> <li>• Tech and city servicing</li> <li>• Buildings in landscape</li> </ul>	The proposal represents an urban design outcome that is more consistent with this commitment than the existing development on the site and is more consistent with this commitment than a development constructed to the current planning controls applying to the site.
5.5 Design excellence	<ul style="list-style-type: none"> <li>• Design excellence framework</li> <li>• Contextual responses</li> <li>• Cultural values embedded in design</li> <li>• Functional and adaptive</li> <li>• Innovative and inspiring</li> </ul>	The site specific development control plan was considered by Council's Design Excellence Panel and their comments were taken on board and changes made to the draft DCP. Future development applications will also need to demonstrate compliance with Clause 7.13 of the Campbelltown Local Environmental Plan, 2015.



<b>Pillar 6 – The Good Life</b>		
6.1 A city you can call home	<ul style="list-style-type: none"> <li>• Three distinct neighbourhoods</li> <li>• Density done well</li> <li>• A city for everyone</li> </ul>	The future development of this proposal would be consistent with this commitment as it will provide an example of density done well.
6.2 Regional facilities which are the pride of the Macarthur	<ul style="list-style-type: none"> <li>• A bustling City Centre community hub</li> <li>• Leumeah Live</li> <li>• An upsized arts centre</li> <li>• Future proofed facilities</li> </ul>	The proposal does not directly provide the facilities listed. The proposal is able to be future proofed and built in a way that is able to be adapted to other land uses over time.
6.3 A city of energy and enchantment	<ul style="list-style-type: none"> <li>• City of playfulness</li> <li>• Activity spine</li> <li>• Concentrated creative energy</li> </ul>	The future development of this site is able to be done in a manner that is consistent with this commitment. The high amenity design and open space will provide opportunities for playfulness for all ages.
6.4 Telling our stories old and new	<ul style="list-style-type: none"> <li>• Aboriginal cultural connections</li> <li>• Heritage at the heart of the city</li> <li>• Our stories told in new ways</li> <li>• Spaces to gather</li> </ul>	The proposed amendments to the proposal provide increased open space in the vicinity of the adjoining state heritage listed Warby's stables and barn. This open space also provides a space to gather as does the high amenity retail strip which is well suited to the provision of restaurants and cafes. The site specific DCP includes controls requiring the provision of public art which will be able to assist in telling the community's stories, old and new.

## 6. Public Participation

Notwithstanding the approval sought from the Council, the public exhibition of this planning proposal is dependent on the approval of the Department of Planning, Industry and Environment in accordance with condition 2 of the Gateway determination. Council staff have been in regular contact with the Department to advise of the progress of this matter and supply the applicant's revised plans and studies.

The draft site specific DCP is reported to Council seeking approval to exhibit. The current Gateway determination requires the planning proposal and the draft site specific DCP to be exhibited concurrently. Therefore public exhibition of the DCP cannot occur until DPIE have agreed the amended planning proposal is suitable for exhibition.

## Conclusion

Council has supported a planning proposal seeking to increase the maximum permissible building height for 22-32 Queen St, Campbelltown. This planning proposal has received a positive Gateway determination that required consideration to be given to an increase in the open space on the site.

The applicant has provided plans that increase the amount of open space, remove 1 building and seek to change the proposed height of the other 5 residential towers. This proposed increase is not considered to result in an unreasonable outcome on public amenity compared to that which was supported by the Council previously and is considered appropriate given the improved open space outcomes. The proposal at its highest would still be 15 storeys which is consistent with the maximum number of storeys agreed to by Council although the maximum height would change to 52m and there is no change proposed to the FSR

previously supported by Council. It is recommended that the revised maximum height of buildings include the heights of 1.5m, 7m, 42m, 45m, 49m and 52m.

A site draft specific DCP has also been prepared for 22-32 Queen Street, Campbelltown and is proposed to provide development design guidance for the subject site by ensuring that all future applications align with the specific controls detailed in this Plan. This plan was considered by the DEP. The draft DCP was amended by the applicant in response to the matters raised by the DEP. The amended version is attached to this report.

Accordingly, it is recommended that Council seek an alteration to the gateway determination in regards to the heights shown on the maximum height of buildings map, for the reasons articulated.

To assist the timely progression of the proposal, it is also recommended that Council endorse the public exhibition of the draft DCP pending the alteration of the Gateway determination and approval of the DPIE for public exhibition to occur.

### **Attachments**

1. Site Specific DCP for 22-32 Queen Street, Campbelltown. (contained within this report)
2. Copy of Report to Council 11 June 2019 (contained within this report)
3. Copy of Council Meeting Minutes 11 June 2019 (contained within this report)
4. Gateway Determination (contained within this report)

# CAMPBELLTOWN (SUSTAINABLE CITY) DEVELOPMENT CONTROL PLAN 2015

Volume 2

Site Specific DCPs

Part 14: 22-32 Queen Street, Campbelltown

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## 14.1 Application

This Development Control Plan (DCP) applies to land at 22-32 Queen Street, Campbelltown, being the land identified in Figure 14.1 below. The subject site comprises three (3) lots and is known legally as Lot X in DP 409704, Lot 15 in DP 14782 and Lot 1 in DP 1154928.

The land is situated in the Campbelltown CBD fronting Queen Street. The site adjoins the Campbelltown High School located to the south and the Colonial Motor Inn and also a Garden Centre to the north, which includes the heritage listed barn and Stables, which formed part of the John Warby Estate.

The site at 20,465.7m<sup>2</sup> currently contains the Direct Factory Outlet (DFO) retail centre. This is a large bulky retail building which is now largely defunct. This is a 3-4 storey building of significant massing. The site is generally flat and has a large frontage to Queen Street. Queen Street is the main entry road to the Campbelltown CBD. The site is within 850m from the entrance to the railway station. Queen Street is a main bus route, and the site is well served by public transport.



**Figure 14.1** – Land to which this part applies – 22-32 Queen Street

### 14.1.2 Purpose of this Part

The purpose of this Part is to establish a supplementary planning framework (beyond the general provisions of the Campbelltown Sustainable City DCP) for achieving the Council endorsed vision for the subject land (DFO site) at 22-32 Queen Street, Campbelltown, through the establishment of site specific objectives and controls. In doing so it provides a platform against which Council will assess future development applications for a mixed use development at 22-32 Queen Street, Campbelltown.

### 14.1.3 Relationship with Campbelltown (Sustainable City) DCP

This DCP forms part of the Campbelltown (Sustainable City) DCP ('CSCDCP') and provides additional controls and guidelines that apply specifically to development at 22-32 Queen Street, Campbelltown. Where a development control is not specified in this Part, development is subject to all other relevant controls of CSCDCP.

Where there is an inconsistency between this Part and any other provision of the CSCDCP, this Part applies to the extent of the inconsistency.

Campbelltown City Council Engineering Design Guide for Development applies to development at 22-32 Queen Street, Campbelltown.

## 14.2 Vision and Development Objectives

### Objectives

- To facilitate the delivery of a high-quality mixed-use development that responds to the character of the CBD while supporting urban renewal of a large consolidated site;
- Facilitates the provision of housing supply and job creation close to transport, services and community facilities;
- To achieve an integrated liveable development through building envelopes and layout that provide excellent amenity, solar access, natural ventilation, visual privacy and apartment amenity;
- To create a significant public open space in the heart of the development, connecting to a network of publicly accessible spaces;
- Balancing pedestrian and public spaces with ensuring safe vehicle access and traffic solutions; and
- To connect the site to the broader CBD, through the creation of a vibrant and active main street, a significant civic space connecting and enhancing the setting of the adjoining heritage listed Warby Barn and Stables, and allowing for future through-links and connections to adjoining land.

### Controls

Development is to generally comply with the concept masterplan for the site shown at Figure 14.2.

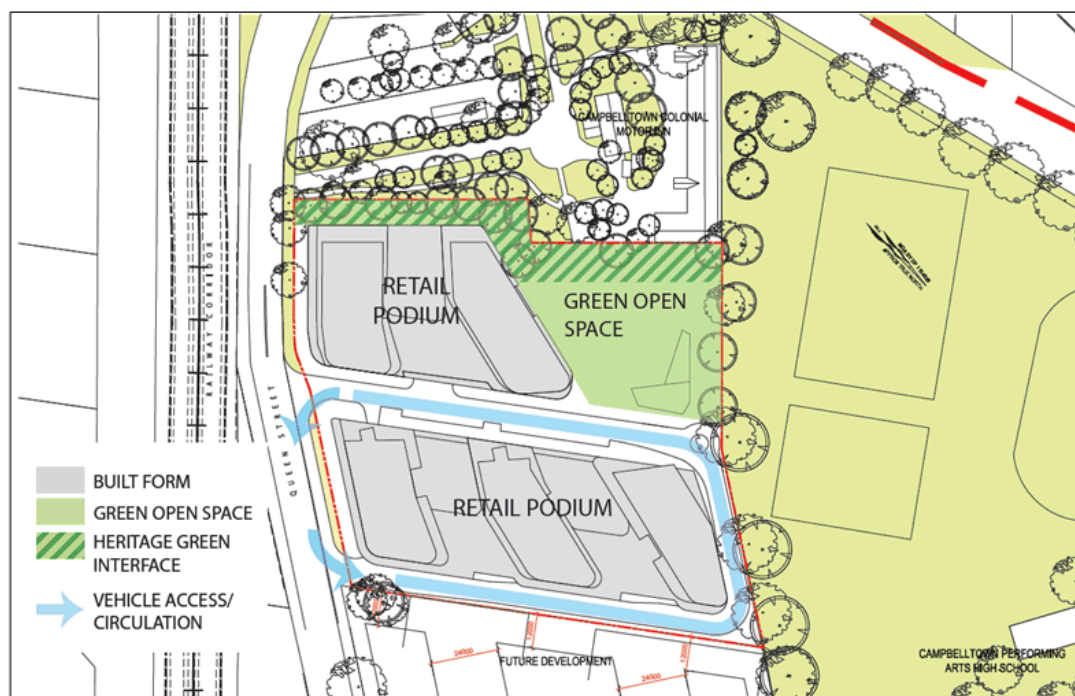


Figure 14.2 – 22-32 Queen Street Masterplan

The masterplan is founded primarily on consideration of key site parameters; street interface; impacts on neighbours; and amenity standards of State Environmental Planning Policy (SEPP) 65/Australian Design Guide (ADG) for future dwellings on the site. It provides the conceptual building layout and footprints, road design, open space, interface and setbacks and land use outcomes for the development. All development applications relating to 22-32 Queen Street, Campbelltown are to be generally consistent with the Masterplan.

The masterplan consists of the following characteristics and outcomes:

- Maximum height of 15 storeys;
- Minimum 9 metres setback where future development interfaces with the boundary to the state listed heritage item, Warby's barn and stables.
- Stepping of massing away from the heritage items to minimise impacts.
- Suitable heritage curtilage.
- Providing a heritage interface zone and addressing the development towards the precinct.
- Maximising greenspace for resident and visitor amenity.
- Maximising solar amenity through proper alignment of buildings.
- Minimising overshadowing through alignment of buildings.
- Provide a central 'Eat Street' activated main road along the former Warby estate heritage item access road alignment.
- Proposed 4 storey podium along Queen Street to reinforce streetscape, with towers above.
- Proposed 2 and 5 storey podium to reinforce street edges.
- Proposed access road loop to provide servicing access for retail/loading, garbage collection and street addresses for all the buildings, with anti clockwise vehicular circulation.
- Proposed civic space aligned with and connecting to heritage precinct.
- Ensure ADG building separations and set backs.



## 14.3 Development Objectives and Controls

### 14.3.1 Building Orientation and Layout

#### Objectives

1. To establish building forms that are orientated appropriately so as to minimise overshadowing and maximise solar access to internal public spaces and neighbouring properties.
2. To create a sense of visual separation between buildings, podiums and tower levels.
3. To provide appropriate building separation to ensure privacy, access to light and ventilation and a high-quality visual outlook from residential apartments.
4. To establish a public realm and pedestrian network to enhance liveability and building siting and massing.
5. To utilise opportunities for communal open space and green building buffer between tower forms.

#### Controls

- Building footprints, open space and roads and pedestrian areas are to be provided in accordance with Figure 14.3 below.
- Tower forms are to be designed and orientated generally in a north-east/south-west orientation, in accordance with Figure 14.3 below to maximise solar access and residential amenity and minimise overshadowing to properties to the south.
- The orientation of the built form is to maximise solar access to the open space/civic plaza on 21<sup>st</sup> June.



Figure 14.3 – Building orientation and layout

### 14.3.2 Building Separation and setbacks

#### Objectives

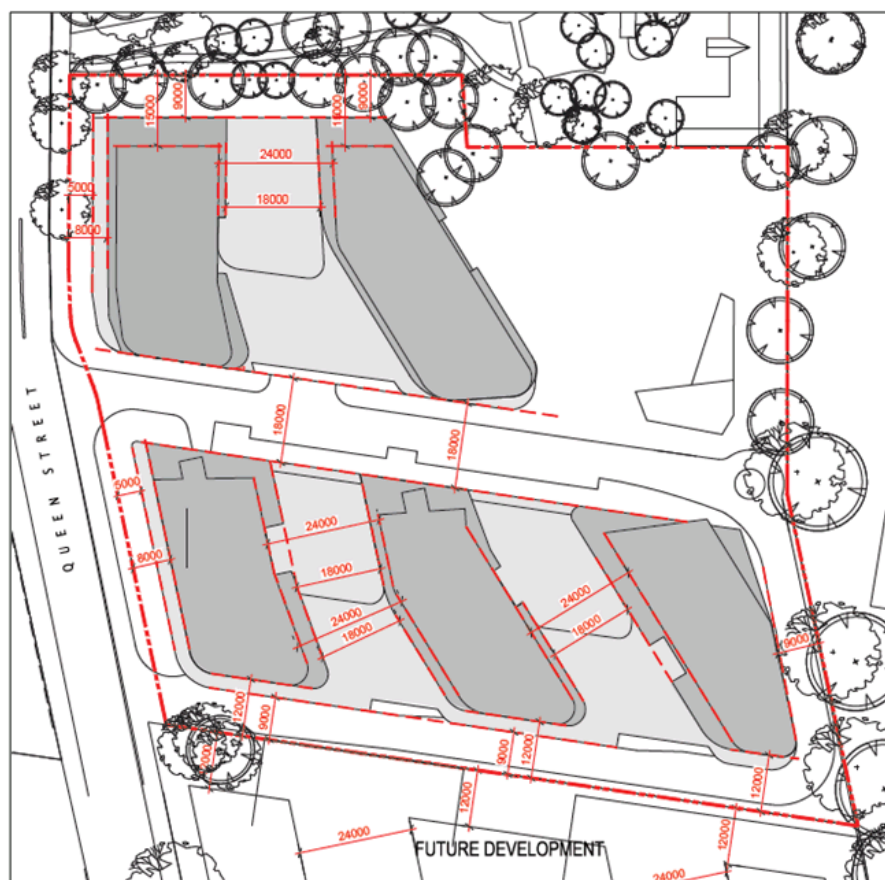
1. To reinforce street edges and the public domain.
2. To create a sense of visual distinction and separation between the podium and tower levels.
3. To ensure compliance with the Apartment Design Guide.

#### Controls

- Building setbacks should be provided in accordance with Table 14.1 and Figure 14.3, generally comprising:
  - A minimum 9 metre setback to the boundary with the heritage listed Warby's barn and stable and minimum tower setback of 15 metres;
  - A minimum podium setback of 5 metres and tower setback of 8 metres to Queen Street;
  - A minimum separation of buildings facilitated by the main 'eat street' of 18 metres;
- Building separations are to be in accordance with the Apartment Design Guide and generally in accordance with Figure 14.3 below.

Location	Level	Setback
Queen Street	Podium level (up to 4 storeys)	5 metres
	Upper floors (above 4 storeys)	8 metres
Heritage Interface	Podium and levels 1-8	9 metres
	Upper floors levels 9-12	15 metres
School ground interface	Any development	9 metres

**Table 14.1** – Setbacks



**Figure 14.3** – Building separation and setbacks

### 14.3.3 Maximum building heights

#### Objectives

1. To ensure the maximum height reflects the intended future scale of development within the Campbelltown CBD.
2. To nominate a range of building heights that will provide a range in built form and land use intensity across the development site.
3. To maximise solar access to the public domain, open space and pedestrian areas.
4. To minimise undesirable visual impact, disruption of views, loss of privacy and solar access to adjoining land.

#### Controls

- Development must be consistent with the number of storeys identified in Figure 14.4 below.
- The maximum height for any building is 15 storeys.
- The retail/commercial level height should be a minimum of 5 metres in height.

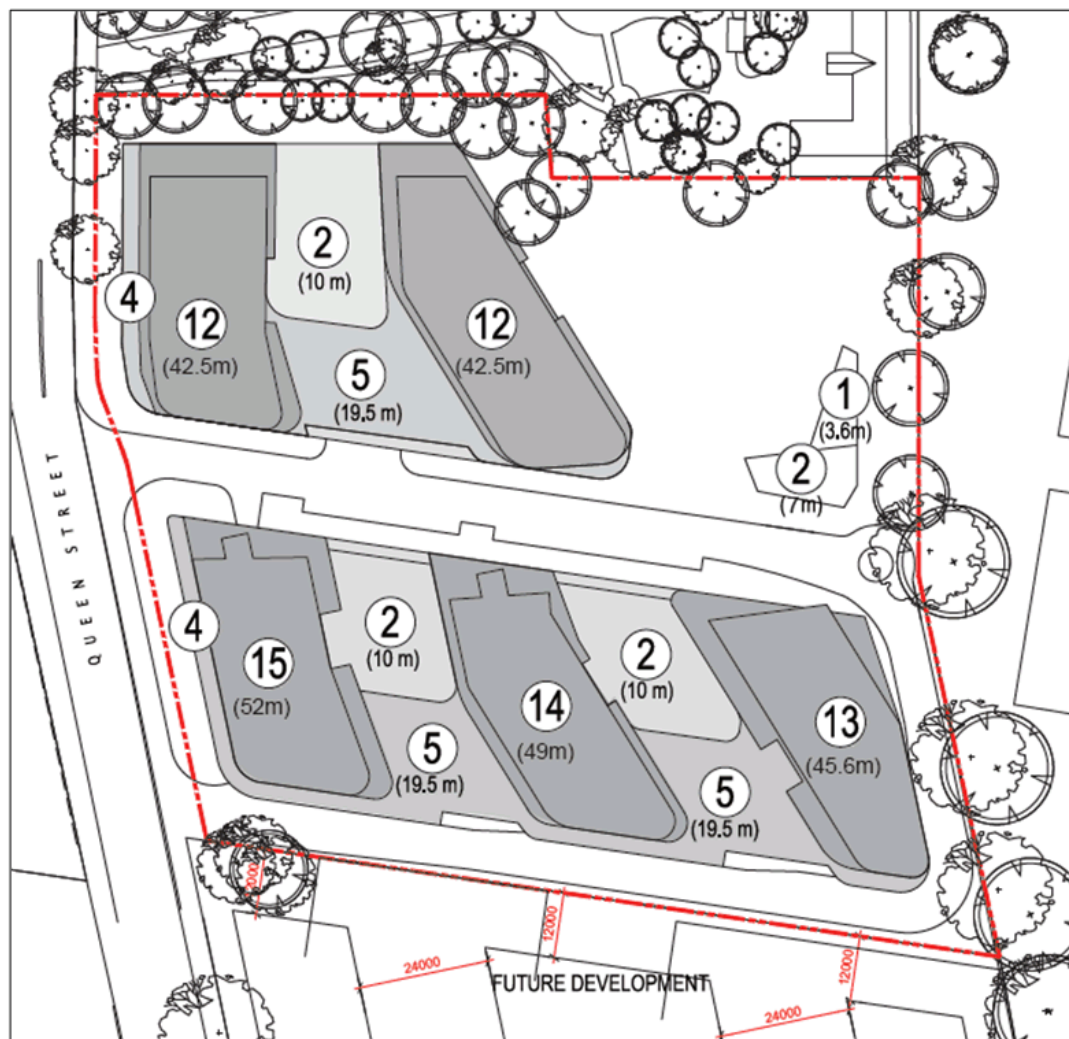


Figure 14.4 – Maximum Building Heights

### 14.3.4 Queen Street interface

#### Objectives

1. To revitalise and activate Queen Street with high levels of amenity and an enhanced public domain.
2. To create pedestrian friendly streets, with outdoor dining opportunities, street tree planting, inviting public gathering spaces and attractive street furniture.
3. To improve pedestrian linkages along Queen Street to the train station.
4. To provide setbacks that ensure the scale and feel of Queen Street is maintained.

#### Controls

- Building setbacks to Queen Street should be provided in accordance with Figure 14.5 below, including:
  - A minimum podium setback of 5 metres;
  - A minimum ground floor setback of 6 metres; and
  - A minimum tower setback of 8 metres.

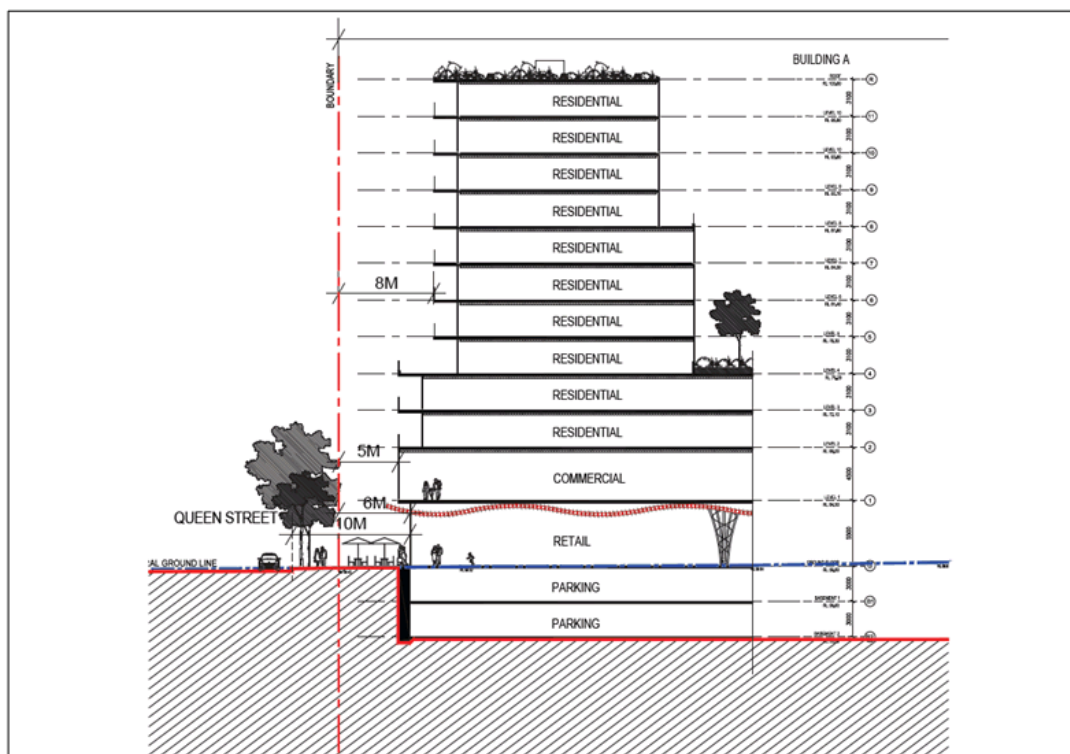


Figure 14.5 – Queen Street interface



### 14.3.5 Streetscape and Site Connectivity

#### Objectives

1. To provide public connectivity through the site to adjoining land.
2. To activate street frontages to create a vibrant mixed use development with a high quality visual outlook.
3. To provide a main street through the site that links Queen Street to the future open space to the south east.
4. To ensure that the development enhances the public domain, defines the streetscape and creates a physical and visible connection between built form and the public space.
5. To ensure connectivity and physical interface between the civic plaza and the adjoining heritage listed Warby barn and stables to the north east.
6. To provide a high degree of articulation that establishes a fine grain frontage at ground level.
7. To reinforce pedestrian comfort at street level, including a sheltered/shaded and attractive pedestrian environment.

#### Controls

- New streets and pedestrian connections are to be activated where possible through design and active uses.
- Public awnings for weather protection and public amenity are to be included.
- Blank walls to the public domain are to be minimised and only permitted in exceptional circumstances, and in such cases should be treated with appropriate levels of design detail and visual articulation to create visual interest.
- Buildings must include active uses along Queen Street and the main street through the site.
- Shade structures/awnings are to be provided all the Queen Street and main street ground level frontages.
- Pedestrian movement is to be prioritised by appropriate crossings, footpath designs, street furniture, parking layouts etc.
- To support the provision of pedestrian links to the south to allow connectivity now and in the future as adjoining sites develop.

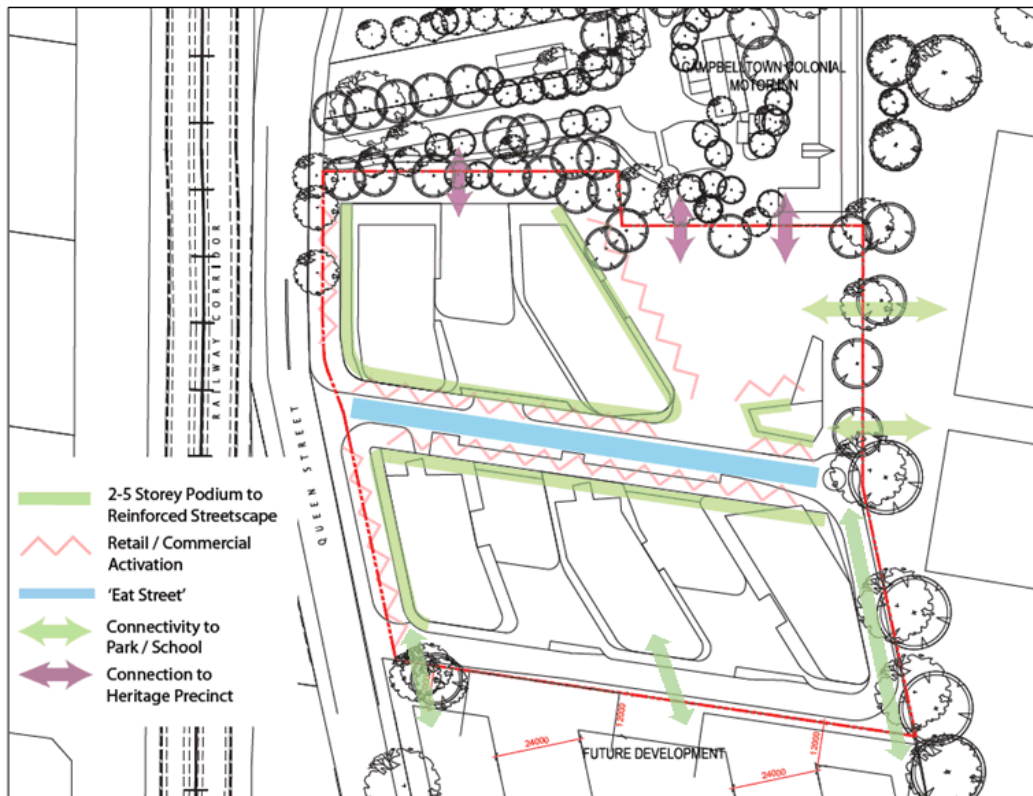


Figure 14.6 – Streetscape and Site connectivity



Figure 14.7 – Possible site connections to the south

### 14.3.6 Heritage Interface

#### Objectives

1. Provide an appropriate backdrop to the Warby site as seen from the north-east (Campbelltown Road overpass) with the “old Campbelltown” presented against the “new Campbelltown”, without overwhelming the historic site.
2. Ensure the project does not prejudice the future development of the Warby site, rather provide opportunities for the future development of the Warby site in a way that will enhance its significance and interlink with the Project site.

#### Controls

- Respond to the axes of the Warby site (the configuration of the buildings and the entry drive).
- Respond to the alignment of the historic entry drive to the west and interpret this early drive in the internal road alignments/access ways in the Project site.
- Introduce a lower scale and open space along the Warby site property boundary.
- Concentrate taller buildings to the west and north, away from the Warby site and out of the principal view lines from the northeast.
- Integrate pedestrian access and landscaping into the heritage transition zone/setback.
- Avoid visually overwhelming the Warby site by stepping away the massing of the new development from the shared property boundary.
- Avoid locating “back of house” services and carpark entries within the transition zone between the Warby site and the Project site.

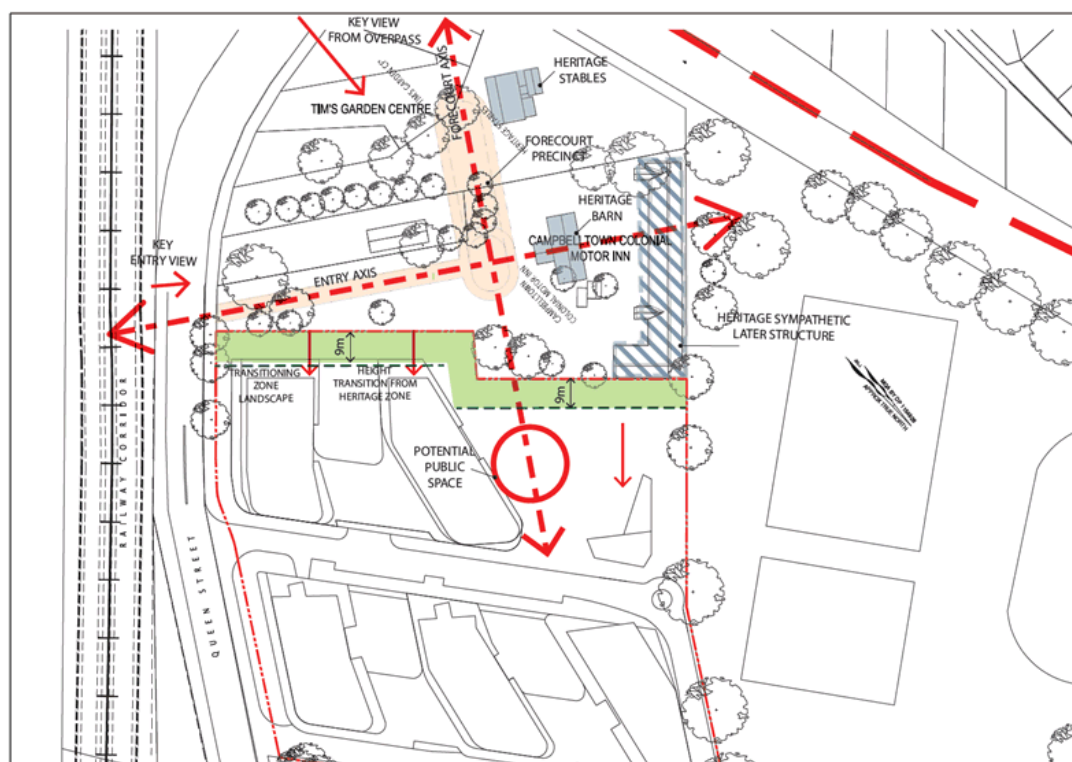


Figure 14.8 – Heritage Interface

### 14.3.7 Landscaping and Public Open Space

#### Objectives

1. To establish a useable area of public open space to cater for the amenity of future residents, workers and visitors.
2. To allow for passive recreation opportunities, catering for a broad range of activities and intergeneration needs.
3. To facilitate community interaction and gathering for local residents, workers and visitors.
4. To provide public open space with good solar access and high standards of amenity.
5. To activate the edge of the public open space to encourage safe and legitimate use of the open space and foster passive surveillance.
6. To ensure sufficient deep soil to enable the growth of large trees within open space and buffer areas/heritage interface.
7. To ensure safety and security of users and residents associated with the usage of the open space.
8. To ensure open space is appropriately landscaped with hard and soft materials, street furniture, trees, planting, and walking paths.
9. To provide a building for civic and social infrastructure use within the open space.

#### Controls

- Public open space is to be provided as identified by Figure 14.8 to a minimum of 4,000sq.m.
- A public domain plan is to be prepared and submitted to Council with a development application for the construction of public open space that illustrates the context, role and purpose of open space elements.
- 50% of the civic plaza is to receive a minimum of 3 hour direct solar access between 9 am and 2pm on 21 June.
- Public art should be incorporated into the design of the open space adjacent to the Warby barn and stables site that reinforces the significance of the heritage landscape.
- Maintain public access to the civic plaza.
- To ensure the civic/social infrastructure building is designed to respond to the public open space ensuring that the building does not undermine the integrity of the space and public access.
- Should social infrastructure uses such as child care be included, the design and interface is to be carefully considered to ensure the safety and protection of children and public access and usability of the open space.





### 14.3.8 Circulation and Access

#### Objectives

1. To prioritise pedestrian and public amenity throughout the development.
2. To establish a and safe balance between pedestrian, cycling and vehicle movement.
3. Provide convenient, efficient, safe access and parking for vehicles, services (including deliveries and waste), pedestrians and cyclists.
4. To minimise the visual impact of vehicle accessways from the public domain.
5. To ensure a safe and convenient vehicular arrangement from Queen Street and throughout the site.
6. To minimise vehicular crossover of the public realm.

#### Controls

- Pedestrian linkages are to be secured and enhanced between Queen Street and the current high school grounds (future open space under the Campbelltown Precinct Plan); between the new civic plaza space and the heritage listed Warby's barn and stables; and between the civic plaza and the high school.
- Vehicular circulation is to be in an anti-clockwise direction as indicated in Figure 14.9.
- Car parking and bicycle spaces are to be provided in accordance with the rates set out in table 14.2 below.
- Where possible, driveway crossovers should be limited to two crossover for residential cars, and two for service vehicles across the development.
- There is to be no provision made for loading bays on the main street or Queen Street.

Car Parking and Bicycle Rates	
<b>Residential</b>	
Objective 3J-1 in the NSW Planning and Environment Apartment Design Guide 2015 states the parking requirement is the "minimum car parking requirement for residents and visitors is set out in the Guide to Traffic Generating Developments, or the car parking requirement prescribed by the relevant Council, whichever is less". Hence the parking requirement based upon RMS Guidelines is as follows:	
<u>Note:</u> All resident and visitor parking spaces are required to be 2.5m wide by 5.5m long based upon Clause 5.5.4(b) in DCP2015	
1 bedroom	Minimum 0.4 spaces per unit
2 bedroom	Minimum 0.7 spaces per unit
3 bedroom	Minimum 1.4 spaces per unit
Visitors	1 space per 5 units
Disabled and Adaptable	Clause 5.5.3 b) in Campbelltown DCP2015 requires 10% of dwellings within a residential flat building to be adaptable.
Bicycle Parking	1 space per 5 units
<b>Commercial, retail and serviced apartments</b>	
The car parking rates for the serviced apartments and retail and commercial uses are based on Table 6.4.2.1 Car Parking Rates in Campbelltown DCP 2015.	
Serviced apartments	1 space per 4 apartments Plus 1 space/ manage
Bulky goods premises	1 per 60m2 GFA
Shops (Ground floor)	1 per 25m2 GFA
Gymnasium	1 per 25m2 GFA
Restaurants	1.5 spaces per 10m2 GFA
Business Premises	1 space per 35m2 GFA
Childcare centre	1 space per 4 children

**Table 14.2** – Parking rates

Campbelltown (Sustainable City) Development Control Plan 2015

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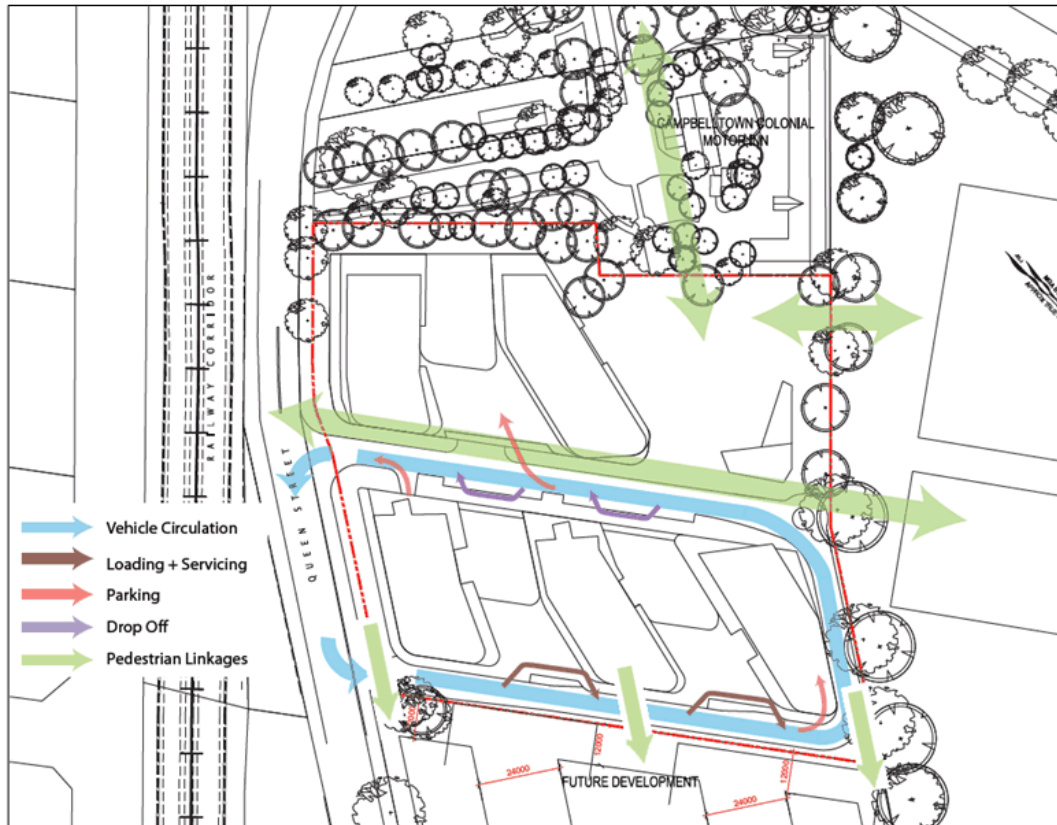


Figure 14.10 – Circulation and Access

### 14.3.9 Crime Prevention Through Environmental Design (CPTED)

#### Objectives

1. To promote design features within new developments and the redevelopment of existing areas, which will enhance the safety from crime for the community, including visitors.
2. To enhance public safety by reducing opportunities for crime.
3. To reduce the fear of crime through the provision of safe, well designed and maintained buildings, facilities and public spaces.
4. To optimise the community use of public spaces and facilities.
5. To encourage development which promotes safety on neighbouring public and private land.

#### CPTED Design Concepts

Crime Prevention through Environmental Design (CPTED) promotes the idea that creative design can be an effective deterrent to criminal behaviour within the community.

CPTED is based on **four design and usage concepts** that can reduce the incidence and fear of crime, including:

- **Natural Surveillance** - location and use of design features and activities that create a perception of increased risk of detection for intruders and of increased safety and security for legitimate uses.
- **Access Control** - the use of design features that deny offenders access to targets, reduce escape opportunities and guide legitimate users through the environment.
- **Territorially** - the use of physical features designed to express ownership and control the environment and delineate private and semi-private spaces.
- **Maintenance** - ensuring adequate measures are taken to ensure the continued use of space for the intended purpose and increased feelings of safety for users.

#### Controls

- Any future development application is to address the above principles of crime prevention through environmental design.



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## 8.10 Planning Proposal 22 - 32 Queen St Campbelltown

### Reporting Officer

Executive Manager Urban Centres and Administration Assistant  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

1. That Council endorse the draft planning proposal to increase the height limit at 22 - 32 Queen St, Campbelltown and introduce other planning controls as detailed in this report and submit it to the Department of Planning and Environment seeking a Gateway Determination.
2. That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site.

### Purpose

To consider a planning proposal request for land at 22 - 32 Queen Street Campbelltown (Factory Outlet Centre Site). This report also considers the advice of the Campbelltown Local Planning Panel on the planning proposal request.

**Property Description** 22 Queen Street, Campbelltown (Lot X DP 409704)  
24 Queen Street, Campbelltown (Lot 15 DP 14782)  
32 Queen Street, Campbelltown (Lot 1 DP 1154928)

**Application No** 2193/2018/PP

**Applicant** Pacific Planning

**Owners** Campbelltown 88 Pty Ltd  
Supa 88 Pty Ltd

**Date Received** 22 June, 2018

### History

- A development application (901/2016/DA-RA) was lodged for the subject site in April 2016. The proposed development had a stated capital investment value of \$122.7m and was for:

- Refurbishment and additions to existing commercial building
  - Construction of a mixed use commercial/residential development comprising 594 apartments within seven towers
  - Provision of new ground level retail tenancies
  - Provision of 1190 car parking spaces.
- the development application was withdrawn by the applicant following the finalisation of the Glenfield to Macarthur Urban Renewal Corridor Strategy and the Reimagining Campbelltown CBD vision and the applicant advised that the release of these policies informed a new strategic direction for the site.
  - on 22 June 2018 Council received a Planning Proposal Request (PPR) from Pacific Planning Pty LTD which sought an amendment to the CLEP 2015 'Height of Buildings Map' to increase the permissible building height for the subject site from 26 metres to 34 metres, 49.5 metres, 65 metres, 77 metres and 87 metres over various parts of the site.
  - on 4 September 2018, the applicant briefed the Council on the PPR after the briefing to Council, on 11 September 2018 the applicant submitted a revised PPR which included a reduction in building height from the previous PPR. The revised building heights were 37 metres, 53 metres, 56 metres, 59 metres and 62 metres.
  - the revised PPR was presented to the Campbelltown Local Planning Panel on 28 November 2018. The panel supported the PPR in principle and made a number of recommendations as detailed in attachment 1.
  - subsequent to the Local Planning Panel advice, the applicant submitted further revised building heights of 70 metres, 42 metres, 29 metres and zero metres. The zero height limit is proposed for the open space/plaza component of the site. A copy of the applicant's revised Planning Proposal Request is included under attachment 2. It is this revised request that is under consideration in this report.

### The Site

The subject site consists of street nos. 22, 24 and 32 Queen Street, Campbelltown and has an area of 20,465.7m<sup>2</sup>. The site is highly visible from the bridge over the railway on Campbelltown Road and, as such, is considered to be a significant gateway into the City.

No 32 Queen Street is currently occupied by a Direct Factory Outlet Centre which is a large bulky retail building. The building is currently occupied by a medical centre, however the majority of the building remains vacant. No 22 Queen Street is currently vacant and No 24 Queen Street is occupied by the old bowling alley.

The site is generally flat and has a large frontage to Queen Street. The site adjoins Campbelltown Performing Arts High School located to the south east which includes a number of two storey buildings and large playing fields. The sites to the south west contain low rise mixed use retail/commercial premises and are currently occupied by a medical centre, Office Works and CCA Motorcycle Accessories shop.

The railway line is located on the opposite side of Queen Street with commercial industrial buildings beyond. The site to the north of the property contains the Colonial Motor Inn and a commercial Garden Centre (Tim's Garden Centre).

The subject site is also located adjacent to a state heritage listed item known as 'Warby Barn and Stables' (State Item No. I00497). Further discussion about the impacts on heritage is provided later in this report.

The buildings along Queen Street consist largely of one to two storey commercial premises along with newer residential flat buildings around seven storeys. Among the commercial spaces there are a large amount of health related uses. Queen Street is the main entry road to the Campbelltown CBD from the north.

The site is approximately 1.2 kilometres from the main entrance to the Campbelltown railway station. Queen Street is also a main bus route, and the site is adequately served by public transport.

The site is close to a number of schools including: Campbelltown Performing Arts High School, Beverley Park School and Campbelltown North Public School.

### **Existing Zoning and Building Height**

The site is currently zoned B4 Mixed Use under Campbelltown Local Environmental Plan 2015, and has a maximum building height of 26 metres (approximately eight storeys).

### **Campbelltown Local Planning Panel**

The PPR was presented to the Campbelltown Local Planning Panel on 28 November 2018. The panel supported the PPR in principle and provided advice for Council's consideration.

The building heights that were presented to the Panel were as follows:

37 metres, 53 metres, 56 metres, 59 metres and 62 metres.

### **Decision of the Panel for advice to Council**

1. The Planning Panel supports in principle a proposal to redevelop the subject site to create a precinct with high quality public domain and a distinguished architectural design with demonstrated community benefits commensurate with the scale of the project and the opportunities provided by its location.
2. The panel considers that the information submitted to date does not however present a compelling case for the proposed increase in maximum height limits and considers that further work is required prior to submitting the matter for Gateway determination and prior to the preparation of the Reimagining Campbelltown CBD process.
3. The panel recommends that the applicant be invited to submit further information in this regard in the form of a concept development application and site specific DCP which demonstrate that the proposal will provide:
  - a. an appropriate built form which includes a signature building to act as a gateway to the Campbelltown CBD and appropriate streetscape to Queen Street
  - b. a larger public park well located to facilitate access by the wider community and of sufficient dimension to meet demand for open space in the precinct
  - c. integration with adjacent sites and improved vehicular access and movements to the neighbouring school site to the east and the adjoining sites to the south (34 - 38 Queen Street) with a view to through connection to Chamberlain Street
  - d. a revised traffic assessment study to address the concerns raised by Council's engineers



- e. an appropriate relationship to the adjacent heritage building including setbacks, building form and use on the first two levels and pedestrian access to the heritage building from the site
- f. an economic feasibility study that examines the viability of mixed use development across the 20,465.7sqm site, any potential impact on retail and commercial uses in the Campbelltown CBD and whether an alternate land use zoning is appropriate for all or part of the site.

### **Panel Considerations and Reasons for Decision**

The panel listened to and read the representations from the applicant, owner's representative and consultants. This information together with the Council staff report was considered by the panel and it was felt that the proposal submitted had not been justified in terms of the additional maximum building height requested and particularly in the absence of the Reimagining Campbelltown CBD study completion.

The panel does support the redevelopment of this site as a gateway to Campbelltown CBD and is looking for a desirable architectural outcome with community benefits. This is on the basis that the site is of sufficient size to accommodate redevelopment in the short term, with no further site amalgamation required.

The panel encourages the Council to hasten the progress of phase two of the project Reimagining Campbelltown CBD.

### **The Revised Planning Proposal Request**

In response to the Local Planning recommendations the applicant submitted a revised planning proposal, a supplementary economic report, a revised urban design analysis and a visual analysis study.

The minutes of the Panel meeting are presented in attachment 1 of this report.

The revised Planning Proposal Request (PPR) included under attachment 2 seeks to amend the CLEP 2015 - 'Height of Buildings Map' to increase the permissible building height for the subject site from 26 metres to 70 metres (approx. 23 storeys) for the main signature building, to 42m (approx. 14 storeys) in height for a space suitable for three buildings with 29 metres (approx. nine storeys) located adjacent to the heritage listed 'Warby Barn and Stables', on the western adjoining site.

The PPR considers the subject property to be a gateway site marking the entrance to the Campbelltown CBD with visual prominence from various locations. Gateway sites, by their nature, mark the entry to a place and make a statement about what the place is about.

### **Concept Development Application**

Council has received a Concept Development Application for the site that proposes six buildings and a small plaza. Although the development concept submitted with the proposal is indicative only, the proposed development would have to meet the current requirements of Campbelltown LEP2015 and the Campbelltown (Sustainable City) Development Control Plan as well as the requirements of the Apartment Design Guide. The concept application is consistent with the current height limit of 26 metres. This development application is currently being assessed. The concept application did not include any details in relation to the



demolition of the existing buildings onsite but was made on the basis that demolition would occur through a subsequent DA.

### **Assessment of the Planning Proposal Request**

#### **Strategic Context – Relationship to State and Local Planning Policies**

The Planning Proposal has been assessed against all the relevant state and local planning policies and has been found to be not inconsistent with any of the relevant strategies.

Detailed assessment is included in attachment 3 (Draft Planning Proposal) of this report.

#### **Height and Urban Design**

The impact any additional height will have on surrounding properties, the streetscape and nearby heritage buildings needs to be carefully considered. The submitted heritage report incorporates an internal street layout which mirrors that of the neighbouring heritage item. The concept provided with the proposal also incorporates lower heights in closer proximity to 'Warby Barn and Stables', however, the proposed heights still exceed what is currently permissible on the land and surrounding sites.

It is considered that the proposed increase in height is not justified, given the site's location and its distance from the Campbelltown CBD Central Core area. The maximum height permissible within the Central Core is currently 45 metres (approx. 15 storeys) on sites, a limited group of site bounded by Hurley Street, Railway Street, Short Street/ Coogan Land and Dumaresq Street with the remainder of the Campbelltown CBD (majority) limited to 32 metres (approx. 10 storeys). The success of the Central Core area of the CBD in providing higher order civic, cultural, employment, residential and retail opportunities is dependent on the concentration of development in proximity to the railway station and other existing retail, government and service industry land uses. Therefore, care needs to be taken to ensure that development not in close proximity to the traditional centre of the CBD does not detract from these goals.

The proposed heights are less than the recently endorsed draft Planning Proposal for the Campbelltown RSL site which sought a maximum permissible height of building of 85m on the rear of the site and 45 metres towards Queen Street. This was endorsed by Council on 14 August 2018. However the Campbelltown RSL site is located in the CBD where the height limit is currently 32 metres. The RSL site is located only about 75 metres from the core area where the current maximum height is 45 metres and is within close proximity to open space and the Campbelltown Railway Station.

While the PPR for 22-32 Queen Street would bring additional housing to the greater CBD area, it has the potential to compete with the core CBD area and proposes a density higher than any other in Campbelltown. Further, such density may not be consistent with the liveability outcomes required to deliver a successful Western Parkland City and the lifestyle envisaged by the Reimagining Campbelltown CBD Vision.

It is recommended that open space be provided within 200 metres of high density living. The proposal incorporates communal open space on the podiums of the indicative building footprints proposed on site. Further open space is proposed to be provided on the rooftops of these buildings. The provided open space is not considered sufficient for the scale of development proposed, given the lack of public open space within this part of the CBD. The

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proposal includes the provision of a civic plaza, however no ground level open space is proposed for active recreation purposes.

Further detailed analysis is required in respect to the resultant overshadowing impacts on the surrounding public domain, adjoining properties and open space, in addition to the adjoining school site, however this further work should occur after there is more certainty on height through a gateway determination.

Should the proposal proceed it is recommended that, a detailed Public Domain Plan be prepared for the site. Further consideration should also be given to open space on the ground floor of the site. These matters can be addressed through site specific controls in the Development Control Plan.

The redevelopment of this site, and particularly the demolition of the existing DFO building, is supported and is a great opportunity to redesign the interface between Queen Street and the built form. The majority of the site is currently occupied by a DFO store which is a large bulky retail building that, with the exception of an existing medical centre, remains predominately vacant, in addition to being unsightly and underutilised. However, the proposed increase in building heights, has not been fully justified, and has potential undesirable impacts on the core CBD. As a result of this evaluation, the PPR is not supported in its current form.

The current plans which specify the building height, massing and density submitted with the Planning Proposal Request are still not considered justifiable, ahead of the detailed master planning for the entire Reimagining Campbelltown CBD study area being undertaken. However, a smaller proposal is supported, including the opportunity to enable one iconic signature building on site. It is recommended that Council adopt a revised proposal that reflects its location and distance from the core CBD, Campbelltown and Leumeah Railway Stations. A gateway site would not normally exceed the maximum height permissible within the CBD and therefore it is recommended the height for the signature building should be limited to 45 metres.

Other matters such as traffic, stormwater, contamination and land use issues would also need to be investigated further post gateway determination.

The applicant has submitted an Economic Analysis for the site. This report would need to be revised as it does not factor in the newly adopted Campbelltown Local Infrastructure Contributions Plan (commenced on 14 December 2018) and the possibility that the redevelopment of a site at this scale may attract Special Infrastructure Contributions (SIC) that may be imposed by the Department of Planning and Environment as part of the Gateway Determination.

The applicant prepared a visual analysis to examine the visual impacts of the proposed building heights on the Campbelltown CBD and view corridors from and to the CBD.

The applicant's visual analysis has demonstrated that the development on this site would be visible from various locations within Campbelltown but also quite limited from others. The impacts would be detrimental when viewed from areas within close proximity to the site, such as the bridge on Campbelltown Road and Moore-Oxley ByPass. A reduced building height is recommended for this Planning Proposal (compared to the applicant's planning proposal request) and would result in a development that is less intrusive into the CBD skyline and more compatible with the streetscape.

### Traffic and Parking

The proposed increase in building height from 26 to 70 metres would accommodate approximately 15 additional storeys of residential apartments above what is currently permissible which will also result in a significant increase in vehicle movements accessing and egressing the site. This would be in addition to vehicles (including heavy vehicles) also servicing the commercial component of the completed development.

The applicant has submitted a Traffic and Parking Impact Assessment, prepared by McLaren Traffic Engineering and Road Safety Consultants.

The Report considered the following:

- the potential impacts of the future traffic generation, the appropriate access and circulation arrangements within the site and recommendations for future upgrades to the road network to accommodate growth.
- the potential traffic generation against both the Campbelltown (Sustainable City) DCP 2015 parking rates and the RMS rates, and recommends that the RMS rates be adopted given the proximity of the site to an extensive network of public transport and the reduced impacts of future development.
- the impacts that future development will have on the surrounding road network, and make recommendations on the site access and circulation which will be incorporated and addressed at the concept DA stage. The Report evaluates the geometries of three intersections that will be particularly affected and suggests appropriate upgrades to ensure acceptable intersection performance as the staged development is realised in the future. These intersections include Queen Street/Chamberlain Street, Campbelltown Road/Blaxland Road and Queen Street/Campbelltown Road.

The report recommends that more detailed design and testing of intersection upgrades be undertaken as the development concept is refined and progresses to the next stage of planning and development.

Councils' engineers reviewed the applicant's traffic assessment report and raised the following concerns:

- due to sight distance it would be unlikely to be possible to have a right turn entry to the site from Queen St, and as such the entry would have to be 'left in' only. To facilitate this design, a use of a central median would be required. However, this may not be possible given the width of queen corridor. As such, the proposed design would need to be revised and consideration should be given for better utilisation of the existing traffic signals for all vehicle movements.
- traffic generation for the residential component appears low.
- combined loading facilities for retail/commercial/residential use would need to be incorporated in the parking design.
- in the future, there is a possibility that Queen Street may be converted to a one way traffic flow. Flexibility in the design should consider this future condition.

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- as the site is impacted by flooding, basement car parking would require careful consideration of access points to ensure that openings are clear of 1 percent AEP flood impact for both flooding in Queen Street and overland flow from the adjacent school.
- a revised traffic study that demonstrates how the surrounding network would be able to accommodate the increase in traffic, as a result of the proposal, was not submitted in response to the Local Planning Panel's request, however this matter can be addressed after the Gateway Determination and prior to public exhibition.

### Flooding

The following comments were provided by Council's engineers:

- the site is affected by overland flow from the upstream lands in Campbelltown Performing Arts High School. Sufficient provision must be made to convey these flows through the site. This can be achieved in a number of ways (pipes, swales, etc) and Infrastructure is happy to assist with any discussions in this regard.
- the site is also affected by flooding in Queen Street and control levels will be required. These can be determined as part of the submitted concept application.
- the existing development on the Brands on Sale site contains provision for both overland flow (via two swales through the ground floor level of the carpark) and flooding Queen Street (the development floor levels have been raised to the required levels).
- the proposal appears to provide opportunity to accommodate the above requirements. There appear to be open areas which could be used to convey overland flow. Floor level controls can be set to address flooding in Queen Street. Care would be required to ensure the underground carpark openings were located such that flood waters could not enter.

### Heritage

A state heritage listed item Warby's Barn and Stables adjoins the site.

The applicant has submitted to Council a Heritage Study prepared by Lucas, Stapleton and Johnson which provided the following guiding principles:

- provide an appropriate backdrop to the Warby site as seen from the north-east (Campbelltown Road overpass) with the old Campbelltown presented against the "new Campbelltown" without overwhelming the historic site.
- ensure the project does not prejudice the future development of the Warby site, rather provide opportunities for the future development of the Warby site in a way that will enhance its significance and interlink with the Project site.

Any development on the site would need to ensure that the heritage significance of the heritage building is protected and not adversely impacted.

It is recommended that any future development that adjoins the heritage building be limited to 26 metres (approx. eight storeys) and to limit any development on the remaining part of the northern boundary be limited to 32 metres (approx. 10 storeys). It is also recommended

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that a height limit of 1.5 metres apply to the open plaza area immediately adjacent to the heritage item.

Subject to Council's endorsement of this draft planning proposal, the heritage study will be referred to Office of Environment and Heritage for comments.

### **Reimagining Campbelltown CBD**

Reimagining Campbelltown CBD sets the community's vision for the future of the Campbelltown, Macarthur and Leumeah centres. It aims to create a Metropolitan CBD, a leading centre of health services, medical research and med-tech activity. The city would be designed for ambition, innovation and opportunity.

Reimagining Campbelltown CBD sets out six pillars/principles for growing Campbelltown-Macarthur CBD as follows:

1. No Grey to be Seen
2. City and Bush
3. Connected Places and Community
4. Confident and Self Driven
5. Centre of Opportunity
6. The Good Life

Council is in the process of preparing Reimagining Campbelltown Phase 2. The next phases of Reimagining Campbelltown includes establishing frameworks to ensure smooth strategic planning and therefore delivery of the Vision. This includes an integrated suite of master plans that cover the economic viability, infrastructure requirements, and physical spatial master planning of the identified precincts. The anticipated frameworks may not assign building heights and floor space ratios for all the sites within Campbelltown CBD, as this would be part of further analysis that would be guided by the outcome of Phase 2.

As such Reimagining Campbelltown does not and will not provide justification for the heights proposed by the applicant. Lower heights are recommended as detailed in this report.

### **4. Developer Contributions**

Campbelltown Local Contribution Plan was adopted by Council last year and came into effect on 14 December 2018. This contribution plan would be used to determine. If the proponent instead sought to enter a voluntary planning agreement a future report would be presented to Council for consideration and any development application would need to be reported to the Local Planning Panel.

The Department of Planning and Environment, may choose to impose a Special Infrastructure Contributions (SIC) to help fund the delivery of some of the key pieces of State and regional infrastructure required to support a growing population.

There are a number of options are available to Council for consideration.

### **5. Options for Council**

- **Option 1** – Endorse the applicants Planning Proposal Request
- **Option 2** – Endorse the draft Planning Proposal prepared by Council staff
- **Option 3** – Reject the proposal

**Option 1**

Supporting the PPR would facilitate the redevelopment of the site and the replacement of a vacant building by a mixed use development which would improve the economic viability of this site and provide an opportunity to redevelop the site in a manner that would enhance the public domain and streetscape. However it is considered that the heights have not been justified having regards to their location relative to the CBD and their impacts on the CBD.

**Option 2 – Endorse an alternative draft Planning Proposal**

The recommendation is to support an increase to the current building height, with a signature building of 45 metres and a moderate increase of two to four storeys for the rest of the site.

This increase in building heights would maintain a sensitive transition from the core of the CBD to its edge and would still provide a substantial increase in the number of dwellings on this site. This would subsidise the economic disadvantage that the applicant has raised as a result of demolishing the existing building on site. This option also has less impact on traffic and open space.

The risk with this option is that the applicant may not be satisfied with the proposed heights and may potentially refrain from demolishing the building and the redevelopment of the site altogether.

**Option 3 – Reject the proposal**

Rejecting the proposal also provides the proponent with an opportunity for a pre-gateway review. Potential adaptation and refitting of the existing building for a use that is economically viable seems unlikely given its history of vacancy. This option would be subject to market demand and the owner's willingness to re-adapt/re-fit the existing building for a suitable purpose. It results in less impact on the environment in terms of the potentially wasted resources and cost and other impacts of demolishing a structurally sound building. However this option reduces the likelihood of redevelopment and the building may continue to be vacant. This is not considered to be a good outcome for the site.

**5. Next Steps**

Should a planning proposal proceed to Gateway and receive a positive Determination, requirements for additional studies and community consultation would be specified in the Gateway determination.

**6. Conclusion**

The PPR seeks to achieve an increase in height for the land located at 22 - 32 Queen Street Campbelltown (Factory Outlet Centre Site). This area is identified for the purposes of mixed use under the Corridor Strategy. Although the site is considered to be an important site to the Campbelltown CBD, given its size and location, the proposed increase in height under the proponent's PPR is considered disproportionate due to its relative position on the outer edge of the Campbelltown CBD and the distance (1.2km) from Campbelltown Railway Station.

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Given the absence of a strong evidence base for maximum building heights for this part of the Campbelltown CBD and the fact that Reimagining Campbelltown Phase 2 may not necessarily include maximum heights nor floor space ratios for individual sites within the Campbelltown CBD, Council staff prepared a draft planning proposal with heights ranging from 26 to 45 metres (attachment 3). The proposed heights are considered more appropriate within this section of Queen Street, compared to the proponent's PPR.

It is recommended that Council endorse increased heights for the site to facilitate the demolition of a building structure that is under performing and the development of a mixed use residential development for the site.

#### **Draft Planning Proposal Prepared by Council Staff**

After careful consideration of the key matters relating to the site including urban design, economic feasibility, heritage solar access, open space and traffic and access, Council staff have prepared a draft planning proposal for the site with lower building heights than requested by the applicant. The recommended planning proposal includes:

- maintain the building height of 26 metres (eight storeys) for the part of the site that is immediately adjacent to the heritage building
- increase the building height from 26 metres (eight storeys) to:
  - 32 metres (ten storeys), 38.5 metres (12 storeys) and 45 metres (15 storeys), as shown in attachment 3.
- decrease the building height from 26 metres to 1.5 metres for the area proposed for ground floor plaza/open space
- include an appropriate FSR requirement (eg 2.5:1 for residential apartment buildings and 1.7:1 for mixed use development). The appropriate FSR control for the site would be confirmed post gateway determination and prior to public exhibition.
- include a local clause to:
  - ensure that future development on this site is of high design standards
  - require a ground floor setback from Queen Street to allow for landscaping and active facades fronting Queen Street
  - Require a setback from the school grounds to allow for landscaping and solar access
  - Provide a minimum qualifying site area
- include a requirement for a site specific DCP that requires the site to be master planned.

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### **Attachments**

1. Minutes of Local Planning Panel (contained within this report)
2. Applicants Revised Planning Proposal (due to size 69 pages) (distributed under separate cover)
3. Draft Planning Proposal (contained within this report)



## Attachment 1

### Minutes of Local Planning Panel Meeting - 28/11/2018

#### Planning Proposal - 22 - 32 Queen Street, Campbelltown

Decision of the Panel	Response
1. The planning panel supports in principle a proposal to redevelop the subject site to create a precinct with high quality public domain and a distinguished architectural design with demonstrated community benefits commensurate with the scale of the project and the opportunities provided by its location.	The proponent submitted a revised planning proposal to Council on 16 May 2019, which is the subject of this report.
2. The panel considers that the information submitted to date does not however present a compelling case for the proposed increase in maximum height limits and considers that further work is required prior to submitting the matter for Gateway determination and prior to the preparation of the Reimagining Campbelltown CBD process.	Council is in the process of preparing Re-imagining Campbelltown Phase 2. The next phases of Re-imagining Campbelltown includes establishing frameworks to ensure smooth strategic planning in order to deliver this Vision. This includes an integrated suite of master plans that cover the economic viability, infrastructure requirements, and physical spatial master planning of the identified precincts. The anticipated frameworks may not assign building heights and floor space ratios for all the sites within Campbelltown CBD, as this would be part of further analysis that would be guided by the outcome of Phase 2.
3. The panel recommends that the applicant be invited to submit further information in this regard in the form of concept development application and site specific DCP which demonstrates that the proposal will provide: <ul style="list-style-type: none"> <li>a. an appropriate built form which includes a signature building to act as a gateway to the Campbelltown CBD and appropriate streetscape to Queen Street;</li> <li>b. a larger public park well located to facilitate access by the wider community and of sufficient dimension to meet demand for open space in the precinct;</li> <li>c. integration with adjacent sites and improved vehicular access and</li> </ul>	<p>The proponent submitted a revised planning proposal to Council on 16 May 2019, which is the subject of this report.</p> <ul style="list-style-type: none"> <li>a. Given the absence of compelling statutory planning evidence for maximum building heights in this part of the Campbelltown CBD, Council staff prepared a draft planning proposal with heights ranging from 26 to 45 metres (Attachment 3). These heights are considered more appropriate within this section of Queen Street, compared to the proponent's revised PPR which included a 70m high signature building on site.</li> <li>b. No further provision of any open space or public park areas were provided.</li> <li>c. No further integration with adjacent sites or improved vehicular access to the</li> </ul>

<p>movements to the neighbouring school site to the east and the adjoining sites to the south (34 38 Queen Street) with a view to through connection to Chamberlain Street;</p> <p>d. a revised traffic assessment study to address the concerns raised by Council's engineers;</p> <p>e. an appropriate relationship to the adjacent heritage building including setbacks, building form and use on the first 2 levels and pedestrian access to the heritage building from the site;</p> <p>f. an economic feasibility study that examines the viability of mixed use development across the 20,465.7sqm site, any potential impact on retail and commercial uses in the Campbelltown CBD and whether an alternate land use zoning is appropriate for all or part of the site</p>	<p>neighbouring school site, including those which adjoin it on the south, were addressed.</p> <p>d. No revised traffic assessment study, which addressed the concerns raised by Council's engineers, was provided.</p> <p>e. The submitted heritage report incorporates an internal street layout which mirrors that of the neighbouring heritage item. The concept provided with the revised proposal also incorporates lower heights in closer proximity to 'Warby Barn and Stables'.</p> <p>f. The applicant submitted a revised "Supplementary Economic Report" for the site dated 18 January 2019. This report needs to be further revised as it does not factor in the newly adopted Campbelltown Local Infrastructure Contributions Plan (commenced on 14 December 2018) and the possibility that the redevelopment of a site, on this scale, has the potential to attract Special Infrastructure Contributions (SIC) that may be imposed by the Department of Planning and Environment as part of a Gateway Determination.</p>
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**Planning Proposal**  
**Nos. 22 – 32 Queen Street,**  
**Campbelltown**

*Proposed Amendment to Campbelltown  
Local Environmental Plan 2015*

**[PLANNING PROPOSAL – 22-32 QUEEN STREET]**

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**History**

- On 22 June 2018 Council received a Planning Proposal Request (PPR) from Pacific Planning Pty LTD which sought an amendment to the CLEP 2015 'Height of Buildings Map' to increase the permissible building height for the subject site from 26 metres to 34 metres, 49.5 metres, 65 metres, 77 metres and 87 metres over various parts of the site.
- On 4 September 2018, the applicant briefed the Council on the proposed PPR.
- As a result of the briefing to Council, on 11 September 2018 the applicant submitted a revised PPR which included a reduction in building height from the previous PPR. The revised building heights were 37 metres, 53 metres, 56 metres, 59 metres, and 62 metres.
- The revised proposal was presented to the Local Planning Panel on 28 November 2018 who supported the PPR in principle and made a number of recommendations as detailed in Attachment 1.
- Subsequent to the Local Planning Panel recommendation, the applicant further revised the building height and submitted revised building heights of 70 metres, 42 metres, 29 metres and zero metres. The zero height limit is proposed for the open space/plaza component of the site.
- Council staff have assessed the applicant's PPR and prepared this planning proposal with heights of 45 metres, 38.5 metres, 32 metres and 26 metres.

The Planning Proposal has been prepared in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Department of Planning and Environment's 'A Guide to Preparing Planning Proposals' August 2016.

## The Site

The subject site consists of street nos. 22, 24 and 32 Queen Street, Campbelltown, and has an area of 20,465.7m<sup>2</sup> (see Figure 1.1 – 'Location Map'). The site consists of the following Lots and DPs :

- 32 Queen Street, Campbelltown, Lot 1 DP 1154928, NSW 2560 (owned by Supa 88 Pty Limited)
- 24 Queen Street, Campbelltown, Lot 15 DP 14782 (owned by Campbelltown 88 Pty Ltd)
- 22 Queen Street, Campbelltown, 2560 Lot X DP 409704 (owned Campbelltown 88 Pty Ltd)

The site is highly visible from the bridge on Campbelltown Road and as such is considered to be a significant site.

This site would continue to act as a Gateway to the CBD until such time the site on the corner of Moor Oxley ByPass and Queen Street (Tim's Garden) is developed.



**Figure 1.1 Aerial Photo of the Site**

No 32 Queen Street is currently occupied by a DFO Outlet Store which is a large bulky retail building that, with the exception of an existing medical centre, remains predominately vacant,

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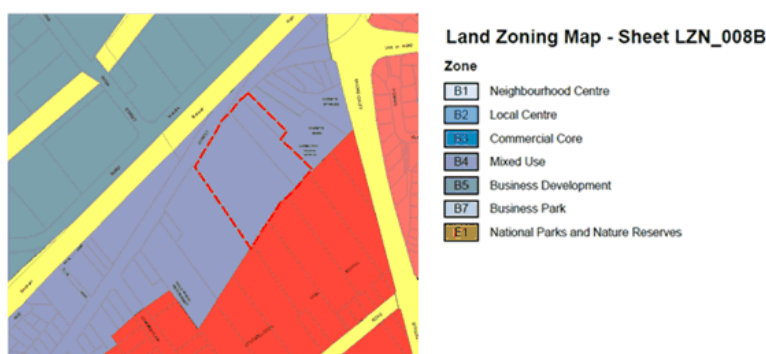
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unsightly and underutilised. No 22 Queen Street is currently vacant and No 24 Queen Street is occupied by the old bowling club.

The site adjoins Campbelltown High School to the south east. The school comprises of two storey buildings and playing fields. A number of single storey commercial retail is located south west of the site and currently occupied by a medical centre, Office Works and CCA Motorcycle Accessories shop.

**Existing Zoning and Building Height**

The site is currently zoned B4 Mixed Use under Campbelltown Local Environmental Plan 2015, and has a maximum building height of 26 metres. There is no proposal to amend the zoning of the site.



**Figure 1.2 Existing Zoning Map**



**Figure 1.3 Existing Building Height Map**

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**Part 1 – Objectives or intended outcomes**

The planning proposal intends to amend the CLEP 2015 to increase the height of development within the subject site to facilitate higher densities of mixed use residential development compared to what is currently permissible under the CLEP 2015.

The planning proposal aims to:

- support urban growth and the provision of housing in the Campbelltown LGA
- provide appropriate development controls for the subject site to facilitate a high density mixed use residential development within a walking distance to Campbelltown train station
- facilitate the provision of additional housing close to public transport, the road network and employment opportunities in close proximity to the heart of Campbelltown CBD
- Ensure that building heights respect the setting of the heritage item adjacent to the site
- Incorporate public domain improvements
- Ensure that the subject site provides open space for the enjoyment of the future residents and provides opportunity to establish a connected open space corridor within the Campbelltown CBD.
- Include development standards to ensure that future development would be setback from Queen Street to facilitate landscaping and enhance the streetscape.
- Ensure that a site specific development control plan is prepared for the site and includes a masterplan to ensure that future buildings on the site are located in a manner that maximises solar access, protects adjoining heritage and provides for an open space area at ground level for the use of the residents.



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**Part 2 – Explanation of provisions**

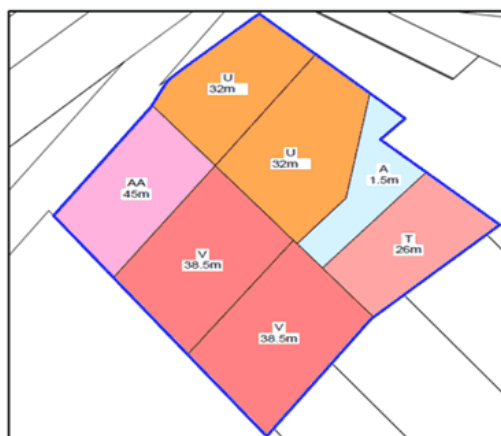
**Proposed amendments to CLEP 2015**

The objectives and intended outcomes are proposed to be achieved by:

- a) Amending the CLEP Height of Building Map in accordance with the proposed building height Map shown below and at Appendix 1 – Map 1 Proposed Height of Building as follows:
  - Maintain the building height of 26 metres for the part of the site that is adjacent to the heritage building
  - Increase the building height from 26 metres to:
    - 32 metres for the part of the site on the northern boundary forward of the open plaza
    - 38.5 metres for the southern part of the site
    - 45 metres, for the south-west part of the site that adjoins commercial/retail land uses
  - Decrease the building height from 26 metres to 1.5 metres for the area proposed for ground floor plaza/open space
  - Include an FSR requirement of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use development. This proposed numerical control for FSR at this point is indicative only and has not been tested. An FSR control for the site would be confirmed post gateway determination and prior to public exhibition.
  - Include a local clause to:
    - ensure that future development on this site is of high design standards
    - require a ground floor setback from Queen Street to allow for landscaping and active facades fronting Queen Street
    - require a setback from the school grounds to allow for landscaping and solar access
    - provide a minimum qualifying site area
  - Include a requirement for a site specific DCP that requires the site to be master planned

**Zone**

AA	45m
V	38.5m
U	32m
T	26m
A	0–1.5m
	Subject Site Boundary



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## **Part 3 – Justification**

### **Section A – Need for the planning proposal**

#### **Q1. *Is the planning proposal a result of any strategic study or report?***

The planning proposal is not a result of any strategic study or report. However, the planning proposal relates to land currently identified for mixed use development by a number of key strategies and reports including the Glenfield to Macarthur Urban Renewal corridor strategy and the Draft Greater Macarthur 2040

#### **Q2. *Is the planning proposal the best means of achieving the objective or intended outcomes, or is there a better way?***

Yes. Proceeding with a stand-alone planning proposal is considered appropriate in this instance to enable the timely consideration of urban design, traffic and heritage related issues. Adjoining sites include a heritage item and a school and therefore there is limited likelihood of similar proposals on these sites.

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

#### **Q3. *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?***

The planning proposal is consistent with the objectives and aims of the following Strategic Plans:

- A Plan for Growing Sydney
- Towards Our Greater Sydney 2056 and The Greater Sydney Region Plan, A Metropolis of Three Cities
- the Western City District plan
- Draft Greater Macarthur 2040
- Glenfield to Macarthur Urban Renewal Precinct

#### **– A Plan for Growing Sydney**

'A Plan for Growing Sydney' sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport community facilities and services.

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The proposal is consistent with the strategy as it would facilitate high density mixed use and residential development near the Campbelltown CBD and Train Station.

– **Greater Sydney Region Plan**

The Plan provides a framework for the predicted growth in Greater Sydney. The Plan identifies key goals of delivering a metropolis of three 30 minute cities through four key themes, infrastructure and collaboration, liveability, productivity and sustainability.

- Infrastructure and collaboration – The proposal is located in very close proximity to existing infrastructure such as Campbelltown Train Station, Campbelltown Hospital, Campbelltown Public School and Western Sydney University. Additionally, the site would also be located 30km to the proposed Western Sydney Airport.
- Liveability – The concept design supplied with the Planning Proposal outline a variety of enhancements to the surrounding character such as landscaped frontage, shared open space and opportunities for pedestrian links which would create a more liveable space.
- Productivity – The proposal has the potential to provide further productivity within the commercial core of Campbelltown. The proposed hotel would support job creation and housing options in conjunction with pedestrian links and the opportunity for thoroughfares and bike tracks.
- Sustainability – The opportunity for green walls, rooftop gardens and the design of apartments would promote a sustainable development. Sustainability of the developments would be considered at the development application stage.

The Planning Proposal would be the best means of achieving additional housing within the local area to meet the anticipated population increase in the next few years.

– **Western City District Plan**

The Western City District Plan sets out priorities and actions for the Western Parkland City which are structured on themes that are based on the Greater Sydney Region Plan. The proposal will provide additional housing supply in close proximity to existing transport which would support the State Government's direction for creating a 30 minute city.

The Western City District Plan also requires the need for creating a stronger local economy and promoting the commercial core of Campbelltown.

The planning proposal is consistent with the objectives and planning priorities for *Western City District Plan* as demonstrated below:

- Planning Priority W3 - The Planning Proposal supports integrated land uses to provide services that meets the needs of the communities;
- Planning Priority W6 - The planning proposal supports the creation of great local

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- places with a mix of land uses and provision of well-designed open space; and
- Planning Priority W11 - The planning proposal supports investment and business activity in local centres and the creation of local jobs.

**– Glenfield to Macarthur Urban Renewal Corridor Strategy**

The Glenfield to Macarthur Urban Renewal Corridor Strategy was identified as a growth corridor by the State Government for the purposes of providing further jobs, open space, improved movement networks and revitalisation of existing urban centres through good design. Under the Strategy, Campbelltown has been identified as a priority precinct that provides retail and commercial activity.

The strategy outlines that the vision would be initiated through the lodgement of planning proposals and council initiated LEP amendments. The subject site is identified as being located within a mixed-use retail and residential area under the Strategy.

Under the Strategy, buildings would have ground floor retail that would provide local services for residents and commuters, with the apartments above ranging from 7+ storeys in height. These would be set back from the street to ensure the scale and feel of Queen Street is maintained. Detailed planning would be required to identify appropriate height and built form outcomes in this area. The Proposal is considered to be consistent with this direction.

The Strategy does not include any indication of a maximum height limit for the site. As such the proposed height limits are not considered inconsistent with the Strategy.

**– Draft Greater Macarthur 2040 – An Interim for the Greater Macarthur Growth**

The Department of Planning and Environment has prepared Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area which incorporates the Glenfield to Macarthur Urban Renewal Corridor and the land release precincts to the south of Campbelltown. The draft Plan sets out the strategic planning framework for this area. When finalised, Greater Macarthur 2040 will guide precinct planning within the Growth Area.

The public exhibition for the Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area closed Friday 8 February, however the draft Plan has not yet been formally adopted by the State Government.

In terms of Campbelltown, the draft Plan in relation to 'Place' provides the following goals:

- Provide a range of building heights, with high rise buildings close to the station to maximise pedestrian activity and increase trade for local businesses.



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- Retain the character of areas east of Lindesay Street, with a mixture of detached dwellings, townhouses and terraces.
- Plan for a large floor plate, campus-style office park west of the station.

This site is nominated for mixed use under the Greater Macarthur Structure Plan (urban renewal areas) Map, however the draft Plan does not propose building heights for the Campbelltown CBD.

The planning proposal is not considered to be inconsistent with the above goals of the draft Plan although there is a clear premise that taller buildings should be located closer to the railway station. Therefore the maximum heights for this site should be less than or equal to those adjacent to the station.

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

**– Campbelltown Community Strategic Plan – Campbelltown 2027**

The overarching Community Strategic Plan represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

The Proposal is considered to be consistent with the relevant outcomes headed accordingly within the Plan:

- A vibrant, liveable city;
- A respected and protected natural environment;
- A thriving attractive city; and
- A successful city.

The proposed increase in height has the potential to provide an opportunity for a revitalised commercial and retail core which will support the growth of a strong local economy. The proposal also supports the possibility of integrating open space and walkable thoroughfares to Queen Street.

**– Campbelltown Local Planning Strategy 2013**

The strategy identifies the importance of Queen Street as an existing commercial and retail core of Campbelltown. The strategy also considers the promotion of active street frontages and the conservation of the listed heritage items identified as "Warby Barn and Stables" which are located on the western adjoining property and within close vicinity to Queen Street.

The proposal is consistent with the directions of the Campbelltown Local Planning Strategy 2013.

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– **Campbelltown Residential Development Strategy 2014**

The 2014 Strategy is a background document which informed the preparation of the CLEP 2015. The proposal would assist in the improvement of housing affordability within the area due to the increase in dwellings in close proximity to local transport hubs.

A theme identified in the Residential Strategy noted that changing population demographics would also continue to challenge the local community. The proposal would assist with providing sustainable and accessible housing, particularly for Campbelltown's aging population as the requirements such as lift access would be considered at the development application stage.

The proposal is consistent with the Campbelltown Residential Development Strategy 2014

– **Re-imagining Campbelltown CBD – Phase 1**

Re-imagining Campbelltown CBD sets the community's vision for the future of the Campbelltown, Macarthur and Leumeah centres. It aims to create "a Metropolitan CBD, a leading centre of health services, medical research and med-tech activity." The city would be designed for "ambition, innovation and opportunity."

Re-imagining Campbelltown CBD sets out six pillars/principles for growing Campbelltown-Macarthur CBD as follows:

1. No Grey to be Seen – Environment
  - Deliver high quality and diverse open space experiences.
  - Lead the delivery of affordable low resource, low carbon solutions for Campbelltown.
  - Be visionary and tactical in the greening of the urban fabric.
2. City and Bush – Heritage
  - Regenerate, restore and maintain natural ecosystems.
  - Respect and give life to existing natural, historic and cultural features.
  - Contribute to measurable improvements to local air and water quality.
  - Acknowledge, include and value the Aboriginal history of an area.
  - Heritage items and their settings are conserved, retained and celebrated.
  - Appropriate curtilages for heritage items are maintained.
  - Sensitive and adaptive reuse of heritage items is encouraged.
3. Connected Places and Community – Mobility
  - Pioneer the development of human scale urban environments that are decoupled from car dependence and support health and wellbeing.

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- Develop the infrastructure and connectivity for Campbelltown to be an accessible southern gateway to the Western City and Sydney as a whole.
- Increase accessibility to local amenities and services.
- 4. Confident and Self Driven – Culture
  - Ensure adaptability and diversity of built form for innovators, disrupters and entrepreneurs.
  - Drive solutions for climate resilient communities, public space and urban infrastructure.
  - Deliver design-led excellence for both public and private spaces, including assurance for design outcomes.
- 5. Centre of Opportunity- Economy
  - Create and connect clusters of agglomeration and activity that increase and diversify Campbelltown's productivity.
  - Leverage industry opportunities from, and expedite connectivity with, Western Sydney Airport and Badgery's Creek Aerotropolis.
  - Plan and manage industrial and urban services land's retention and evolution.
- 6. The Good Life - Living
  - Create inspirational places for all, showcasing culture and the arts especially reflecting our high and diverse population including our Aboriginal and Torres Strait Islander community within Campbelltown.
  - Engage with our communities and other stakeholders to deliver lively, healthy, safe and welcoming places that support diverse and inclusive communities.
  - Delivery of connected places and healthy communities through a range of active recreational spaces for playing sport.
  - Create inclusive communities through housing

The Planning Proposal is consistent with the above principles.

Council is in the process of preparing Re-imagining Campbelltown Phase 2. The next phases of Re-imagining Campbelltown include establishing frameworks to ensure the smooth strategic planning and therefore delivery of the Vision. This includes an integrated suite of master plans that cover the economic viability, infrastructure requirements, and eventually physical spatial master planning of the identified precincts. Notably, the master planning exercise may not necessarily assign building heights for all the sites within the CBD, as this would be part of further analysis that would be guided by the outcome of Phase 2.

***Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?***

The following table provides a brief assessment of consistency against each State Environmental Planning Policy (SEPP) relevant to the Planning Proposal.

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<b>State Environmental Planning Policies</b>	<b>Comment</b>
SEPP No. 1 Development Standards	Not applicable as Clause 4.6 of the CLEP 2015 negates the need for SEPP 1.
SEPP 14 – Coastal Wetlands	Not applicable.
SEPP 19 – Bushland in Urban Areas	The site does not contain any significant vegetation.
SEPP 21 – Caravan Parks	Not relevant to the proposal.
SEPP 26 – Littoral Rainforests	Not relevant to the proposal.
SEPP 30 – Intensive Agriculture	Not relevant to the proposal.
SEPP 33 – Hazardous or Offensive Development	Not relevant to the proposal.
SEPP 36 – Manufactured Home Estates	Not relevant to the proposal.
SEPP 44 – Koala Habitat Protection	This site does not contain any koala habitat.
SEPP 47 – Moore Park Showground	Does not apply to land within Campbelltown.
SEPP 50 – Canal Estate Development	Not relevant to the proposal.
SEPP 52 – Farm Dams	Not relevant to the proposal.
SEPP 55 – Remediation of Lands	The existing urban use of the land is unlikely to result in land contamination. Future development of the site will need to address the requirements of this SEPP (55).
SEPP 62 – Sustainable Aquaculture	Not relevant to the proposal.
SEPP 64 – Advertising and Signage	The planning proposal is consistent with the SEPP. Future development of the site would need to take this SEPP (64) into consideration.
SEPP 65 – Design Quality of Residential Apartment Development	The PPR seeks to facilitate high rise development in the form of shop top housing (i.e. residential above commercial). The concept designs submitted with the PPR consider potential design options which address the provisions of this SEPP (65).
SEPP 70 – Affordable Housing Schemes	Not relevant to this proposal.
SEPP 71 – Coastal Protection	Not relevant to this proposal.
SEPP (Building Sustainability Index: BASIX) 2004	Future development of the site would take into consideration the requirements of the SEPP.
SEPP (Educational Establishments and Child Care Facilities) 2017	The PPR appears to be consistent with the SEPP. Any future child care centre, or the like, would take into consideration the requirements and provisions of this SEPP.
SEPP (Affordable Rental Housing) 2009	The PPR is consistent with the SEPP. Any future development on the site may incorporate affordable housing which would be considered in conjunction with the SEPP.
SEPP (Exempt and Complying Development	Not relevant to the Proposal.

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Codes) 2008	
SEPP (Infrastructure) 2007	Future development of the site may constitute traffic generating development and trigger an assessment under this SEPP.
SEPP (Housing for Seniors or People with a Disability)	It is not proposed to carry out the development under the provisions of this SEPP.
SEPP (Integration and Repeals) 2016	Not relevant to the proposal.
SEPP (Kosciusko National Park) 2007	The SEPP does not apply to the land.
SEPP (Kurnell Peninsular) 1989	The SEPP does not apply to the land.
SEPP (Mining and Extractive Industries) 2007	Not relevant to the proposal.
SEPP (Miscellaneous Consent Provisions)	Not relevant to the proposal.
SEPP (Penrith Lakes Scheme) 1989	Not relevant to the proposal.
SEPP (Rural Lands) 2008	Not relevant to the proposal.
SEPP (State and Regional Development) 2011	It is likely that future development of the site will constitute Regional Development thus being determined by the Sydney Western City Planning Panel.
SEPP (State Significant Precincts) 2005	The SEPP does not apply to the land.
SEPP (Sydney Drinking Water Catchment) 2011	The SEPP does not apply to the land.
SEPP (Sydney Region Growth Centres) 2006	The SEPP does not apply to the land.
SEPP (Three Ports) 2013	The SEPP does not apply to the land.
SEPP (Urban Renewal) 2010	The SEPP does not apply to the land.
SEPP (Western Sydney Employment Area) 2009	The SEPP does not apply to the land.
SEPP (Western Sydney Parklands) 2009	The SEPP does not apply to the land.
SEPP (Vegetation in Non-Rural Areas) 2017	The subject site is within a well-established urban area, having historically been used for residential and commercial purposes. The proposal will not impact any significant vegetation.

The following table provides a brief assessment of consistency against each Deemed SEPPs relevant to the Planning Proposal.

<b>Consideration of Deemed SEPPs</b>	<b>Comment</b>
REP (Sydney Harbour Catchment) 2005	Not relevant to this Planning Proposal.
Greater Metropolitan Regional Environmental Plan No2 – Georges River Catchment	Consistent. The proposal will not impact on the water quality and river flows of the Georges River and its tributaries. The Proposal would be subject to further assessment relating to stormwater and drainage should a future development application be lodged.

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**Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?**

The following table provides a brief assessment of consistency against each section 9.1 direction relevant to the planning proposal.

Consideration of s9.1 Directions	Comment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	The proposal is consistent with this Direction as the amendment to the 'Height of Buildings Map' would not reduce the amount of commercial/retail floor space within the Campbelltown CBD. The proposed amendment would increase the potential for additional retail/commercial floor space due to the B4 zoning of the site.
1.2 Rural Zones	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.
1.5 Rural Lands	Not applicable.
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	Not applicable.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	The planning proposal incorporates controls that facilitate the preservation of the significance of the adjoining heritage item, "Warby's Barn" and therefore is consistent with this direction.
2.4 Recreation Vehicle Areas	Not applicable.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Consistent. The proposal would be consistent with this Direction as additional dwellings would be in close proximity to existing infrastructure and services and would provide for existing and future housing needs of the local area.
3.2 Caravan Parks and Manufactured Homes Estates	Not applicable.
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	Consistent. The subject site is within 800m of Campbelltown Train Station and other forms of

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	services such as buses which can provide access to jobs and amenities.
3.5 Development Near Licensed Aerodromes	Not applicable.
3.6 Shooting Ranges	Not applicable.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	Not applicable.
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	Not applicable.
4.4 Planning for Bushfire Protection	Not applicable.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Not applicable.
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5 – 5.7	Repealed
5.8 Second Sydney Airport	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	The proposal is consistent with a Plan for Growing Sydney and the Greater Sydney Region Plan and therefore consistent with this direction.
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	The planning proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.
6.2 Reserving Land for Public Purposes	The Proposal does not impact on land reserved for public purposes.
6.3 Site Specific Provisions	The proposal is relating to building height, and therefore the proposal is consistent with this Direction.
<b>7. Metropolitan Planning</b>	
7.1 Implementation of a Plan for Growing Sydney	The proposal is consistent with the requirements of the strategy as discussed in Part 3 of this Planning Proposal.
7.2 Implementation of Greater Macarthur Land Release Investigation	Consistent.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.

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7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	The PPR is consistent with this Direction as the Proposal will allow for a revitalised and activated Queen Street which will deliver a significant amount of retail and commercial jobs.

**Section C – Environmental, Social and Economic Impact**

**Q 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?**

No. The subject site does not contain any known critical habitat or threatened species, populations' or ecological communities, or any other habitat. Therefore, the proposal will not have an impact on any ecological communities.

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

Yes. The Planning Proposal proposes to increase the maximum building height and therefore the potential development yield. The proposal would have impacts related to urban design, visual, traffic management, flooding and heritage that require careful consideration.

**- Urban Design**

The Planning Proposal submitted by the applicant includes a 3-D graphic design of an indicative development of the site (Figure 1.5 Below) which indicates that the existing factory outlet building is to be demolished.

Demolishing the existing building on site, would present an opportunity to masterplan the site and enhance the streetscape of this part of Queen Street.



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**Figure 1.4 Existing Factory Outlet Centre**

Council has received a Concept development application for the site that proposes six buildings and a small plaza in line with Figure 1.5 below. Although the development concept submitted with the proposal is indicative only, the proposed development would have to meet the current requirements of Council's DCP and LEP as well as the requirements of the Apartment Design Guide. This development application is currently being assessed. The concept application does not include the physical demolition of existing building onsite which be subject of a separate development application.

**Figure 1.5 Indicative development on site prepared by the applicant**

- **Visual Analysis**

The applicant was required to prepare a visual analysis to examine the visual impacts of the proposed building heights on the Campbelltown CBD and view corridors from and to the CBD.

The applicant's visual analysis has demonstrated that the development on this site would be visible from various locations within Campbelltown, however the impacts would be detrimental when viewed from areas within close proximity to the site, such as the bridge on Campbelltown Road and Moore-Oxley ByPass (Figures 1.7 and 1.8 below). A reduced building height as proposed by this Planning Proposal (compared to the

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applicant's planning proposal request) would result in a development that is less intrusive into the CBD skyline and more compatible with the streetscape.



**Figure 1.7 Proposed building heights as viewed from Moor-Oxley ByPass**



**Figure 1.8 Proposed building heights as viewed from Queen Street**



**Figure 1.9 Proposed building heights as viewed from Campbelltown Road**

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**- Traffic and Parking**

The applicant has submitted a Traffic and Parking Impact Assessment, prepared by McLaren Traffic Engineering and Road Safety Consultants.

The Report considered the following:

- the potential impacts of the future traffic generation, the appropriate access and circulation arrangements within the site and recommendations for future upgrades to the road network to accommodate growth.
- the potential traffic generation against both the Campbelltown (Sustainable City) DCP 2015 parking rates and the RMS rates, and recommends that the RMS rates be adopted given the proximity of the site to an extensive network of public transport and the reduced impacts of future development.
- the impacts that future development will have on the surrounding road network, and make recommendations on the site access and circulation which will be incorporated and addressed at the concept DA stage. The Report evaluates the geometries of three intersections that will be particularly effected and suggests appropriate upgrades to ensure acceptable intersection performance as the staged development is realised in the future. These intersections include Queen Street/Chamberlain Street, Campbelltown Road/Blaxland Road and Queen Street

The report recommends that more detailed design and testing of intersection upgrades be undertaken as the development concept is refined and progresses to the next stage of planning and development.

Councils' engineers reviewed the applicant's traffic assessment report and raised the following concerns:

- due to sight distance it would be unlikely to be possible to have a right turn entry to the site from Queen St, and as such the entry would have to be 'left in' only. To facilitate this design, a use of a central median would be required. However, this may not be possible given the width of queen corridor. As such, the proposed design would need to be revised and consideration should be given for better utilisation of the existing traffic signals for all vehicle movements.
- Traffic generation for the residential component appears low.
- Combined loading facilities for retail/commercial/residential use would need to be incorporated in the parking design.
- In the future, there is a possibility that Queen Street may be converted to a one way traffic flow. Flexibility in the design should consider this future condition.

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- As the site is impacted by flooding, basement car parking would require careful consideration of access points to ensure that openings are clear of 1% AEP flood impact for both flooding in Queen Street and overland flow from the adjacent school.

A revised traffic study that demonstrates how the surrounding network would be able to accommodate the increase in traffic, as a result of the proposal, was not submitted in response to the Local Planning Panel's request, however this matter can be addressed after the Gateway Determination and prior to public exhibition. It is requested the requirement for a detailed traffic study be a condition of the Gateway determination.

**Flooding**

The following comments were provided by Council's engineers:

- The site is affected by overland flow from the upstream lands in Campbelltown Performing Arts High School. Sufficient provision must be to convey these flows through the site. This can be achieved in a number of ways (pipes, swales, etc) and Infrastructure is happy to assist with any discussions in this regard.
- The site is also affected by flooding in Queen Street and control levels will be required. These can be provided prior to DA.  
Control levels
- The existing development on the Brands on Sale site contains provision for both overland flow (via two swales through the ground floor level of the carpark) and flooding Queen Street (the development floor levels have been raised to the required levels).
- The proposal appears to provide opportunity to accommodate the above requirements. There appear to be open areas which could be used to convey overland flow. Floor level controls can be set to address flooding in Queen Street. Care would be required to ensure the underground carpark openings were located such that flood waters could not enter.



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**- Heritage**

A state heritage listed item Warby's Barn and Stables adjoins the site.



**Figure 1.10 LEP 2015 Heritage Map**

Any development on the site would need to ensure that the heritage significance of the heritage building is protected and not adversely impacted upon.

It is proposed that any future development that adjoins the heritage building be limited to 26 metres (the current height limit) and to limit any development on the remaining part of the north eastern boundary to 32 metres.

The applicant has submitted to Council a Heritage Study prepared by Lucas, Stapleton and Johnson which provided the following guiding principles:

- Provide an appropriate backdrop to the Warby site as seen from the north-east (Campbelltown Road overpass) with the "old Campbelltown" presented against the "new Campbelltown" without overwhelming the historic site.
- Ensure the project does not prejudice the future development of the Warby site, rather provide opportunities for the future development of the Warby site in a way that will enhance its significance and interlink with the Project site.

Subject to Council's endorsement of this planning proposal, the heritage study will be referred to Office of Environment and Heritage for comments.

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**Q9. *Has the planning proposal adequately addressed any social and economic effects?***

**Social impacts**

No studies to address the social impacts of the planning proposal have been prepared to date. The Planning proposal will facilitate a development that would result in a substantial amount of residential dwellings (over 500 dwellings) and retail/commercial floor space. While this will contribute to housing affordability, it would also increase pressure on Council's services. It is requested that the gateway determination include a condition requiring preparation of a social impact assessment.

**Economic Impacts**

Currently the site is occupied by a bulky goods and factory outlet that is vastly vacant. It would be considered a positive outcome if the existing building on site were demolished and replaced by a mixed use development. However, there needs to be further analysis and studies to validate the amount of retail and commercial floor space. A site specific clause to reinforce the results of this study should be in the CLEP2015.

**Section D – State and Commonwealth Interests**

**Q10. *Is there adequate public infrastructure for the planning proposal?***

**Public open space**

While the schools playing fields provides for open space within proximity to the site, they are not currently available for public use. The Campbelltown Showground is over 400m from the site, however it is fenced off and also not always available for recreational use. The closest available park to the site is Mawson Park, which is over 800 metres away.

The site is over two (2) hectares in area and as such there is an opportunity to provide open space on site, for the use of future residents.

Council's Open Space Section has provided the following main comments in relation to open space requirements for the site:

- Further information required on the impacts of overshadowing on the surrounding public domain and open space.
- Due to the scale of the development provide a Public Domain Plan of the site, particularly with the creation of new streets.
- Acknowledge the Warby Estate and adjacent heritage buildings through artwork interpretation in the pavement design in the public domain and open space areas.

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- The applicant is to provide an open space needs assessment to assess the open space needs of the future residents of the development.
- The extra demand created by the development will require a number of upgrades to existing open space that will occur outside the development envelope.
- With high density development open space needs to be provided within 200 metres of the site.

From the above, the public open space component would need to be resolved in any future masterplan of the site.

**Additional Studies**

A comprehensive investigation of issues including (but not limited to) the following studies would need to be undertaken prior to public exhibition:

- Traffic and Parking Assessment;
- Public Domain;
- Site Specific DCP that includes a revised master plan for the site;
- Economic study to validate the proposed commercial/retail open space
- Urban design analysis to formulate appropriate development standards in relation to FSR and block depths.
- Infrastructure Needs Assessment

***Q11. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway Determination?***

It is proposed to consult with the following:

- Transport for NSW
- Roads and Maritime Services,
- NSW Police
- Office of Environment and Heritage,
- Department of Education
- Department of Health
- NSW Emergency Services
- Telstra
- Sydney Water
- Endeavour Energy

**Part 4 – Mapping**

The Planning Proposal seeks to amend the Campbelltown LEP Height of Building Map. It is not proposed to amend any other maps. (Refer to appendix 1)

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## **Part 5 – Community consultation**

Public consultation will take place in accordance with the Gateway Determination made by the Minister for Planning and Infrastructure in accordance with Sections 56 & 57 of the Environmental Planning & Assessment Act 1979.

A letter would be sent to landowners who adjoin or are in close proximity to the site, advising them of the exhibition of the Proposal and inviting submissions and advertisements would be placed in local newspapers and on Council's website..

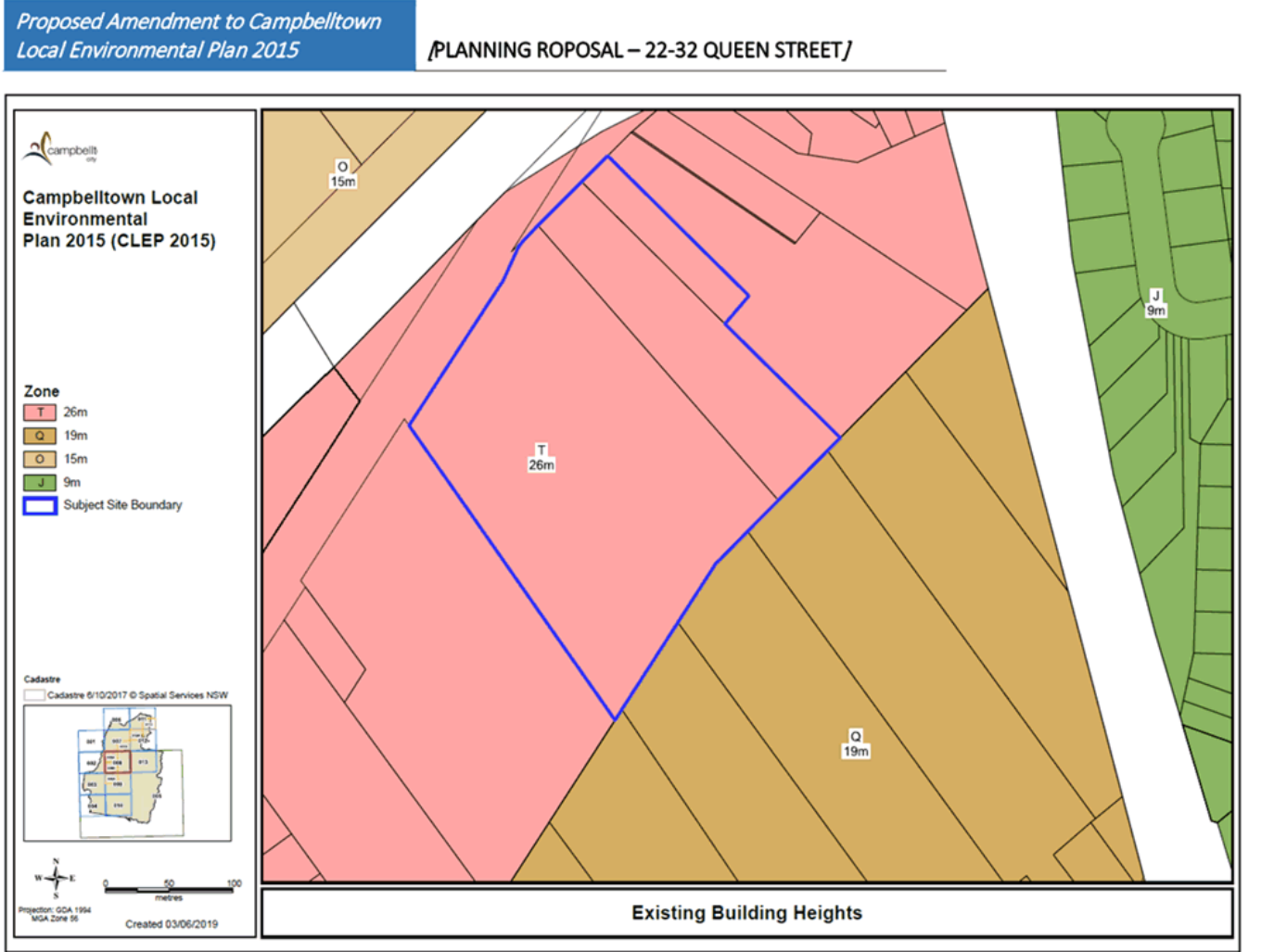
## **Part 6 – Project Timeline**

Milestone	Date
– Preparation of the planning proposal and report to Local Planning Panel	28 November 2018
– Report to Council	11 June 2019
– Request Gateway Determination	June 2019
– Gateway Determination issued	August 2019
– anticipated timeframe for the completion of required technical information /background studies	December 2019
– commencement date for public exhibition period	February 2020
– government agency consultation	February 2020
– consideration of submissions ( report to Council)	April 2020
– submission to the department to finalise the LEP	April 2020

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Appendix 1



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Ordinary Council Meeting

11/06/2019

A Division was recorded in regard to the Resolution for Item 8.9 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison, B Thompson and G Greiss.

Voting against the Resolution were Nil.

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

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**Meeting note:** Having declared an interest in Item 8.10 Councillor Greiss, Councillor Lound and Councillor Oates left the Chamber at 7:06pm and did not take part in the discussion or vote on the matter.

### **8.10 Planning Proposal 22 - 32 Queen St Campbelltown**

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**Meeting note:** Mr Matthew Daniel addressed the meeting.

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

1. That Council endorse option two within the report and the draft planning proposal at attachment 3 to increase the height limit at 22 - 32 Queen St, Campbelltown and introduce other planning controls as detailed in this report and submit it to the Department of Planning and Environment seeking a Gateway Determination.
2. That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site.

A Division was recorded in regard to the Resolution for Item 8.10 with those voting for the Motion being Councillors G Brticevic, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, W Morrison and B Thompson.

Voting against the Resolution were Councillor B Moroney.

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

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**Meeting note:** At the conclusion of Item 8.10 Councillor Greiss, Councillor Lound and Councillor Oates returned to the Chamber at 7:26pm.





## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_CAMPB\_003\_00):** to amend the development controls for land at 22-32 Queen Street, Campbelltown including applying a maximum building height for the land to 1.5m, 26m, 32m, 38.5m and 45m.

I, the Acting Executive Director, Central River City and Western Parkland City, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) 2015 to amend the development controls for land at 22-32 Queen Street, Campbelltown including applying a maximum building height for the land to 1.5m, 26m, 32m, 38.5m and 45m; apply a floor space ratio (FSR) of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use developments (it is noted that the FSR is subject to change following further testing); insert a new local clause; and insert a requirement for a site-specific development control plan (DCP) that requires the site to be master planned should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be amended as follows:
  - (a) under the Introduction section of the proposal, identify the number of additional dwellings, jobs and commercial floor space, and carparking spaces generated by the proposal;
  - (b) under Part 2 – Explanation of Provisions, include the following:
    - i. where applicable, amend the proposed floor space ratio controls and building height(s) for the site based on Council's consideration of any additional findings;
    - ii. expand the description of the proposed clauses to explain in detail the intent of the controls;
    - iii. include a local clause, and plain English explanation, to permit structures higher than 1.5 metres to be erected on the open space areas within the subject site, provided such structures:
      - are open; and,
      - do not constitute a building; and,
      - are erected for shading and/or recreation purposes; and,
      - do not exceed three metres in height, measured from the existing ground level of the adjacent heritage item;and, clarify within the proposal whether development consent is proposed;
    - iv. include a note that the proposed clauses may be subject to change following legal drafting;
    - v. indicate that satisfactory arrangements for the site may apply to ensure contributions for State infrastructure is provided as the site is located within the Glenfield to Macarthur Urban Renewal Precinct; and in terms of Greater Macarthur 2040;



- (c) update the following studies supporting the planning proposal to reflect the proposed development controls:
    - i. urban design report, including the shadow diagrams;
    - ii. traffic and parking impact assessment;
    - iii. heritage impact statement;
    - iv. economic analysis, including the validation of the proposed commercial and retail floor space and an assessment of any impacts upon the core CBD;
    - v. landscape design report; and
    - vi. visual report to address the impacts on the internal public areas and surrounding area, in both the current low-scale environment and the transition to a high-density centre;
  - (d) prepare a social impact assessment to address the impacts of the proposal on the existing services;
  - (e) prepare a flood assessment to ensure that flooding impacts can be adequately mitigated and appropriate measures are proposed;
  - (f) explore options to increase the size of the proposed local open space, together with opportunities for increased solar access, and where found necessary, introduce amendments into the planning proposal;
  - (g) update the consistency of the planning proposal with section 9.1 Directions 4.3 Flood Prone Land and 6.3 Site Specific Provisions;
  - (h) prepare a draft site-specific development control plan and concurrently exhibit this plan with the planning proposal addressing, but not limited to, the following matters:
    - i. green connections linking the adjacent school's open space with the adjoining heritage item;
    - ii. public pedestrian connectivity through the site and to the surrounding land;
    - iii. building separations and setbacks to the surrounding properties;
    - iv. interface with the adjacent State heritage item and school;
    - v. active street frontages and increased setbacks to Queen Street;
    - vi. deep soil landscaping and tree planting to enhance the public domain;
    - vii. adequate solar access to the plaza/open space and surrounding properties through building orientation and layout; and
    - viii. street pattern and orientation of the central access street and intersection arrangement with Queen Street.
2. The revised planning proposal is to be updated in accordance with condition 1 and forwarded to the Department for review and approval prior to exhibition.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
- (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016).

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

- Roads and Maritime Services;
- Transport for NSW;
- Environment, Energy and Science Group;
- Heritage Division at the Department of Premier and Cabinet;
- State Emergency Services;
- Department of Education and Communities;
- Department of Health;
- NSW Emergency Services;
- NSW Police;
- Sydney Water;
- Telstra;
- Jemena Gas; and
- Endeavour Energy.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 17<sup>th</sup> day of January 2020.

**David McNamara**  
**Acting Executive Director, Central**  
**River City and Western Parkland City**  
**Greater Sydney, Place and**  
**Infrastructure**  
**Department of Planning, Industry and**  
**Environment**

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

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## 8.4 Minto Urban Renewal Precinct Planning Proposal

### Reporting Officer

Executive Manager Urban Centres  
City Development

### Community Strategic Plan

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

### Officer's Recommendation

1. That Council support the planning proposal for the Minto Urban Renewal Precinct at attachment 1 to this report and submit it to the Department of Planning Industry and Environment seeking a Gateway Determination.
2. The Council invite the owners of Minto Marketplace to submit their own planning proposal for their land.

### Executive Summary

- The Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy) was adopted by the NSW government in late 2017. This strategy included precinct plans for land around the railways stations at Macquarie Fields, Minto, Ingleburn, Leumeah, Campbelltown and Macarthur. The Glenfield precinct plan has not yet been finalised.
- Council staff have prepared a planning proposal to implement the Minto precinct plan. The planning proposal concentrates on the land to the east of the railway line at Minto. The land included in the planning proposal varies from the land identified in the precinct plan for reasons outlined in the report.
- Councillors were provided with a briefing on the planning proposal on 19 June 2019. The proposal was modified in response to matters raised by Councillors.
- The Campbelltown Local Planning Panel provided its advice on the planning proposal at their meeting on 25 March 2020.
- The planning proposal is still at an early stage of the process. Subject to Council's approval further work will be required after a positive Gateway Determination. This work is best done after the Department of Planning, Industry and Environment (DPIE) have endorsed the scope of the proposal through the Gateway process.

- It is considered that the strategic merit for the proposal has been established by the Corridor Strategy. It is therefore recommended that the planning proposal for the Minto urban renewal precinct be sent to DPIE with a request for a gateway determination.

## Purpose

To advise Council of a planning proposal for the Minto Urban Renewal Precinct and surrounding land, and request Council's agreement to forward the planning proposal to the Department of Planning, Industry and Environment for a Gateway determination.

## History

- On 26 July 2015, the Department of Planning prepared and exhibited a draft Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy). The draft Corridor Strategy identified opportunities for additional housing and jobs around the seven train station precincts between Glenfield and Macarthur.
- In December 2017, the NSW Government released the final Corridor Strategy which included precinct plans for six areas around the railway stations at Macquarie Fields, Ingleburn, Minto, Leumeah, Campbelltown and Macarthur. The final Glenfield plan has not yet been released.
- A planning proposal for the Ingleburn CBD was reported to the Council meeting on 9 April, 2019 where it was supported and forwarded for a Gateway determination. A positive gateway determination was received on 9 March, 2020. A master plan for the Leumeah, Campbelltown and Macarthur precincts - Reimagining Campbelltown, is currently on public exhibition.
- Councillors were briefed on the Minto Urban Renewal Precinct draft planning proposal on 18 June 2019.
- On 25 March 2020, the draft planning proposal was submitted to Campbelltown Local Planning Panel (CLPP) for consideration. The CLPP supported the planning proposal and provided a number of recommendations. The CLPP's recommendations and officer's comments are included within section 10 this report.

## Report

### 1. The Site

The site subject to this planning proposal is the area to the east of Minto train station, extending from Coronation Park to the south to Victoria Park at the northern end of the precinct. Figure 1 in attachment 3 shows an aerial photo of the subject site.

This proposal is limited to the eastern side of Minto train station. The review of the areas west of the railway will occur as part of Council's Employment Lands Strategy which is underway.

Figure 2 in attachment 3 shows the existing zoning for this precinct and surrounds. There is a shopping centre near the railway station zoned B1 Neighbourhood Centre under the CLEP 2015, which reflects its current status as a small-scale centre serving the local population. This area currently has a maximum building height of nine metres (three storeys).

The area immediately surrounding the shopping Centre is zoned R2 Low Density Residential under the CLEP 2015. This zoning was applied at the time to avoid fragmentation of this land and preserve it for future higher density development. Beyond this R2 land, most of the residential land within the precinct is zoned R3 Medium Density Residential.

Immediately to the north of Minto Road, land zoned R2 Low Density is interspersed with land zoned RE1 Public Recreation as part of Victoria Park. Land to the south of the precinct is also zoned RE1 Public Recreation as part of Coronation Park and includes the commuter car park. Centrally located within the precinct, Murray Reserve is also zoned RE1 Public Recreation.

The precinct includes certain land along Erica Lane, Phyllis Street, Surrey Street and Kent Street zoned for local road widening and included on the land reservation acquisition map in the CLEP2015. The Telstra Telephone Exchange in Kent Street is zoned SP2 Infrastructure.

## **2. The Planning Proposal**

Broadly, the planning proposal seeks to amend the CLEP 2015 to align it with the Minto Precinct Plan released as part of the Corridor Strategy, which seeks to facilitate higher density mixed use/apartment development and medium density development in and around the Minto Railway Station. The planning proposal also involves the expansion of Murray Reserve to accommodate the open space needs of the incoming population, and the sale of surplus land in Victoria Park to fund the expansion of Murray Reserve to provide open space embellishment to Victoria Park and public domain improvements near Minto Railway Station. The proposed amendments to the CLEP 2015 are described in detail below:

### **Proposed Zoning**

The planning proposal is to make the following amendments to the CLEP 2015:

- a. Rezone the shopping centre from B1 Neighbourhood Centre to B4 Mixed Use, as shown in Figure 3 in attachment 3.

This area is bound by Redfern Road to the south, Minto Road to the west, Stafford Street to the north and Surrey Street to the east. This proposed amendment reflects the intention to transform the status from a low-scale suburban shopping strip to a vibrant mixed use centre. The B4 Mixed Use zone allows a broader range of land uses than the B1 Neighbourhood zone and this is likely to increase the provision of commercial floor space within the centre and further allows shop top housing to increase the residential densities in the vicinity of the railway station. This zoning still provides a point of difference to the Minto Marketplace which has a B2 Local Centre zoning.

- b. Rezone residential land from R2 Low Density Residential and R3 Medium Density Residential to R4 High Density Residential (excluding the Town Centre and Murray Reserve), as shown in Figure 4 in attachment 3.

The area bound by Durham Street to the north, Pembroke Road to the east, Coronation Park to the south, and Surrey Street and the railway line to the west (as shown with dark edging below) is proposed to be rezoned from low and medium density residential development to high density residential development. This zoning would have the effect of allowing residential flat buildings to be constructed while

prohibiting lower density forms of residential development such as dwellings, dual occupancies and multi-dwelling developments. The intention of this amendment is to provide additional housing opportunities in close proximity to Minto train station, supporting the use of public transport and the revitalisation of the Minto town centre.

- c. Place the land adjacent to Murray Reserve shown in Figure 5 in attachment 3 on the Land Reservation Acquisition Map under the CLEP 2015 and rezone this land to RE1 public recreation. This land will be acquired as it becomes available over time but only after the sale of land in Victoria Park.

At present the Minto precinct has a deficit of accessible passive open space. Coronation Park and Victoria Park are both located within the precinct however these parks cater for active open space, are dominated by sporting facilities and are located at the fringe of the precinct. Murray Reserve is the only park that is used wholly for passive open space and is centrally located within the precinct, however its usability and amenity is limited by its small size (2,000sqm) and awkward shape.

The subject land is 10 Stafford Street, 14-20 Stafford Street, 5-11 Blanche Street and 17 Phyllis Street, Minto. It is noted that Murray reserve is also used as an overland flow path which would remain on the site and potentially be expanded to manage existing flooding issues within the locality. The acquisition of these properties would expand Murray Reserve to approximately 7,500sqm.

- d. Rezone a portion of land within Victoria Park from RE1 to R3 Medium Density Residential, and rezone residential land adjoining Victoria Park from R2 Low Density Residential to R3 Medium Density Residential, as shown in Figure 6 in attachment 3.

It is proposed to rezone a portion of Victoria Park to R3 Medium Density Residential and sell the rezoned parcels to fund the expansion of Murray Reserve and open space embellishment in the precinct. The land identified as RE1 proposed for rezoning is not currently used as active open space and is interspersed with residential properties. The land is already in separate allotments. The costs of servicing and for the provision of access to the land in Victoria Park identified for inclusion in the R3 zone will be further investigated and ultimately could be paid for through the sale of the land. Funds generated from this sale would enable the expansion of Murray Reserve. Any funds remaining would be used to revitalise the remaining area within Victoria Park through the provision of active sporting facilities, which would be accessible for residents within the precinct.

- e. Rezone two allotments (Lots 1 and 2 Sec 4 DP 1186) in the northern part of Victoria Park from R2 Low Density Residential to RE1 Public Open Space, to reflect their ongoing use as public open space, as shown in Figure 7 in attachment 3. This will include the reclassification of this land to community land.

These two allotments were formerly used for residential purposes and their current zoning reflects their former use. The proposed rezoning of these properties to RE1 Public Open Space would reflect their ongoing use as public open space.

- f. Rezone small sections of land within Erica Place and Erica Lane from R2 Low Density Residential and B1 Neighbourhood Centre to SP2 Local Road Widening and rezone splay corners within the town centre to SP2 Local Road Widening, as shown in Figure 8 in attachment 3. This land will also be placed on the Land Reservation Acquisition Map under CLEP2015. This land will gradually be acquired through the Development

Application process for the subject sites as development applications are submitted and proposals constructed.

With regard to Erica Place, the road currently ends in a cul-de-sac configuration, which serves the existing low-density residential environment adequately from a vehicular traffic perspective. However, a higher density residential environment would be better served by a grid pattern of through-streets, which would facilitate access through the precinct. Additionally, the existing walkway from the end of Erica Place to Warwick Street is not ideal from a pedestrian safety perspective as it provides for very poor passive surveillance. Critically, a cul-de-sac is not an ideal road type for high density residential development as it can lead to awkward built form. In order to address these issues, the proposal would facilitate the extension of Erica Place through to Warwick Street by rezoning small sections of land within 5 Erica Place, 32-36 Minto Road and 44 Minto Road from R2 Low Density Residential to SP2 Local Road Widening and place them on the Land Reservation Acquisition Map under the CLEP 2015.

With regard to Erica Lane, the physical width of the road currently varies. There is an existing road widening reservation on properties on the eastern side of Erica Lane, which would give the widened road a width varying between 10.6 metres and 11.7 metres. A road of this width may be sufficient to cater for a suburban scale neighbourhood centre, but is not sufficient for a multi-storey commercial/mixed use precinct. In the future Minto neighbourhood shopping centre will require basement car parks, which would be accessed by small and medium sized trucks. These vehicles require a greater road width in order to manoeuvre into and out of basement car parks. In addition, there are several properties that have Erica Lane as their only street frontage, and as a result, development on these properties would face and be accessed from Erica Lane. The current road reservation width of Erica Lane is insufficient to allow for two traffic lanes and a pedestrian footpath on both sides of the road. Accordingly, the proposal seeks to make provision for the widening of Erica Lane by rezoning parts of 22 Minto Road, Lot 1 Erica Place, 6 Minto Road and 14 Redfern Road from B1 Neighbourhood Centre to SP2 Local Road Widening. This would create a road width of 15 metres. It is proposed to include this land on the Land Reservation Acquisition Map and gradually widen the road through the Development Application process.

The proposal also includes a four metre by four metre splay corner at street corners in order to allow for improved pedestrian and driver visibility and passive surveillance. It is proposed to place these splayed corners on the land reservation acquisition map under CLEP2015.

Maps of the existing and proposed zoning are included under Appendix 1 of attachment 1 to this report.

### **Maximum Building Height**

The planning proposal seeks to make the following amendments to the CLEP 2015 Height of Buildings map:

- a. Increase the building height in the proposed B4 zone from 9 metres (approximately three storeys) to 13 metres (approximately four storeys), 16 metres (approximately five storeys) and 19 metres (approximately six storeys).

- b. Increase the maximum building height from 8.5 metres and 9 metres (approximately three storeys) to 13 metres (approximately four storeys) and 19 metres (approximately six storeys) for land being rezoned to R4 High Density Residential, except for the site of the heritage listed Old St James Anglican church and adjacent land which will have a maximum building height of 9 metres. The lower height adjacent to the Old St James Anglican Church is to protect its heritage significance.
- c. Impose a maximum building height of 9 metres (approximately three storeys) for land to the north of Minto Road that is being rezoned from R2 Low Density and RE1 Public Recreation to R3 Medium Density.
- d. Remove the maximum building height for land that is proposed to be rezoned for public open space and road widening purposes.

The proposed building heights have been designed to achieve the following outcome:

- Provide additional dwellings within a walking distance to the railway station.
- Increasing densities to help support and facilitate economic growth within the town centre.
- Create a transition of building heights across the precinct, with the tallest buildings being located near Minto station and the height tapering down to create a harmonious urban design outcome at the interface between the high and medium density zones and the surrounding low density residential zones, and increase opportunities for solar access.
- Ensure adequate solar access is received to the proposed public plaza (currently occupied by a car park), by limiting building heights adjacent to the future plaza to four to five storeys instead of six storeys.
- Provide a lower height limit to reduce the density of development in the vicinity of the heritage listed item (Old St James Anglican church) so that any future development is of a height and scale that is in keeping with the heritage building.

### **Qualifying Site Area**

It is proposed to amend Clause 4.1C (Minimum qualifying site areas) to include a qualifying area of 800sqm for mixed use development/shop top housing within the B4 zone and 1,500sqm for residential apartment buildings within the R4 zone. These development controls may be refined prior to public exhibition dependant on the recommendations of the review of employment lands and other studies identified in this report. Any changes will be reported to Council for consideration.

### **Floor Space Ratio**

An appropriate floor space ratio (FSR) would need to be determined and included in the proposal, and this is currently under investigation. The FSR will vary with the height and setback controls across the site. This will be determined and reported to Council for consideration prior to public exhibition.

### **Reclassification of Land**

The planning proposal also includes the reclassification of the Police Citizens Youth Club (PCYC) site and part of Victoria Park from Community Land to Operational Land. The PCYC site is located on Minto Road, adjacent to Victoria Park.



- With regard to part of Victoria Park, the reclassification of this land to Operational Land would allow for its sale to fund necessary public infrastructure within the precinct. This has been discussed earlier in this report.
- With regard to the PCYC site, the reclassification of this land to Operational Land would allow Council to have more flexibility with regard to the terms of the lease of the land to PCYC, potentially expanding the range of services offered to the community, and enabling Council to partner with the lessee on future projects that would be of benefit to the community.

As the proposal includes the reclassification of publicly owned land from community to operational, it is proposed to hold a public hearing with an independent chair at the conclusion of the public exhibition period.

It should also be noted that the properties intended to be purchased for the expansion of Murray Reserve would be reclassified from Operational Land to Community Land in the future at the time when Council acquires the properties for the expansion of Murray Reserve. Further there are 2 lots within Victoria Park that are proposed to change from a residential zone to a public recreation zone that will be reclassified to community land as part of this planning proposal.

### **Local Provisions**

The planning proposal includes a provision requiring all new development in the proposed B4 Mixed Use Zone to address Minto Road, Redfern Road, Surrey Street, Stafford Street and Erica Lane as active street frontages. This is to ensure that development within the precinct has a high quality urban design when viewed from all angles, promotes pedestrian activity to streets and maximises interactions between the public and private domain at street level. As a result of the additional identified studies, further local clauses maybe required.

### **3. Justification**

This proposal follows the release of the Corridor Strategy.

Council is leading the rezoning of the Minto Precinct to ensure that the Minto Precinct Plan is implemented in a holistic manner and so that the collective impacts of the increased densities are appropriately considered and addressed. This approach identifies the required upgrades in infrastructure for the entirety of the area and the mechanisms to fund them.

This planning proposal does not include changes to land to the west of the railway line shown in the Minto precinct plan. This is because the future zones identified in the Minto precinct plan for the land west of the railway line are generally consistent with the existing zones under CLEP2015. The LEP review planning proposal already includes a change to the maximum permissible building height for the land west of the railway and this is under separate consideration by Council. The review of employment lands that is already in progress is reviewing the land uses permissible with consent in all employment zones including the IN1 General Industrial and IN2 Light Industrial zones west of the railway line at Minto.

A holistic planning proposal initiated by Council provides certainty to the community and the development industry, and reduces the number of planning proposals submitted for individual sites.

#### **4. Consideration of Section 9.1 Ministerial Directions**

Section 9.1 (formerly Section 117) of the *Environmental Planning and Assessment Act 1979* allows the Minister for Planning to provide direction to Council in relation to the preparation of draft local environmental plans.

The directions that are relevant to this proposal are listed below.

- Direction 1.1 Business and Industrial Zones
- Direction 2.3 Heritage Conservation
- Direction 3.1 Residential Zones
- Direction 3.3 Home Occupations
- Direction 3.4 Integrated Land Use and Transport
- Direction 4.3 Flood Prone Land
- Direction 4.4 Planning for Bushfire Protection
- Direction 5.10 Implementation of Regional Plans
- Direction 6.2 Reserving Land for Public Purposes
- Direction 7.1 Implementation of a 'A Plan for Growing Sydney'
- Direction 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor

The planning proposal is consistent with the relevant Section 9.1 Directions (or justifiably inconsistent). Further detail and explanation of the relevant Ministerial directions are outlined in the proposal located in attachment 1 to this report.

#### **5. Consideration of State Environmental Planning Policies (SEPPs)**

The following SEPPs are applicable to the proposal and have been discussed in the proposal which is located in attachment 1 to this report.

- SEPP 19 – Bushland in Urban Areas
- SEPP 55 – Remediation of Land
- SEPP (Infrastructure) 2007
- SEPP State Environmental Planning Policy (Sydney Region Growth Centres) 2006

#### **6. Consideration of the Campbelltown Local Environmental Plan 2015**

The planning proposal aims to amend the CLEP 2015 to facilitate the future redevelopment of Minto. Therefore the existing provisions of the CLEP 2015 are not a strategic consideration for the planning proposal. Existing clauses in the CLEP 2015 will apply to future development. In particular clause 7.13 which requires design excellence will apply to the assessment of future development applications.

#### **7. Strategic Context – Relationship to State and Local Planning Policies**

##### **7.1 A Plan for Growing Sydney**

On 14 December 2014, the NSW Government released 'A Plan for Growing Sydney' which outlined actions to achieve the Government's vision for Sydney which is a strong global city and a great place to live.

A Plan for Growing Sydney sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031.

The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport community facilities and services.

The planning proposal is consistent with the actions and objectives of 'A Plan for Growing Sydney' as it will facilitate high density mixed use and residential development within a walking distance from Minto Train Station.

## **7.2 Greater Sydney Region Plan 2018**

The Greater Sydney Region Plan has been prepared by the NSW State Government to guide land use planning decisions over the next 40 years in order to achieve a common goal of having a metropolis of three cities (Eastern, Central and Western). The Plan sets a strategy for accommodating Sydney's future population growth and identifies the need to deliver 725,000 additional homes and create 817,000 jobs by 2036.

Four key components have been identified within the document:

- Infrastructure and collaboration
- Liveability
- Productivity
- Sustainability

The most relevant to this proposal are the vision statements relating to liveability and productivity. Increasing the residential densities within close proximity to Minto train station would provide a platform for future residents to be located within a walking distance from public transport and services.

## **7.3 Western City District Plan**

As part of the NSW State Government's Greater Sydney Region Plan, Minto is identified as being located within the Western City District Plan. The District Plan provides guidance in relation to job creation, housing supply and sustainability. The following objectives and planning priorities are relevant to the proposal.

- Planning Priority W3 - The proposal supports integrated land uses to provide services that meets the needs of the communities
- Planning Priority W6 - The proposal supports the creation of great local places with a mix of land uses and provision of well-designed open space
- Planning Priority W11 - The proposal supports investment and business activity in local centres and the creation of local jobs.

The proposal is consistent with the objectives and planning priorities for the Western City District Plan.

## **7.4 Campbelltown Local Strategic Planning Statement**

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020. The planning proposal is consistent with the following particular actions identified in the LSPS.

1.24 – Work in partnership with Government to enable urban growth supported by infrastructure with a focus on connectivity through sustainable land use integrated with transport planning, and transit-orientated development.

2.5 – Contain urban development to existing urban areas and within identified growth and urban investigation areas, in order to protect the functions and values of scenic lands, environmentally sensitive lands and the Metropolitan Rural Area.

2.8 – Work with the NSW Government to refine and implement Greater Macarthur 2040 to achieve required growth and respect local needs and priorities, and the environmental context.

2.9 – Work with the NSW Government to facilitate the strategic rezoning of land and the provision of associated infrastructure for identified urban growth and renewal areas, including identification of appropriate staging and alignment of infrastructure provision with anticipated growth.

2.12 – Promote housing diversity through local planning controls and initiatives.

2.14 – Prepare masterplans for the town centres identified within the Glenfield to Macarthur Urban Renewal Corridor that incorporate opportunities for in-centre living.

2.15 – Ensure that sufficient, quality and accessible open space is provided for new urban areas.

2.16 – Ensure that quality embellishment for passive and active recreation is provided to new and existing open space to service new residential development and redevelopment of existing urban areas.

2.17 – Ensure open space is provided where it will experience maximum usage by residents, with maximum frontage to public streets and minimal impediments.

3.7 – Manage development outcomes having appropriate regard to environmental and heritage considerations.

6.17 – Design and upgrade parks and open space for a diverse and growing population.

6.19 – Continue to promote and work with Government and other key stakeholders to achieve the conservation of open space for community and recreational use.

6.25 – Work towards residents being a maximum of 400 metres from quality open space.

7.11 – Identify appropriate building heights through design requirements to ensure that solar access is not restricted in open space areas adjoining multi-storey developments.

10.4 – Develop and deliver masterplans for the renewal precincts identified along the Glenfield to Macarthur Rail Corridor – Macquarie Fields, Ingleburn, Minto (noting Leumeah is part of the Campbelltown City Centre).

10.15 – Continue to recognise and plan for a range of retail uses within centres, and enable appropriate retail growth in centres that have the capacity and demand to accommodate additional retail growth.

During the exhibition of the LSPS a submission was received from the owners of Minto Marketplace. The response to this submission was that it would be considered as part of the future strategic planning for Minto. This is discussed in section 8(j) of this report.

## **7.5 Glenfield to Macarthur Urban Renewal Corridor Strategy**

The Corridor Strategy was released by the State Government for the purposes of revitalisation of existing urban centres through good design, providing jobs, open space and improved movement networks.

Minto is one of the identified precincts for revitalisation and future rezoning as part of the Corridor Strategy.

The Plan identifies Minto as an important employment centre that meets the community's retail needs, with capacity to provide for a 3-6 storey mixed use retail/residential area adjacent to the train station and 3-6 storey medium rise residential development to the north and east of the mixed use precinct. This planning proposal is generally consistent with the Minto Precinct Plan.

The most significant proposed departure from the Minto Precinct Plan is that the planning proposal does not seek to rezone the commuter car park (owned by the Department of Lands) on the eastern side of Minto railway station to mixed use, and instead seeks to retain the existing public recreation zoning. The reasons for this are:

- In the short term, this land is required for commuter car parking.
- In the long term, if commuter car parking is consolidated on the western side of the railway line in a multi-storey car park, the land would be better used for the expansion/embellishment of Coronation Park, in particular a potential expansion of the Minto Indoor Sports Centre.
- The land is traversed by a high voltage electricity line, which Endeavour Energy does not agree to be placed underground, which makes the site unsuitable for a mixed use building.

The other notable difference between the Precinct Plan and this proposal is the proposed rezoning of part of Victoria Park to Medium Density Residential (which would allow for the sale of this land and use of the funds generated to acquire and embellish open space and enhance the public domain within Minto. Accordingly, the proposal is considered to be generally consistent with the Minto Precinct Plan, and justifiably inconsistent in two aspects.

## **7.6 Campbelltown Community Strategic Plan 2027**

The Campbelltown Community Strategic Plan 2027 is a document which will guide the Local Government Area including Ingleburn over the next 10 years through a series of goals and strategies including, but not limited to housing choice, strengthening the local economy and promoting the use of public spaces.

The proposed increase in residential densities would provide the opportunity for a revitalised commercial and retail core which will support the growth of a strong local economy.

Strategy No 4.6 of the Community Strategic Plan (Plan and invest in the revitalisation of Campbelltown-Macarthur Town Centre, Ingleburn and other town centres) is identified as one of the main actions needed to achieve a successful city. The proposal is consistent with this strategy as the proposed rezoning and increased building heights would encourage investment in Minto which would lead to its further revitalisation.

## **7.7 Campbelltown Local Planning Strategy 2013**

The Campbelltown Local Planning Strategy (CLPS) is a background document which informed the preparation of the CLEP 2015. It was endorsed by Council at its meeting on 26 March 2013.

The CLPS states that the minor centres of Leumeah, Minto (including Minto Mall) and Macquarie Fields Station are to provide additional development/redevelopment prospects over time as they evolve into suburban villages.

Another relevant objective outlined in the CLPS is to constrain the development of additional retail floor space at Minto Mall (as it was then known) whilst facilitating the transformational change of Minto into a mixed use centre (Suburban Village) without adversely impacting the feasibility and hierarchy of both centres. In this regard, as the planning proposal does not seek to zone any additional land for commercial purposes, it would not detrimentally affect the ongoing feasibility of Minto Mall, and the incoming residential population would support the commercial operations within the Minto Precinct.

The planning proposal will be consistent with the Campbelltown Local Planning Strategy. An employment lands strategy is currently being prepared which will review the centres hierarchy for the Campbelltown Local Government Area.

## **8. Important Issues concerning the Proposal**

This section includes a more detailed discussion on issues relevant to the planning proposal.

### **a. Open Space**

At present the Minto precinct has a deficit of accessible passive open space. Coronation Park and Victoria Park are located at either end of the precinct and these parks cater for active open space and are dominated by sporting facilities. Murray Reserve is the only park that is used wholly for passive open space and is centrally located within the precinct, however its usability and amenity is limited by its small size (2000sqm) and awkward shape.

Planning Priority (W18) of the Western Sydney District Plan states:

Western Sydney Urban renewal also creates opportunities for increasing the quantity of open space. Planning for urban renewal needs to consider opportunities to deliver new, improved and accessible open spaces, including space for active sport and recreation that meets the needs of the growing community. High density development (over 60 dwellings per hectare) should be located within 200 metres of open space and all dwellings should be within 400 metres of open space.

People in urban neighbourhoods should be able to walk to local open space. In high density neighbourhoods, public open space is used like a shared backyard, providing a green communal living space. Open space in high density neighbourhoods needs to be durable, multipurpose and accessible to a wide variety of users. High density neighbourhoods also need to have high quality open space within close proximity.

The planning proposal includes the rezoning of ten residential properties to RE1 to allow for their acquisition by Council to expand the size of Murray Reserve. The acquisition of these properties would expand Murray Reserve to approximately 7,500sqm which is expected to be sufficient to accommodate the passive open space needs of the incoming high density

residential population. This land will also provide useable open space within 200m of a high density residential area consistent with the objectives of the LSPS.

**b. Acquisition of Land**

As outlined above, the planning proposal involves the acquisition of 10 residential properties in order to facilitate the expansion of Murray Reserve. Whilst the compulsory acquisition process would be available for Council to utilise, it is not intended to use this process. Council would be able to purchase the properties over time as they become available, which would give property owners some flexibility with regard to relocation. The park could expand incrementally over time as Council purchases properties (subject to satisfactory passive surveillance outcomes), and as population increases within the precinct generate the need for more public open space. It is proposed that the acquisition be funded by the sale of land adjacent to Victoria Park.

It is most important to note that it is not the intention to force owners to vacate their houses or sell their properties. Council would only look at acquisition where a property was put on the market and not by way of compulsory acquisition methods.

The rezoning of each acquired parcel to RE1 Public Recreation would then occur incrementally over time as each parcel is acquired.

**c. Sale of Public Land**

As outlined above, the planning proposal seeks to rezone an unused section of Victoria Park from RE1 Public Recreation to R3 Medium Density Residential in order to facilitate its sale to raise funds for embellishment of Victoria Park, expansion of Murray Reserve and public domain upgrades within the precinct. In addition to rezoning the land, Council would have to reclassify the land from Community Land to Operational Land. The intention is therefore to hold a public hearing in regard to the proposal.

**d. Traffic**

A detailed traffic study has not been prepared as part of the proposal although traffic modelling has been undertaken in the Local Government Area.

Notwithstanding the proximity of the railway station, it is anticipated that traffic within the precinct and surrounding area is likely to increase due to population growth which would put pressure on the local road network. Council will be developing strategies to combat traffic and parking issues within the centre post gateway determination.

Council has recently undertaken studies relating to car ownership for residents living in apartments for the Re-imagining Campbelltown strategy. Studies undertaken have indicated that car ownership rates are lower for households living in units and also for those in close proximity to existing train stations.

The Campbelltown Local Infrastructure Contributions Plan 2018 includes intersection upgrade works at Minto. Further investigation and discussion with Council's traffic engineers will be undertaken to ascertain any required improvements to the road network to accommodate the increase in traffic. This can be adequately managed through the ongoing review of the Local Infrastructure Contributions Plan.

**e. Heritage**

The precinct contains one local heritage item:

Heritage Item	Address	Lot and DP	Item No.
Old St James Anglican Church	2 Redfern Road, Minto	Lot 12 DP 712599	I106

The planning proposal does not propose to add, remove or alter any heritage listings. Planning controls for land within the vicinity of Old St James Anglican Church aim to reduce impacts on the church by limiting the maximum permissible height of buildings.

Future development applications lodged for sites within the subject precinct would need to consider the impact of the relevant heritage items in line with existing heritage controls in the CLEP 2015.

The location of the heritage item is identified in attachment 1. The maximum height of buildings map has a lower maximum height of 9 metres for the site of the heritage item and adjacent land to ensure that future development is in keeping with the heritage item.

**f. Public Domain Upgrades**

A Public Domain Strategy for the area subject to the proposal will accompany the preparation of a precinct-specific Development Control Plan. This plan is expected to include designs for upgrades to roads and footpaths, public open space embellishment, landscaping of public areas and traffic calming measures, among other design improvements. An important aspect of this public domain strategy would be the conversion of the existing car park on the eastern side of Minto Road adjacent to the shops to a public plaza. In this process care will be taken to identify in the public domain plan how the loss of 14 angled parking spaces will be offset by replacement car parking. The preparation and exhibition of this plan would take place following Gateway determination and in conjunction with the exhibition of the planning proposal. The public domain plan would be reported to Council for consideration prior to exhibition.

**g. Flooding**

Council's recently adopted Floodplain Management Plan has identified no major flooding issues for the Minto Precinct or surrounding areas. The majority of flooding in the one percent Annual Exceedance Probability (AEP) flood event is contained within the roads. Breakout flooding identified in the 20 percent event between Surrey Street and Minto Road increases in the one percent AEP event. Other minor pockets of flooding on private property are also identified in the one in the one percent AEP event. However, the majority of flooding issues can be addressed when individual properties are redeveloped by ensuring that buildings are built to the required floor level and directing water into public drainage infrastructure in the street. An upgrade of drainage infrastructure within the expanded Murray Reserve will be required.

The commuter car park identified at Lot 11 DP628084 is subject to flooding in the one percent flood event. However, the site is not identified for rezoning as part of this proposal and there are no plans to change its current use as a car park.

Minor flooding is identified within the properties to the north of Minto Road that are proposed to be rezoned from public recreation to residential. However, it is noted that the flooding is considered to be minor in the one percent event, which can be managed with the construction of drainage infrastructure within the new road created to service the lots.



Flood waters in Minto Road currently drain to a swale located on Sydney Trains land and do not drain to Council's Infrastructure. This raises potential issues if maintenance is not guaranteed, as it will cause localised increases in flood levels which may cause problems for properties in the area. The level of water in the road increases further to the north of the precinct, which may have future implications on the provision of infrastructure to Minto Road due to redevelopment within the precinct. Consultation with Sydney Trains is required post Gateway determination.

#### **h. Development Contributions**

##### **Special Infrastructure Contributions (SIC)**

According to the Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area, two separate draft Special Infrastructure Contributions (SIC) schemes have been developed; one for the land release precinct in the south of the Growth Area and the Glenfield to Macarthur corridor in the north. The Department of Planning Industry and Environment has exhibited both schemes and is currently considering submissions. If a SIC is adopted for the area covered by the Corridor Strategy, contributions would be payable for future development at Minto to the NSW Government in accordance with the terms of the SIC.

##### **Local Development Contributions**

The Campbelltown Local Infrastructure Contributions Plan 2018 was adopted on 19 December 2018. This Plan currently applies to Minto and would continue to do so if the planning proposal is adopted. Under this Plan, a Section 7.11 contribution is applicable to all residential development and a Section 7.12 contribution is applicable to commercial development. The Plan includes works within the Minto precinct. The works within the plan will be reviewed post gateway to ensure that they include the infrastructure required for the precinct based on the current plans.

#### **i. Employment Lands Study and Local Housing Strategy**

A strategic review of employment lands is currently being prepared, which will look at Campbelltown LGA's future needs for employment lands and will also consider, among other things, a centres hierarchy and result in an employment land strategy. The recommendations of this strategy will be implemented in accordance with a priority schedule still to be determined. A local housing strategy is also being prepared as required by the Western City District Plan.

Upon completion of these strategies the planning controls within the planning proposal will be reviewed to ensure that they are aligned with the findings of these strategies. The strategies will make recommendations on employment land use controls at the LGA wide level and any changes to these controls would be implemented on the same basis. Therefore it is not expected that these strategies will result in any significant change to the Minto urban renewal precinct planning proposal.

#### **j. Submission from Minto Marketplace**

During the exhibition of the LSPS a submission was received from the owners of the Minto Marketplace which is attachment 2 to this report. The submission from Minto Marketplace identifies the opportunity to increase the housing supply between Minto Marketplace and the Minto railway station along the northern side of Redfern Road. This opportunity is included

within this planning proposal. The Minto Marketplace submission identifies part of Coronation Park as an opportunity site for development. This is not currently supported due to its impact on the use of Coronation Park for sport and recreation purposes.

The Minto Marketplace submission also identifies some potential opportunities on the Marketplace site. It is considered that the future planning controls for the Minto Marketplace site would be best addressed through a separate planning proposal as has occurred for other key sites like Campbelltown RSL, Kellicar Road and 22-32 Queen Street in Campbelltown.

#### **k. Kayess Park precinct, Bow Bowling and Minto**

As part of the analysis and investigation of the Minto Urban Renewal Precinct it was identified that there may be additional opportunities for the master planning of land to the north west of the subject precinct on the western side of the railway line. This land, which includes Kayess Park (partly located in Bow Bowling and partly located in Minto) has opportunities for development in a manner that facilitates improved flood outcomes, provides enhanced open space and facilitates some housing and employment opportunities. This site could be subject of a separate master planning exercise, possibly leading to a separate planning proposal to facilitate an appropriate development response in the future.

#### **l. Consultation with State Agencies**

Following the receipt of a Gateway determination in respect of the planning proposal, Council will consult several state agencies. These agencies include but are not limited to:

- Transport for NSW (incorporating Roads and Maritime Services)
- Sydney Trains
- NSW Rural Fire Service
- Endeavour Energy
- Natural Resources Access Regulator
- Sydney Water
- NSW Department of Education
- Jemena
- Families and Community Services (formerly Housing NSW)
- NSW Police
- NSW Health
- Relevant Aboriginal Groups and NSW Aboriginal Land Council
- Department of Lands (owners of the carpark)

#### **9. Additional Studies**

A comprehensive investigation of issues including (not limited to) the following studies would need to be undertaken prior to public exhibition:

- Traffic and Parking Assessment
- Public Domain Strategy
- Contamination Assessment for the part of Victoria Park proposed to be rezoned
- Site Specific DCP including a master plan

- Urban design analysis to formulate appropriate development standards in relation to FSR and qualifying site area and block depths.
- A clear funding strategy for the provision of infrastructure including open space acquisition and sale, urban domain enhancements, any road improvement that may be needed and drainage works

Prior to the above studies being undertaken, it is recommended that Council seeks a Gateway Determination to formalise the process, studies and consultation to be undertaken and provide confirmation of zones and heights to give more certainty to development yields.

As Council owns land within the Minto Urban Renewal Precinct, Council is not expected to be given delegation to make the Plan.

#### **10. Advice of the Campbelltown Local Planning Panel**

On 25 March 2020, the draft planning proposal was submitted to Campbelltown Local Planning Panel (CLPP) for consideration. The CLPP supported the planning proposal and provided a number of recommendations, which are presented below together with comments outlining how the matters raised are to be addressed.

1. The Panel commends the Council for taking a proactive approach to planning for the future development of the Minto Urban Renewal Precinct.

Officer's comment: This is noted.

2. The Panel notes that the proposal arises from a considerable body of strategic work including the Glenfield to Macarthur Urban Renewal Corridor Strategy and the Minto Precinct Plan and generally seeks to implement the Precinct Plan.

Officer's comment: This is correct.

3. The Panel considers that the Minto Urban Renewal Planning Proposal has strategic and site specific merit and recommends to the Council that it proceeds to seek a Gateway Determination to progress the proposal to the next stage.

Officer's comment: This is noted, and this report recommends that Council seeks a Gateway Determination in respect of the planning proposal.

4. The Panel endorses the Council officer's recommendations within the report regarding the inclusion of minimum floor space ratio standards including a minimum non-residential floor space ratio standard within the proposed B4 Mixed Use Zone. The Panel also notes Council officer's advice at the meeting briefing that the Council is undertaking a Strategic Review of Employment Lands and that any recommendations arising from this Review may inform the Council's final position regarding appropriate planning controls for retail and commercial outcomes in Minto.

Officer's comment: Upon completion of the Strategy, the planning controls within the planning proposal will be reviewed to ensure that they are aligned with the findings of the Strategy. This is not likely to result in any significant change to the planning proposal.

5. The Panel supports the scale of development as expressed in storeys and as detailed in the report. The Panel recommends that Council gives further consideration to the proposed maximum building height standard within the B4 mixed use zone given the

suggested outcomes on Page 9 of the report regarding the numbers of storeys associated with these heights. The Panel notes that any height standard needs to carefully consider the minimum floor to floor heights for non-residential use as well as building services at roof level.

Officer's comment: Council staff will review the proposed maximum building heights within the proposed B4 Mixed Use zone in light of the Panel's advice in this regard after Gateway determination. The final building heights may need some minor alteration dependent upon the final outcomes of the strategic review of employment lands and the local housing strategy as the desired mix between commercial and residential development in the Mixed Use zone may alter, which in turn may affect overall building height (as commercial and residential floors of a building have different floor to ceiling heights). No significant changes are likely and a minor refinement like this is able to occur past Gateway if required and if necessary an alteration to the Gateway determination sought. Any recommended changes would be reported to Council for consideration.

6. The Panel notes the Council officer's advice contained on Page 18 of the report regarding the number of additional studies that will be required and considers that these studies will be critical in ensuring the desired outcomes.

Officer's comment: The required additional studies (outlined in section 9 of this report above) would be undertaken following the receipt of a Gateway Determination in respect of the planning proposal and prior to its public exhibition.

7. The Panel acknowledges and supports the rationale regarding future open space outcomes as contained within the report.

Officer's comment: This is noted.

8. The Panel supports preparation of a Site Specific Development Control Plan to be undertaken simultaneously with the planning proposal in order to develop a package of guidelines to support the planning proposal.

Officer's comment: The preparation of a site specific Development Control Plan would be undertaken following the receipt of a Gateway Determination in respect of the planning proposal and prior its public exhibition.

## Conclusion

The planning proposal for Minto seeks to facilitate urban renewal by allowing higher residential densities around the Centre and the provision of new and enhanced public open space within walking distance of the town centre, train station and residents' homes.

A site specific development control plan and a public domain strategy are being prepared for exhibition with the exhibition of the planning proposal, and subject to Gateway determination. These will be reported to Council for consideration before they are placed on public exhibition with the planning proposal.

The implementation of the proposal is anticipated to take between 10 to 20 years, depending on demand for development at Minto.

## **Attachments**

1. Planning Proposal Minto Urban Renewal Precinct (distributed under separate cover)
2. Minto Marketplace Submission to LSPS (distributed under separate cover)
3. Site and Zoning Maps (distributed under separate cover)

## 8.5 Investments and Revenue Report - May 2020

### Reporting Officer

Executive Manager Corporate Services and Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

### Officer's Recommendation

That the information be noted.

### Purpose

To provide a report outlining activity in Council's financial services portfolio for the month of May 2020.

### Report

#### Investments

Council's investment portfolio as at 31 May stood at approximately \$228m. Funds are currently being managed by both 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.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions.

The return on Council's investments whilst historically has, and continues to outperform the AusBond Bank Bill Index benchmark, the interest income will not reach the estimated original budget, which is a direct result of the impact of COVID-19, the stalled economy and unprecedented low interest rates.

For the month of May, Council's return exceeded the benchmark by some 94 basis points on an annualised basis which is a positive on an absolute basis. This return includes the NSW TCorp Cash Fund which during May saw the unit price increase as the value of the fixed interest securities it holds improved. The yield on the AusBond Bank Bill Index is very low and while Council's investment performance has fallen in recent times, has however maintained an excellent return over the benchmark index and relative to our peers.

The portfolio is diversified with maturities ranging up to a five year period in accordance with Council's Investment Policy.

Councils investment advisor, Amicus Advisory have confirmed that Council is not close to any individual investment policy limit parameters with clear buffers across all ratings bands and that the exposures to individual entities and credit limits, in general, have been well managed.

Council's liquidity at this point remains strong with approximately \$5m in an at call account and around \$25m in TCorp Cash Fund to meet cash flow needs, particularly if the estimated reduction in revenues during the COVID-19 restrictions are realised over the coming months.

The official cash rate was not adjusted in this month's Reserve Bank Board meeting and remains at one quarter of one percent. The ASX200 closed at 5755.70 at the completion of May. This represents an annualised monthly performance result of positive 50.70 percent ex dividend, the monthly change was positive 4.22 percent and is mainly attributable to positive sentiment and optimism as the COVID-19 recovery phase begins globally. It is important to note that councils are restricted to conservative investments only in line with the Minister's Investment Order of 17 February 2011 and other relevant legislation including the *Local Government Act 1993* and the *Trustee Act 1925*. Investments in equities are prohibited under the legislation and therefore a benchmark such as the Bank Bill Index is used in line with Council's Investment Policy and the recommendations of the Office of Local Government Guidelines.

## **Rates**

Rates and Charges levied for the period ending 31 May 2020 totalled \$119,985,496 representing 100 percent of the current budget estimate.

The rates and charges receipts collected to the end of May totalled \$106,726,950. In percentage terms 90.2 percent of all rates and charges due to be paid have been collected, compared to 91.9 percent collected in the same period last year.

Due to the current COVID-19 pandemic, no formal debt recovery action has been taken during the month. Council staff have been actively assisting ratepayers to manage any overdue quarterly instalments and advise on options for any future instalments such as the 2020-2021 levy. Council has created a dedicated 'Here for you' support page on the website including links to assistance packages provided by the Federal Government in the form of 'JobKeeper' and 'JobSeeker' along with detailed information on support packages offered in the Community.

A recent initiative launched earlier in the year to collect additional contact points not supplied on the transfer/notice of sale has proven to be highly successful in capturing email addresses and mobile phone numbers. This has enabled officers to more easily communicate with ratepayers and has also provided further contact points if posted mail is returned.

Council has received positive feedback from Pensioners that can now make an application to receive a Pension Rebate Concession over the phone and internet. The Office of Local Government has recently made changes that enable councils to process concession applications this way. The implementation and testing phase for internet requests had been finalised during May, primarily due to the closure of our office during the pandemic. Given the level of success, implementation for both phone and internet will continue as a permanent service to the community alongside the paper based over the counter process.

Ratepayers who purchased property since the annual rates and charges notices had been issued are provided a 'Notice to new owner' letter. During the month, 16 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

### **Sundry Debtors**

Debts outstanding to Council as at 31 May 2020 are \$3,463,680 reflecting an increase of \$997,685 since April 2020. During the month, 257 invoices were raised totalling \$2,076,528. The majority of these are paid within a 30 day period. Those that are not paid within the 30 day period are reflected in the ageing report in attachment 3.

Debts exceeding 90 days of age totalled \$355,681 as at 31 May 2020. The majority of this debt relates to Various Sundry Items totalling \$108,656. A major portion of this group of debts is for "carnival ride commission on sales" of \$35,670. The company has approached Council and requested a payment plan of \$10,000 per month due to COVID-19. An arrangement has been entered into and will continue to be monitored throughout this time.

Road and footpath occupancy fees represent another significant group of debts with a single debt of \$10,547 for a development in Broughton Street. The debtor has entered into a legally binding settlement of \$5,271 per month. The agreed payments have not been maintained and Council's agents are continuing to work with the debtor.

Incorporated within the sundry items group is \$11,284 which relates to a ticket sale rebate for the "Crusty Demons Event" at Campbelltown Sports Stadium in August 2019. The company involved has gone into voluntary administration. Council has submitted a proof of debt to the Administrators who have established that the Company is insolvent and at their recommendation have placed the company into liquidation. Council now awaits reports advising of any dividend.

The \$49,500 identified in Government and other Grants relates to the Australia Council for the Arts "Sydney Festival Show" Grant. Council received payment of this debt in early June 2020.

Debts categorised as relating to Sports and Field Hire total \$26,971, a major part of this debt is \$13,197 for the summer field hire for Camden District Cricket. Payment was finalised in early June 2020.

Public hall hire fees of \$56,090 are a result of debts raised in advance and in accordance with council policy, do not need to be finalised until two weeks prior to function. This process gives hirers an option to book in advance and then to make smaller regular payments leading up to their event.

Debt recovery action is normally undertaken in accordance with Council's Sundry Debtors Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a Statement of Transactions is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.



All debts that age by 90 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 14 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

Due to the current pandemic, no new formal recovery action is being taken. Staff will be making contact with overdue debtors seeking suitable payment options and to check on their current status.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

## **Attachments**

1. Summary of Council's Investment Portfolio May 2020 (contained within this report)
2. Rates and Charges summary and statistics May 2020 (contained within this report)
3. Debtors Summary and Ageing Report May 2020 (contained within this report)

## Summary of Council's Investment Portfolio

Portfolio as at 31 May 2020

Product Type	Face Value	% of Total
At Call Deposits	5,060,947	2.2%
Term Deposits - Fixed Rate	71,635,980	31.4%
Term Deposits - Fixed/Floating	5,000,000	2.2%
Term Deposits - Floating Rate	84,000,000	36.8%
FRN	37,250,000	16.3%
Managed Funds - TCorp	25,448,831	11.1%
<b>Grand Total</b>	<b>228,395,758</b>	<b>100.0%</b>

### Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AAA	4,810,000	3.0%
AA-	102,704,957	63.9%
A+	16,000,000	10.0%
BBB+	25,121,023	15.6%
Baa1	4,000,000	2.5%
BBB	6,000,000	3.7%
Baa2	2,000,000	1.2%
<b>Total Term Deposits</b>	<b>160,635,980</b>	<b>100.0%</b>

## Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
AU3FN0028189	CBA	AA-	17-Jul-20	3m BBSW + 0.90%	\$5,000,000
AU3FN0039160	ME Bank	BBB	9-Nov-20	3m BBSW + 1.25%	\$2,500,000
AU3FN0046769	Newcastle Perm	BBB	26-Feb-21	3m BBSW + 1.10%	\$500,000
AU3FN0031886	CBA	AA-	12-Jul-21	3m BBSW + 1.21%	\$5,000,000
AU3FN0044269	Credit Union Aus	BBB	6-Sept-21	3m BBSW + 1.25%	\$500,000
AU3FN0034021	Newcastle Perm	BBB	24-Jan-22	3m BBSW + 1.65%	\$1,500,000
AU3FN0046793	Credit Union Aus	BBB	4-Mar-22	3m BBSW + 1.23%	\$3,200,000
AU3FN0051165	Teachers Mutual Bank	BBB	28-Oct-22	3m BBSW + 0.90%	\$2,400,000
AU3FN0053146	RACQ Bank (prev QT Bank)	BBB+	24-Feb-23	3m BBSW + 0.93%	\$1,850,000
AU3FN0046777	NAB	AA-	26-Feb-24	3m BBSW + 1.04%	\$4,000,000
AU3FN0046724	NAB	AA-	19-Jun-24	3m BBSW + 0.92%	\$1,300,000
AU3FN0046730	ANZ	AA-	29-Aug-24	3m BBSW + 0.77%	\$3,500,000
AU3FN0051561	Citibank	A+	14-Nov-24	3m BBSW + 0.88%	\$1,000,000
AU3FN0052908	Macquarie Bank	A+	12-Feb-25	3m BBSW + 0.84%	\$5,000,000

Long-Term Credit Rating	Exposure of Entire Portfolio			
	Actual	Minimum	Maximum	Compliant
AA+, AA, AA- and above (or MTB*)	68.7%	40%	100%	Yes
A+, A, A- and above	78.3%	60%^	100%	Yes
BBB+, BBB, BBB- and above	100.0%	100%	100%	Yes
TCorp MTGF and LTGF	0%	0%	20%	Yes
TCorp Hour Glass Cash Fund	11.1%	0%	20%	Yes

## Portfolio Return

Council's investment portfolio (excluding At Call Deposits but includes TCorp Cash Fund) provided a weighted average return (running yield) of:

31 May 2020	Monthly Return	Annual Return
Campbelltown City Council – Investment Portfolio	0.12%	1.91%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.01%	0.97%
Performance Relative to Benchmark	0.11%	0.94%

## RATES SUMMARY

### STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2019	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,811,810.14	66,786,944.12	1,446,521.26	477,116.63	68,629,349.63	60,738,204.70	7,891,144.93	271,562.16	8,162,707.09
BUSINESS	355,656.57	19,600,335.01		39,290.61	19,995,282.19	18,120,641.02	1,874,641.17		1,874,641.17
FARMLAND	185,474.11	551,238.91	678.09	306.50	716,341.43	681,785.90	34,555.53	258,805.89	293,361.42
MINING	0.00	27,902.16		0.00	27,902.16	27,902.16	0.00		0.00
SR - LOAN	278.81	0.00		225.64	504.45	0.00	504.45	396.77	901.22
SR - INFRASTRUCTURE	319,047.27	6,587,518.77		10,662.23	6,917,228.27	6,076,611.94	840,616.33	53,951.85	894,568.18
TOTAL	\$3,652,266.90	\$93,553,938.97	\$1,447,199.35	\$527,601.61	\$96,286,608.13	\$85,645,145.72	\$10,641,462.41	\$584,716.67	\$11,226,179.08
GARBAGE	891,143.33	22,151,202.91	864,045.54	41,487.38	22,219,788.08	19,780,842.52	2,438,945.56		2,438,945.56
STORMWATER	60,278.75	1,418,304.62		516.24	1,479,099.61	1,300,961.54	178,138.07		178,138.07
GRAND TOTAL	\$4,603,688.98	\$117,123,446.50	\$2,311,244.89	\$569,605.23	\$119,985,495.82	\$106,726,949.78	\$13,258,546.04	\$584,716.67	\$13,843,262.71

Total from Rates Financial Transaction Summary	12,318,022.82
Overpayments	-1,525,239.89
Difference	0.00

### ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	613,000.00
Rate accounts greater than 12 months less than 18 months in arrears	54,000.00
Rate accounts greater than 18 months in arrears	0.00
TOTAL rates and charges under instruction with Council's agents	\$667,000.00

## RATES STATISTICS

No. of documents issued	July	August	September	October	November	December	January	February	March	April	May	June	May-19
Rate Notices	50,115	76		109			94			269			
Electronic - DoH	5,055												
Instalment Notices				48,385			47,825						
Electronic - DoH				5,048			5,040						
Missed Instalment Notices			8,232			6,957							
- Pensioners > \$15.00			716			768							
Notice to new owner	161	39	25	22	20	31	39	25	19	17	16		22
7-day Letters - Council issued			2,358			2,377							
- Pensioners > \$500.00			206			199							
7-day Letters - Agent Issued			617				179						
Statement of Claim	182	22	6	143	34	6	57	14	4	0	0		16
Judgments	46	15	47	9	19	4	42	8	8	0	0		47
Writs	32	27	22	8	20	12	19	7	32	0	0		7
Electronic - eRates & BPAYView	6,162	6,275	6,304	6,487	7,499	7,503	7,516	8,340	8,396	8,562	8,806		5,285
Arrangements	266	229	403	239	515	487	399	300	326	191	171		229

**DEBTORS SUMMARY 1 May 2020 to 31 May 2020**

DEBTOR TYPE/DESCRIPTION	ARREARS AT 30/04/2020	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/05/2020	% DEBT RATIO
Corporate Administration	124,562	605,960	160,958	569,564	29.49%
Abandoned Items	1,539	0	0	1,539	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
Community Bus	0	0	0	89	0.01%
Sportsground and Field Hire	112,446	69	8,918	103,597	5.46%
Government and other Grants	1,512,336	1,255,094	497,744	2,269,686	12.87%
Public Hall Hire	83,646	500	7,099	77,047	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	108,723	134,289	92,448	150,564	5.63%
Healthy Lifestyles	46,268	896	14,299	32,865	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	72,000	7,628	18,958	60,670	1.85%
Pool Hire	30,164	0	27,838	2,327	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	167,142	0	157,831	9,311	28.17%
Shop and Office Rentals	47,216	35,016	39,530	42,702	2.17%
Various Sundry Items	150,115	20,553	30,348	140,319	6.42%
Waste Collection Services	26,845	16,524	22,964	20,405	6.17%
	<b>2,465,995</b>	<b>2,076,528</b>	<b>1,078,932</b>	<b>3,463,680</b>	<b>100%</b>

**AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 May 2020**

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	522,054	18,441	8,762	20,308	569,564	20,749
Abandoned Items	0	0	0	1,539	1,539	1,539
Education and Care Services	18,710	0	0	0	18,710	0
Community Bus	89	0	0	0	89	0
Sportsground and Field Hire	-1,635	13,906	64,355	26,971	103,597	26,998
Government and other Grants	825,000	1,389,686	5,500	49,500	2,269,686	87,450
Public Hall Hire	-177	3,908	17,227	56,090	77,047	42,444
Health Services	0	0	0	350	350	350
Land and Building Rentals	110,862	27,948	6,523	5,231	150,564	117
Healthy Lifestyles	1,980	2,537	7,821	20,527	32,865	16,505
Licence Fees	4,898	2,599	10,217	42,957	60,670	39,438
Pool Hire	303	631	842	551	2,327	14,612
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	0	1,144	0	8,167	9,311	8,409
Shop and Office Rentals	30,788	10,626	430	858	42,702	1,279
Various Sundry Items	20,387	0	11,276	108,656	140,319	119,270
Waste Collection Services	7,853	0	0	12,552	20,405	0
	<b>1,503,623</b>	<b>1,471,426</b>	<b>132,951</b>	<b>355,681</b>	<b>3,463,680</b>	<b>380,584</b>

## 8.6 Reports and Letters Requested

### Reporting Officer

Director City Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.3 - Ensure that Campbelltown is an inclusive city

### Officer's Recommendation

That the information be noted.

### Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 7 July 2020.

### Attachments

1. Reports requested listing (contained within this report)
2. Letters requested listing (contained within this report)

### Reports requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Delivery</b>			
12.11.19 RM	ORD NM - 11.2 Stormwater Usage  That a report be presented to Council on exploring ways and means for the public and private sectors as well as the Council itself to implement stormwater capture, storage, filtration, treatment and its subsequent use.	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	September 2020
10.12.19 WM	ORD NM - 11.2 Grey Water Usage  1. That a report be presented on the feasibility of the re-use of grey water within the community.	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	September 2020
<b>City Development</b>			
14.08.18 BG	NM 11.4 - Accessible Housing  1. That Council seeks a report into the feasibility of requiring certified access consultant audits as part of the development application process for public infrastructure and commercial developments.	A report to be presented to Council at the July 2020 meeting as Item 8.2 on the agenda.	July 2020
13.11.18 GB	ORD - 8.3 Household E-Waste Drop Off Event  2. That a further report be provided to Council on the future recycling arrangements for e-waste upon confirmation of the completion timeframe for the construction of the Community Recycling Centre.	This report is subject to the time frame of the Community Recycling Centre.	August 2020

### Reports requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
09.04.19 WM	ORD - 8.2 Planning Proposal - Ingleburn CBD  4. That a further report be provided to Council after the Gateway Determination with public exhibition with the planning proposal a draft Development Control Plan for Ingleburn CBD to be placed on public exhibition with the draft planning proposal.	Gateway determination received from the Department in March 2020.	October 2020
09.04.19 BT	ORD 8.6 Submission Report - Amendment to Campbelltown Sustainable City Development Control Plan (Caledonia Precinct)  5. That a further report be submitted to Council in regard to the acquisition of No. 306 Bensley Road, Ingleburn for open space purposes.	To be included in the next amendment to the Contributions Plan.	December 2020
11.06.19 MC	ORD 8.10 Planning Proposal 22-32 Queen St, Campbelltown  2. That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site.	Gateway determination received 20 January 2020.  A report to be presented to Council at the July 2020 meeting as Item 8.3 on the agenda.	July 2020
06.08.19 GG	ORD 14.1 Campbelltown Design Excellence Panel  That a report providing a review of the Panel's operation be provided to Councillors after it has been in operation for 1 year.	First meeting held 26 March 2020.	March 2021



### Reports requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
10.09.19 KH	ORD 8.1 Mount Gilead Planning Proposal - Relocation of Proposed Community Hub Building and Additional Permitted Use  5. That following an exhibition, a report on submissions be presented to Council.	Exhibition subject to the Gateway determination.	December 2020
10.03.20 WM	ORD 8.2 Menangle Park - Draft Planning Proposal  4. That following the public exhibition a report on any submissions received be presented to Council.	Exhibition subject to the Gateway determination.	December 2020
10.03.20 KH	ORD 8.3 Amendment to Campbelltown (Sustainable City) Development Control Plan - Seniors Living Developments  2. That following completion of the public exhibition period, where submissions have been received, a further report be provided to Council to consider the submissions prior to the making of the draft amendment.		April 2021
10.03.20 MO	ORD 8.6 Mt Gilead - Draft Planning Proposal  3. That should the Minister determine under section 3.3.4(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination. 4. That following the public exhibition a report on any submissions received be presented to Council.	Exhibition subject to the Gateway determination.	December 2020

### Reports requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
12.05.20 WM	<p>ORD 8.2 Menangle Park Contributions Plan</p> <p>3. That where non-supportive submissions are received during the public exhibition period, a further report be presented to the Council on the outcome of the public exhibition and the response to the submissions.</p>		August 2020
12.05.20 BT	<p>ORD 8.3 Planning Proposal to rezone Land at the corner of Appin Road and Kellerman Drive, St Helens Park</p> <p>3. That subject to satisfying the requirements of the Gateway determination, the Proposal be placed on public exhibition and the outcome of that exhibition be reported to the Council.</p>	Exhibition subject to the Gateway determination.	December 2020

### Reports requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Governance</b>			
10.12.19 WM	<p>NM 11.1 - QR Codes on Monuments and Street Signage</p> <p>3. That in addition to street sign plates, the opportunity and feasibility of QR codes or similar electronic internet based information devices to be included on all similar information devices referred to in item No.1, across the Campbelltown LGA, be investigated and reported back to Council for its consideration.</p>	A report is being drafted and anticipated to be presented to Council at the August 2020 meeting.	August 2020
9.06.20 GB	<p>NM 11.1 - Extension of the Sponsorship Policy</p> <p>1. That Council seeks a feasibility report to consider extending the sponsorship policy in relation to the following:</p> <p>a. The extension of the roundabout beautification program by offering corporate sponsorship of major thoroughfare locations such as the intersection of Pembroke and Ben Lomond Roads at Minto.</p> <p>b. Expanding Council tree planting days by offering corporate sponsorship and consideration be given to include the expansion in the Koala Town Project.</p>		September 2020
9.06.20 BG	<p>NM 11.2 - Data Capture</p> <p>That a report be presented to Council that explores opportunities to engage and educate our community on the value of capturing, sharing and using data to help people, businesses and government make better evidence-based decisions and improve the lives of our citizens</p>		

### Reports requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Growth</b>			
11.12.18 BM	<p>ORD - 14.4 - Engagement of Architects for Construction of a New Childcare Centre</p> <p>1. That Council approves the engagement of the preferred Architects based on their fee proposal submitted to Council – subject to legal confirmation that the negotiated contract terms are satisfactory</p> <p>2. That the scope of works and risk mitigation strategies are undertaken in accordance with this report and within the cost estimates</p> <p>3. That a further report be submitted to Council once a Development Approval has been obtained consistent with the analysis contained in this report.</p>	<p>Council has engaged the architect and commenced Stage one of the scope works. Stage one has been completed and Stage two is now in progress.</p> <p>Due to COVID-19 this project is on hold.</p>	December 2020
09.07.19 KH	<p>ORD NM 11.1 Reimagining Campbelltown</p> <p>1. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of installing at appropriate locations electric car charging stations.</p> <p>2. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of energy- generating footpaths.</p>	<p>1. The team is investigating with a report on electric car charging stations expected to be presented to Council in September 2020.</p> <p>2. A report on energy generating footpaths was prepared and presented to Council at the November 2019 meeting.</p>	September 2020

### Reports requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Growth</b>			
12.11.19 BM	ORD NM 11.3 Coffee Cup Recycling  That a report be presented to Council investigating options, in collaboration with local business owners, for the provision of takeaway coffee cup recycling along Queen St.	A report is expected to be presented in October 2020.	October 2020
10.03.20 BM	ORD 8.12 Latest Findings on Climate Change  1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.		November 2020
14.04.20 GG	ORD 8.8 Draft Reimagining Campbelltown City Centre Masterplan  1. That Council endorse the draft Reimagining Campbelltown City Centre Masterplan. 2. That Council place the Reimagining Campbelltown City Centre Master Plan on public exhibition for a period not less than 90 days. 3. That a further report be presented to Council at the completion of the public exhibition period detailing outcomes of exhibition.	A report is expected to be presented in October 2020	October 2020

### Reports requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Growth</b>			
09.06.20 PL	<p>ORD 8.1 Development Application Status</p> <p>That Council prepare a feasibility report with regard to the development of a physical and virtual model of the LGA from Macarthur Square to Leumeah to provide a visual perspective of proposed developments in the LGA to be displayed in the foyer of the Council building and placed on Council's website.</p>		
<b>City Lifestyles</b>			
10.03.20 WM	<p>NM 11.1 - Flag Raising Day</p> <p>That a report be presented on the feasibility of a flag raising day for the combined Pacific Community.</p>	<p>Consultation planned to commence in early April.</p> <p>Consultation has been delayed indefinitely as key stakeholders are currently involved in providing food security services for Pacific Island communities as a result of COVID-19. Consultation with key stakeholders will commence in June pending COVID-19 restrictions.</p>	TBA pending COVID-19

### Reports requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Lifestyles</b>			
9.06.20 RM	<p>NM 11.3 - Drive-in-Theatre</p> <p>That a feasibility report be prepared on the introduction of a pilot Drive-in Theatre/Outdoor Cinema at appropriate locations within the LGA, that includes an assessment of considerations such as:</p> <ul style="list-style-type: none"> <li>a) Financial costs and benefits</li> <li>b) Opportunities to include sponsorship to offset costs</li> <li>c) Participation by community groups</li> <li>d) Use of mobile food retailers local to Campbelltown</li> <li>e) all COVID-19 rules and restrictions regarding gathering and the assembly of movie goers in an open area, especially car positioning and people distancing</li> <li>f) Seasonal factors.</li> </ul>		
<b>General Manager</b>			
08.10.19 MO	<p>ORD NM 11.2 Digital Advertising in Shopping Precincts</p> <p>1. That a report be presented to Council that explores the opportunities for digital advertising in public locations such as shopping centres to regularly promote Council's activities and programs.</p> <p>The report should focus on key shopping precincts including Macarthur Square, Campbelltown Mall, Glenquarie Town Centre and Minto Marketplace and any other appropriate locations, assessing costs, feasibility of producing marketing material and any other operational benefits or implications.</p>	<p>A Creative Marketing Specialist commences in January 2020 and will undertake the investigations so a report can be presented.</p> <p>A report is being prepared and anticipated to be presented to Council at the August 2020 meeting.</p>	August 2020

### Letters requested effective 7 July 2020

*Date of Decision *Mover	Action Item	Comments / updates
<b>City Development</b>		
11.06.19 KH	<p>ORD 8.11 Proposed Biodiversity Certification Process Mount Gilead Stage 2</p> <p>3. That a letter be sent to the Department of Planning and Infrastructure noting our previous stated objections to the state Governments treatment of Beulah and Noorumba reserves and seek commitment that future bio banking sites will remain accessible to local wildlife populations.</p>	<p>Letter sent on 3/10/2019 to the Department of Planning and Industry and Environment.</p> <p>A follow up letter was sent on 26/3/2020 to the NSW Department of Planning, Industry and Environment.</p>
<b>City Growth</b>		
12.05.20 MO	<p>NM 11.3 Funding Grants - Campbelltown Regional Arts Centre</p> <p>1. That Council write to the Member for Macarthur, Dr Mike Freelander, expressing Council's concern regarding the loss of a four year funding grant for programs and operations at Campbelltown Regional Arts Centre as advised by the funding body, The Australia Council for the Arts.</p> <p>2. That Council write to the Minister for the Arts, the Hon Paul Fletcher and the Shadow Minister for the Arts, the Hon Tony Burke, to request that additional grant funding be made available to eligible cultural organisations that reside in regions that are facing massive population growth who were unsuccessful in receiving funding through recent decisions made by The Australia Council for the Arts for the upcoming four year funding period.</p>	<p>Letter sent on 6/7/2020 to the Hon Tony Burke MP. Letters sent on 23/4/2020 to Dr Mike Freelander MP and the Hon Paul Fletcher MP. A meeting was held on with Dr Mike Freelander MP and a response was received on 6/5/2020 from Caroline Fulton, Acting First Assistant Secretary, Office for the Arts on behalf of the Hon Paul Fletcher MP. These letters have been included in July 2020 agenda as item 7.1</p>



## 8.7 Proposed Road Names - Menangle Park

### Reporting Officer

Executive Manager Corporate Support Systems  
City Governance

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

### Officer's Recommendation

That Council approve the proposed road names in the attachment to this report for use in Menangle Park.

1. That Council advertise its proposal to use these road names in local newspapers for a period of 28 days and notifies the authorities prescribed by the Roads Regulation 2018.
2. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.
3. That names drawn from the themes of local women that have made significant contributions during times of conflict, soldiers that participated in World War One and World War Two who have connection to the site and original owners of the estates from the early 1800's be considered for use in the naming of roads in later stages of the residential development in Menangle Park.

### Purpose

To seek Council's approval of new road names for use within the residential development in Menangle Park.

### History

The Menangle Park Urban Release Area was rezoned in November 2017 and since this time, several development applications have been lodged which propose the creation of a number of new roads within this area. Council has received a request from one of the major landowners and developers (Dahua Group Australia) for approved road names to be used in the naming of new streets in this urban release area.

## Report

Council's protocol for some time was to select specific themes in an effort to harmonise road names within suburbs and development areas.

It is proposed that 'Australian horse racing' be used as the main theme for new road names in Menangle Park. The suburb has had a long connection with horse racing since the Menangle Park Racecourse was officially opened in 1914, although racing had taken place there as early as the 1870s. The racecourse was acquired by the NSW Harness Racing Club in 1952 and redeveloped as a paceway. After further redevelopment, the newly reconstructed paceway reopened in 2008 as Tabcorp Park, Menangle. It is now the major harness racing venue in New South Wales, and is the fastest and largest harness racing circuit in Australia.

It is estimated that more than 100 new road names will be required for the residential development proposed in this suburb and it is considered that this theme can provide a large pool of suitable names for the majority of these new streets. A list of proposed road names drawn from this theme is included as an attachment to this report. These have been derived from the names of famous Australian racehorses in both thoroughbred and harness racing, or from the names of famous racecourses, horse races and well-known racing terminology. These proposed road names do not duplicate or have the potential to cause confusion with any existing road names within the Campbelltown Local Government Area (LGA) and also comply with the principles outlined in the NSW Address Policy and User Manual.

### Site specific road names

The list of proposed road names contained in the attachment to this report also includes two names that have a connection to the history of specific locations within the suburb.

In 1956, the Vulcan Fireworks factory moved from Macquarie Avenue in Campbelltown to a new site off Cummins Road. Celestino Foti first came to Australia as a prisoner of war in World War Two and was interned as a prisoner of war at Cowra. Returning to Australia as an immigrant in 1951, he began working at the Vulcan Fireworks factory at Menangle Park. The Foti family has a tradition of making fireworks in Italy dating from 1793, and his sons Sam and Vince later joined him.

Celestino, with his son Sam, decided to buy out Vulcan Fireworks in 1969 and renamed it International Fireworks. Later this was changed to Foti Fireworks, the name it still holds today. In 1987, the manufacturing facility was moved from Menangle Park to a site at Leppington. The business continues to grow and has won a number of international awards. It has been responsible for Sydney's New Year's Eve fireworks since 1997 and provided the pyrotechnics for the opening and closing ceremonies of the Sydney 2000 Olympic Games. The family's connection with the Campbelltown area has continued with them providing the fireworks for many local events, such as the Fisher's Ghost Festival and the New Year's Eve celebrations. Celestino died in 2001 at the age of 88, but the tradition continues today with the eighth generation of the family now working in the business.

In recognition of their long connection with the local area and to commemorate this aspect of the history of Menangle Park, it is proposed that the name Foti be used in the naming of a future road near to the former site of the fireworks factory.

James Taber was granted 50 acres as 'Mount Pleasant' on 13 April 1835 and this property is now home to the eighth generation of the Taber family at Menangle Park. Given the long standing historical connection of this name with the suburb, it is proposed that Mount Pleasant be used in the naming of a future road near to the location of this property.

### **Other road name themes**

The naming of roads in the future residential development of Menangle Park has previously been the subject of the following Council resolutions:

Council at its meeting held on 18 October 2011, Item 2.1 - Proposed Road Names - Bardia Sub-Precinct of the Edmondson Park Urban Release Area, resolved in part:

4. That the remaining names (of local women that have made significant contributions during times of conflict) suggested by the Campbelltown – Airds Historical Society which do not duplicate existing road names within the Campbelltown LGA be considered for use in the future naming of streets within a precinct of the Menangle Park Urban Release Area.

Council at its meeting held on 13 March 2018, Item 11.1 - Proposed Road Names - Menangle Park, resolved:

That Council approaches the Dahua Group to consider naming the streets, roads and avenues in the new Menangle Park Estate after the soldiers that participated in World War One and World War Two, who have connection to the site and the original owners of the estates from the early 1800's that were awarded land titles from Government.

Both Council staff and the developer have conducted research into the themes for road names suggested in these resolutions and a list of potential names has been compiled. Unfortunately, it has been found that many of these names cannot be used in the naming of roads within Menangle Park as they duplicate existing road names within the Campbelltown LGA, or in adjoining LGAs within the 10 kilometre radius specified in the NSW Address Policy and User Manual. The list of road names available from these themes is therefore limited and would provide only a small proportion of the large number of new road names required for the proposed residential development. In addition, when a proposed road name commemorates a person the NSW Address Policy and User Manual requires Council to establish that the person has been deceased for at least 12 months and to make every effort to gain consent from any surviving family members of the person commemorated. These provisions significantly increase the amount of time and resources required to assess the suitability of any names drawn from these suggested themes.

It is, however considered important to preserve the history of Menangle Park and recognise the contribution made by local women in times of conflict. It is therefore proposed, following the completion of the necessary additional research, names drawn from the themes suggested in these previous Council resolutions be considered for use in the naming of roads in later stages of the residential development in Menangle Park, either within the precinct adjoining Glenlee House or the precinct south of Menangle Road, adjacent to the Nepean River. Approval of any proposed road names drawn from these themes would be the subject of a future report to Council.

**The road naming process**

Clause 7 of the Roads Regulation 2018 outlines the procedure Council must follow when naming public roads under its control. In accordance with these procedures, it is recommended, the proposed road names are advertised in local newspapers and on Council's website to allow for public comment, and Australia Post, the Registrar General, the Surveyor General and the various emergency services are also notified of Council's intention to use these names within this development.

Should no objections be received in the period of one month following advertisement and notification of this proposal, it is also recommended that Council completes the road naming process by publishing a notice of these new road names in the NSW Government Gazette. Should any objections be received during the exhibition period, a further report on this matter will be presented to the next available Council meeting.

**Attachments**

1. List of Proposed Road Names (contained within this report)

**Australian racehorses**

Abercorn	Comic Court	Gurners Lane	Octagonal	Sebring
Ajax	Crisp	Halwes	Ortensia	Shaftesbury Avenue
Alinghi	Dalray	Heroic	Peter Bobby	Skyline
Amounis	Danehill	Holdfast	Peter Pan	Smolda
Apmat	Dorismus	Hyperno	Phar Lap	Sokyola
Aquanita	Dreadnought	Jofess	Pierro	Starcraft
Argent	Dulcify	Jorrocks	Poitrel	Strawberry Road
Beautide	Durbridge	Lantern	Poseidon	Storm Queen
Bernborough	Elvstroem	Leilani	Pure Steel	Subzero
Black Caviar	Emancipation	Lonhro	Rakwool	Sunlight
Binshaw	Eremein	Malua	Rainbird	Sydeston
Biscay	Eurythmic	Manfred	Redcraze	The Barb
Bletchingly	Flight	Manikato	Reichman	Tobin Bronze
Briseis	Fritz	Markovina	Research	Todman
Camoola	Galilee	Marscay	Rhetts Law	Wakeful
Carbine	Gammalite	Merriwee	Ribands	Walla Walla
Casawin	Glencoe	Merman	Rogilla	Warrior
Carclew	Gloaming	Mount Eden	Saintly	Winx
Chandon	Gamel	Noholme	San Simeon	Zingara
Clove	Gunsynd	Northerly	Sandan	Ziping

**Racecourses, horse races and horse racing terminology**

Ascot	Flemington	Inter Dominion	Randwick	Standardbred
Blinkers	Furlong	Jockey	Rosehill	Stirrup
Colt	Gelding	Maiden	Sire	Strapper
Driver	Guineas	Miracle Mile	St Leger	Sulky
Doomben	Harness	Morphettville	Stables	Warwick Farm
Filly	Hopples	Pacer	Stallion	Wayville

**Site specific road names**

Foti
Mount Pleasant

## 8.8 Local Government Remuneration Tribunal Determination 2020

### Reporting Officer

Manager Governance and Risk  
City Governance

### Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

### Officer's Recommendation

1. That Council endorse the Local Government Remuneration Tribunal determination of no increase in the minimum and maximum fees for the Mayor and Councillors given the current economic and social circumstances.
2. That Council fix the remuneration fee for Councillors at \$25,790 per annum effective 1 July 2020, representing nil increase on 2019-2020 financial year.
3. That Council fix the remuneration fee for the Mayor at an additional \$68,530 per annum effective 1 July 2020 representing nil increase on 2019-2020 financial year.

### Purpose

To advise Council that the Local Government Remuneration Tribunal has made a determination on the minimum and maximum fees payable to mayors and councillors for 2020-2021.

### History

The Local Government Remuneration Tribunal was established to determine the categories for councils and the fees paid to mayors and councillors.

In accordance with Section 241 of the *Local Government Act 1993* (the Act), the Tribunal is required to make an annual determination on the fees payable to mayors and councillors to take effect from 1 July 2020. Sections 248 and 249 of the Act require councils to fix and pay an annual fee based on the Tribunal's determination.

### Report

Campbelltown City Council has been classified as a Metropolitan Medium Council for the purpose of this determination.

During the review process, the tribunal reviewed key economic indicators, and the Government's wages policy and determined that given the current economic and social circumstances, there be no increase in the minimum and maximum fees applicable to each existing category. Therefore, pursuant to Section 241 of the *Local Government Act 1993*, the annual fees to be paid to councillors and mayors in the Metropolitan Medium category will remain the same as the 2019 ranging from \$13,820 - \$25,790 per annum for councillors, and an additional \$29,360 - \$68,530 per annum for the position of mayor, effective 1 July 2020.

A link to the full Local Government Remuneration Tribunal Determination 2020 can be found at <http://www.remtribunals.nsw.gov.au/local-government/current-lgrt-determinations>.

## **Attachments**

Nil

## 8.9 Proposed Investment Property Portfolio and Policy

### Reporting Officer

Director City Governance  
City Governance

### Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

### Officer's Recommendation

1. That Council provide in-principle approval for further investments in commercial properties in line with the Investment Property Portfolio – Strategy for Revenue Growth Policy.
2. That Council endorse the Investment Property Portfolio – Strategy for Revenue Growth Policy that sets the criteria for purchase of new commercial properties for investment purposes.
3. That Council grant approval to the General Manager and or Delegated Authorities to pursue new commercial properties to return to Council for consideration.
4. That all properties acquired for the Investment Property portfolio are classified as operational.

### Purpose

To seek Council's in-principle approval to pursue increased investments in commercial properties and endorse the Investment Property Portfolio – Strategy for Revenue Growth Policy.

### History

Council's current investment portfolio is predominantly invested in cash investments through approved deposit taking institutions.

The current Reserve Bank of Australia official cash rate as at the 8 July 2020 is 0.25 percent. This represents a historical low for Australia and accordingly returns on cash investments are modest. The Bloomberg Ausbond Bank Bill Index annual return is 1.1 percent as at June 2020 and Council's cash investment yields approximately 2.0 percent per annum.



## Report

There is an opportunity for Council to further diversify its current investments to higher yielding asset class of commercial properties while ensuring risks are adequately managed.

Through yielding higher annual returns from Council's investments, Council's revenue growth will be redirected towards increasing community infrastructure, services and programs to service our growing population.

In addition to the higher yield, over the long term, the value of Council's commercial properties will likely grow providing capital growth and a more valuable asset in the future.

Commercial Property as an investment class has shown to outperform cash investments and represents a good opportunity to complement the existing cash investments through a more balanced portfolio of investments.

While this report seeks in-principle Council approval to pursue increased investment in commercial properties, no decision on an individual property is sought at this stage.

Subject to Council endorsing the proposed approach, individual opportunities will be sourced and presented for Council consideration. Council will be the ultimate decision maker as to whether an individual opportunity is pursued in the open market having consideration of return and risk amongst other factors.

### Key Considerations for an Investment Property Strategy

- The creation of the Investment Property portfolio will provide an alternative form of investment to traditional investment categories provided by Council achieving higher returns (net returns of circa 5 percent per annum) from point of purchase.
- Investment sub categories include office, retail, industrial and mixed use.
- The opportunity to purchase existing land/buildings allows consideration for a more balanced risk profile as buildings can be purchased with existing tenants on longer term leases for immediate return in areas of strategic value and high tenant demand. In the longer term newly constructed assets without tenants in areas of high demand may be considered however the risk profile is somewhat higher and would require careful consideration.
- Council's ability to consider opportunities both in the Campbelltown LGA and more broadly to mitigate geographical concentration risk.
- the appointment of an independent Property Investment Advisor would ensure that any assets considered for purchase are underpinned by an independent expert opinion undertaking necessary due diligence on the overall performance of the asset prior to Council consideration.

### Research and Due diligence

Council has undertaken due diligence with legal advice in respect of its capacity to invest in commercial property under the framework of the *Local Government Act 1993*.

The legislative guidelines that allow Council to invest in commercial property are set out in further detail in the proposed policy document (attached to this report).

Research was also undertaken on the potential returns from various property categories which set the foundation for financial KPI's disclosed in the policy document.

<b>Investment Type</b>	<b>Yield as at June 2019 (Source CBRE)</b>
Office – Sydney	4.60% - 5.25%
Shopping Centre – Sydney	4.50% - 5.90%
Industrial Warehouse - Sydney	4.50% - 5.50%

Research indicators showed that higher rates of return were being achieved in other states of Australia outside of the Sydney market.

### **Policy Document**

Following on from the completion of initial research and due diligence, a proposed policy document has been developed.

The Investment Property Portfolio – Strategy for Revenue Growth sets out the key elements and considerations that will be the foundation of decision making when seeking to acquire any commercial property.

This paper seeks Council's endorsement for the proposed policy document.

The strategy will allow for further reports to be prepared and presented to Council based on selection of commercial properties that adhere to the selection criteria set out in the policy document.

### **Funding for Property Acquisition**

It is intended that as part of the "Acquisition Process" that the funding source for each purchase is determined.

The recommendation for funding sources will be a component of the Council paper seeking endorsement from Council for the purchase of a property.

### **Attachments**

1. Investment Property Portfolio - Strategy for Revenue Growth Policy (contained within this report)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Investment Property Portfolio - Strategy for Revenue Growth Policy	
Related Documentation	Property Strategy 2017	
Relevant Legislation	<i>Local Government Act 1993</i>	
Responsible Officer	Director City Governance Coordinator Property Services	

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

### Objectives

- To comply with the legislative requirements and regulations relevant to the management of Council's strategy for revenue growth.
- To maximise earnings through the creation of a diversified investment property portfolio formed with the sole purpose of investment to contribute towards Council's long-term financial sustainability.

### Policy Statement

Revenue growth from the formation of an investment property portfolio with the sole purpose of investment represents a significant contribution to the total income of Council and it is essential that Council has clear policy guidelines in respect of the type of properties purchased for this portfolio.

DATA AND DOCUMENT CONTROL		
<b>Division:</b> City Governance <b>Section:</b> Property Services <b>DocSet:</b>	<b>Adopted Date:</b> 00/00/00 <b>Revised Date:</b> 00/00/00 <b>Minute Number:</b> 000 <b>Review Date:</b> 00/00/00	<b>Page:</b> 1 of 3

## Campbelltown City Council

### Scope

To accumulate a diverse investment property portfolio incorporating commercial, retail and industrial property inside or outside the Local government area but within Australia.

### Legislative Context

Council is empowered by the operation of Section 186 of the *Local Government Act 1993* (LG Act) to acquire land for the purpose of exercising any of its functions. In that regard Section 186 of the LG Act states:

*(1) A Council may acquire land (including an interest in land) for the purpose of exercising any of its functions.*

While this section explicit around Council's powers to acquire land there are nevertheless variations in the types of investment property that can be purchased, which are not explained. This policy aims to clearly define the types of property investment that can be entered into.

The 'Functions of a Council' is detailed in Chapter 6 of the LG Act. Section 24 of the LG Act which is contained in Chapter 6, states:

*(1) A Council may provide goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public, subject to this Act, the regulations and any other law.*

### Principles

- To minimise the potential for loss of revenue and capital value through the creation of a policy that includes an independent assessment of each property's perceived risk.
- To minimise the potential for loss of revenue and capital value from any property through development of clear management procedures and decisions around revenue growth from the investment property portfolio.
- To establish a planning and reporting framework for ongoing monitoring and review of Council's revenue growth from the investment property portfolio and its policy.
- To confirm delegations and other relevant governance matters in relation to Council's revenue growth from the investment property portfolio.

### Criteria for Property Selection

The selection of a property be pursued and if successful to be included in this portfolio will require a resolution of Council following confirmation that all selection criteria have been met, as follows:

- Projected return on investment for each property to be a minimum of 5% net growth per annum on average over the life of the lease term;
- Building age and structural condition presents minimal risk to Council giving consideration to current and future capital investment needs;
- Weighted average lease expiry (WALE) is consistent with Council requirements and represents an appropriate level of risk:

WALE Commercial	Minimum of 7 years
WALE Retail	Minimum of 3 years
WALE Industrial	Minimum of 10 years

DATA AND DOCUMENT CONTROL		
"[Insert DocSet Number]"	Page: 2 of 3	

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**Campbelltown City Council**

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- Location of site and its relationship to Tenant demand over time

In exceptional circumstances, Council's Executive Group may recommend a property for acquisition that does not meet all of the criteria above provided an investment logic is justified and supported by Council. However, the decision around such circumstances remains at the sole discretion of the Council.

- A due diligence review has been performed with respect to any lease on the property.
- The property has been reviewed by Council's appointed Property Investment Advisor.

**Property Investment Advice**

Council's Property Investment Advisor must be suitably qualified by industry standards to provide the necessary advice. The Advisor must be an independent person who has no actual or potential conflict of interest in relation to investment decisions and the strategy being recommended.

Any property identified through an independent source or alternatively via a third party agency must be subject to a full review by Council's Property Investment Advisor.

**Review of Investment Portfolio Performance**

A report on the performance of the overall investment property portfolio will be presented to Council at least annually with monthly monitoring by Council's Executive Group in a manner consistent with the requirements of Local Government legislation.

**Responsibility**

Director City Governance

**Effectiveness of this Policy**

This policy will be reviewed annually in accordance with Regulations and Departmental Guidelines, in consultation with Council's Property Investment Advisor, to ensure its continuing suitability and effectiveness. Records of reviews shall be maintained.

**END OF POLICY STATEMENT**

DATA AND DOCUMENT CONTROL		
"[Insert DocSet Number]"	Page: 3 of 3	

**9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

**11. NOTICE OF MOTION**

Nil

**12. URGENT GENERAL BUSINESS**

**13. PRESENTATIONS BY COUNCILLORS**

## **14. CONFIDENTIAL REPORTS FROM OFFICERS**

### **14.1 Hurley Street, Campbelltown - Expression of Interest Outcome**

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: -

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

### **14.2 Proposed Exclusivity Agreement - Council Land**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)((d)(i)) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

PO Box 57, Campbelltown NSW 2560  
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# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 14 July 2020.

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## Minutes of the Ordinary Meeting of the Campbelltown City Council held on 14 July 2020

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**Present**

The Mayor, Councillor G Brticevic  
 Councillor M Chivers  
 Councillor M Chowdhury  
 Councillor B Gilholme  
 Councillor K Hunt  
 Councillor D Lound  
 Councillor R Manoto  
 Councillor B Moroney  
 Councillor W Morrison  
 Councillor M Oates  
 Councillor T Rowell  
 Councillor B Thompson

### 1. ACKNOWLEDGEMENT OF LAND

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

#### Council Prayer

The Council Prayer was presented by the General Manager.

### 2. APOLOGIES/LEAVE OF ABSENCE

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It was **Moved** Councillor Morrison, **Seconded** Councillor Thompson:

That the apologies from Councillor G Greiss and Councillor P Lake be received and accepted.

Note: Councillor R George has been granted a leave of absence from Council incorporating all meetings until further notice.

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

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### 3. CONFIRMATION OF MINUTES

#### 3.1 Minutes of the Ordinary Meeting of Council held 9 June 2020

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

That the Minutes of the Ordinary Council Meeting held 9 June 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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### 3.2 Minutes of the Extraordinary Meeting of Council held 30 June 2020

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

That the Minutes of the Extraordinary Council Meeting held 30 June 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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## 4. DECLARATIONS OF INTEREST

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

### **Pecuniary Interests**

Councillor Chivers – Item 8.7 - Proposed Road Names - Menangle Park. Councillor Chivers advised she has a pecuniary interest and will leave the meeting.

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

Councillor Gilholme – Item 8.4 - Minto Urban Renewal Precinct Planning Proposal. Councillor Gilholme advised he has a non-pecuniary, significant interest and will leave the meeting.

Councillor Lound – Item 8.3 - Request to amend Gateway Determination and Exhibition of Site Specific Development Control Plan - 22-32 Queen Street, Campbelltown. Councillor Lound advised he is a member of the Sydney Western Planning Panel and he will leave the meeting.

Councillor Lound – Item 8.4 - Minto Urban Renewal Precinct Planning Proposal. Councillor Lound advised he is a member of the Sydney Western Planning Panel and he will leave the meeting.

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

Nil

### **Other Disclosures**

Nil

## 5. MAYORAL MINUTE

## 6. PETITIONS

## 7. CORRESPONDENCE

### 7.1 Loss of Funding Grants - Campbelltown Arts Centre

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

That the letters be received and the information be noted.

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

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## 8. REPORTS FROM OFFICERS

### 8.1 Development Application Status

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

That the information be noted.

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

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### 8.2 Accessible Housing

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

That Council require Certified Access Reports with Development Applications it receives for commercial and public infrastructure developments and continues to encourage building owners to provide dignified and equitable access throughout the Campbelltown Local Government Area.

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

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**Meeting note:** Having declared an interest in Item 8.3 Councillor Lound left the meeting at 6:39pm and did not take part in the discussion or vote on the matter.

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### 8.3 Request to amend Gateway Determination and Exhibition of Site Specific Development Control Plan - 22-32 Queen Street, Campbelltown

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

1. That Council support the proposed amendments to the planning proposal outlined in this report and the planning proposal be amended to reflect the expanded area of open space and changes to the height of buildings map as detailed in this report.
2. That the amended planning proposal be forwarded to the Department of Planning, Industry and Environment with a request that the Gateway Determination be altered to reflect the revised proposal.
3. That Council endorse the future public exhibition of the draft amendment No 10 to the Campbelltown (Sustainable City) Development Control Plan 2015 which seeks to add Part 14, 22-32 Queen Street Campbelltown, as shown at attachment 1 to this report, subject to the tower setback to Queen Street being increased from 8m to 10m.

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

Voting against the Resolution were Nil.

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

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**Meeting note:** Having declared an interest in Item 8.4 Councillor Gilholme left the meeting at 6:43pm and did not take part in the discussion or vote on the matter.

Having also declared an interest in Item 8.4 Councillor Lound remained out of the meeting and did not take part in the discussion or vote on the matter.

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### 8.4 Minto Urban Renewal Precinct Planning Proposal

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

1. That Council support the planning proposal for the Minto Urban Renewal Precinct at attachment 1 to this report and submit it to the Department of Planning Industry and Environment seeking a Gateway Determination.
2. The Council invite the owners of Minto Marketplace to submit their own planning proposal for their land.

A Division was recorded in regard to the Resolution for Item 8.4 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, M Chivers, B Moroney, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Nil.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 8.4 Councillor Gilholme and Councillor Lound returned to the meeting at 6:45pm.

## **8.5 Investments and Revenue Report - May 2020**

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

That the information be noted.

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

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## **8.6 Reports and Letters Requested**

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

That the information be noted.

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

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**Meeting note:** Having declared an interest in Item 8.7 Councillor Chivers left the meeting at 6:47pm and did not take part in the discussion or vote on the matter.

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## 8.7 Proposed Road Names - Menangle Park

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

That Council approve the proposed road names in the attachment to this report for use in Menangle Park.

1. That Council advertise its proposal to use these road names in local newspapers for a period of 28 days and notifies the authorities prescribed by the Roads Regulation 2018.
2. That should no objections to the proposal to use these road names be received during the exhibition period, Council publish notice of these new road names in the NSW Government Gazette.
3. That Council engages further research for the naming of roads in later stages of the residential development in Menangle Park. That the research should relate to the themes of local women that have made significant contributions during times of conflict; soldiers that participated in World War One, World War Two, the Vietnam War and any other significant conflict involving Australian military personnel who have a connection to the Campbelltown Local Government Area; and original owners of the estates from the early 1800's.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 8.7 Councillor Chivers returned to the meeting at 6:57pm.

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## 8.8 Local Government Remuneration Tribunal Determination 2020

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

1. That Council endorse the Local Government Remuneration Tribunal determination of no increase in the minimum and maximum fees for the Mayor and Councillors given the current economic and social circumstances.
2. That Council fix the remuneration fee for Councillors at \$25,790 per annum effective 1 July 2020, representing nil increase on 2019-2020 financial year.
3. That Council fix the remuneration fee for the Mayor at an additional \$68,530 per annum effective 1 July 2020 representing nil increase on 2019-2020 financial year.

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

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## 8.9 Proposed Investment Property Portfolio and Policy

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It was **Moved** Councillor Thompson, **Seconded** Councillor Morrison:

1. That Council provide in-principle approval for further investments in commercial properties in line with the Investment Property Portfolio – Strategy for Revenue Growth Policy.
2. That Council endorse the Investment Property Portfolio – Strategy for Revenue Growth Policy that sets the criteria for purchase of new commercial properties for investment purposes.
3. That Council grant approval to the General Manager and or Delegated Authorities to pursue new commercial properties to return to Council for consideration.
4. That all properties acquired for the Investment Property portfolio are classified as operational.

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

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## 9. QUESTIONS WITH NOTICE

Nil

## 10. RESCISSION MOTION

Nil

## 11. NOTICE OF MOTION

Nil

## 12. URGENT GENERAL BUSINESS

### **13. PRESENTATIONS BY COUNCILLORS**

1. Councillor Meg Oates advised that the Fisher's Ghost Art Award will be going ahead and that this is an extremely significant art award across Australia. Councillor Oates hopes, subject to COVID-19 restrictions, that the exhibition will be open to the public. Councillor Oates advised entries open on 1 August 2020 and encouraged all artists to enter.
2. Councillor Rey Manoto with The Mayor, Councillor Brticevic on 19 June attended Rizal Park, Rosemeadow for a commemoration ceremony to mark the 159th anniversary of the birth of Dr Jose Rizal. The commemoration, organised by the Rizal Park Movement of Campbelltown, was an opportunity to recognise and celebrate the immense contribution made to our city by our Filipino community.
3. Councillor Rey Manoto shared that he had the honour of being interviewed by Helen Quinanola from TFC Australia. Councillor Manoto shared how proud he is to have the privilege of representing all the residents of Campbelltown in Council.
4. Councillor Ben Gilholme on 8 July attended Clemente Australia Macarthur Region's outdoor event at Koshigaya Park. Clemente Australia in partnership with the Australian Catholic University offers an academically approved university course for Australians who would otherwise be excluded from tertiary education opportunities. This outdoor event celebrated the successful completion of a semester of study by this small cohort of students who have challenged themselves to study online. Councillor Gilholme congratulated the students on achieving so much during a very difficult time.
5. Councillor Warren Morrison advised Council that on 8 July he was awarded the Paul Harris Fellow Award from Macarthur Sunrise Rotary Club in recognition of Councillor Morrison's community contributions. Councillor Morrison thanked the Macarthur Sunrise Rotary Club for all their work in the community.
6. Councillor Ted Rowell passed on his congratulations to Councillor Greiss and his wife Michelle on the birth of their daughter. The Councillors were advised that flowers and a card were sent on behalf of all Councillors.
7. The Mayor, Councillor Brticevic with Councillor Lound on 11 July attended the official opening of the new building at Ambarvale Sports Complex. This was a \$1.4m project with contributions from Council, the 2015 Asian Cup Legacy money for Light Up NSW and a community building partnership grant from our local member, Greg Warren MP. Councillor Brticevic passed on his thanks to the Director of City Delivery and his team for all their work on the upgrades to Ambarvale Sports Complex noting the fantastic lighting, wonderful amenities and new irrigation for the fields.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### Confidentiality Recommendation

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

1. That this Ordinary Meeting of Council be adjourned and reconvened as a meeting of the Confidential Committee for discussion of items 14.1 and 14.2 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

**Item 14.1 Hurley Street, Campbelltown - Expression of Interest Outcome**

Item 14.1 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**Item 14.2 Proposed Exclusivity Agreement - Council Land**

Item 14.2 is confidential in accordance with Section 10A(2)(d)(i) of the *Local Government Act 1993* as the report refers to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.

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

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The Ordinary Meeting of Council was adjourned at 7.13pm and reconvened as a meeting of the Confidential Committee at 7.14pm.

### Recommendations of the Confidential Committee

#### 14.1 Hurley Street, Campbelltown - Expression of Interest Outcome

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

1. That Council agrees to enter into commercial negotiations for proposed Lot 100 (or part thereof being Lot 1 DP 883417 and Lot 1 and DP 1003625).
  2. That all documentation for proposed Lot 100 (or part thereof being Lot 1 DP 883417 and Lot 1 and DP 1003625) be executed under the Common Seal of Council, if required.
  3. That Council enter into a 12 month exclusivity agreement with the entity nominated in this report on the terms and conditions contained within this report for the purpose of seeking a mutually agreeable development outcome that meets or exceeds the
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aspirations of the Reimagining Campbelltown City Centre Master Plan for the residual of proposed Lot 100 and Lot 101.

4. That further updates be provided to Council at appropriate approval gateways, reflecting progress achieved or other major decisions arising.

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

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## **14.2 Proposed Exclusivity Agreement - Council Land**

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

1. That Council enters into a confidential six month Exclusivity Agreement with the entity named in this report, for proposed Lot 2412 on the terms and conditions outlined below.
2. That a further update be provided to Council at the appropriate time, reflecting progress achieved or other major outcomes arising.
3. That all documentation associated with the Exclusivity Agreement be executed by the General Manager under delegation.
4. Should acceptable commercial terms be negotiated, the entering into of a lease with the entity named in this report be brought back to Council for formal consideration.

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

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

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

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

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 7.30pm and the Mayor advised the resolutions for Item 14.1 and 14.2 had been adopted.**

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

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

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

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There being no further business the meeting closed at 7.31pm.

Confirmed by Council on

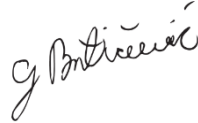
..... General Manager ..... Chairperson

## **CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES**

**At the Council Meeting held 11 August 2020 the following Council minutes were adopted:**

There being no further business at the meeting of 14 July 2020, the meeting closed at 7.31pm.

Confirmed by the Chairperson:

A handwritten signature in black ink, appearing to read 'G. Anticic', is written over the text 'Confirmed by the Chairperson:'.