

# ORDINARY BUSINESS PAPER

10 NOVEMBER 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 Disability Discrimination Act 1992

DPE Department of Planning and Environment

EIS Environmental Impact Statement

EPA Act Environmental Planning and Assessment Act 1979

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 Land and Environment Court Act 1979

LEP Local Environmental Plan
LGA Local Government Area
LG Act Local Government Act 1993
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 Protection of the Environment Operations Act 1997

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

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



#### 03 November 2020

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 10 November 2020 at 6.30pm.

Lindy Deitz General Manager

# **Agenda Summary**

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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 13 October 2020

#### Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 13 October 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

# Report

That the Minutes of the Ordinary Meeting of Council held 13 October 2020 are presented to Council for confirmation.

## **Attachments**

1. Minutes of the Ordinary Meeting of Council held 13 October 2020 (contained within this report)

# **CAMPBELLTOWN CITY COUNCIL**

# **Minutes Summary**

Ordinary Council Meeting held at 6.30pm on Tuesday, 13 October 2020.

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# Minutes of the Ordinary Meeting of the Campbelltown City Council held on 13 October 2020

**Present** The Mayor, Councillor G Brticevic

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

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

That the apology from Councillor M Chivers be received and accepted.

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

167 The Motion on being Put was CARRIED.

#### 3. CONFIRMATION OF MINUTES

# 3.1 Minutes of the Extraordinary Meeting of Council held 1 September 2020

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

That the Minutes of the Extraordinary Council Meeting held 1 September 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

168 The Motion on being Put was CARRIED.

# 3.2 Minutes of the Ordinary Meeting of Council held 8 September 2020

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

That the Minutes of the Ordinary Council Meeting held 8 September 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

169 The Motion on being Put was CARRIED.

# 3.3 Minutes of the Extraordinary Meeting of Council held 29 September 2020

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

That the Minutes of the Extraordinary Council Meeting held 29 September 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

170 The Motion on being Put was CARRIED.

#### 4. DECLARATIONS OF INTEREST

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

#### **Pecuniary Interests**

Nil

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

Councillor Lound – Item 9.1 – Community Partnerships – Macarthur Football Club. Councillor Lound advised he is the Chairman of Macarthur Football Association and will leave the meeting.

Councillor Lound – Item 11.3 – Community Partnership – Macarthur Football Club. Councillor Lound advised he is the Chairman of Macarthur Football Association and will leave the meeting.

#### Non Pecuniary – Less than Significant Interests

Nil

#### Other Disclosures

Nil

## 5. MAYORAL MINUTE

#### 6. PETITIONS

#### 7. CORRESPONDENCE

Nil

#### 8. REPORTS FROM OFFICERS

# 8.1 Annual General Meeting Presentation

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

That Council note the General Meeting Presentation.

171 The Motion on being Put was CARRIED.

## 8.2 Financial Statements 2019-2020

It was Moved Councillor Chowdhury, Seconded Councillor Hunt:

That the financial reports and the Auditors reports for the period 1 July 2019 to 30 June 2020 be received and noted.

172 The Motion on being Put was CARRIED.

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

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

That the minutes of the Audit Risk and Improvement Committee held 15 September 2020 be noted.

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

# 8.4 Development Application Status

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

That the information be noted.

174 The Motion on being Put was CARRIED.

# 8.5 Update on Draft Biodiversity Certification Application for Mount Gilead Stage 2

**Meeting note:** A written submission from Mr Barry Durman was read at the meeting.

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

That the information be noted.

175 The Motion on being Put was CARRIED.

# 8.6 Reports and Letters Requested

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

That the information be noted.

176 The Motion on being Put was CARRIED.

#### 8.7 Disclosure of Interest Returns 2019-2020

It was Moved Councillor Oates, Seconded Councillor Hunt:

That the information be noted.

177 The Motion on being Put was CARRIED.

# 8.8 Investments and Revenue Report - August 2020

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

That the information be noted.

178 The Motion on being Put was CARRIED.

# 8.9 Investigation on QR Codes on Monuments and Street Signage

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

That the information be noted.

179 The Motion on being Put was CARRIED.

# 8.10 Reimagining Campbelltown City Centre Master Plan - Postexhibition

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

- 1. That Council note the submissions received during the Reimagining Campbelltown City Centre Master Plan public exhibition and the proposed refresh approach.
- 2. That Council delegate to the General Manager the ability to make minor amendments to the Campbelltown City Centre Master Plan that do not change the intent.
- 180 The Motion on being Put was CARRIED.

#### 9. QUESTIONS WITH NOTICE

**Meeting note:** Having declared an interest in Item 9.1 Councillor Lound left the Meeting at 7:39pm and did not take part in the discussion.

# 9.1 Community Partnerships - Macarthur Football Club

Councillor Paul Lake has given notice of the following Question with Notice that will be asked at the Ordinary Meeting of Council held 13 October 2020.

1. Has the \$475,000 payment for 2020-2021 relating to Community Partnership with Macarthur Football Club been paid and if so when?

The invoice for \$475,000 (GST exclusive) was paid on 29 July 2020 for 2020-2021. Macarthur Football Club will be presenting an overview of the 2020-2021 Community Programs in addition to a summary of their 2019-2020 Community Programs at a Councillor briefing night.

#### **Procedural Motion**

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

That Item 11.3 – Community Partnership – Macarthur Football Club be brought forward to follow Item 9.1.

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

#### 10. RESCISSION MOTION

Nil

#### 11. NOTICE OF MOTION

# 11.1 Charging for parking within the Campbelltown Local Government Area

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

That a full feasibility report be presented to Council outlining the financial and non-financial implications of introducing paid parking into the Campbelltown Local Government Area.

182 The Motion on being Put was CARRIED.

# 11.2 Pedestrian Refuge - Fields Road, Macquarie Fields

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

That Council investigate the feasibility of installing a pedestrian refuge or similar pedestrian protection measure on Fields Road between Bingara Road and Bunbury Road, Macquarie Fields, to provide a safe crossing point for pedestrians on a very busy main road, especially during school hours.

183 The Motion on being Put was CARRIED.

**Meeting note:** Item 11.3 was moved by procedural motion to follow Item 9.1. Having declared an interest in Item 11.3 Councillor Lound did not take part in the discussion or vote on the matter.

# 11.3 Community Partnership - Macarthur Football Club

It was Moved Councillor Lake, Seconded Councillor Greiss:

- 1. That a report be presented to Council on the outcome of the first year of our Community Partnership with Macarthur Football Club valued at \$450,000.
- 2. That report is to include the following:
  - a) That all various programs implemented for 2019-2020 be detailed in the report
  - b) The individual number of participants in each program
  - c) The length of each program
  - d) The cost of each program
  - e) Has all the money being \$450,000 been spent in the previous financial year? If not what balance is left and how will it be spent?
  - f) How were the various programs received by the participants?
- 184 The Motion on being Put was CARRIED.

**Meeting note:** At the conclusion if the discussion regarding Item 11.3 Councillor Lound returned to the meeting at 7:43pm.

#### 12. URGENT GENERAL BUSINESS

#### 13. PRESENTATIONS BY COUNCILLORS

- 1. Councillor Rey Manoto on 11 October attended a volunteers' tree planting event at Cook Reserve, Ruse. The event was organised by Campbelltown Council and Conservation Volunteers Australia (CVA) and was funded by the Communities Environment Program grant from Dr Mike Freelander MP. The event was attended by Dr Mike Freelander MP and David W Jones, the project manager of CVA who were joined by 60 residents to plant 500 trees which will improve the habitat for the local koalas.
- Councillor Paul Lake passed on his thanks to Melissa King, Sport and Recreation Coordinator at Campbelltown Council for attending the Wests Sports Council meeting to address the meeting regarding the COVID-19 impacts and safety planning for community sport.
- 3. The Mayor, Councillor George Brticevic on 3 October joined Blair Athol Bushcare at John Kidd Reserve, Blair Athol to assist the group planting trees. John Kidd Reserve is part of the critically endangered Cumberland Plain Woodland and provides a home for butterflies and parrots. The Bushcare group work to enhance the condition of the Cumberland Plain Woodland through activities such as weed management, tree planting, erosion control and litter removal. Councillor Brticevic thanked the Bushcare group for their continued efforts.
- 4. The Mayor, Councillor George Brticevic on 10 October attended the 24 Hour Fight Against Cancer Macarthur's giant raffle draw at Fast Lane Karting, Minto. Councillor Brticevic thanked the committee for their hard work to continue to raise funds and awareness in the community especially with the restrictions this year due to COVID-19.
- 5. Councillor Warren Morrison thanked The Mayor, Councillor George Brticevic for being the patron for the 24 Hour Fight Against Cancer Macarthur. Councillor Morrison thanked Sue McGarrity, the Deputy Chairperson and Secretary of the 24 Hour Fight Against Cancer Macarthur for her tireless efforts. Councillor Morrison thanked the community and supporters for their continued efforts to raise funds with donations going directly to the Macarthur Cancer Therapy Centre, Campbelltown Hospital and Camden Hospital. The funding is used to provide extra services and equipment needed to assist in the treatment and care for children and adults dealing with cancer.

#### 14. CONFIDENTIAL REPORTS FROM OFFICERS

# **Confidentiality Recommendation**

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

1. That this Ordinary Meeting of Council be adjourned and reconvened as a meeting of the Confidential Committee for discussion of items 14.1, 14.2, 14.3 and 14.4 which are considered to be confidential in accordance with Section 10A(2) of the *Local Government Act 1993*, as indicated below:

Item 14.1 Proposed Easement for Water Supply - Pembroke Road, Minto 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 Lease of a Council Facility - Ingleburn

Item 14.2 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 14.3 Lease of Council Property**

Item 14.3 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.

#### **Item 14.4 Extended Medical Leave Request**

Item 14.4 is confidential in accordance with Section 10A(2)(a) of the *Local Government Act 1993* as the report refers to personnel matters concerning particular individuals (other than Councillors).

- 2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.
- 185 The Motion on being Put was CARRIED.

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

#### **Recommendations of the Confidential Committee**

# 14.1 Proposed Easement for Water Supply - Pembroke Road, Minto

It was **Moved** Councillor Morrison. **Seconded** Councillor Hunt:

- 1. That Council provides approval for the granting of an easement for water supply, over Lot 21 DP 804520 on the terms outlined in the body of this report.
- 2. That Council enters into a Deed of Compensation for the easement for water supply over Lot 21 DP 804520.
- 3. That all documentation associated with the creation and registration of the easement for fresh water be executed under common seal of Council, if required.
- 186 The Motion on being Put was CARRIED.

# 14.2 Lease of a Council Facility - Ingleburn

It was Moved Councillor Lake, Seconded Councillor Rowell:

- 1. That Council agrees to the extension of the Lease with Child Care NSW Pty Ltd on terms and conditions set out in this paper.
- 2. That documentation is executed under the Common Seal of Council (if required).
- 187 The Motion on being Put was CARRIED.

# 14.3 Lease of Council Property

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

That Council approves the lease of the subject property.

- 1. That Council approves the space for the use of professional offices for a training and education facility.
- 2. That Council agrees to a lease term of five years with a five year option on the terms and conditions set out in this report.
- 3. That Council approve that the Lease documentation be executed under Council's Common seal if required.

A division was **Moved** Councillor Rowell, **Seconded** Councillor Oates

A Division was recorded in regard to the Resolution for Item 14.3 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, P Lake, B Moroney, W Morrison, B Thompson, G Greiss and T Rowell.

Voting against the Resolution were Nil.

188 The Motion on being Put was CARRIED.

# 14.4 Extended Medical Leave Request

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

That extended paid sick leave of eight weeks be granted to a Council staff member who is currently unwell.

189 The Motion on being Put was CARRIED.

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

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

190 The Motion on being Put was CARRIED.

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.19pm and the Mayor advised that the resolutions for Items 14.1, 14.2, 14.3 and 14.4 were adopted.

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

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

191 The Motion on being Put was CARRIED.

There being no further business the meeting closed at 8.22pm.

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

# 5.1 Community Service Awards - Ray James OAM, Keith Kent OAM and Father Peter Caruana

#### Recommendation

That Ray James OAM, Keith Kent OAM and Father Peter Caruana be presented with a Community Service Award in recognition of their contributions to the Campbelltown community.

The Campbelltown community is known for their generosity and we are fortunate to have many people in our city who demonstrate community spirit, going above and beyond to help others. Tonight I would like to recognise three stalwarts of our community who have demonstrated this sense of goodwill and kindness throughout their lives.

Ray James OAM has devoted much of his life to the service of others, advocating for our city's veterans and their families.

Mr James is an active and long term member of the Ingleburn Sub-branch, where he held the role of president for many years. He is also the acting President of RSL NSW. Mr James was also recognised this year with an Order of Australia Medal for his service to veterans.

Keith Kent OAM is another Campbelltown local who has devoted many years to serving his community, most notably through his involvement with the Lions Club of Ingleburn. He has served on many local committees, volunteering his time to his community.

Mr Kent was recognised for his contributions to the community this year, being awarded an Order of Australia Medal in the Queen's Birthday Honours.

Father Peter Caruana has served his community as the Parish Priest at Holy Family Catholic Parish in Ingleburn for more than 30 years. He has faithfully served his community for many years and was instrumental in the development of the new church building and together with the parish community raised funds to not only build the new church, but renovate the existing church so it could continue to serve the community as a church hall.

This year marked his 50 year anniversary since entering the priesthood, coinciding with his retirement. I would like to wish Father Caruana well in retirement on behalf of the community of Campbelltown.

#### **Attachments**

Nil

# 6. PETITIONS



## 7. CORRESPONDENCE

# 7.1 Heritage Cattle Tanks - Hurley Park, Campbelltown

#### Officer's Recommendation

That the letter be received and the information be noted.

A letter from Dr Mike Freelander MP regarding the preservation of heritage cattle tanks at Hurley Park, Campbelltown. A copy of the letter from Dr Mike Freelander MP to the Hon Rob Stokes MP seeking support for the preservation of the cattle tanks at Hurley Park, Campbelltown.

#### **Attachments**

1. Letter from Dr Mike Freelander MP regarding the preservation of heritage cattle tanks (contained within this report)



2 4 SEP 2020

15<sup>th</sup> September 2020 Ref:150920CT-TS

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

Dear Ms Deltz,

Please find attached a copy of my representations to the Hon. Rob Stokes MP, Minister for Planning and Public Spaces, regarding my concerns relating to the potential sale of land owned by Sydney Water at Hurley Park, Campbelltown.

Specifically, I am concerned with how the potential sale will affect the heritage cattle tanks located near the land for sale at 161 Dumaresq St, Campbelltown.

It is my belief that the cattle tanks should be preserved, as I do not believe that the land surrounding Sydney Water's property should be sold as it has implications for our regional history and character.

Yours sincerely,

SIGNATURE HAS BEEN REMOVED

Dr Mike Freelander MP Federal Member for Macarthur Encl.



Office: 37 Queen St Campbelltown NSW 2560

Mail: PO BOX 88 Campbelltown NSW 2560

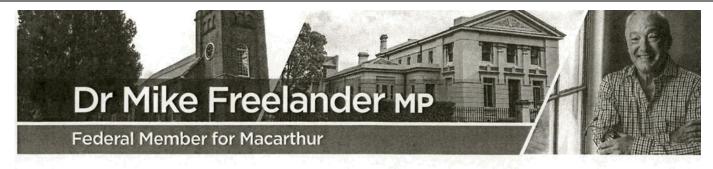
Phone: (02) 4620 0293

Fax: (02) 4620 4414

Email: Mike.Freelander.MP@aph.gov.au



Item 7.1 - Attachment 1 Page 24



15<sup>th</sup> September 2020 Ref:150920CT-TS

The Hon. Rob Stokes MP Minister for Planning and Public Spaces GPO Box 5341 SYDNEY NSW 2001



Dear Minister,

I write to you in relation to the Cattle Tanks situated on Crown Lands at Hurley Park, Campbelltown and their historical significance to our region.

Specifically, I am concerned with how the potential sale by Sydney Water will affect the heritage of the cattle tanks located near the land for sale at 161 Dumaresq St, Campbelltown.

It is my belief that the cattle tanks should be preserved, as I do not believe that the land surrounding Sydney Water's property should be sold as it has implications for our regional history and character.

This year is the 200<sup>th</sup> anniversary of Campbelltown and so the preservation of our City's landmarks and features of significance has never more important.

Minister, I urge you to consider the importance of these Cattle Tanks and the loss Campbelltown will suffer should they be destroyed, removed or damaged as a result of any alterations in land ownership or management.

Yours singerely, SIGNATURE HAS BEEN REMOVED

Dr Mike Freelander MP Federal Member for Macarthur

CC:

Mr Greg Warren MP, State Member for Campbelltown
Ms Lindy Deitz, General Manager – Campbelltown City Council



Office: 37 Queen St Campbelltown NSW 2560 Mail: PO BOX 88 Campbelltown NSW 2560 Phone: (02) 4620 0293 Fax: (02) 4620 4414 Email: Mike.Freelander.MP@aph.gov.au





#### 8. REPORTS FROM OFFICERS

# 8.1 Advertising and Marketing Opportunities for Council Activities and Programs

# **Reporting Officer**

Executive Officer General Manager

# **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 the information be noted.

# **Purpose**

To provide Council with information regarding marketing and advertising opportunities in public locations across the city and an overview of current marketing channels being utilised for promotional opportunities.

# **History**

At the meeting held on 8 October 2019, a report was requested to explore the opportunities for digital advertising in public locations such as shopping centres to regularly promote Council's activities and programs.

The report was intended to 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.

## Report

Advertising Council's programs and activities is currently undertaken in a number of ways to achieve the broadest reach possible, ensuring that members of our community have access to information and to ensure the programming and activities Council provides for the community are promoted in a cost effective, yet far-reaching way.

Council utilises a diverse mix of traditional, outdoor and digital media platforms to ensure our message gets out to the community. Our advertising is focused heavily on Council owned channels due to high level of engagement received and the broad spread of locations across

the city. This approach is combined with paid advertising opportunities to ensure the best value and broadest reach is achieved, this is particularly applied to specific campaigns that have a targeted call to action, incorporating marketing opportunities that ensure the reach of our target audience. The advertising spend works hard to gain the greatest level of exposure and are continually assesses the success of campaigns and looking for new platforms to include in the mix. Council is fortunate enough to have a number of highly effective marketing channels which include:

#### **Compass Community Newsletter**

This eight-page publication reaches all houses and businesses in our Local Government Area. Through channels such as the community satisfaction survey, the community have told us that this is one of the most popular ways for them to learn about the services and programs Council offers. The newsletter is produced four times per year and its format allows us to communicate clearly and in detail about upcoming events and programs. This is a cost-effective way to communicate to all members of our community, reaching approximately 60,000 mailboxes.

#### Rates notice

This is an opportunity to include a message in the rates notice about a notable program or activity, as well as the insertion of a flyer insert into the envelope. Reaching approximately 40,000 homes per instalment provides a cost effective way to communicate to a wide audience.

Council currently utilises 13 bus shelters across Campbelltown to communicate campaigns to residents. This is a highly visual and accessible channel to reach both people driving around the city and those utilising bus services.

In addition to these shelters, Council also have two LED digital screens that can run multiple campaigns at one time, these are located in the bus shelter on Queen Street, capturing high volumes of passing traffic, along with those who walk along this busy stretch of footpath and those utilising the bus stop. Further to this, there is also a LED digital screen in the Hurley Street underpass.

This year, a large billboard was installed on the corner of Blaxland and Narellan Roads to highlight significant campaigns for Campbelltown. The campaign changes approximately four times per year and receives thousands of views per day.

#### **Digital newsletters**

A regular newsletter is also produced providing information about upcoming events and programs, which is distributed to 17,000 email addresses. eNewsletters are also produced by Campbelltown Arts Centre and our City Economy team.

#### Advertising in facilities

Due to the high visitation experienced in libraries and leisure centres, this is another important Council owned marketing channel. Posters are regularly produced as well as other marketing collateral to make available at these venues. This is a low cost and effective way to communicate with our residents.

Council also utilises our on-hold messages for advertising and awareness, as well as our website which features a scrolling promotional banner on the home page. Radio is another form of advertising used regularly through C91.3FM, and for location specific events or services letterbox drops have been utilised. A public notice continues to be produced weekly which is printed in the Campbelltown Macarthur Advertiser and contains key Council information for residents.

Advertising in shopping centres is a channel that has been explored for some larger projects and programs. Opportunities to advertise in shopping centres exist at Macarthur Square, Campbelltown Mall, Minto Marketplace, Eagle Vale Marketplace and Glenquarie Shopping Centre.

A challenge for advertising in shopping centres is the lack of metrics to determine performance or success when comparing to other channels, while shopping centres do provide average visitor numbers, this is not always accurate in accessing the value of the investment or the success of campaigns.

When considering advertising in shopping centres, it is suggested that this forms part of a broader advertising mix through a range of channels, rather than standalone advertising. Views on the effectiveness of shopping centre advertising is mixed, however it is considered most effective for campaigns or advertising that has a very specific call to action that requires someone to act on the spot (enter a competition, go to a website, or visit a store for a specific promotion) however for general awareness it is considered less effective due to the stand alone nature of the signage.

Advertising in shopping centres is generally quite expensive compared to other channels, with a small single screen costing on average \$500 per screen for a two week period. In order for a campaign to be effective, it would require investment in a number of screens across a range of shopping centres, which would make this channel of advertising cost prohibitive for many campaigns or initiatives. For larger campaigns, events or activities, this form of advertising would be assessed and considered as part of the overall advertising mix. Council has trialled the use of the billboard that is located outside of Macarthur Square on Kellicar Road. This advertising opportunity is more cost effective than advertising within the shopping centres and gives a broader reach, capitalising on passing traffic.

This year, Council has trialled a number of other public advertising opportunities with great success. This has included advertising at petrol pumps, typically referred to as on the go advertising across the LGA, this was utilised for Reimagining Campbelltown, international stadium events, Koalatown and business campaigns.

This style of advertising is highly effective as it provides the opportunity to include video, which is highly engaging and a great way to build brand recognition and communicate a clear message. The advantage of this type of advertising is that it can be rolled out quickly, is cost effective based on the number of locations content is played and comprehensive post campaign analytics are provided which outline number of views, based on true engagement, assessed through the small camera housed within the screens. The other advantage is that even if the video isn't watched, the audio can be heard while filling up. This is proving to be a popular advertising channel.

Council also invested in digital advertising due to the significant reach obtained. This has included advertising banners or videos on the news.com.au and nine.com.au platforms which incorporates advertising on popular websites such as realsestate.com.au, news sites and other lifestyle websites. This channel allows us to receive comprehensive analytics, including demographic information and click throughs, to access the success of a campaign. Our experience with this style of advertising has been a high level of reach across targeted demographics and locations.

Social media channels are also utilised, including some sponsored advertising, which receives a high level of engagement. Most campaign posts reach audiences in the thousands, and experience a high level of engagement. More and more video content is being produced, which is providing a higher level of engagement than image or text posts, and is gaining very strong and positive feedback from the community.

Communicating Council's messaging to young people has been an ongoing area of attention, while social media has assisted in many ways, the 16-25 demographic can be typically difficult to reach through traditional marketing channels. To help us in addressing this we have recently begun trialling advertising through Spotify ads. This is resulting in high-level engagement through this platform, achieving above industry standard engagement which is accessed by the listen rate and click throughs. Next month Council will also be trialling the use of TimeOut, which offers access to a significant subscriber base as well as huge online reach.

Another opportunity that will shortly be available to us is the use of LED signs at a number of major traffic intersections and roads across Campbelltown, through our arrangement with Claude Neon which allows for community messaging to be displayed as part of the general advertising rotations. This will be used for regular and broad messaging to promote Council's offering and highlight important programs and events. This will come at no cost, which will make this an attractive opportunity for initiatives that generally have little to no marketing budget.

Effective marketing includes a diverse mix of channels to reach the broadest possible audience. At the beginning of any marketing campaign the following is clearly outlined; the objectives, key audience and messages and consider the best owned and bought channels that will provide the most effective approach to communicate messages or services.

Advertising in public locations will remain an important part of Council's campaigns, and where suitable, shopping centre advertising will be considered as part of the overall marketing mix. Council will continue to explore other opportunities to ensure reach of the broadest audience possible, as well as seeking feedback from the community wherever possible.

#### **Attachments**

Nil



# 8.2 Feasibility of Flag Raising Events

# **Reporting Officer**

Executive Officer and Acting Executive Manager Community Life General Manager and City Lifestyles

# **Community Strategic Plan**

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.3 - Ensure that Campbelltown is an inclusive city

# Officer's Recommendation

- 1. That Council includes a cultural ceremony as part of the opening of annual Feast event.
- 2. That grant funding be widely promoted to encourage cultural groups to apply to host cultural events and significant days.
- 3. That a policy be brought back to Council for consideration that provides clear guidelines for flag raising events.

# **Purpose**

Council at its meeting held 10 March 2020 resolved that a feasibility report be prepared to explore the viability of council supporting a flag raising day for the Pacific community. The study considered the following:

- a) Financial costs and benefits
- b) Inclusion and equal opportunity for all cultural groups
- c) Alternatives to individual flag raising days

#### Report

This report details the outcomes from a feasibility investigation into Council supporting a request to host a flag raising day for the combined Pacific community.

In past years Council has hosted a number of flag raising events to mark dates of significance, including NAIDOC Week, Mother Language Day and Philippine Independence Day. The format of these events have included speeches by dignitaries, cultural performances, a ceremonial flag raising and catering for guests. The invitation lists have been a combination of Council's invitees and those put forward by the community group assisting with the development of the event, as well as being open to anyone from the community wishing to attend. The cost of these events is approximately \$3000 per ceremony.

In considering the opportunities to host a flag raising event for the Pacific community, it was identified that there is not one flag that could be raised that would appropriately recognise all of the Pacific nations and there was not a date identified that was significant to all.

Based on COVID-19 restrictions, flag raising ceremonies were postponed for this year and it is expected that the restrictions will affect events, particularly those that are not invitation only, for some time. At this time, it is difficult to contemplate the inclusion of additional events.

In order to provide equal opportunity for all community cultural groups and to provide a greater certainty for future activities and events, it is recommended that this be supported in the following ways:

# 1. Cultural ceremony introduced as an opening of the Feast event

The study explored existing opportunities that Council currently offers that would allow community groups to take part in a cultural ceremony. It was identified that the Feast event, held annually in September in Redfern Park, Minto, would be an ideal fit. The event celebrates local cultures through music, entertainment, activities and food. The inclusion of a cultural ceremony into the event, would provide a platform for cultural community groups to celebrate in unity and build community and cultural pride. It would provide the opportunity to recognise all cultural groups represented in Campbelltown in a ceremonial way.

Feast 2020 was altered to cater for COVID-19 restrictions, however, the usual event format would allow for a cultural ceremony to be introduced to open the celebrations. The community event commences at 2pm and the inclusion of a cultural ceremony would not need to alter this time, as the programming can be arranged accordingly. The ceremony would be further investigated however, an expression of interest would be opened prior to the event to invite cultural community groups to apply to take part in the ceremony.

#### 2. Grant funding for cultural events and significant days

Council currently provides grant funding through the Connected Communities fund. The purpose of this funding is to support not-for-profit organisations and groups across the Campbelltown Local Government Area to deliver projects, activities or events that address local needs and contribute to Council's Community Strategic Plan. Outcome one of the grant guidelines states that the funding is available for the delivery of an event that celebrates Aboriginal and other cultures.

It is recommended that this wording be expanded to be more open to encouraging to attract cultural groups to apply for grant funding for specific cultural events and significant days such as flag raising ceremonies.

Grants of up to \$2000 are available to incorporated and auspiced organisations. Unincorporated and un-auspiced organisations can apply for up to \$500.

These grant opportunities enable Council to build capacity in the community and ensure events of this nature are community-led and sustainable.

## 3. Preparation of a policy for flag raising events

It is recommended that a policy be drafted for consideration of the Council that highlights the guidelines for Council hosted flag raising events to provide greater clarity regarding the purpose and objectives of these ceremonies.

The policy would consider relevance to the broader community, inclusivity, recognition of a significant date or event and the obligations of community groups involved in the organisation of flag raising events.

## **Attachments**

Nil



#### 8.3 Re-establishment of South Area Alcohol Free Zones

# **Reporting Officer**

Acting Manager City Standards and Compliance City Development

# **Community Strategic Plan**

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.2 - Create safe, well maintained, activated and accessible public spaces

#### Officer's Recommendation

- 1. That public notices be placed on Council's website and social media pages for a minimum 14 day period, inviting submissions on Council's intention to re-establish Alcohol Free Zones over the streets and footpaths detailed in attachment 1 to this report being within the areas of:
  - (a) Airds
  - (b) Ambarvale
  - (c) Bradbury
  - (d) Campbelltown CBD South
  - (e) Campbelltown CBD North
  - (f) Campbelltown East 1
  - (g) Campbelltown East 2
  - (h) Glen Alpine
  - (i) Leumeah
  - (j) Menangle Park
  - (k) Rosemeadow 1
  - (I) Rosemeadow 2
  - (m) Ruse
  - (n) St Helens Park 1
  - (o) St Helens Park 2
- 2. Any submissions received during the public exhibition period be reported to Council.
- 3. Should no submissions be received during the public exhibition period, formal notice of Council's intention to re-establish Alcohol Free Zones over the areas specified in Recommendation No.1, be issued to the following organisations and/or groups:
  - (a) The Anti-Discrimination Board of NSW
  - (b) The Officer in charge of the Police Station nearest the zones
  - (c) The liquor licensees and secretaries of registered clubs whose premises are in close proximity to the proposed zones
  - (d) Any known group that might be affected by the creation of the proposed zones.
- 4. Any submissions received from the organisations/groups listed in Recommendation No.3 during the notice period be reported to Council.

5. Where no submissions are received from the organisations/groups listed under Recommendation No.3, the formal re-establishment of the respective Alcohol Free Zones be commenced by way of public notice being given on Council's website and social media pages for a minimum period of seven days prior to the proposed commencement date of the Alcohol Free Zones.

# **Purpose**

To submit to Council for endorsement, a proposal to renew without change 15 Alcohol Free Zones that are located within the southern area of the Campbelltown Local Government Area (LGA) and due to expire on 24 December 2021.

# **History**

The Local Government Act 1993 (the Act) provides Council with the ability to establish an Alcohol Free Zone (AFZ) to promote the safe use of roads, footpaths and public car parks (including privately owned shopping centre car parks) without interference from anti-social behaviour caused by public drinkers. The object of an AFZ is an early intervention measure to prevent the escalation of irresponsible street-drinking to incidents involving public nuisance, disturbance or serious crime.

Any person living or working within the Local Government Area (LGA), the local police or a local community group can make an application for an AFZ. Once established, an AFZ prohibits the drinking of alcohol on the roads, footpath and public car parks in the specified zone. A proposal to establish an AFZ must, in all cases, be supported by evidence that street drinkers have compromised the public's use of those footpaths, roads or car parks. The maximum duration of an AFZ is four years although it may be re-established upon following the same procedure that was used to originally establish the zone.

## Report

The management and operation of an AFZ is a collaborative approach between Council and Police Local Area Commands. Council's role has been the establishment and sign posting of the zones, while Police are responsible for enforcement.

The Police have not been consulted at this stage regarding the proposed re-establishment of the existing Alcohol Free Zones. Consultation with the Police will occur subsequent to the public consultation process where Council will be advised of any history of any anti-social behaviour in the declared Alcohol Free Zones, prior to any decision to declare re-establishment of the Alcohol Free Zones in accordance with the mandated procedure outlined below.

#### Re-establishment of Existing AFZs

The procedure that Council must follow in resolving to declare an AFZ is outlined in the legislation and is summarised as follows:

1. Publish a notice advising the public of Council's intention to establish the AFZ and inviting public submissions. The minimum period for lodging representations is 14 days after publication of the notice.

- 2. Consider any submissions received, and where it is decided to declare the zone, give notice of that intention to:
  - the Anti-Discrimination Board
  - the Officer in charge of the Police Station nearest the zone
  - the liquor licensees and secretaries of registered clubs whose premises border on, adjoin or are adjacent to the proposed zone
  - any known group that might be affected by the creation of the AFZ.

Council must give each of the abovementioned notified organisations or persons a minimum of 30 days to make a written submission.

- Consider any submissions received and where it is decided to proceed with the declaration, notify that decision (whether as originally proposed or as amended), in a local newspaper at least seven days in advance of the proposed date of commencement.
- 4. Signpost the area in accordance with the Act.

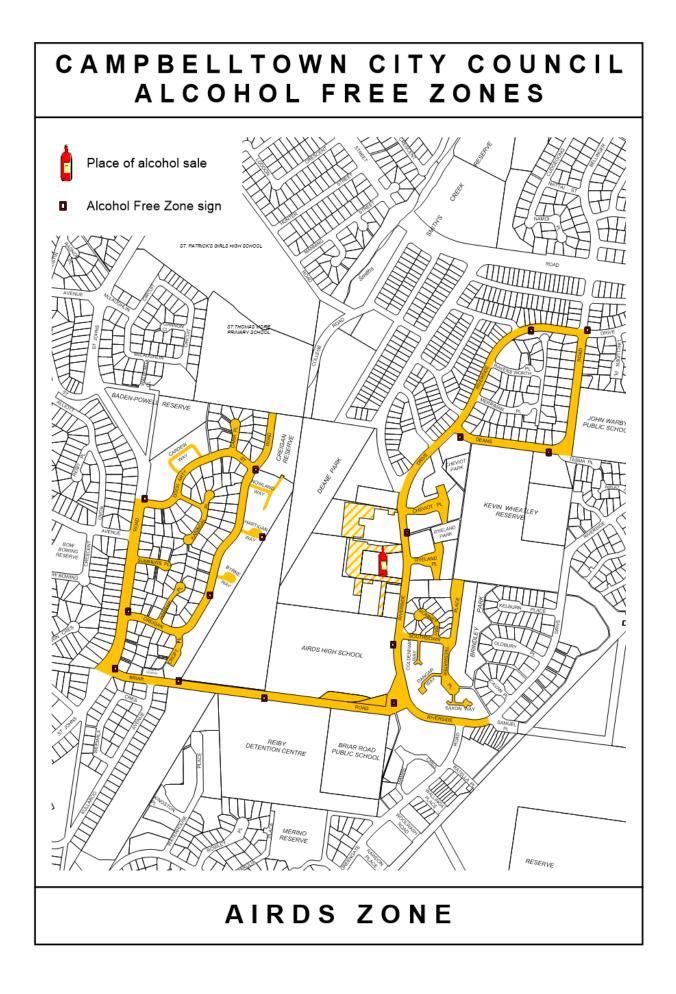
The zones are shown in attachment 1 to this report and are listed below:

- (a) Airds
- (b) Ambarvale
- (c) Bradbury
- (d) Campbelltown CBD South
- (e) Campbelltown CBD North
- (f) Campbelltown East 1
- (g) Campbelltown East 2
- (h) Glen Alpine
- (i) Leumeah
- (j) Menangle Park
- (k) Rosemeadow 1
- (I) Rosemeadow 2
- (m) Ruse
- (n) St Helens Park 1
- (o) St Helens Park 2

The zones subject of this report are proposed to be re-established and are due to expire on 24 December 2021. Therefore in the interest of continuing to promote the safe use of roads, footpaths and car parks within the zones and reduce the potential for alcohol related incidents, it is recommended that these zones be re-established.

#### **Attachments**

- 1. Airds Alcohol Free Zone Map (contained within this report)
- 2. Ambarvale Alcohol Free Zone Map (contained within this report)
- 3. Bradbury Alcohol Free Zone Map (contained within this report)
- 4. Campbelltown CBD North Alcohol Free Zone Map (contained within this report)
- 5. Campbelltown CBD South Alcohol Free Zone Map (contained within this report)
- 6. Campbelltown East 1 Alcohol Free Zone Map (contained within this report)
- 7. Campbelltown East 2 Alcohol Free Zone Map (contained within this report)
- 8. Glen Alpine Alcohol Free Zone Map (contained within this report)
- 9. Leumeah Alcohol Free Zone Map (contained within this report)
- 10. Menangle Park Alcohol Free Zone Map (contained within this report)
- 11. Rosemeadow 1 Alcohol Free Zone Map (contained within this report)
- 12. Rosemeadow 2 Alcohol Free Zone Map (contained within this report)
- 13. Ruse Alcohol Free Zone Map (contained within this report)
- 14. St Helens Park 1 Alcohol Free Zone Map (contained within this report)
- 15. St Helens Park 2 Alcohol Free Zone Map (contained within this report)



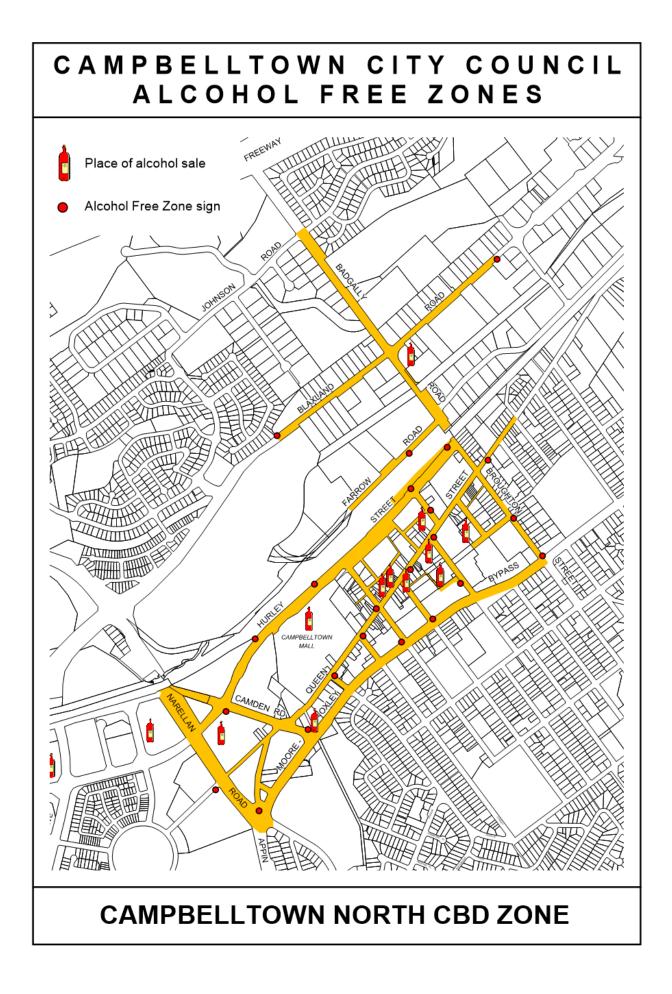
Item 8.3 - Attachment 1 Page 37

# CAMPBELLTOWN CITY COUNCIL ALCOHOL FREE ZONES Place of alcohol sale Alcohol Free Zone sign ROAD THERRY THERRY THOMAS REDDALL HIGH SCHOOL AMBARVALE SPORTS COMPLEX THROSBY RESERVE FIELDHOUSE PARK AMBARVALE PUBLIC SCHOOL AMBARVALE ZONE

Item 8.3 - Attachment 2 Page 38

# CAMPBELLTOWN CITY COUNCIL ALCOHOL FREE ZONES Place of alcohol sale Alcohol Free Zone sign **BRADBURY ZONE**

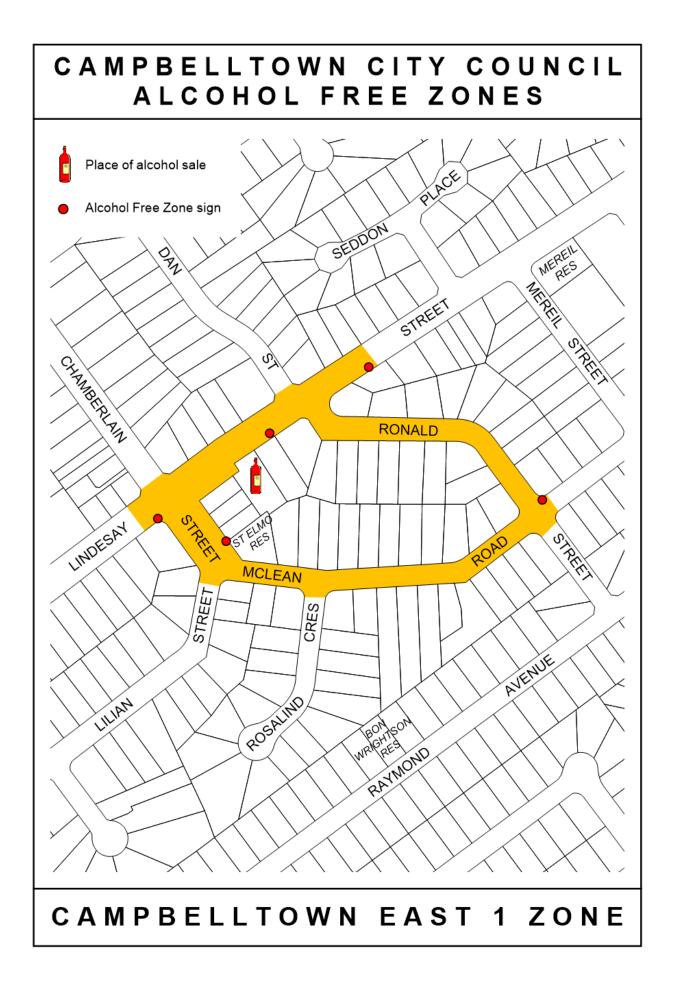
Item 8.3 - Attachment 3 Page 39



Item 8.3 - Attachment 4 Page 40

# CAMPBELLTOWN CITY COUNCIL ALCOHOL FREE ZONES Place of alcohol sale Alcohol Free Zone sign CAM -ROAD MENANGLE MACARTHUR SQUARE SHOPPING CENTRE CAMPBELLTOWN THERRY ROAD **CAMPBELLTOWN SOUTH CBD ZONE**

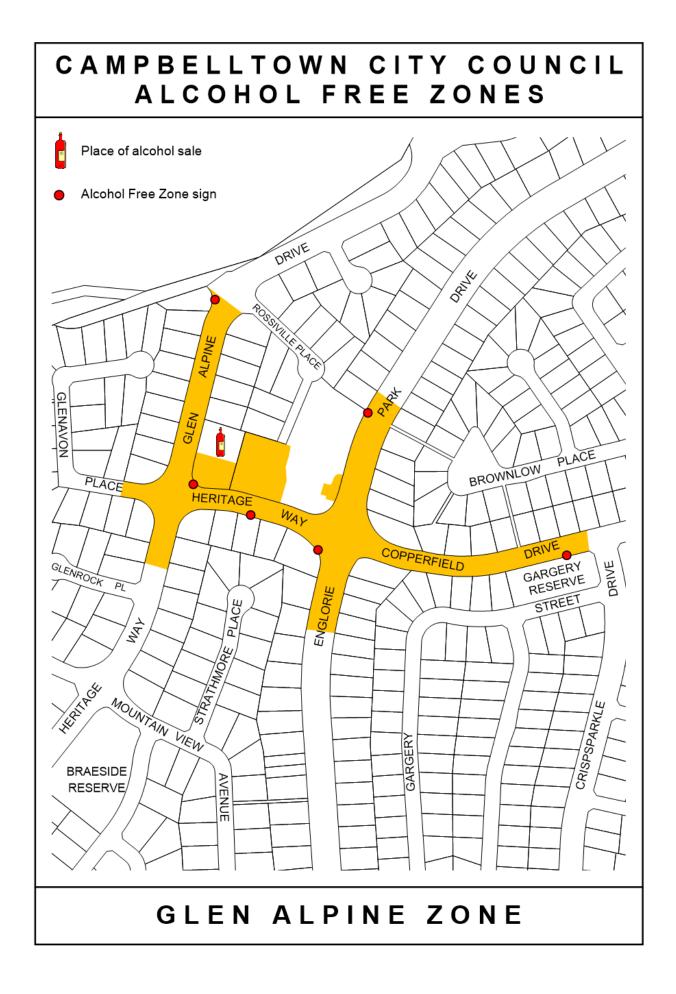
Item 8.3 - Attachment 5 Page 41



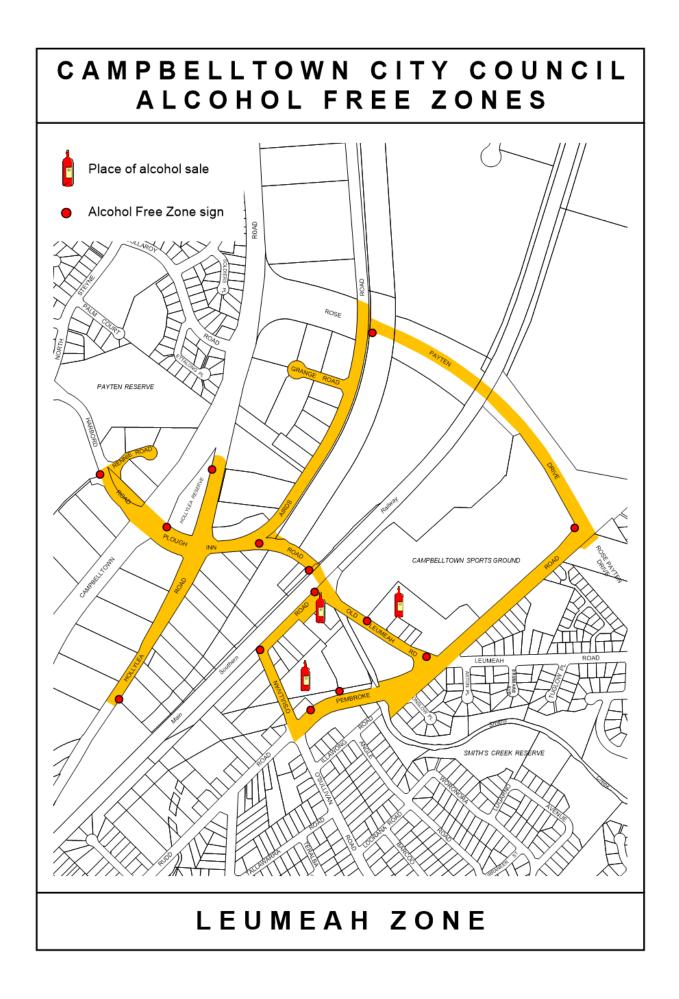
Item 8.3 - Attachment 6 Page 42

# CAMPBELLTOWN CITY COUNCIL ALCOHOL FREE ZONES Place of alcohol sale Alcohol Free Zone sign St Patricks College GEORGES RIVER RD St Thomas More Catholic Primary School CAMPBELLTOWN EAST 2 ZONE

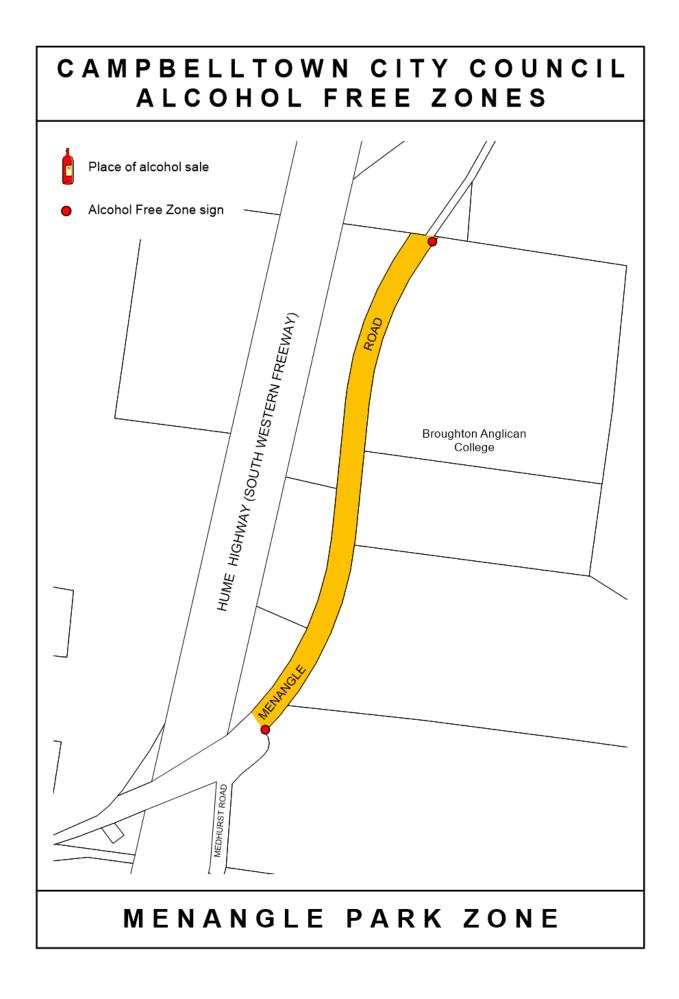
Item 8.3 - Attachment 7 Page 43



Item 8.3 - Attachment 8 Page 44



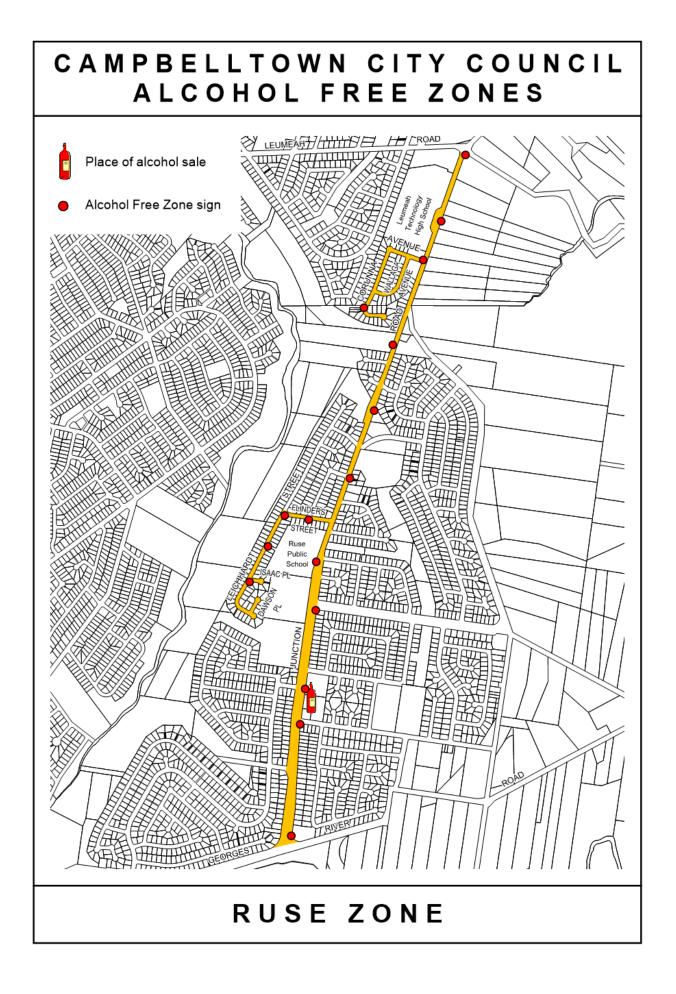
Item 8.3 - Attachment 9 Page 45



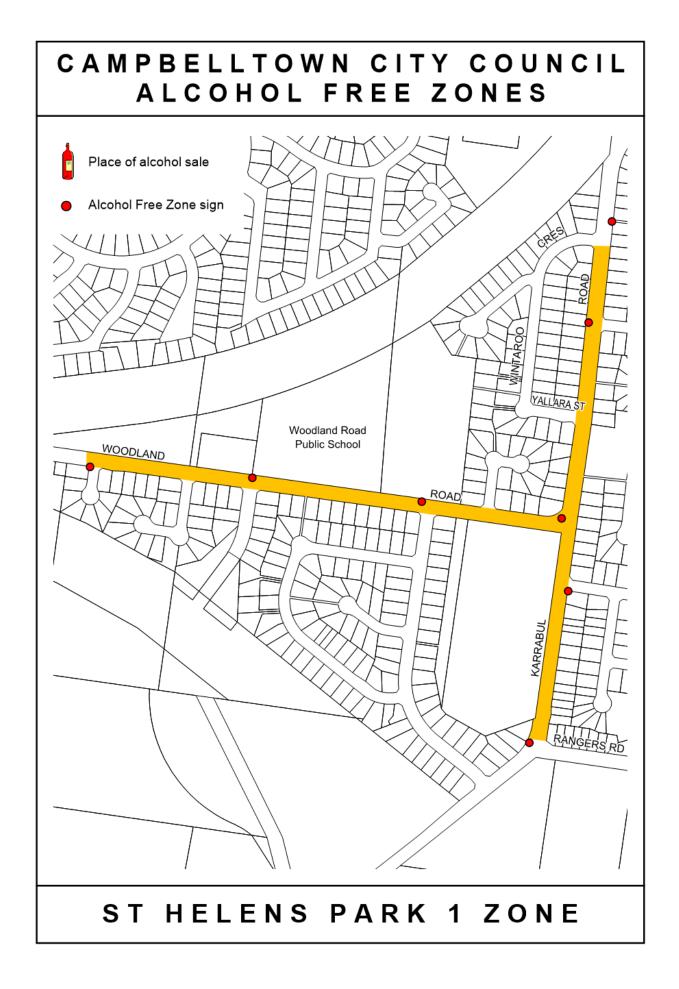
# CAMPBELLTOWN CITY COUNCIL ALCOHOL FREE ZONES Place of alcohol sale Alcohol Free Zone sign DRIVE ROSEMEADOW SPORTS COMPLEX JULIUS RESERVE AMBARVALE HIGH SCHOOL ROAD ROSEMEADOW PUBLIC SCHOOL ROSEMEADOW 1 ZONE

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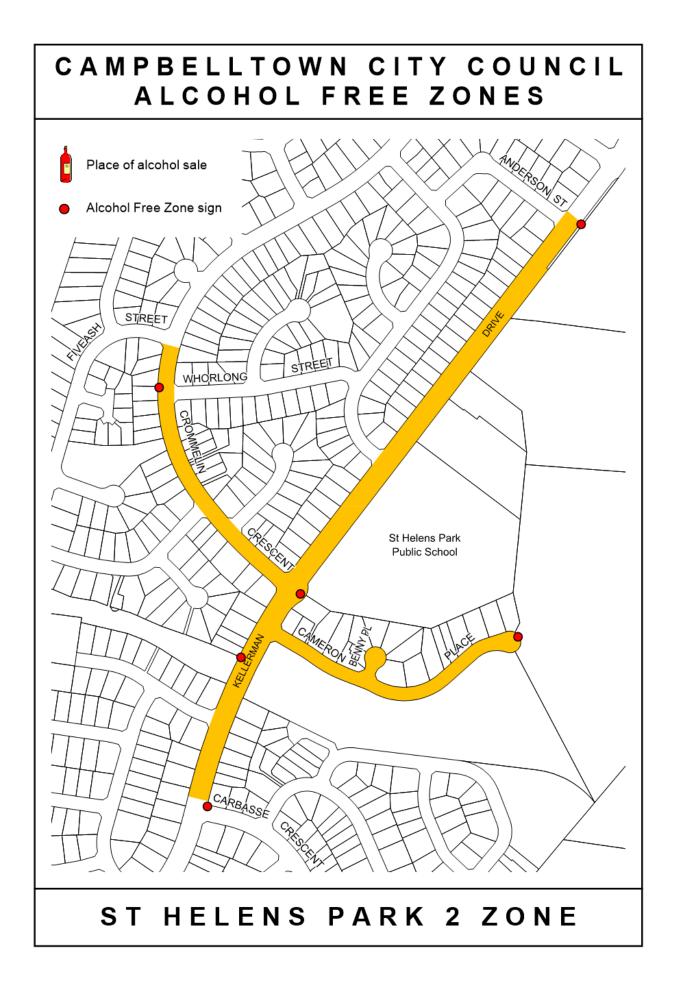




Item 8.3 - Attachment 13 Page 49



Item 8.3 - Attachment 14 Page 50



Item 8.3 - Attachment 15 Page 51

# **Ordinary Council Meeting**

CAMPBELLTOWN

#### 8.4 Planning Proposal - Removal Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury

#### **Reporting Officer**

Executive Manager Urban Release and Engagement 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 approve the forwarding of the Planning Proposal contained in attachment 1 of this report to the Minister for Planning and Public Spaces for finalisation.
- 2. That Council not exercise, via the General Manager the functions of the Minister for Planning under section 3.31(3)(b) of the Environmental Planning and Assessment Act 1979, pursuant to the Instrument of Delegation dated 14 October 2012, due to a submission being received from the NSW Rural Fire Service.
- 3. That the NSW Rural Fire Service be advised of Council's resolution.

#### **Purpose**

A submission was received from the NSW Rural Fire Service (RFS) in response to the exhibition of the subject Planning Proposal (PP) that seeks to delete Clause 4.1A 'Maximum Dwelling Density' and the associated Restricted Dwelling Yield maps from the Campbelltown Local Environmental Plan 2015 (CLEP 2015).

This report provides details of the RFS submission and a response to the same, recommends that Council adopt the PP attached to the report without amendment, and forward it to Department of Planning, Industry and Environment (DPIE) for making by the Minister for Planning and Public Space.

#### History

Council resolved at its Ordinary Meeting of 9 October 2018 to seek a Gateway Determination for a Planning Proposal to remove Clause 4.1A Maximum Dwelling Density in certain residential areas, and the related Restricted Dwelling Yield maps from the CLEP 2015. A Gateway Determination was issued by the DPIE on 6 November 2018.

The objective of the Planning Proposal is to amend CLEP 2015 to remove the restriction on the maximum number of dwellings in the Claymore, Airds/Bradbury and Western Sydney University residential precincts.

Item 8.4 Page 52 The removal of the restriction on the maximum number of dwellings would permit the continued construction of dwellings without adverse infrastructure impacts and remove the prospect of residential subdivision occurring without dwelling entitlements.

The sites are already zoned for residential development and no change in zoning is proposed. Issues that would normally be considered in rezoning for residential development have already been satisfactorily dealt with in the former residential zoning and Concept Plan Approvals.

#### Report

The purpose of this report is to present the details of a submission received from the NSW RFS and provide a recommended action to finalise the PP.

#### 1. Exhibition

In accordance with the requirements of the Gateway Determination, the PP and associated documentation was publicly exhibited from 1 June 2020 to 3 July 2020.

Exhibition of the PP was notified on Council's "have your say" webpage due to the indefinite closure of local newspaper publications, consistent with the Environmental Planning and Assessment Amendment (Public Exhibition) Regulation 2020 which commenced on 17 April 2020.

#### 2. RFS Submission

Council received a late submission from the NSW Rural Fire Service (RFS) as provided at attachment 2.

The submission raised no objection to the removal of the dwelling cap for the Western Sydney University and the Claymore sites. However, the RFS raised concern to the removal of the dwelling cap for Airds/Bradbury given its proximity to bushfire prone land and the prospect of dwelling intensification.

In response to this concern, the RFS recommended that a Strategic Bushfire Study be prepared in accordance with Planning for Bushfire Protection 2019.

#### Response:

A condition of Gateway Determination required Council, prior to public exhibition of the PP, to consult with NSW Rural Fire Service in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and update the consistency the of proposal with the Direction following the recent advice from the Service. A PP may be inconsistent with this Direction only if Council has obtained advice from the RFS that it does not object to the progression of the PP.

To confirm the RFS response does not constitute an objection, DPIE responded to a Council request (attachment 3) confirming the RFS submission is not an objection and may proceed without altering the Gateway Determination.

In forming this advice, the DPIE acknowledged that future development of land in the Airds/ Bradbury area would be assessed under the Integrated Development provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act), and therefore require

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separate referral to the RFS for General Terms of Approval. It is also the case that for each future development application that triggered the need to be assessed for bushfire impact, the application would be assessed in accordance with Planning for Bushfire Protection 2019.

On this basis, a Strategic Bushfire Study would not serve a useful planning purpose and is not proposed to be prepared.

#### 3. Statutory Considerations

As part of the Gateway Authorisation, Council was granted delegated authority to request the making of the LEP amendment. Section 3.34 of the EP&A Act allows the Minister and the Secretary to delegate functions to a Council and/or an officer or employee of a Council. Under Section 3.31(3)(b) of the EP&A Act, the Minister has delegated the plan making powers with respect to PP to Council.

At its meeting on 20 November 2012, Council resolved to formally accept the plan making delegations and delegate the plan making functions to the General Manager and Director Planning and Environment (now titled Director City Development). Acknowledgement of Council's resolution was received from the then Department of Planning and Infrastructure in January 2013.

The Department's Planning Circular (PS 18-013) in relation to the Delegation of plan making decisions advises that Council's must comply with any conditions of the Gateway determination before exercising the plan making function. This includes obtaining the agreement of the Department's Secretary for any unresolved Section 9.1 Directions. If a condition of Gateway Determination cannot be complied with, Council must not exercise the plan making function and must advise the Department.

Having regard to the Section 9.1 Direction Planning for Bushfire Protection and submission from the RFS, it is recommended that Council not exercise its delegation in this instance and refer the matter to the Department of Planning, Industry and Environment accompanied by a request that the Planning Proposal be finalised and the relevant LEP amendment be made by the Minister. Commencement of the LEP amendment would occur upon notification on the NSW Legislation website, if made by the Minister.

#### Conclusion

The Planning Proposal seeks to remove Clause 4.1A 'Maximum Dwelling Density' in certain residential areas and the corresponding Restricted Dwelling Yield Maps from the CLEP 2015. The PP has been publicly exhibited in accordance with the relevant Gateway Determination.

The PP in its current form is considered acceptable, given the fact that the lands are currently zoned for residential purposes and future development, where bushfire prone, would constitute Integrated Development and therefore would be required to comply with Planning for Bushfire Protection 2019. Special bushfire protection measures would subsequently be incorporated into any development, where required, in accordance with the relevant provisions of Planning for Bushfire Protection 2019.

Accordingly, it is recommended that Council forward the Planning Proposal attached to this report to the Department accompanied by a request for finalisation and the making of the relevant amendment by the Minister.

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#### **Attachments**

- 1. Planning Proposal Removal of Clause 4.1A from Campbelltown LEP 2015 (contained within this report)
- 2. NSW RFS Submission (contained within this report)
- 3. Letter to Council in respect of Clause 4.1A and Restricted Dwelling Yield Maps Planning Proposal (contained within this report)

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### **Planning Proposal**

### Proposed amendment of Campbelltown Local Environmental Plan 2015 Removal of Clause 4.1A

Version 3: Gateway submission

Planning Proposal – Removal of Clause 4.1A

#### **Background**

Clause 4.1A applies to land at Claymore, Campbelltown (former Western Sydney University land) and at Airds / Bradbury. It seeks to:

- a) restrict the dwelling yield on certain land at the above locations;
- b) ensure that infrastructure is not overburdened; and
- c) provide for a diversity of dwelling types.

The relevant land is identified in red on Figure 1.

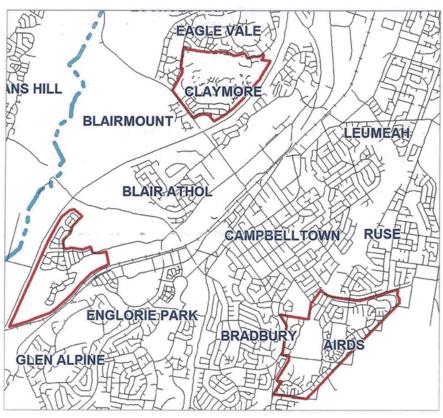


Figure 1

#### **Definitions and abbreviations**

CLEP 2015 means Campbelltown Local Environmental Plan 2015.

PP means Planning Proposal.

SEPP means State Environmental Planning Policy.

LEP means Local Environmental Plan.

Version 3: Gateway Submission

# Planning Proposal – Removal of Clause 4.1A

#### The Sites

The Campbelltown site is being developed for residential development on land that is surplus to the needs of Western Sydney University. It was previously undeveloped land. It is located 900 m west from Macarthur Station. The residential land is in the R3 zone.

The sites at Claymore and Airds / Bradbury are existing residential areas built as public housing in the 1970s and are now being redeveloped for a mix of public and private housing. Airds is located 2.5 km east of Campbelltown Station, while Claymore is located 2.3 km north west of Campbelltown Station, west of the M31. The residential land is in the R2 zone.

Figures 2 - 4 show an aerial photograph of the subject sites in their immediate context.



Figure 2 Campbelltown site

Version 3: Gateway Submission

# Planning Proposal – Removal of Clause 4.1A



Figure 3 Claymore site

Version 3: Gateway Submission

# Planning Proposal – Removal of Clause 4.1A



Figure 4 Airds Bradbury site

Version 3: Gateway Submission

Planning Proposal – Removal of Clause 4.1A

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#### Part 1 – Objectives or Intended Outcomes

The objective of the PP is to amend CLEP 2015 so as to remove the restriction on the maximum number of dwellings permissible on the lands subject to this PP.

#### Part 2 - Explanation of provisions

It is proposed that CLEP 2015 be amended to remove the clause 4.1A and the corresponding Restricted Dwelling Yield maps.

There are no changes proposed to the zoning map, Minimum Lot Size map, Dual Occupancy map or Height of Building map.

#### Part 3 - Justification

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

Is the Planning Proposal a result of any strategic study or report?
 Former Western Sydney University land

The site at Campbelltown (former Western Sydney University land) was originally expected to have a dwelling yield of 850. This limit resulted from an estimate of the traffic capacity of the road links to Narellan Road and Gilchrist Drive. A subsequent study by AECOM has concluded that the intersection of the Narellan Road, Blaxland Road and Gilchrist Drive performs at LoS E during the AM and PM peak hour. The intersection continues to experience congested conditions and considered to be the pinch point on the road network. However with the provision of additional east west links is seen to experience improvements in delay and queuing. The Macarthur Heights development is expected to account for 5.2% and 4.6% of the total traffic using the intersection during the AM and PM peak hour. One of the east west links, Badgally Road has recently been completed.

The intersection of Kellicar Road | Gilchrist Drive shows an improvement in LoS during the PM peak hour, however operates at a LoS E. The Macarthur Heights development is expected to account for 6% of the total traffic using the intersection during the AM and PM peak hour.

With the proportion of traffic generated by the Macarthur Heights development at Narellan Road, Blaxland Road, Gilchrist Drive and Kellicar Road, Gilchrist Drive consistent with typical daily fluctuations, it is deemed the requirement to resolve issues at this intersection should not fall under this development as traffic issues at both intersections are likely to be a result of background traffic growth.

The intersection of Narellan Road and WSU Road performs at an acceptable level of service however operates at capacity during the AM peak hour. AECOM have considered alternative intersection configurations that could be considered when the intersection is ultimately designed to accommodate the Maryfields development.

Version 3: Gateway Submission

#### Planning Proposal – Removal of Clause 4.1A

However planning controls outside of the CLEP 2015 permit smaller forms of residential development, which would result in a greater number of dwellings than would be possible if the limit under Cl 4.1A were not in place.

#### Claymore and Airds / Bradbury

The sites at Claymore and Airds / Bradbury were approved for development under the former Part 3A of the Environmental Planning and Assessment Act 1979. These approvals have effectively made the provisions in the CLEP 2015 redundant.

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

The planning proposal is considered to be the best means of achieving the planning objective and intended outcomes detailed in Part 1. There are no other practical means of achieving the intended outcome.

#### Section B – Relation to Strategic Planning Framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable Regional or Sub-regional Strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

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

The Greater Sydney Region Plan 2018 was released in March 2018. The PP is considered to be consistent with the plan in that it is consistent with the following relevant Directions / Objectives in Table 2.

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#### Table 2

Objective	Comments on consistency
Objective 10: Greater housing supply	The PP will assist in provide additional housing supply.
Objective 11: Housing is more diverse and affordable	The PP will assist in the provision of a more diverse range of housing types on the sites

#### Western City District Plan

The Western City District Plan was released in March 2018. The PP is considered to be consistent with the plan in that it is consistent with the following relevant Directions and Planning Priorities in Table 3.

#### Table 3

Planning Priority	Comments on consistency
Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs and services	The proposal will assist in increasing housing supply.

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# Planning Proposal – Removal of Clause 4.1A

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

#### Campbelltown Community Strategic Plan 2013 - 2023

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

The PP is generally consistent with the relevant objectives as shown below:

Outcome 1: A vibrant, liveable city

Outcome 2: A respected and protected natural environment

Outcome 3: A thriving, attractive city

Outcome 4: A successful city

#### Campbelltown Local Planning Strategy 2013

The strategy identifies a number of existing and potential "greenfields" growth nodes and their respective notional yields in which residential development is expected to take place. The site at WSU is identified for at least 800 dwellings. Claymore and Airds / Bradbury have been identified as having a modest increase in dwelling numbers in their respective redevelopment schemes.

The PP is consistent with the aims of the Campbelltown Local Planning Strategy 2013 to support residential development at WSU and support redevelopment of Claymore and Airds / Bradbury.

#### Campbelltown Residential Development Strategy 2013

Same comments as above.

The PP is consistent with the Residential Development Strategy 2013.

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

The planning proposal is generally consistent with applicable SEPPs. See Table 4 below.

#### Table 4

State Environmental Planning Policies	Comments on consistency
SEPP No. 1 Development Standards	Not applicable as CLEP 2015 is a Standard Instrument LEP & incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 14 - Coastal Wetlands	Not applicable in the Campbelltown LGA.
SEPP No. 19 - Bushland in Urban Areas	Not applicable as there is no bushland on site.
SEPP No. 21 - Caravan Parks	Not applicable to this PP.
SEPP No. 26 - Littoral Rainforests	Not applicable in the Campbelltown LGA.

Version 3: Gateway Submission

# Planning Proposal – Removal of Clause 4.1A

State Environmental Planning Policies	Comments on consistency
SEPP No. 30 - Intensive Agriculture	Not applicable to this PP.
SEPP No. 33 - Hazardous and Offensive Development	Not applicable to this PP.
SEPP No. 36 - Manufactured Home Estates	Not applicable in the Campbelltown LGA.
SEPP No. 44 - Koala Habitat Protection	Consistent as the land is already zoned to permit residential development and such issue would not be exacerbated by the PP.
SEPP No. 47 - Moore Park Showground	Not applicable in the Campbelltown LGA.
SEPP No. 50 - Canal Estates Development	Not applicable to this PP.
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable in the Campbelltown LGA.
SEPP No. 55 - Remediation of Land	Consistent as the land is already zoned to permit residential development and such issue would not be exacerbated by the PP.
SEPP No. 62 - Sustainable Aquaculture	Not applicable to this PP.
SEPP No. 64 - Advertising and Signage	Not applicable to this PP.
SEPP No. 65 - Design Quality of Residential Flat Development	Not applicable to this PP as residential flat buildings are no permitted on the subject sites.
SEPP No. 70 - Affordable Housing (Revised Schemes)	Not applicable in the Campbelltown LGA
SEPP No. 71 - Coastal Protection	Not applicable in the Campbelltown LGA.
SEPP (Affordable Rental Housing) 2009	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Educational Establishments and Child Care Facilities) 2017	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Housing for Seniors or People with a Disability)	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Infrastructure) 2007	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Integration and Repeals) 2016	Not applicable to this PP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable in the Campbelltown LGA.
SEPP (Kurnell Peninsula) 1989	Not applicable in the Campbelltown LGA.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable to this PP.
SEPP (Miscellaneous Consent Provisions)	Consistent as the PP does not propose any provisions contrary to the SEPP.

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# Planning Proposal – Removal of Clause 4.1A

State Environmental Planning Policies	Comments on consistency
SEPP (Penrith Lakes Scheme) 1989	Not applicable in the Campbelltown LGA.
SEPP (Rural Lands) 2008	Not applicable to this PP.
SEPP (State and Regional Development) 2011	Not applicable to this PP.
SEPP (State Significant Precincts) 2005	Not applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable in the Campbelltown LGA.
SEPP (Sydney Region Growth Centres) 2006	Not applicable to this PP.
SEPP (Three Ports) 2013	Not applicable in the Campbelltown LGA.
SEPP (Urban Renewal) 2010	Not applicable to this PP.
SEPP (Vegetation in Non-Rural Areas) 2017	Consistent as the PP does not propose any provisions contrary to the SEPP.
SEPP (Western Sydney Employment Area) 2009	Not applicable to this PP.
SEPP (Western Sydney Parklands) 2009	Not applicable to this PP.
REP No.2 – Georges River Catchment	Consistent, as the PP has minimal impact on the issues of REP No.2 – Georges River Catchment.
REP No.9 - Extractive Industry (No 2)	Not applicable to this PP.
REP No.20 - Hawkesbury-Nepean River (No 2 1997)	Not applicable to this PP.
Drinking Water Catchments REP No.1	Not applicable in the Campbelltown LGA.

# 6. Is the planning proposal consistent with the applicable Ministerial Directions (s.9.1 directions)?

The planning proposal is consistent with applicable Ministerial Directions. See Table 5 below.

Table 5

Ministerial Direction	Comments on consistency
I. Employment and Resources	
.1 Business and industrial Zones	Not applicable to this PP.
.2 Rural Zones	Not applicable to this PP.
.3 Mining, Petroleum Production and Extractive Industries	Not applicable to this PP.
.4 Oyster Production	Not applicable to this PP.
.5 Rural Lands	Not applicable to this PP.
2. Environment and Heritage	
2.1 Environmental Protection Zones	Not applicable to this PP.
2.2 Coastal Protection	Not applicable to this PP.

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# Planning Proposal – Removal of Clause 4.1A

Ministerial Direction	Comments on consistency
2.3 Heritage Conservation	Not applicable to this PP.
2.4 Recreation Vehicle Area	Not applicable to this PP.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable in the Campbelltown LGA.
3. Housing, Infrastructure and Urban Deve	lopment
3.1 Residential Zones	The PP seeks to provide an opportunity for housing. It can be readily and economically serviced and social infrastructure impacts appropriately addressed.
3.2 Caravan Parks & Manufactured Home Estates	Caravan Parks are currently not permitted in the R2 zone, proposed to apply to the site.
3.3 Home Occupations	The R2 Low Density Residential zone permits "Home occupations" without consent.
3.4 Integrating Land Use & transport	Consistent as the PP seeks to rezone land adjoining an existing urban area for residential development. The site is proximate to public transport.
3.5 Development Near Licensed Aerodromes	Not applicable to this PP.
3.6 Shooting Ranges	Not applicable to this PP.
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Consistent as the land is not known to exhibit acid sulphate qualities.
4.2 Mine Subsidence and Unstable Land	Not applicable to this PP.
4.3 Flood Prone Land	The lands are not identified as flood liable.
4.4 Planning for Bushfire Protection	Claymore is not identified as bushfire prone. There are land in WSU and Bradbury / Airds that are on the margins of bushfire prone land. But are already zoned for residential development.
5. Regional Planning	The state of the s
5.1 Implementation of Regional Strategies	Not applicable in the Campbelltown LGA
5.2 Sydney Drinking Water catchments	Not applicable in the Campbelltown LGA
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable in the Campbelltown LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable in the Campbelltown LGA.
5.5 -5.7	Revoked.
5.8 Second Sydney Airport	Not applicable in the Campbelltown LGA
6. Local Plan Making	
6.1 Approval and Referral Requirements	Consistent as the PP does not alter the provisions relating to approval and referral requirements.
6.2 Reserving Land for Public Purposes	Not applicable to this PP.

Version 3: Gateway Submission

# Planning Proposal – Removal of Clause 4.1A

Ministerial Direction	Comments on consistency	
6.3 Site Specific Provisions	Not applicable in the Campbelltown LGA	
7. Metropolitan Planning		
7.1 Implementation of a Plan for Growing Sydney	Consistent as the PP seeks to increase housing supply at a local scale in a location that is generally consistent with the locational commentary of the Plan.	
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to this PP.	

#### Section C - Environmental, social or economic impact

7. Is there any likelihood that critical habitat or threatened species, populations' or ecological communities, or their habitat will be adversely affected as a result of the proposal?

The land is already zoned for residential development and as such is unlikely to have any impact on any critical habitat.

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

There are no significant other environmental impacts, which require resolution in the context of the PP. The impacts in terms of stormwater water quantity and quality, traffic are considered very minor and will not require augmentation of any existing infrastructure.

While there is no known contamination of the site, SEPP \$5 - Contaminated Land, will require this to be further assessed before any proposed of land use of the subject sites.

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

The rezoning for residential purposes will result additional potential for housing supply. No adverse social impacts are anticipated.

#### Section D – State and Commonwealth interests

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

In the case of WSU, improvements in the performance of intersections that provide access the site are expected to improve when other road links are provided. Badgally Road has recently been constructed while Spring Farm Parkway is still to be resolved. No other infrastructure has been identified as being required.

No additional infrastructure has been identified as necessary to service the Claymore or Airds / Bradbury above that already identified as part of the redevelopment of these sites.

Version 3: Gateway Submission

### Planning Proposal – Removal of Clause 4.1A

11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

These views will be documented after the Gateway Determination is actioned.

#### Part 4: Mapping

In seeking to achieve the PP objective and outcomes it is proposed to delete the Restricted Dwelling Yield maps. No replacement maps are required.

#### **Part 5 - Community Consultation**

Public consultation will take place in accordance with a relevant Gateway determination.

All relevant agencies and local community will also be consulted during the mandated minimum public exhibition period.

#### Part 6 Project Timeline

Table 6 provides an outline of the notional project timeline.

Table 6

Milestone	Timeline
Planning Panel endorsement of Planning Proposal	May 2018
Council endorsement of Planning Proposal	October 2018
Referral for a Gateway Determination	October 2018
Gateway Determination	November 2018
Completion of additional supporting documentation	January 2019
Public Exhibition	February 2019
Consideration of submissions (Report to Council)	March 2018
Finalisation of LEP amendment	April 2019
Plan amendment made	May 2019

Version 3: Gateway Submission



30/05/2018

# 4.5 Planning Proposal - Remove Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury

#### **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

#### **Executive Summary**

- Clause 4.1A of the Campbelltown Local Environmental Plan, 2015 places a limit of how many dwellings can be located on particular sites at Airds/Bradbury, Claymore and Western Sydney University (Macarthur Heights Estate).
- Both the Airds/Bradbury and Claymore redevelopment sites are subject to approval
  under the former Part 3A of the Environmental Planning and Assessment Act, 1979.
  These approvals make the provisions of the Campbelltown LEP 2015 redundant
  insofar as they apply to the approved development. Therefore the clause should not
  apply to these areas.
- As for the Western Sydney University site, the cap on the number of dwellings for the site was originally set to minimise the traffic impact on surrounding roads and intersections. A more recent traffic review has identified that there is capacity for additional dwellings. Further, there has been, and will be, additional dwellings constructed on this site due to changes in legislation that enable additional dwellings to be approved as complying development. This makes it difficult to determine when the cap would be reached, exactly how many dwellings will be constructed and leaves the potential that lots would be created on which no dwelling could legally be approved due to the cap and operation of Clause 41.A.
- In these circumstances, it is appropriate to remove Clause 4.1A from Campbelltown Local Environmental Plan, 2015.

#### Officer's Recommendation

That the Campbelltown Local Planning Panel recommend to the Campbelltown City Council:

That pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979
the draft Planning Proposal to remove Clause 4.1A from the Campbelltown Local
Environmental Plan 2015 be supported by the Council and forwarded to the
Department of Planning and Environment for a Gateway Determination.

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Local Planning Panel Meeting

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#### **Purpose**

The purpose of the report is to inform and seek the advice of the Campbelltown Local Planning Panel on a draft planning proposal to be forwarded to the Campbelltown City Council for its consideration. The draft planning proposal seeks to remove Clause 4.1A from the Campbelltown Local Environmental Plan 2015, which currently imposes a cap on the number of dwellings in the new developments at Western Sydney University, Claymore and Airds/Bradbury. There is no change in zoning of land is proposed.

#### History

Campbelltown Local Environmental Plan (LEP) 2015 currently imposes a limit of the number of dwellings that may be developed in the following areas:

Airds/Bradbury	2,104
Claymore	1,490
Western Sydney University (Macarthul Heights estate)	850

However planning controls outside of the Campbelltown Local Environmental Plan (LEP) 2015 permit smaller forms of residential development, which are now taking place at the Macarthur Heights estate. For example additional dwellings are and will be permissible on individual lots as Complying Development under State Environmental Planning Policies. This is likely to result in a greater number of dwellings than is permitted due to the limit under Clause 4.1A. Unless the Campbelltown LEP 2015 is amended to remove this limitation there could be a situation where residential subdivision could occur but with no entitlement to erect a dwelling on the lots created.

The sites at Claymore and Airds/Bradbury were approved for development under the former Part 3A of the *Environmental Planning and Assessment Act 1979*. These approvals have made the provisions in the Campbelltown LEP 2015 redundant.

#### Report

Property Description: Various properties

Owners: Various

Applicant: Council

#### The site - Local/Regional Context

The subject sites are the suburbs of Macarthur Heights estate at Western Sydney University (WSU), Claymore and Airds/Bradbury. Development in each of these is already underway.

The Macarthur Heights estate at WSU is being developed for residential development on land that is surplus to the needs of WSU. It was previously undeveloped land. It is located 900m south west of Macarthur Station.

Item 4.5

#### Local Planning Panel Meeting

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The sites at Claymore and Airds/Bradbury are existing residential areas built as public housing in the 1970s and are now being redeveloped for a mix of public and private housing. Airds is located 2.5 km east of Campbelltown Station, while Claymore is located 2.3 km north west of Campbelltown Station, west of the M31.

The sites are shown as attachment 1 to this report.

#### **Existing Zoning**

The affected land at the Macarthur Heights estate at WSU is zoned R3 Medium Density Residential. The affected lands at Claymore and Airds/Bradbury are zoned R2 Low Density Residential.

No changes to the zoning and related provisions are proposed. The principal development standards in respect of minimum lots size, maximum height of buildings and maximum floor space ratios would remain unchanged.

The principal reasons for the limitation on the number of dwellings are encapsulated in the relevant clause objectives, detailed as follows:

- (a) to restrict the dwelling yield on certain land;
- (b) to ensure that infrastructure is not overburdened; and
- (c) to provide for a diversity of dwelling types.

#### The Planning Proposal

The objective of the planning proposal (PP) is to amend Campbelltown Local Environmental Plan 2015 (CLEP 2015) so as to remove the restriction on the maximum number of dwellings permissible on the lands subject to this PP.

The removal of the restriction on the maximum number of dwellings will permit the continued construction of dwellings that is currently being undertaken in each of these areas and is not considered likely to lead to any significant adverse infrastructure impacts.

#### Relationship to Strategic Planning Framework

The PP is generally consistent or of minor inconsistency with:

- Ministerial Directions for the preparation of PPs (now called Section 9.1 Directions)
- Relevant State Environmental Planning Policies
- Greater Sydney Region Plan 2018
- Western City District Plan 2018
- Campbelltown Community Strategic Plan
- Campbelltown Residential Development Strategy 2014.

Comments on the consistency/inconsistency with the above documents/directions are provided in the PP (refer to attachment 3 of this report).

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#### **Potential Infrastructure Impacts**

#### Macarthur Heights Residential Precinct – Western Sydney University

The proposed removal of the dwelling cap on the Macarthur Heights residential estate would potentially result in an increase in the overall number of dwellings within the precinct, primarily as a result of secondary dwellings being proposed under the Affordable Housing SEPP.

The original restriction on the number of dwellings of 850 under the CLEP 2015 was primarily introduced to minimise traffic impacts on the surrounding road intersections such as the intersection of Gilchrist Drive, Blaxland and Narellan Roads.

As part of the final stage (Stage 5) of the residential component of the Western Sydney University, a traffic review was undertaken to investigate the impacts of the increase of the overall dwelling numbers from that originally envisaged within the release area. The review revealed that despite the potential increase of some 400 dwellings over the originally assumed amount, the impact on local traffic is not considered to be an issue that creates a significant detrimental impact on the built environment.

#### Claymore and Airds/Bradbury

The removal of the dwelling caps within the public housing renewal estate is not anticipated to have major impacts on infrastructure.

Airds/Bradbury Precinct is subject to a Planning Agreement with an anticipated dwelling yield of 2157 dwellings. The removal of the cap in Airds/Bradbury Precinct is not anticipated to result in any dramatic increase in the number of dwellings beyond what is identified under the VPA. This is because the majority of the newly created lots within Aids/Bradbury precinct are less than 420sqm, which is the minimum site area required under the Affordable Housing SEPP to enable the site to have a secondary dwelling.

Notably, a VPA is currently being finalised for Claymore, and for the same reasons above, the removal of the dwelling cap in Claymore is unlikely to result in a large increase in the number of dwellings.

Given the above, it is not anticipated that there would be a need to upgrade the infrastructure within the housing renewal areas as a result of the removal of the dwelling cap.

#### Other planning issues

The sites are already zoned for residential development. No changes in zoning are proposed. Issues that would normally be considered in rezoning for residential development have already been dealt with in the residential zoning.

A decision to not remove the dwelling yield limitation could see residential subdivision occur but with no entitlement to erect a dwelling on each lot created.

#### Delegation to make the Plan

Given that the PP is of minor planning impact, it will be recommended to Council that it request that the Department provide Council with delegation to make the plan.

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# Local Planning Panel Meeting

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#### Conclusion

The PP is considered to represent an acceptable contemporary planning outcome for the affected lands, without any significant adverse impact on the surrounding private and public lands and service infrastructure.

As such, it is requested that Local Planning Panel provide advice on the adequacy of the PP prior to submission of a report to Council for its endorsement to seek a Gateway Determination from the Department of Planning and Environment.

## **Attachments**

Subject Sites (contained within this report)

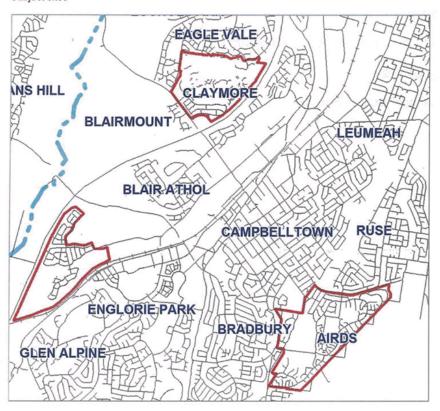
### Reporting Officer

**Executive Manager Urban Centres** 

Local Planning Panel Meeting

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# Subject sites



Item 4.5 - Attachment 1

Having declared an interest in regard to Item 4.5, Ms Miller left the Chamber and did not take part in discussion nor vote on this item.

# 4.5 Planning Proposal - Remove Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury

# **Executive Summary**

- Clause 4.1A of the Campbelltown Local Environmental Plan, 2015 places a limit of how many dwellings can be located on particular sites at Airds/Bradbury, Claymore and Western Sydney University (Macarthur Heights Estate).
- Both the Airds/Bradbury and Claymore redevelopment sites are subject to approval under the former Part 3A of the *Environmental Planning and Assessment Act*, 1979.
   These approvals make the provisions of the Campbelltown LEP 2015 redundant insofar as they apply to the approved development. Therefore the clause should not apply to these areas.
- As for the Western Sydney University site, the cap on the number of dwellings for the site was originally set to minimise the traffic impact on surrounding roads and intersections. A more recent traffic review has identified that there is capacity for additional dwellings. Further, there has been, and will be, additional dwellings constructed on this site due to changes in legislation that enable additional dwellings to be approved as complying development. This makes it difficult to determine when the cap would be reached, exactly how many dwellings will be constructed and leaves the potential that lots would be created on which no dwelling could legally be approved due to the cap and operation of Clause 41.A.
- In these circumstances, it is appropriate to remove Clause 4.1A from Campbelltown Local Environmental Plan, 2015.

#### Panel Considerations and Reasons for Decision

- Regarding Macarthur Heights, the Panel was of the view that the proposal would not result in major impacts on the surrounding road network given works which have occurred since the imposition of the caps and in view of forecast additional road works on the broader regional network
- The proposal to remove the maximum housing yield on Macarthur Heights would:
  - facilitate the delivery of additional housing stock within close proximity to Macarthur Square, and the Macarthur Railway Station.
  - provide certainty to the development industry and prospective landowners, in terms of their ability to be able to develop their residential land for housing;
- Regarding Claymore and Airds/Bradbury the proposal would increase the efficiency and certainty of new dwelling approvals
- The proposal is consistent with Council's Local Planning Strategy 2013 and Residential Development Planning Strategy 2014.
- The proposal to remove the maximum cap for housing yield within the urban renewal precincts would:
  - not result in any significant increase in the number of dwellings beyond what is identified under the VPA for Airds/Bradbury and the draft VPA for Claymore
  - provide certainty to prospective landowners, in terms of their ability to develop their residential land for housing.

Minutes of the Local Planning Panel Meeting

Local Planning Panel Meeting

30/05/2018

#### **Decision of the Panel**

That the Campbelltown Local Planning Panel recommend to the Campbelltown City Council:

That pursuant to section 3.34 of the Environmental Planning and Assessment Act 1979
the draft Planning Proposal to remove Clause 4.1A from the Campbelltown Local
Environmental Plan 2015 be supported by the Council and forwarded to the
Department of Planning and Environment for a Gateway Determination.

#### Voting

The Local Planning Panel voted 3/0.

At the conclusion of the discussion regarding Item 4.5, Ms Miller returned to the Chamber for the remainder of the meeting.

The open session of the Panel Meeting concluded at 4:17pm and the Panel then adjourned to consider the items of business and information presented to the Panel during its hearing.

The next meeting of the Local Planning Panel is scheduled for 27 June 2018 at 3.00pm in the Council Chambers, Level 3, Civic Centre, Campbelltown.

lan Reynolds Chairperson

Minutes of the Local Planning Panel Meeting



09/10/2018

# 8.2 Planning Proposal - Remove Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury

# Reporting Officer

Director City Development City Development

## Community Strategic Plan

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

#### Officer's Recommendation

- That Council supports the draft planning proposal to remove Clause 4.1A from the Campbelltown Local Environmental Plan 2015.
- 2. That Council forward the draft planning proposal (refer to attachment 1) to the Greater Sydney Commission for a gateway determination.
- 3. That subject to no major issues raised by the gateway determination, Council proceeds to public exhibition of the draft planning proposal.
- 4. That Council request that the gateway determination only require the public exhibition be for a period of 14 days.
- 5. That Council request delegation from the Greater Sydney Commission to allow Council to finalise the draft planning proposal.
- 6. That subject to no objections being received, as a result of the public exhibition, Council proceed to finalising the draft planning proposal.

#### **Purpose**

The purpose of the report is to seek Council's endorsement to forward a draft planning proposal to the Greater Sydney Commission for a gateway determination to remove Clause 4.1A from the Campbelltown Local Environmental Plan (LEP) 2015, which currently imposes a cap on the number of dwellings in the new developments at Western Sydney University, Claymore and Airds/Bradbury. There is no change in zoning of land proposed.

Campbelltown LEP 2015 currently imposes a limit of the number of dwellings that may be developed in the following areas:

Airds / Bradbury	2,104
Claymore	1,490
Western Sydney University (Macarthur Heights estate)	850

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The sites at Claymore and Airds/Bradbury are existing residential areas built as public housing in the 1970's and are now being redeveloped for a mix of public and private housing. Airds is located 2.5 km east of Campbelltown Station, while Claymore is located 2.3 km north west of Campbelltown Station, west of the M31.

The sites are shown as attachment 1 to this report.

#### Report

#### 1. Existing Zoning

The affected land at the Macarthur Heights estate at the Western Sydney University (WSU) is zoned R3 Medium Density Residential. The affected lands at Claymore and Airds/Bradbury are zoned R2 Low Density Residential.

No changes to the zoning and related provisions are proposed. The principal development standards in respect of minimum lots size, maximum height of buildings and maximum floor space ratios would remain unchanged.

The principal reasons for the limitation on the number of dwellings are encapsulated in the relevant clause objectives, detailed as follows:

- (a) to restrict the dwelling yield on certain land
- (b) to ensure that infrastructure is not overburdened
- (c) to provide for a diversity of dwelling types.

# 2. The Planning Proposal

The objective of the draft planning proposal (PP) is to amend Campbelltown LEP 2015 so as to remove the restriction on the maximum number of dwellings permissible on the lands subject to this PP.

The removal of the restriction on the maximum number of dwellings will permit the continued construction of dwellings that is currently being undertaken in each of these areas and is not considered likely to lead to any significant adverse infrastructure impacts.

# 3. Relationship to Strategic Planning Framework

The PP is generally consistent or of minor inconsistency with:

- ministerial directions (now called Section 9.1 Directions) for the preparation of PP's
- relevant State environmental planning policies
- Greater Sydney Region Plan 2018
- Western City District Plan 2018
- Campbelltown Community Strategic Plan
- Campbelltown Residential Development Strategy 2014.

Comments on the consistency/inconsistency with the above documents/directions are provided in the PP (refer to attachment 2 of this report).

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#### 4. Potential Infrastructure Impacts

# Macarthur Heights Residential Precinct – Western Sydney University

The proposed removal of the dwelling cap on the Macarthur Heights residential estate would potentially result in an increase in the overall number of dwellings within the precinct, primarily as a result of secondary dwellings being proposed under the NSW Government's Affordable Housing SEPP. This situation has not arisen from the actions of Council.

The original restriction on the number of dwellings of 850 under the Campbelltown LEP 2015 was primarily introduced to minimise traffic impacts on the surrounding road intersections.

As part of the final stage (Stage 5) of the residential component of the WSU, a traffic review was undertaken to investigate the impacts of the increase of the overall dwelling numbers from that originally envisaged within the release area. The review revealed that despite the potential increase of some 400 dwellings over the originally assumed amount, there has been an increase in the capacity of Narellan Road and Gilchrist Drive since their upgrades and the future delivery of Spring Farm Parkway which will assist in long term road infrastructure capacity for the additional housing. It is considered the removal of the cap is therefore not likely to result in a significant adverse impact on the current level of service of the local road network.

# Claymore and Airds/Bradbury

The removal of the dwelling caps within the public housing renewal estate is not anticipated to have major impacts on infrastructure.

The Airds/Bradbury Precinct is subject to a planning agreement with an anticipated dwelling yield of 2157 dwellings. The removal of the cap in Airds/Bradbury Precinct is not anticipated to result in any dramatic increase in the number of dwellings beyond what is identified under the planning agreement. This is because the majority of the newly created lots within Aids/Bradbury precinct are less than 420sqm, which is the minimum site area required under the Affordable Housing State Environmental Planning Policy to enable the site to have a secondary dwelling.

Notably, a planning agreement is currently being finalised for Claymore, and for the same reasons above, the removal of the dwelling cap in Claymore is unlikely to result in a large increase in the number of dwellings.

Given the above, it is not anticipated that there would be a need to upgrade the infrastructure within the housing renewal areas as a result of the removal of the dwelling cap.

#### Other planning issues

The sites are already zoned for residential development. No changes in zoning are proposed. Issues that would normally be considered in rezoning for residential development have already been dealt with in the residential zoning.

A decision to not remove the dwelling yield limitation could see residential subdivision occur without an entitlement to erect a dwelling on each lot created.

As part of the upcoming LEP review and preparation of an updated housing strategy, Council will need to consider the impact of changes made to State Environmental Planning Policies.

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#### 4. Campbelltown Local Planning Panel comments

A report on the draft PP was considered by the Campbelltown Local Planning Panel (the Panel) on 30 May 2018. The Panel considered that it was appropriate to remove Clause 4.1A from Campbelltown Local Environmental Plan, 2015. The Panel's considerations and reasons for the decision were as follows:

- regarding Macarthur Heights, the panel was of the view that the proposal would not result
  in major impacts on the surrounding road network given works which have occurred since
  the imposition of the caps and in view of forecast additional road works on the broader
  regional network.
- the proposal to remove the maximum housing yield on Macarthur Heights would:
  - facilitate the delivery of additional housing stock within close proximity to Macarthur Square, and the Macarthur Railway Station
  - provide certainty to the development industry and prospective landowners, in terms of their ability to be able to develop their residential land for housing
- regarding Claymore and Airds/Bradbury the proposal would increase the efficiency and certainty of new dwelling approvals
- the proposal is consistent with Council's Local Planning Strategy 2013 and Residential Development Planning Strategy 2014.
- the proposal to remove the maximum cap for housing yield within the urban renewal precincts would:
  - not result in any significant increase in the number of dwellings beyond what is identified under the planning agreement for Airds/Bradbury and the draft Planning agreement for Claymore
  - provide certainty to prospective landowners, in terms of their ability to develop their residential land for housing.

### 5. Delegation to make the Plan

Given that the draft PP is of minor planning impact, it is recommended that Council request the Greater Sydney Commission provide Council with delegation to make the plan.

#### 6. Conclusion

The draft Planning Proposal seeks to amend the Campbelltown Local Environmental Plan 2015 (LEP), by removing Clause 4.1A which currently imposes a cap on the total number of dwellings allowed to be developed in the Western Sydney University development at Macarthur Heights, and separately within the urban renewal areas of Claymore and Airds/Bradbury.

Consideration has been given to the potential impact that such an amendment may have on the existing and future land users, and that of the amenity of surrounding neighbourhoods.

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toent

Having regard to the commentary found within the body of the report, it is considered that such an amendment will have a negligible impact on the areas of Claymore and Airds/Bradbury, and when considering the recent upgrade in capacity in the road networks surrounding the University lands, and the soon to be constructed freeway ramps at Menangle Park, it is unlikely that the removal of the cap from the Macarthur Heights precinct will result in a significant adverse impact on the current level of service of the road network in proximity to the university.

The need to amend the LEP has come about (in particular with the Macarthur Heights Estate) due to unforeseen changes to State Environmental Planning Policies that subsequent to the making of the LEP and despite the cap being imposed by Council for good reason at the time, allowed additional dwellings to be constructed in earlier stages of that development. This has resulted in a higher number of dwellings being constructed in the early stages of the project and the potential to reach the dwelling cap well before the last stages of the development site has been released.

Without taking a proactive response to this scenario, purchasers of land in later stages may not be legally entitled to construct a dwelling ion their lot, due to the current dwelling cap.

As such, it is considered appropriate to amend the LEP, with the proposed amendment considered to represent an acceptable contemporary planning outcome for the affected lands in the circumstances, without there being a significant adverse impact on the surrounding private and public lands and service infrastructure.

The changes to the State Environmental Planning Policies are outside the control of Council but have resulted in changes to the nature of development in the Macarthur Heights Residential Precinct.

It is important to amend the Local Environmental Plan to remove the cap before there are unreasonable consequences for land owners in later stages of the development.

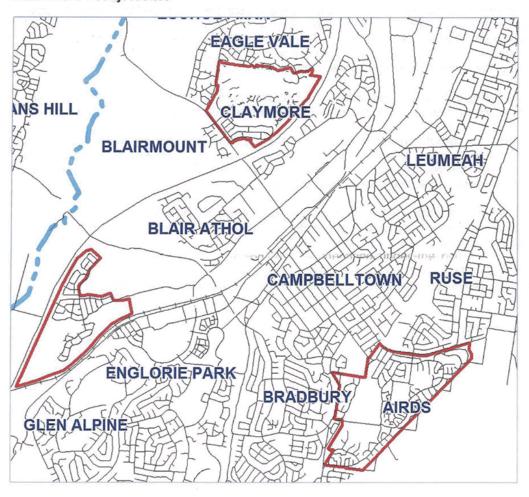
# **Attachments**

1. Subject Sites (contained within this report)

Item 8.2

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# Attachment 1 Subject sites



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#### 239 The Motion on being Put was CARRIED.

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

Voting against the Resolution were Nil.

Having declared an interest in Item 8.2 Councillor Brticevic left the Chamber at 8:09pm and did not take part in the discussion or vote on the matter.

# 8.2 Planning Proposal - Remove Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury

It was Moved Councillor Chowdhury, Seconded Councillor Hunt:

- That Council supports the draft planning proposal to remove Clause 4.1A from the Campbelltown Local Environmental Plan 2015.
- That Council forward the draft planning proposal (refer to attachment 1) to the Greater Sydney Commission for a gateway determination.
- That subject to no major issues raised by the gateway determination, Council proceeds to public exhibition of the draft planning proposal.
- That Council request that the gateway determination only require the public exhibition be for a period of 14 days.
- That Council request delegation from the Greater Sydney Commission to allow Council to finalise the draft planning proposal.
- That subject to no objections being received, as a result of the public exhibition, Council proceed to finalising the draft planning proposal.
- 240 The Motion on being Put was CARRIED.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison, G Greiss and R George.

Voting against the Resolution were Councillor B Thompson.

Councillor Brticevic returned to the Chamber at 8:36pm at the conclusion of Item 8.2.

Minutes of the Ordinary Meeting of Council

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Item 8.4 - Attachment 1

09/10/2018

### 8.3 Status of Applications

It was Moved Councillor Lake, Seconded Councillor Thompson:

That the information be noted.

241 The Motion on being Put was CARRIED.

### 8.4 Greater Macarthur Koala Partnership Forum

It was Moved Councillor Brticevic, Seconded Councillor Hunt:

That:

- Council collaborate with relevant stakeholders in supporting the creation of a 'Greater Macarthur Koala Partnership Forum' to further investigate:
  - a) the implementation of a natural assets corridor network for the Greater Macarthur Growth Area supporting the long term vision of future-proofing koala habitat and movement within the region.
  - b) the feasibility of developing a koala care program for the Greater Macarthur region; and in doing so explore opportunities for the establishment of local facilities for a koala hospital and rehabilitation sanctuary (that could provide contingencies to further leverage eco-tourism and draw visitors to the area).
- 2. Council invite Wolfondilly Shire Council, relevant community groups including representatives of WIRES and other local koala rescue groups, local veterinarians, relevant State and Commonwealth agencies, landowners within the Greater Macarthur Growth Area, local Members of Parliament and the Georges River Combined Councils' Committee (GRCCC) 'Riverkeeper' seeking their direct involvement in the Forum. The structure and membership of the Forum should allow for the addition of future relevant stakeholders as identified.
- Council invites Wollondilly Shire Council to extend an invitation to interested landholders of the Wollondilly Shire, where their land holdings also exist within the Greater Macarthur Growth Area (Wollondilly) and form part of important koala corridors.
- 242 The Motion on being Put was CARRIED.

# 8.5 Minutes of Campbelltown Arts Centre Strategic Committee held 29 August 2018

It was Moved Councillor Oates, Seconded Councillor Moroney:

That the minutes be noted with an amendment to Item 6.2 to replace 'Carmel Blanko' with Carmen Blanco.

Minutes of the Ordinary Meeting of Council

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Item 8.4 - Attachment 1





Campbelltown City Council PO Box 57 Campbelltown NSW 2560

Your Reference: Planning Proposal for CL 4.IA Maximum

dwelling density.

Our Reference: SPI20200611000110

15 July 2020

Attention: Graham Pascoe

Dear Sir,

LEP Amendment – Planning Proposal Amendment Campbelltown City Council LEP 2015, Removal of Clause 4.1A, remove restriction on maximum number of dwellings in Residential Areas Campbelltown NSW 2560

I refer to your correspondence dated 29/05/2020 regarding the above proposal. The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted proposing amendments to Campbelltown City Councils 2015 *Local Environmental Plan*, to maximum residential density controls, in the three residential sites comprising of Campbelltown, Claymore and Airds/ Bradbury.

An examination revealed that there were no objections relating to the removal of the dwelling cap, in either of the Campbelltown and the Claymore residential sites, subject to council being satisfied that these sites will be able to meet compliance with *Planning for Bush Fire Protection 2019*.

In respect of the Airds/ Bradbury residential site, given its proximity to the adjacent bushfire prone land and the proposed dwelling intensification issues, a Strategic Bush Fire Study should be prepared. It should address the minimum components as listed in PBP 2019 Chapter 4 Sections 4.1 Strategic principles, Section 4.2 Strategic Planning in Bush Fire prone areas Table 4.2.1, Section 4.3 Regional Strategies and Section 4.4 *Local Environmental Plans* (LEPs). This may preclude or impact upon the ability of newly created additional building lots entitlements, to be developed with future dwellings constructed to BAL 29.

The Strategic Bush Fire Study needs to be undertaken prior to any further progression through the Gateway process.

If you have any queries regarding this advice, please contact Craig Casey, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely.

Signature Removed

Nika Fomin

Manager, Planning and Environment Services (East)

Postal address

NSW Rural Fire Service Locked Bag 17 GRANVILLE NSW 2142 Street address

NSW Rural Fire Service 4 Murray Rose Ave SYDNEY OLYMPIC PARK NSW 2127 T (02) 8741 5555 F (02) 8741 5550 www.rfs.nsw.gov.a



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Mr F Rayner
Executive Manager Urban Release and Engagement
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Via email: Fletcher.rayner@campbelltown.nsw.gov.au

Dear Mr Rayner

# Planning Proposal, Removal of Clause 4.1A and Restricted Dwelling Yield Maps (PP\_2018\_CAMPB\_008\_02)

I refer to your letter regarding the Airds/Bradbury Precinct and Concept Plan approved under the former Part 3A provisions of the *Environmental Planning and Assessment Act 1979*, and Gateway determination issued for the above planning proposal.

A condition of the Gateway determination required Council, prior to public exhibition of the planning proposal, to "consult with NSW Rural Fire Service in accordance with section 9.1 Direction 4.4 Planning for Bushfire Protection and update the consistency of proposal with the Direction following the receipt of advice from the Service." I note that a under the section 9.1 Direction 4.4 a planning proposal maybe inconsistent with this Direction only if Council has obtained advice that the RFS does not object to the progression of the planning proposal.

I have reviewed the NSW Rural Fire Service (RFS) letter to Council dated 15 July 2020, which advised that a Strategic Bush Fire Study should be prepared for the Airds/Bradbury precinct, prior to further progression through the Gateway process.

I understand that the precinct has an approved number of dwellings capped at 2104, and that the estimated yield if the cap was removed, would increase to 2157, in accordance with an executed voluntary planning agreement, and that these additional dwellings would be located on land already zoned for residential development. In recommending approval for the Airds/Bradbury Precinct, the Director General's Environmental Assessment Report (DG Report), in Section 5.10, addressed bushfire risk in the context of Planning for Bushfire Protection 2006. The DG Report concluded that the precinct is suitable and capable of being developed as proposed in the Concept Plan.

I met with the RFS on 1 October 2020 to discuss the matter further and based on the information above, I can confirm RFS does not object to the proposal. I further note that Council has confirmed that certain Development Applications on the site will be assessed under the Integrated Development Provisions of the *Environmental Planning and Assessment Act 1979* and therefore require referral to the RFS for

4 Parramatta Square 12 Darcy Street Parramatta NSW 2150 | Locked Bag 5022 Parramatta NSW 2124 | planning.nsw.gov.au

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General Terms of Approval prior to consent being granted. These DAs will be assessed pursuant to Planning for Bush Fire Protection, 2019.

Therefore, Council may proceed with progressing the planning proposal and that an alteration to the Gateway determination is not required in this instance. If you have any questions in relation to this matter, I have arranged for Ms Naomi Moss Manager Western to assist you. Ms Moss can be contacted 02 9274 6351.

Yours sincerely

Signature Removed

7 October 2020

Adrian Hohenzollern Director Western Central River City & Western Parkland City

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# 8.5 The Meadows, Ingleburn Gardens Planning Proposal

# **Reporting Officer**

Executive Manager Urban Release and Engagement 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, forward the attached draft Planning Proposal (attachment 1) relating to land within the Meadows Precinct, to the Department of Planning, Industry and Environment seeking endorsement of Gateway Determination.
- 2. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979*, that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
- 3. That following the public exhibition:
  - (a) where submissions are received by Council during the public exhibition period, a submissions report be presented to Council, or
  - (b) where no submissions are received by Council during the public exhibition period, the draft Planning Proposal be finalised.
- 4. That subject to recommendation 3(a) Council exercise via the General Manager the approval functions of the Minister under Section 3.36 (2)(a) of the *Environmental Planning and Assessment Act 1979*, to make the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

# **Executive Summary**

- Don Fox Planning (DFP) on behalf of Jessica Investments Pty Ltd has submitted a Planning Proposal Request (PPR) (attachment 3) that seeks to rezone residual land in The Meadows, Ingleburn Gardens Estate from RE2 Private Recreation to R3 Medium Density Residential and to implement a nine metre Height of Building control.
- The site is within the existing area known as 'Ingleburn Gardens Estate' which encompasses residential, community and residual lots. Stage 12 of Ingleburn Gardens Estate is known as 'The Meadows' and received development consent on 4 June 2016 for 210 community title lots and one residual lot.

- Councillors were briefed on the PPR on 2 June 2020 where it was requested that appropriate landscape screening or art treatment of the proposed acoustic walls be addressed.
- The Local Planning Panel (the Panel) considered the matter on 22 July 2020 and provided advice regarding amendments that have been agreed to by the applicant.
- It is recommended that the PPR has strategic merit and would support future development consistent with the local context, subject to attenuating noise from the M31 Motorway via sound walls and dwelling insulation.

# **Purpose**

To assist Council in its decision whether to support the progression of the subject application for a Gateway Determination in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Property Description Lot 39 DP 280076
Application No 634/2020/E-PP

Applicant Jessica Investments Pty Ltd.

Owner Jessica Investments Pty Ltd.

**Provisions** Campbelltown Local Environmental Plan 2015

Section 9.1 Ministerial Directions

Greater Sydney Region Plan
Western City Region Plan

Campbelltown Community Strategic Plan

Campbelltown Local Strategic Planning Statement

Campbelltown Draft Local Housing Strategy

State Environmental Planning Policies

Campbelltown (Sustainable City) Development Control Plan 2015

Volume 2 - Part 6 Edmondson Park Smart Growth

Date Received 4 March 2020

# History

In March 2006, Amendment No. 12 of the Campbelltown (Urban Area) Local Environmental Plan 2002 (2002 CLEP) rezoned 'Ingleburn Garden's Estate' to part 2(c) Residential B Zone and 6(c) Private Open Space Zone. Prior to this time, the land was reserved for future development under the Campbelltown Local Environmental Plan 112 (1991). This was further amended by the standard instrument translation of the Ingleburn Gardens Estate into Campbelltown Local Environmental Plan 2015 which applied the R3 Medium Density Residential and RE2 Private Recreation zones.

At its Ordinary Meeting held on 12 February 2008, Council granted development consent (552/2009/DA-MP) for a staged community title subdivision along with the creation of roads, landscaping, community facilities and associated infrastructure over 11 stages for a total of 258 residential allotments.

The approved Masterplan included a future school on the southern end of the Ingleburn Garden's Estate. Although the school was granted development consent in 2004, the only works advanced were the access road known as Ingleburn Gardens Drive. On 8 June 2016, this consent was superseded by a residential subdivision (DA3508/2015 DA-SW) known as Stage 12 'The Meadows', which included an additional 210 community-titled residential lots, a community recreation facility, residue lots and associated works.

The PPR submitted seeks to rezone the allotments that formed part of the residue land created in response to the development of the Community Facilities.

A summary of the development history is provided in Table 1 below.

**Table 1: Development Application History** 

DA Number	Date Approved	Title
426/2003/DA-C	30 June 2004	Erection of two classrooms, access road, carpark and site works
1968/2006/DA-S	6 July 2007	Subdivision into eight allotments
1969/2006/DA-S	6 July 2007	Subdivision creating nine Community titled allotments
1970/2006/DA-S	6 July 2007	Subdivision into 21 Community title allotments
1972/2006/DA-M	6 July 2007	Construction of nine two storey dwellings, general store with apartments above, community room, road, carpark and use of two dwellings as display homes.
1979/2006/DA- MP	12 February 2008	Staged development of 258 residential allotments, associated roads, community facilities, landscaping and drainage works.
552/2009/DA-MP (Several Modifications occurred A-E)	7 July 2010	Staged development of residential subdivision, site works, road, landscaping and drainage.
554/2009/DA-S	20 January 2010	Subdivision deferred commencement approval stage 3 subdivision into 28 allotments.
3508/2015/DA- SW	8 June 2016	Subdivision of land to create 210 community titled allotments, one community allotment, roads, drainage, landscaping and a community facility.
634/2020/E-PP	Under Assessment	Planning Proposal Request to seek rezoning of residual allotments as a result from 3508/2015/DA-SW.

The PPR was forwarded to the Campbelltown City Council Local Planning Panel (the Panel), at its meeting of 22 July 2020 who provided the following advice:

1. The Panel recommends to the Council that the PPR in its current form should not proceed as it represents a significant departure from the Ingleburn Gardens Masterplan Concept that identified the land the subject of the proposal as a landscaped acoustic barrier (mound/wall) and hence the zoning as RE2 Private Recreation.

- 2. The Panel is of the opinion that the PPR in its current form does not demonstrate site specific merit or provide a public benefit.
- 3. The Panel recommends to the Council that an amended proposal should seek to deliver the following outcomes and public benefits in order to demonstrate site specific merit:
  - a. Lot 39 to be zoned residential. Any future residential development on Lot 39 should consider amenity, open space, noise and other considerations within the DCP to improve future urban design outcomes. The residential concepts provided with the current PPR do not achieve these desired urban design outcomes.
  - b. Lot 40 to the north of the established community facility should remain zoned RE2 and be incorporated as a pocket park or similar and/or incorporated in to the community facility/community scheme as a public benefit for the existing and additional residents. The embellishment of this space should also be linked to any approved proposal.
  - c. The rezoning of Lot 39 to residential requires, based on the applicant's documentation, the erection of an acoustic wall between the site and the M31 Motorway and the construction of the wall within a screened landscaped setting should be a requirement linked to any rezoning of land. Landscaping associated with the acoustic wall would constitute a public benefit to the residents of the development as well as when viewed from the adjacent motorway. Assurance is required that the acoustic wall will be built in order to benefit the community.
  - d. The existing housing to the west of Lot 39 should also receive a public benefit from the future development by way of improved acoustic amenity and landscaping, inclusive of street trees on both sides of the street and bollards to address illegal dumping.
  - e. The bushland lot zoned RE1 Public Recreation is not suited for active or passive recreation purposes and should not be considered as providing this function in any determination concerning the merits of the proposal.
- 4. The Panel recommends to the Council that it considers negotiating a Planning Agreement with the applicant in order to deliver the public benefits identified above.

In response to the Panel's advice, the applicant has amended the PPR as discussed in this report.

#### The Land

The subject land is formally known as Lot 39 in DP 280076 and forms part of the 'The Meadows' subdivision in Ingleburn Garden's Estate as illustrated in Figure 1, attachment 1. The Ingleburn Garden's Estate is approximately 37 hectares and is bounded by the Hume Highway to the east and Campbelltown Road to the North-West.

The subject allotment is located within the south-eastern portion of The Meadows precinct and is approximately 5,594sqm. The lot is accessed from Webber Circuit and adjoin existing medium density development and existing community facilities.

# Report

The PPR (attachment 3) seeks to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) to:

- Rezone the land from RE2 Private Recreation to R3 Medium Density Residential
- Implement a Height of Building limit of 9m given that no control currently applies

The purpose of the amendment is to support a future subdivision of approximately 27 lots of varying size.

The PPR is supported by a planning report and the following studies which are still relevant to the proposed changes:

- Noise Impact Assessment, Acoustic Logic
- Traffic Impact Assessment, PTC

The PPR also includes a concept subdivision layout, proposed dwelling design and an acoustic wall detail (attachment 3, Appendix 1). Importantly, the proposed concept plan and dwelling design are conceptual only and would be subject to a future development application for subdivision and separate dwelling applications.

In response to the Panel's advice, the applicant has amended the PPR to retain Lot 40 as a pocket park within the Community Title Scheme. The negotiation of a voluntary planning agreement is not considered necessary as all future works would relate to private community land and would not constitute a public benefit. Rather, works such as a sound wall would be assessed and could be conditioned as part of any future development application for subdivision works.

The applicant's PPR has been translated into a Council draft Planning Proposal (PP) (attachment 1) which is assessed under the relevant heading below.

#### **Discussion**

This report considers the strategic context of the PP in relation to State and Local Planning Policies and the potential impacts of the proposal.

#### 1. Strategic Context

The following State, District and Local planning policies are relevant to the proposal.

# 1.1 Greater Sydney Region Plan

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan 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. An assessment of the PP against the relevant Directions and Objectives of the GSRP is provided within attachment 1.

The PP is generally consistent with the GSRP particularly as the proposal seeks to ensure that development is aligned with the existing urban zoning, is within close proximity to the Edmondson Park train station and would provide housing diversity in the form of attached or dual occupancy development.

### 1.2 Western City District Plan

The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The District Plan identifies Ingleburn Gardens Estate as an Urban Area within the Campbelltown Local Government Area (LGA). The CLEP 2015 is the principal environmental planning instrument that applies to the land. An assessment of the PP against the relevant Directions and Priorities District Plan is provided within the Planning Proposal (attachment 1).

The PP is generally consistent with the District Plan particularly as the proposal seeks to ensure that further medium density housing is provided within close proximity to the employment, public transport and open space within the LGA.

# 1.3 Consideration of State Environmental Planning Policies

The PP is consistent with relevant State Environmental Planning Policies (SEPP) that apply to the site. A detailed list of the SEPPs and statement of consistency is provided within the PP (attachment 1).

#### 1.4 Consideration of Section 9.1 Ministerial Directions

The PP is generally consistent with the Section 9.1 directions issued by the Minister for Planning. A detailed commentary in respect of the relevant Section 9.1 directions is within the PP (attachment 1).

# 1.5 Campbelltown Community Strategic Plan 2017-2027

The Campbelltown City Community Strategic Plan (CSP) is a 10 year vision that identifies the main priorities and aspirations for the future of the Campbelltown City Local Government Area (LGA) and is Council's long term plan to deliver the community inspired vision.

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The PP is consistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

CSP Outcome	Statement of Consistency	
Outcome 1		
A vibrant, liveable city	<ul> <li>The Proposal provides for greater housing choice and diversity.</li> <li>The proposal seeks to create a solution in regards to</li> </ul>	
	acoustic volumes in respect of the Hume Highway.	
Outcome 2		
A respected and protected natural environment	• The Proposal does not impact the natural environment as the subject land has already been established as a vacant Torrens titled allotment.	
Outcome 3		
A thriving, attractive city	• The Proposal would support the future development of land that is currently vacant in support of the existing community scheme.	
Outcome 4		
A successful city	<ul> <li>The Proposal seeks to increase residential development within the existing Ingleburn Garden's Estate, providing housing choice in close proximity to an existing centre and high frequency public transport.</li> </ul>	

### 1.6 Local Strategic Planning Statement 2019

The Local Strategic Planning Statement (LSPS) details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- provide a 20 year land use vision for the Campbelltown LGA
- outline the characteristics that make our city special
- identify shared values to be enhanced or maintained
- direct how future growth and change will be managed

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PP is consistent with the draft LSPS as the proposal has alignment with Council's Community Strategic Plan and the relevant Directions, Objectives and Priorities of the District Plan.

# 1.7 Draft Campbelltown Local Housing Strategy 2020

The primary aim of the Draft Campbelltown Local Housing Strategy (CLHS) is to examine the housing needs of Campbelltown's current and future residents and puts forward an evidence based approach to managing sustainable housing growth to 2036.

The housing vision for Campbelltown LGA is to provide sustainable, high quality housing options to meet the diverse accommodation needs of the local community and future population growth.

The objectives of the CLHS are as follows:

- Meet the housing needs of the future population.
- To support urban containment.
- To provide for housing that meets the needs of all households.
- To encourage the provision of new housing in locations that support the 30 minute city principle.
- To encourage the planning of housing within neighbourhoods.
- Manage the development of Greenfield release areas.
- Facilitate the urban renewal of walkable catchments
- Support housing growth in the Campbelltown CBD
- Plan for incremental growth through infill development which is compatible with the desired neighbourhood character.
- Promote high quality and environmentally sustainable residential environments.

The PP is consistent with the Draft CLHS and is considered to be reflective of the vision, the proposal also supports the above objectives.

# 1.8 Campbelltown Local Environmental Plan 2015

The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework and proposed amendment are below.

CLEP 2015 Current	Proposed Amendment	Comment		
Land Use Zoning Map (Attachment 1)				
<u> </u>	The PP seeks to rezone the RE2 Private Recreation land (Lot 39) to R3 Medium Density Residential.	land makes it generally unsuitable for a private recreation purpose and is a remnant of the original masterplan which was not implemented. The proposed rezoning would facilitate the highest and best use of the land, consistent with adjoining land.  The R3 Medium Density Residential zone would		
		support small lot residential housing or dual occupancy development consistent with adjoining land.		

Height of Duilding Man (Attachment 4)			
Height of Building Map (Attachment 1)			
height limit due to the existing RE2 Private Recreation zoning.	The PP seeks a height limit of 9m to Lot 39.	The proposed height of buildings limit of 9m is consistent with that applied by CLEP 2015 to the surrounding Ingleburn Garden's Estate.	
Minimum Lot Size			
CLEP 2015 does not have a minimum lot size for development in the R3 Medium Density Residential zone.		The concept subdivision plan suggests indicative lot sizes of ≥240sqm.  The Development Control Plan, Part 6 provides the following minimum lot size for each dwelling type:  • Single Detached: 430sqm  • Zero lot line/semidetached: 330sqm  • Terraces: 230sqm  • Multi-unit housing developments: 1500sqm	

The objectives and permitted uses of the R3 Medium Density Residential zone under the CLEP 2015 are:

### Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a wide range of housing choices in close proximity to commercial centres, transport hubs and routes.
- To enable development for purposes other than residential only if that development is compatible with the character and scale of the living area.
- To minimise overshadowing and ensure a desired level of solar access to all properties.

#### 2. Permitted without consent

Nil

#### 3. Permitted with consent

 Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home

occupations; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tankbased aquaculture

#### 4. Prohibited

Pond-based aquaculture; any other development not specified in item 2 or 3

The proposed development for attached dual occupancy development would be consistent with the above objectives and permitted uses.

# 1.9 Campbelltown (Sustainable City) Development Control Plan - Volume 2, Part 6

Ingleburn Garden's Estate is subject to a Site-Specific Development Control Plan – Edmondson Park Smart Growth (Part 6 DCP) which form part of Volume 2 of the Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP 2015).

The proposal would be inconsistent with the following sections and would require amended as detailed in the table below:

Edmondson Park Smart Growth Part 6 DCP	Required Amendment	Comment
Map 2 – Ingleburn Gardens Masterplan Concept: The current Masterplan is obsolete with the further stages that have been approved.	Update the masterplan to current context.	An updated map would assist with the future development application/assessment process in regards to the acoustic wall and proposed pocket park.
Map 5 – Streetscape and Urban Form Plan – Current plan demonstrates a school.	Update the urban form to relate to currently approved DAs.	An updated map would assist with the future development application/assessment process.
Control 2.4 Building Form, D1.3 Walls with windows or other openings are to have a minimum side and rear setback of 1 metre.	It is recommended the current rear setback remain for existing vacant lots. However, the provisions of the DCP should be clarified as follows:	The existing rear setback control of the DCP is unclear and inconsistent with the existing approach in adjoining development areas.
	8m rear setbacks for lots abutting the Hume Highway subject to acoustic investigation as part of a subdivision application.	An appropriate standard that has regard to the proposed building envelopes, acoustic treatment and solar access is required. At a minimum, it is considered that the setback should not be less than the built form requirements of the Low Rise Medium Housing Code.

2.2 Streetscape and Urban Character D2.1 New buildings shall adhere to a minimum front building line of 4.5 metres. However, projections including, balconies, porches, bay windows and sun control devices are permitted to be setback a minimum of 3.5 metres. A setback of 5.5 metres applies to the face of garage doors or carports. Nil setbacks to rear lanes are acceptable subject to vehicles being able to manoeuvre in the laneway.	The concept plan indicates front setbacks ranging from 4.5m to 8m.	To ensure the proposal is consistent with the existing streetscape, the front setbacks in the DCP should remain. It would be open for the applicant to propose an alternate outcome as part of a future development application.
Objective Objective	Amended Objective:	This objective should be
Part 2.5 Open Space – P6  Lands adjoining the F5 Freeway and zoned 6(c) Private Open Space, under the provisions of LEP 2002, shall be retained and revegetated with native vegetation incorporating any acoustic barrier and shareway/maintenance access.	Development adjoining the M31 Motorway (Hume Motorway) and zoned RE2 Private Open Space or R3 Medium Density Residential, under the provisions of LEP 2015, shall incorporate a sound wall and native vegetation screening plan.	updated to reflect the proposed change in land use under this PP.
Controls  Part 2.5 Open Space – D6.1  The Ingleburn Gardens site provides for a 50 metre buffer from the M31 Motorway to be revegetated with local native vegetation. This buffer is also required for acoustic purposes and will be constructed at the cost of the developer prior to the first occupation certificate being issued.	Amended Control:  The Ingleburn Gardens site includes a sound wall from the M31 Motorway (Hume Motorway). The sound wall is to extend from the landscaped mound to the southern extent of the estate.  This sound wall will be constructed at the cost of the developer prior to the first subdivision certificate being issued and comprise the following:  Easements for maintenance and access; Landscape screening plan; and	The amended control provides a mechanism for the sound wall to be constructed prior to the residential development taking place under separate development applications.

	Artwork plan	
	The sound wall is to be entirely contained within private land and maintained by the body corporate.	
N/A	Proposed Pocket Park Control:  The pocket park identified by the masterplan is to be included in future subdivision development application of Lot 39 DP 280032. The pocket park is to form part of the Community Title Scheme DP 270983.	The Development Control Plan will be used as a mechanism to ensure the appropriate execution of the Pocket Park.  This outcome reflects the advice of the Local Planning Panel.
	The pocket park is to include:  • Functional useable kick about area,  • Access to the existing community open space  • Seating  • Nature play equipment  • Accessibility Requirements  • Natural tree landscaping and Embellishment	
	Embellishment works are to be completed prior to the registration of land resulting from the subdivision of Lot 39 DP 280076.	

It is recommended that the Development Control Plan be amended by the applicant and exhibited concurrently with the Planning Proposal should Gateway Authorisation be issued.

A further report to Council detailing proposed amendments to Part 6 of CSCDCP 2015 will be prepared should a Gateway Determination be issued.

#### 2. Evaluation

The following impacts relevant to consideration of the PP are discussed below.

# 2.1 Visual Impact / Urban Design

Development within close proximity to the M31 Motorway and other Classified Roads are common in Metropolitan Sydney with visual amenity addressed via built form, vegetation screening and sound attenuation measures. Although the site can be viewed from the motorway, it is predominately screened by existing mature vegetation.

The visual impact of new development in closer proximity to the motorway would be mitigated by the erection of a sound wall and landscape screening.

The concept subdivision and dwelling plan provides for an attached dual occupancy development that could be lodged as either a development application or complying development certificate pending the final approved lot dimensions.

### 2.2 Traffic Impact Assessment

The Traffic Assessment originally submitted in support of DA3508/2015/DA-SW has been updated to support the PPR (attachment 3, Appendix 4).

The initial traffic modelling conducted by PTC supported development of 212 residential allotments and 60 undeveloped lots. The current Traffic Assessment incorporates the additional 26 residential allotments which generate seven additional inbound trips, 29 additional outbound trips in the AM peak and 27 additional inbound and seven additional outbound trips in the PM peak. This would correspond to a minor reduction of the Level of Service (LoS) for the signalised intersection of Campbelltown Road/Ingleburn Gardens Drive from LOS A to Bin the AM peak. The PM peak would remain LOS A.

The report concludes that the proposed future subdivision would have a minor impact on Campbelltown Road and Ingleburn Garden's Drive and would not significantly impact the existing intersections. The report does not consider the connection to Campbelltown Road via the New Breeze development (which is yet to open) which would alter this assessment and could be addressed at the subdivision stage.

The amendments made in respect of the Planning Proposal do not create any adverse impacts on the traffic assessment.

#### 2.3 Acoustic

The PPR is supported by a Noise Impact Assessment prepared by Acoustic Logic (attachment 3, Appendix 3). The assessment indicates the proposal is capable of compliance with Clause 102 State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) subject to the following:

- External walls composed of concrete or masonry elements
- Internal skin of external wall is to be acoustically sealed
- External doors are to be 40mm solid core timber, with appropriate seals
- Any roofing that includes light penetrations will need to be sealed

The proponent also proposes the installation of an acoustic wall that would be at least two metres above the road level and would result in a sound reduction of between 15-20db. Further details on how each home would achieve the relevant noise mitigations would be provided at the development application stage.

The PPR was referred to TfNSW on 2 April 2020 due to the site's proximity to the M31 Motorway (attachment 2) who raised no concern, noting that further consultation would occur post Gateway and development application stage.

In addition to the proponent's proposal, it is considered appropriate that the sound wall include landscaping screening and public artwork elements for visual interest. This outcome is addressed by the proposed DCP amendments outlined in Section 1.8 of this report.

# 3. Developer Contributions

The Campbelltown Local Infrastructure Contributions Plan 2018 applies to the site and would apply to a future residential subdivision at a rate of \$20,000 per additional residential lot.

In response to the advice of the Panel, it is not considered necessary to seek a voluntary planning agreement as there are no works or facilities that would be dedicated to Council. Any matters required to address the public interest, such as provision of the sound wall may be addressed by way of a condition.

#### 4. Public Benefit

The community benefit test is an important element of determining whether a Planning Proposal has merit. Relevant matters for consideration of a Local Environmental Plan amendment include whether it accurately reflects the strategic direction and changing circumstances of an area, the length of time that has elapsed since the community was consulted about the planning controls applying to the land, and whether the planning controls are too prescriptive to facilitate a sensible development. The test also considers whether there is a demonstrable public interest in considering an alternative proposal to the existing planning scheme, which may not have been considered by the Council or the community when the scheme was adopted.

In the case of this proposal, public benefit is achieved by amending the CLEP 2015 to provide for further housing diversity and would be supported by an amendment to the CSCDCP to include an acoustic wall and embellishment of Lot 40 for a pocket park in the community scheme for existing and future residents.

#### 5. Formal Consultation

A guide to preparing local environmental plans has been prepared by the Department of Planning, Industry and Environment (DPIE) to assist councils in preparing planning proposals and LEPs. Should Council resolve to proceed with the PP, and Gateway Authorisation is issued by the DPIE, consultation would be undertaken in accordance with the Gateway Determination requirements.

# 6. Statutory Consideration

As part of the Gateway Authorisation process, Section 3.34 of the EP&A Act allows the Minister and the Secretary to delegate functions to a Council and/or officer or employee of a Council. When submitting a draft Planning Proposal, Council is required to identify whether it wishes to Exercise Delegation (the Authorisation). Authorisation delegates the following plan making powers to Council:

- to make and determine not to make an LEP
- to defer inclusion of certain matters
- to identify which matters must not be considered and which stages of the plan making process must be carried out again.

At its meeting on 20 November 2012, Council resolved to formally accept the plan making delegations and delegate the plan making functions to the General Manager and Director of Planning and Environment (now titled Director City Development).

On the grounds that the Planning Proposal is consistent with the types of draft LEPs routinely delegated by the DPIE, it is recommended that council seek to exercise the Authorisation in this instance.

#### Conclusion

The PP seeks to rezone Lot 39 DP 280076 from RE2 Private Recreation to R3 Medium Density Residential. Lot 40 DP 280076 does not form part of the PP and would be subject to site specific DCP controls for a future Pocket Park. On the grounds that the proposal is considered consistent with the strategic directions of the Greater Sydney Region Plan, Western City District Plan and advice of the Local Planning Panel, it is recommended that the Council support its progression for Gateway Determination.

# **Attachments**

- 1. Council's Planning Proposal (contained within this report)
- 2. TfNSW Referral Communication (contained within this report)
- 3. Planning Proposal Request and addendum (distributed under separate cover)



# Planning Proposal The Meadows, Bardia

# Proposed amendment of Campbelltown Local Environmental Plan 2015

#### THE MEADOWS PLANNING PROPOSAL

# Definitions and abbreviations

CLEP 2015 means Campbelltown Local Environmental Plan 2015

DCP means Development Control Plan

DPIE means Department of Planning, Industry and Environment

EP&A Act 1979 means Environmental Planning and Assessment Act 1979

GSC means Greater Sydney Commission

LGA means local government area

M means metres

PP means Planning Proposal

PPR means Planning Proposal Request

SEPP means State Environmental Planning Policy

SQM means square metres

# Introduction/Background

In March 2006, Amendment No. 12 of the Campbelltown (Urban Area) Local Environmental Plan 2002 (2002 CLEP) rezoned 'Ingleburn Garden's Estate' to part 2(c) Residential B Zone and 6(c) Private Open Space Zone. Prior to this time, the land was reserved for future development under the Campbelltown Local Environmental Plan 112 (1991). The standard instrument translation of the Ingleburn Gardens Estate into Campbelltown Local Environmental Plan 2015 applied the R3 Medium Density Residential and RE2 Private Recreation zones.

At its Ordinary Meeting held on 12 February 2008, Council granted development consent (552/2009/DA-MP) for a staged community title subdivision along with the creation of roads, landscaping, community facilities and associated infrastructure. This consent included approvals for Stages 1 – 11, with the total of 258 residential allotments.

The approved Masterplan included a future school on the southern end of the Ingleburn Garden's Estate (attachment 2, map 2). Although the school was granted development consent in 2004, the only works advanced were the access road known as Ingleburn Gardens Drive. On 8 June 2016, this consent was superseded by a residential subdivision (DA3508/2015 DA-SW) known as Stage 12 'The Meadows', which included an additional 210 community-titled residential lots, a community recreation facility, residue lots and associated works.

The Planning Proposal Request submitted seeks to rezone the allotments that formed part of the residue land created in response to the development of the Community Facilities. A summary of the development history is provided in Table 1 below.

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Table 1: Development Application History			
DA Number	Date Approved	Title	
426/2003/DA-C	30 June 2004	Erection of two classrooms, access road, carpark and site works	
1968/2006/DA-S	6 July 2007	Subdivision into eight allotments	
1969/2006/DA-S	6 July 2007	Subdivision creating nine Community titled allotments	
1970/2006/DA-S	6 July 2007	Subdivision into 21 Community title allotments	
1972/2006/DA-M	6 July 2007	Construction of nine two storey dwellings, general store with apartments above, community room, road, carpark and use of two dwellings as display homes.	
1979/2006/DA-MP	1 February 2008	Staged development of 258 residential allotments, associated roads, community facilities, landscaping and drainage works.	
	5 February 2008	Planning and Environment Committee	
	12 February 2008	Council Endorsement of 179/2006/DA-M	
552/2009/DA-MP (Several Modifications occurred A-E)	7 July 2010	Staged development of residential subdivision, site works, road, landscaping and drainage.	
554/2009/DA-S	20 January 2010	Subdivision deferred commencement approval stage 3 subdivision into 28 allotments.	
3508/2015/DA-SW	8 June 2016	Subdivision of land to create 210 community titled allotments, 1 community allotment, roads, drainage, landscaping and a community facility.	
634/2020/E-PP	Under Assessment	Planning Proposal Request to seek rezoning of residual allotments as a result from 3508/201/DA-SW.	

# The Site

The subject land is formally known as Lot 39 DP 280076 and forms part of the 'The Meadows' subdivision in Ingleburn Garden's Estate as illustrated in Figure 1. The Ingleburn Garden's Estate is approximately 37 hectares and is bounded by the Hume Highway to the east and Campbelltown Road to the North-West.

The subject land is within the south-eastern portion of The Meadows precinct. The Southern residue lot (Lot 39) is approximately 5,600sqm and is accessed 2from Webber Circuit adjoining existing medium density development.

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Figure 1 Location Map



# Part 1 – Objectives or Intended Outcomes

The Planning Proposal intends to amend the Campbelltown Local Environmental Plan 2015 (CLEP 2015) Principal Development Standards to facilitate an increase in dwelling yield and resolve otherwise unresolved land within 'The Meadows'.

The Planning Proposal aims to:

- a. To enable the development of the subject lot for R3 Medium Density Residential purposes, which otherwise would result in unresolved land.
- b. Adopt the appropriate principal development controls for 'The Meadows' Precinct within the Ingleburn Garden's Estate.
- c. To ensure an appropriate strategy is implemented to mitigate any acoustic concerns.
- d. Create greater public benefit to the existing community of 'The Meadows' Precinct.

# Part 2 - Explanation of provisions

The Planning Proposal seeks to amend the CLEP 2015 to:

 Amend the land use zone of Lot 39 from RE2 Private Recreation to R3 Medium Density Residential.

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#### THE MEADOWS PLANNING PROPOSAL

- Introduce a maximum building height of 9m to the R3 Medium Density Residential land proposed.
- Amend the Development Control Plan for Volume 2 Part 6 Edmondson Park South to ensure appropriate sound attenuation is achieved.

# Part 3 - Justification

# Section A - Need for the Planning Proposal

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

The planning proposal is not a result of any strategic study or report rather, an unresolved residue parcel within the Ingleburn Gardens Estate due to a previous subdivision approval.

The Planning Proposal has advanced further in the following studies and reports:

Table 2				
Specialist Technical Studies Author Date				
Noise Impact Assessment	Acoustic Logic	11 December 2019		
Traffic Impact Assessment	PTC.	14 August 2018		

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

Yes, the CLEP 2015 is the principal environmental planning instrument applying to the site therefore, the Planning Proposal represents the best means of achieving the objectives or intended outcomes for the subject site within the Meadows Precinct.

# Section B – Relation to Strategic Planning Framework

 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)

## **Greater Sydney Region Plan**

A Plan for Growing Sydney has been prepared by the NSW State Government to guide land use planning decisions for the next 20 years. The Plan 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. An assessment of the proposal against the relevant Directions and Objectives of the GSRP is provided in Table 3.

The proposal is generally consistent with the GSRP particularly as the proposal seeks to ensure that development is aligned with the existing urban zoning, is within close proximity to the train station and provides further housing diversity in the Campbelltown LGA.

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Table 3						
Key Directions and Planning Priorities						
9	Greater Sydney Region Plan		Western City District Plan	Consistency	Response	
	Infrastructure and Collaboration					
A City Supported by Infrastructure						
	Infrastructure supports the three cities		Planning for a city supported by infrastructure	Consistent	The PP is consistent with the objectives within the direction 'A City Supported by Infrastructure.'	
»	Infrastructure aligns with forecast growth - growth infrastructure compact		(W1)			
»	Infrastructure adapts to meet future needs					
»	Infrastructure use is optimised					
A Collaborative City						
»	Benefits of growth realised by collaboration of governments, community and business	»	Working through collaboration (W2)	Consistent	Further discussions in regards to the appropriate treatment of Sound Wall will need to be undertaken as well as collaboration with RMS/TfNSW.	
<u>Liveability</u>						
A City of Great Places						
»	Services and infrastructure meet communities' changing needs	»	Providing services and social infrastructure to meet peoples changing needs (W3)	Consistent	The additional housing would assist to lower community fees for existing owners within the Community Titled Subdivision.	
»	Communities are healthy, resilient and socially connected	»	Fostering healthy, creative, culturally rich and socially			
»	Greater Sydney's communities are culturally rich with diverse neighbourhoods	connected communities (W4)				
»	Greater Sydney celebrates the arts and supports creative industries and innovation					

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Housing the City				
» Greater housing supply      » Housing is more diverse and affordable	» Providing housing supply, choice and affordability, with access to jobs, services and public transport (W5)	Yes	The rezoning of the subject land to R3 Medium Density will provide for additional housing supply within the Local Government Area with benefited access to transport, services and jobs.	
A City of Great Plac	es			
» Great places that bring people together      » Environmental heritage is identified, conserved and enhanced	» Creating and renewing great places and local centres, and respecting the District's heritage (W6)	Consistent	The PP is consistent with the objectives within the direction 'A City of Great Places.'	
ermanced	Pro	ductivity		
A Well Connected C				
A metropolis of three cities - integrated land use and transport creates walkable and 30 minute cities      The Eastern, GPOP and Western Economic corridors are better connected and more competitive and efficient      Freight and logistics network is competitive and efficient      Regional connectivity is enhanced	» Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City (W7)	Consistent	The PP is consistent with the objectives within the direction 'A Well Connected City.'  The rezoning will benefit from local transport such as Edmondson Park railway station.	

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	Harbarr ODD !-		Lavananina		The PP is consistent with the
» »	Harbour CBD is stronger and more competitive Greater Parramatta is stronger and better connected	»	Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis (W8)	Consistent	objectives within the direction 'Jobs and Skills for the City.'
<b>»</b>	Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland	»	Growing and strengthening the metropolitan city cluster (W9) Maximising freight and logistics		
»	City Internationally competitive health, education, research and innovation. precincts	»	opportunities and planning and managing industrial and urban services land (W10)		
<b>»</b>	Investment and business activity in centres		investment, business opportunities and jobs in strategic		
<b>»</b>	Industrial and urban services land is planned, protected and manager		centres (W11)		
»	Economic sectors are targeted for success				
Λ	City in its Landace		Sust	tainability_	
Α	City in its Landsca	pe 			The PP is consistent with the
» »	The coast and waterways are protected and healthier  A cool and green	»	improving the health and enjoyment of the District's	Consistent	objectives within the direction 'A
	parkland city in the South Creek corridor	»	waterways (W12) Creating a Parkland City		
<b>»</b>	Biodiversity is protected, urban bushland and remnant vegetation is		urban structure and identity with South Creek as a defining spatial element (W13)		
<b>»</b>	enhanced  Scenic and cultural	»	Protecting and enhancing bush land and		

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» Essering period in the second period perio	andscapes are protected Environmental, social and economic values in rural areas are protected and enhanced Urban tree ecanopy cover is increased Public open space is accessible, protected and enhanced	»	Increasing urban tree canopy cover and delivering Green Grid connections (W15)  Protecting and enhancing scenic and cultural landscapes (W16)  Better managing rural areas (W17)  Delivering high quality open space (W18)		
s a c	inks, parks, open spaces, bushland and walking and cycling paths				
An E	Efficient City				
2 n c	A low carbon city contributes to net- gero emissions by 2050 and mitigates climate change Energy and water lows are	»	Reducing carbon emissions and managing energy, water and waste efficiently (W19)	Consistent	The PP is consistent with the objectives within the direction 'Jobs and Skills for the City.'  The PP would result in the subdivision of an existing housing estate with future dwellings required to meet BASIX provisions.
	captured, used and re-used				
to d	More waste is re- used and recycled o support the development of a circular economy				
AR	esilient City				
p c a	People and blaces adapt to climate change and future shocks and stresses	»	Adapting to the impacts of urban and natural hazards and climate change	Consistent	The PP is consistent with the objectives within the direction 'A Resilient City.'  Future residential subdivision and dwelling completion would
h re	Exposure to natural and urban nazards is neduced		(W20)		incorporate landscaping to mitigate the existing vacant/hard stand areas.
е	extreme heat are managed				

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### **Western City District Plan - Connecting Communities**

The Western City District Plan (the District Plan) sets out more detail with respect to the anticipated growth in housing and employment in the Western District and amongst other things, is intended to inform the assessment of planning proposals.

The District Plan identifies Ingleburn Gardens Estate as an Urban Area within the Campbelltown Local Government Area (LGA). The CLEP 2015 is the principal environmental planning instrument that applies to the land. An assessment of the PP against the relevant Directions and Priorities District Plan is provided in Table 3. The PP is generally consistent with the District Plan particularly as the proposal seeks to ensure that further medium density housing is provided within close proximity to the employment, public transport and open space within the Campbelltown LGA.

#### Local Strategic Planning Statement 2019

It details Campbelltown City Council's plan for the community's social, environmental and economic land use need over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area (LGA). It seeks to:

- provide a 20 year land use vision for the Campbelltown LGA
- · outline the characteristics that make our city special
- · identify shared values to be enhanced or maintained
- direct how future growth and change will be managed

The LSPS responds to the District and Regional Plans and to the community's documented aspirations. The document establishes planning priorities to ensure that the LGA thrives now and remains prosperous in the future, having regard to the local context. The PPR is consistent with the draft LSPS as the proposal has alignment with Council's Community Strategic Plan and the relevant Directions, Objectives and Priorities of the District Plan.

### **Draft Campbelltown Local Housing Strategy**

The Draft Campbelltown Local Housing Strategy (CLHS) primary aim is to examine the housing needs of Campbelltown's current and future residents and puts forward an evidence based approach to managing sustainable housing growth to 2036.

The housing vision for Campbelltown LGA is to provide sustainable, high quality housing options to meet the diverse accommodation needs of the local community and future population growth.

The objectives of the CLHS are as follows:

- Meet the housing needs of the future population.
- To support urban containment.
- To provide for housing that meets the needs of all households.
- To encourage the provision of new housing in locations that support the 30 minute city principle.

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- To encourage the planning of housing within neighbourhoods.
- Manage the development of Greenfield release areas.
- Facilitate the urban renewal of walkable catchments.
- Support housing growth in the Campbelltown CBD.
- Plan for incremental growth through infill development which is compatible with the desired neighbourhood character.
- Promote high quality and environmentally sustainable residential environments.

The Planning Proposal is consistent with the Draft CLHS and is reflective of the vision, the proposal is also supports the above objectives.

### Campbelltown Local Environmental Plan 2015 (CLEP 2015)

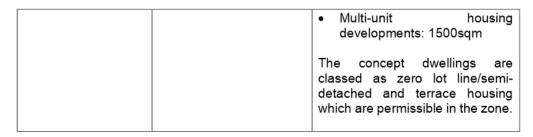
The Campbelltown Local Environmental Plan 2015 (CLEP 2015) is the principal environmental planning instrument for the City of Campbelltown. A summary of the existing planning framework and proposed amendment are below.

Table 4			
CLEP 2015 Current	Proposed Amendment	Comment	
	Land Use Zoning Map (at		
The subject land is zoned RE2 Private Recreation	The PP seeks to rezone Lot 39 from RE2 Private Recreation land to R3 Medium Density Residential.	The proposed rezoning would facilitate the highest and best use of the land, consistent with adjoining land.  The R3 Medium Density	
		Residential zone would support small lot residential housing or dual occupancy development consistent with adjoining land.	
	Height of Building Map (At		
The site current does not have a height limit due to the existing RE2 Private Recreation zoning.	The PP seeks a height limit of 9m.	The proposed height of buildings limit of 9m is consistent with that applied by CLEP 2015 to the surrounding Ingleburn Garden's Estate.	
	Minimum Lot Siz	ze	
The LEP does not have a minimum lot size for development in an R3 Medium Density Residential zone.	The PP does not propose to change the minimum lot size within the LEP.	The PP does not seek to implement a minimum lot size. The concept subdivision plan for Lot 39 suggests indicative lot sizes from 255sqm to 400sqm.	
		The Development Control Plan, Part 6 provides minimum lot size for each dwelling type.  Single Detached: 430sqm  Zero lot line/semidetached: 330sqm  Terraces: 230sqm	

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The objectives and permitted uses of the R3 Medium Density Residential zone under the Campbelltown Local Environmental Plan 2015 are:

### Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide for a wide range of housing choices in close proximity to commercial centres, transport hubs and routes.
- To enable development for purposes other than residential only if that development is compatible with the character and scale of the living area.
- To minimise overshadowing and ensure a desired level of solar access to all properties.

#### 2 Permitted without consent

Nil

### 3 Permitted with consent

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home occupations; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture

#### 4 Prohibited

Pond-based aquaculture; any other development not specified in item 2 or 3

The proposed development for attached dual occupancy development would be consistent with the above objectives and permitted uses.

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### THE MEADOWS PLANNING PROPOSAL

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

Ingleburn Garden's Estate is subject to a Site-Specific Development Control Plan – Edmondson Park Smart Growth (Part 6 DCP) situated in Volume 2 of the Campbelltown (Sustainable City) Development Control Plan 2015 (CSCDCP 2015).

The proposal would be inconsistent with the following sections that should be amended as detailed in the table below:

	Table 5	
Edmondson Park Smart Growth Part 6 DCP	Required Amendment	Comment
Map 2 – Ingleburn Gardens Masterplan Concept: The current Masterplan is obsolete with the further stages that have been approved.	Update the masterplan to current context.	An updated map would assist with the future development application/assessment process in regards to the acoustic wall and proposed pocket park.
Map 4 – Ingleburn Gardens Masterplan Staging Sequence	Update the masterplan staging sequence.	An updated map would assist with the future development application / assessment process.
Map 5 – Streetscape and Urban Form Plan - Current plan demonstrates a school.	Update the urban form to relate to currently approved DAs.	An updated map would assist with the future development application / assessment process.
Control 2.4 Building Form, D1.3 Walls with windows or other openings are to have a minimum side and rear setback of 1 metre.	It is recommended the current rear setback remain for existing vacant lots, however, the provisions of the DCP should be clarified as follows:	The existing rear setback control of the DCP is unclear and inconsistent with the existing approach in adjoining development areas.
	8m rear setbacks for lots abutting the Hume Highway subject to acoustic investigation as part of a subdivision application.	An appropriate standard that has regard to the proposed building envelopes, acoustic treatment and solar access is required. At a minimum, it is considered that the setback should not be less than the built form requirements of the

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		Low Rise Medium Housing Code.
2.2 Streetscape and Urban Character D2.1 New buildings shall adhere to a minimum front building line of 4.5 metres. However, projections including, balconies, porches, bay windows and sun control devices are permitted to be setback a minimum of 3.5 metres. A setback of 5.5 metres applies to the face of garage doors or carports. Nil setbacks to rear lanes are acceptable subject to vehicles being able to manoeuvre in the laneway.	The concept plan indicates front setbacks ranging from 4.5m to 8m.	To ensure the proposal is consistent with the existing streetscape the front setbacks in the DCP should remain. It would be open for the applicant to propose an alternate outcome as part of a future development application.
Objective	Amended Objective:	This objective should be updated to reflect
Part 2.5 Open Space – P6  Lands adjoining the F5 Freeway and zoned 6 (c) Private Open Space, under the provisions of LEP 2002, shall be retained and revegetated with native vegetation incorporating any acoustic barrier and shareway/maintenance access.	Development adjoining the M5 Freeway (Hume Highway) and zoned RE2 Private Open Space or R3 Medium Density Residential, under the provisions of LEP 2015, shall incorporate a sound wall and native vegetation screening plan.	the proposed change in land use under this PP.
Controls	Amended Control:	The amended control
Part 2.5 Open Space – D6.1  The Ingleburn Gardens site includes a 50 metre buffer from the M5 Freeway, is to be revegetated with local native vegetation. The 50 metre wide private open space buffer from the M5 Freeway is to be revegetated with local native vegetation.	The Ingleburn Gardens site includes a Sound Wall from the M5 Freeway (Hume Highway). The Sound Wall is to extend from the landscaped mound to the Southern extent of the estate.  This sound wall will be constructed at the cost of	provides a mechanism for the sound wall to be constructed prior to the residential development taking place under separate development applications.

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This buffer is also required for acoustic purposes and will be constructed at the cost of the developer prior to the first occupation certificate being issued.	the developer prior to the first subdivision certificate being issued and comprise the following:  • Easements for maintenance and access; • Landscape screening plan; and • Artwork plan  The sound wall is to be entirely contained within private land and maintained by the body corporate.	
N/A	Proposed Pocket Park Control:  The pocket park identified by the masterplan is to be included in future subdivision development application of Lot 39 DP 280032. The pocket park is to form part of the Community Title Scheme DP 270983.	The Development Control Plan will be used as a mechanism to ensure the appropriate execution of the Pocket Park. This outcome reflects the advice of the Local Planning Panel.
	The pocket park is to include:  • Functional useable kick about area,  • Access to the existing community open space  • Seating  • Nature play equipment  • Accessibility Requirements  • Natural tree landscaping and Embellishment  Embellishment works are to be completed prior to the registration of land resulting from the subdivision of Lot 39 DP 280076.	

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It is recommended that the Development Control Plan be amended by the applicant and exhibited concurrently with the Planning Proposal should Gateway Authorisation be issued. A further report to Council detailing proposed amendments to Part 6 of CSCDCP 2015 will be prepared should a Gateway Determination be issued.

## 4. Is the Planning Proposal consistent with Council's local strategy or other local strategic plan?

### Campbelltown Community Strategic Plan - Campbelltown 2027

The Campbelltown City Community Strategic Plan (CSP) is a 10 year vision that identifies the main priorities and aspirations for the future of the Campbelltown City Local Government Area (LGA) and is Council's long term plan to deliver the community inspired vision.

The CSP acknowledges the need to provide for housing diversity and affordability in a structured way, whilst preserving the important natural attributes of the LGA and facilitating its promotion.

The PP is consistent with the CSP and will specifically facilitate delivery of the key outcomes as detailed below.

	Table 6
CSP Outcome	Statement of Consistency
Outcome 1	
A vibrant, liveable city	The Proposal provides for greater housing choice and diversity.  The proposal seeks to create a solution in regards to
Outcome 2	acoustic volumes in respect of the Hume Highway.
	The Decreed does not invest the noticed environment
A respected and protected natural environment	The Proposal does not impact the natural environment as the subject land has already been established as a vacant Torrens titled allotment.
Outcome 3	
A thriving, attractive city	The Proposal would support the future development of land that is currently vacant in support of the existing community scheme.
Outcome 4	
A successful city	The Proposal seeks to increase residential development within the existing Ingleburn Garden's Estate, providing housing choice in close proximity to an existing centre and high frequency public transport.

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## 5. Is the Planning Proposal consistent with applicable State Environmental Planning Polices?

The following State Environmental Planning Policies (SEPPs) are relevant to the PP.

Table 7				
		mental Planning Policies		
SEPP	Consistency	Evaluation		
SEPP No 1 Development Standards	Yes	Not applicable as CLEP 2015 is a Standard Instrument LEP & incorporates Clause 4.6 - Exceptions to Development Standards, which negates the need for consistency with SEPP 1.		
SEPP No. 19 - Bushland in Urban Areas	Yes	Where relevant, future vegetation removal will need to comply with the provisions of the SEPP and other companion legislation.		
SEPP No. 21 - Caravan Parks	N/A	Not Applicable to this PP.		
SEPP No. 33 - Hazardous & Offensive Development	N/A	Not Applicable to this PP.		
SEPP No. 36 - Manufactured Home Estates	Yes	The provisions of the SEPP are not compromised by the Proposal.		
SEPP No. 44 - Koala Habitat Protection	N/A	Repealed		
SEPP No. 50 - Canal Estate Development	N/A	Not Applicable to this PP.		
SEPP No. 55 - Remediation of Land	N/A	The site is not known to be contaminated nor has contamination been discovered within the existing development in Ingleburn Gardens.  As earthworks have already been undertaken to level the site, it is unlikely contamination will be encountered in the future subdivision.		
SEPP No. 64 - Advertising & Signage	Yes	Any future advertising/signage will need to comply with the provisions of the SEPP.		
SEPP No. 65 - Design Quality of Residential Flat Development	N/A	Not applicable to this PP.		
SEPP No. 70 - Affordable Housing (Revised Schemes)	N/A	Not applicable to this PP.		
SEPP (Aboriginal Land) 2019	N/A	Not applicable to this PP.		
SEPP (Activation Precincts) 2020	N/A	Not applicable to this PP.		
SEPP (Affordable Rental Housing) 2009	Yes	The Proposal does not prejudice the application of the SEPP and development of the various forms of affordable housing.		
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The PP is not inconsistent with the application of the SEPP to residential development.		
SEPP (Educational Establishments & Child Care Facilities) 2017	Yes	Any educational establishments will be subject to development approval in accordance with the provisions of the SEPP.		

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SEPP (Exempt & Complying Development Codes) 2008	Yes	The PP is not inconsistent with the SEPP and the provisions of which would apply to future developments.
SEPP (Housing for Seniors or People with a Disability)	Yes	The PP does not preclude future merit based provisions of housing for seniors and people with a disability.
SEPP (Infrastructure) 2007	Yes	The PPR has an accompanying acoustic report to show compliance with clause 102 of the SEPP.
		However, any future development in regards to the Infrastructure provision on this site will be required to fulfil the SEPP and clause 102 at Subdivision DA stage as well.
SEPP Koala Habitat Protection 2019	Yes	The provisions of the SEPP are not compromised by the Proposal.
SEPP (Mining, Petroleum Production & Extractive Industries) 2007	N/A	Not applicable to this PP.
SEPP (Miscellaneous Consent Provisions) 2007	Yes	The Proposal does not conflict or hinder the achievement of the SEPP aims.
SEPP (Primary Production and Rural Development) 2019	N/A	Not applicable to this PP.
SEPP (State & Regional Development) 2011	N/A	Not Applicable to this PP.
SEPP (State Significant Precincts) 2005	N/A	Not Applicable to this PP.
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not Applicable to this PP.
SEPP (Sydney Region Growth Centres) 2006	N/A	Not Applicable to this PP.
SEPP (Vegetation in Non - Rural Areas) 2017	Yes	The Proposal does not conflict or hinder the achievement of the SEPP aims.
SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable to this PP.
SEPP (Western Sydney Parklands) 2009	N/A	Not applicable to this PP.
SREP No.2 Georges River Catchment	N/A	Not applicable to this PP.
SREP No 20 Hawkesbury Nepean River	N/A	Not applicable to this PP.

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## 6. Is the Planning Proposal consistent with applicable Ministerial Directions (\$9.1 directions)?

The PP is generally consistent with the Section 9.1 directions issued by the Minister for Planning. A detailed commentary in respect of the relevant Section 9.1 directions is shown below.

1	able 8					
	Assessment Against Relevant S9.1 Ministerial Directions					
Ministerial Direction	Consistency					
1.1 Business and Industrial Zones						
This Direction seeks to encourage employment in suitable locations, protect appropriately zoned business and industrial land and support the viability of identified centres.	N/A	Not applicable to this PP.				
1.2 Rural Zones						
This Direction seeks to protect the agricultural production value of rural lands.	N/A	Not applicable to this PP.				
1.3 Mining, Petroleum Production This Direction seeks to ensure petroleum production and extractive industries are not compromised by inappropriate development.	N/A	Not applicable to this PP.				
1.5 Rural Lands						
This Direction seeks to facilitate the protection of rural land and its intrinsic values and contributions to the social, economic and environmental outcomes.	N/A	Not applicable to this PP.				
2.1 Environmental Protection Zones						
This direction seeks to ensure that environmentally sensitive areas are not compromised.	N/A	Not applicable to this PP.				
2.3 Heritage Conservation						
This Direction seeks to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	N/A	Not applicable to this PP.				
2.6 Remediation of Contaminated Land						
This Direction seeks to reduce the risk of harm to human health and the environment through ensuring that contamination and remediation are considered at Planning Proposal stage.	Yes	The site has been subject to a Stage 1 Contamination Assessment by IdealGeotech in August 2016. The report identified no signs of potential contamination.				
3.1 Residential Zones						
This Direction seeks to encourage housing diversity, optimise use of infrastructure and minimise the impacts on resource lands.	Yes	The Proposal seeks to provide for enhanced housing diversity that is consistent to the adjoining R3 Medium Density Development within the Ingleburn Gardens Estate.  In doing so it will not impact on				
		the existing infrastructure as the rezoning caters for a minor				

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3.2 Home Occupations This Direction seeks to facilitate low impact small businesses in dwelling houses  3.4 Integrating Land Use and Transport This Direction seeks to ensure urban structures, building farms, land use locations, development design, subdivision and street layouts achieve movement and community outcomes.  4.1 Acid Sulphate Soils This Direction seeks to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.  4.2 Mine Subsidence and Unstable Land This Direction seeks to protect the water quality in the Sydney Drinking Water Catchment.  This Direction seeks to protect the water quality in the Sydney drinking water catchment.  6.1 Approvals and Referral Requirements This Directions seeks to protect the water quality in the Sydney drinking water catchment.  6.2 Reserving land for Public Purposes This Direction seeks to facilitate the  6.2 Reserving land for Public Purposes This Direction seeks to facilitate the  7 Yes  The Proposal is within an existing road network and is considered appropriate in accessibility. The site also adjoins existing recreational land and is 430m from a future childcare centre.  7 Yes  The Proposal is within an existing road network and is considered appropriate in accessibility. The site also adjoins existing recreational land and is 430m from a future childcare centre.  8 N/A  The Proposal is within an existing road network and is considered appropriate in accessibility. The site also adjoins existing recreational land and is 430m from a future childcare centre.  8 N/A  The Proposal is within an existing development area and the direction would have been addressed in its initial stages.  8 N/A  The site is not identified to be within Mine Subsidence areas.  8 N/A  The site is not identified to be bushfire prone.  9 Yes  The Site does not create adverse impacts on Sydney's drinking water catchment.  9 Yes  The Proposal has been sent to RMS for draft comments in regards to the rezoning. However further re	Home Occupations s Direction seeks to facilitate low impact all businesses in dwelling houses s Direction seeks to ensure urban includes. A provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so facilitate home occupations to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Transport so includes standard provisions to facilitate home occupations.  Integrating Land Use and Integrating provisions the land is within an existing road network and is considered for acquisition. In accessibility. The site all and side sconsidered for acquisition to facilitate the within an existing road network and is considered for acquisition. In accessibility. The site all and side sconsidered for acquisition. In provisions the existing road network and is considered for acquisition. In provisions the existing produce of acquisition. In provision the existing road network and is accessibility. The proposal is within an e			yield increase. (Approximately
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## THE MEADOWS PLANNING PROPOSAL

6.3 Site Specific Provisions			
This Direction seeks to discourage unnecessarily restrictive site specific planning controls.	Yes	The Proposal pertains to amendments to the 'standard instrument' Campbelltown LEP 2015. No site specific provisions are proposed to be introduced to Campbelltown LEP 2015, via the Proposal.	
7.1 Implementation of a "Plan for Growing Sydney"			
This Direction seeks to give legal effect to the planning principles; directions and priorities for sub regions, strategic centres and transport gateways.	Yes	The Proposal is consistent with the 'Greater Sydney Region Plan' which has replaced the 'Plan for Growing Sydney.'	
7.2 Implementation of a "Greater Macarthur Land Release Investigation Area			
This Direction seeks to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Yes	The Proposal is not within the Greater Macarthur Land Release Area.	

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THE MEADOWS PLANNING PROPOSAL

### Section C - Environmental Social or Economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The site does not adversely affect any critical habitats or threatened species, populations or ecological communities and habitats.

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

#### Acoustic

The PPR is supported by a Noise Impact Assessment prepared by Acoustic Logic (attachment 2, appendix 3). The assessment indicates the proposal is capable of compliance with Clause 102 State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) subject to the following:

- External walls composed of concrete or masonry elements.
- Internal skin of external wall is to be acoustically sealed.
- External doors are to be 40mm solid core timber, with appropriate seals.
- Any roofing that includes light penetrations will need to be sealed.

The proponent also proposes the installation of an acoustic wall that would be at least 2 metres above the road level and would result in a sound reduction of between 15-20db. Further details on how each home would achieve the relevant noise mitigations would be provided at the development application stage.

The PPR was referred to TfNSW on 2 April 2020 due to the site's proximity to the M5 Highway (attachment 3) who raised no concern, noting that further consultation would occur post Gateway and development application stage.

In addition to the proponent's proposal, it is considered appropriate that the sound wall include landscaping screening and public artwork elements for visual interest. This outcome is addressed by the proposed DCP amendments outlined in Section 1.8 of this report.

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

### Visual Impact/ Urban Design

Development within close proximity to the M31 Freeway and other Classified Roads are common in Metropolitan Sydney with visual amenity addressed via built form, vegetation screening and sound attenuation measures. Although the site can be viewed from the freeway, it is predominately screened by existing mature vegetation, timber fencing, and topography.

The visual impact of new development in closer proximity would be mitigated by the erection of a sound wall and landscape screening.

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#### THE MEADOWS PLANNING PROPOSAL

The concept subdivision and dwelling plan provides for an attached dual occupancy development that could be lodged as either a development application or complying development certificate pending the final approved lot dimensions.

#### Traffic Impact Assessment

The Traffic Assessment originally submitted in support of DA3508/2015/DA-SW has been updated to support the applicants PPR (attachment 2, appendix 4).

The initial traffic modelling conducted by PTC demonstrated 212 residential allotments and 60 undeveloped lots. The current Traffic Assessment incorporates the additional 26 residential allotments which generate seven additional inbound trips, 29 additional outbound trips in the AM peak and 27 additional inbound and seven additional outbound trips in the PM peak. This would correspond to a minor reduction of the Level of Service (LoS) for the signalised intersection of Campbelltown Road/Ingleburn Gardens Drive from LOS A to Bin the AM peak. The PM peak would remain LOS A.

The report concludes that the proposed future subdivision would have a minor impact on Campbelltown Road and Ingleburn Garden's Drive and would not significantly impact the existing intersections. The report does not consider the connection to Campbelltown Road via the New Breeze development (which is yet to open) which would alter this assessment and could be addressed at the subdivision stage.

### Section D – State and Commonwealth interests.

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

The service infrastructure exists as part of the original subdivision that has occurred within the Meadows Precinct. The existing infrastructure has the capacity to cater for the additional 22 lots that are proposed.

The Campbelltown Local Infrastructure Contributions Plan 2018 also applies to the site and would apply to a future residential subdivision at a rate of \$20,000 per additional residential lot.

## 11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The PP is currently in the pre-Gateway phase. Appropriate consultation will occur in the event of a Gateway Determination.

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THE MEADOWS PLANNING PROPOSAL

## Part 4: Mapping

In seeking to achieve the PP objectives & outcomes the following map amendments are proposed:

Table 9		
Item	Location	
Changes to Zoning Map	Annexure 1	
Changes to Height of Buildings Map	Annexure 2	

## **Part 5 - Community Consultation**

Public consultation will take place in accordance with a relevant Gateway determination. All relevant agencies and local community will be consulted during the assigned minimum public exhibition period.

## **Part 6 Project Timeline**

A draft project timeline has been included in the table below.

Table 10		
Milestone	Timeline	
Referral to Local Planning Panel	July 2020	
Report to Council	November 2020	
Council Endorsement of Planning Proposal	November 2020	
Referral for Gateway Determination	November/December 2019	
Gateway Determination	January 2020	
Completion of additional supporting documentation	January/February 2021	
Public Exhibition	February 2021	
Consideration of Submissions	February 2021	
Finalisation of LEP amendment	March 2021	
Plan amendment made	April 2021	

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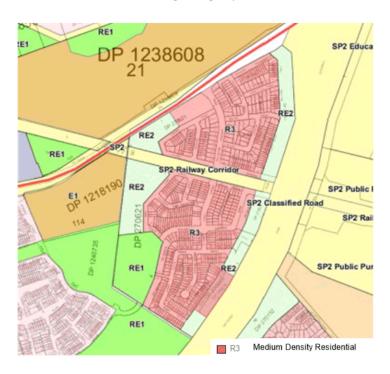
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THE MEADOWS PLANNING PROPOSAL

## **Annexure 1 Changes to Zoning Map**



Existing Zoning Map



Proposed Zoning Map

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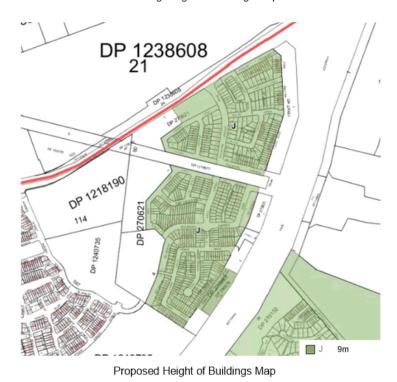
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## Annexure 2 – Changes to Height of Buildings Map



Existing Height of Buildings Map



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28 April 2020

TfNSW Reference: SYD20/00252/01 Council Reference: 634/020/E-PP

The General Manager Campbelltown City Council PO Box 57 CAMPBELLTOWN NSW 2560

Attention: Alex Saprun

#### PLANNING PROPOSAL FOR TWO RESIDUAL LOTS – THE MEADOWS, BARDIA

Dear Sir/Madam

Reference is made to Council's correspondence dated 2 April 2020, regarding the abovementioned application which was referred to Transport for NSW (TfNSW) for comment.

TfNSW has reviewed the submitted application and raises no objection to the application. TfNSW requests that the following conditions are incorporated into any consent issued by Council:

- 1. The subject property abuts a Declared Freeway (Hume Motorway) as shown by blue colour on attached Aerial 'X' & 'Y'. Access is denied across this boundary.
- Any new buildings or structures (including proposed sound wall), together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited height or depth), along the Hume Motorway Boundary.
- Any Detailed design plans and hydraulic calculations of any changes to the TfNSW's stormwater drainage system are to be submitted to TfNSW for approval, prior to the commencement of any works. Documents should be submitted to Development.Sydney@rms.nsw.gov.au

A plan checking fee will be payable and a performance bond may be required before TfNSW approval is issued.

If you have any further questions, Sandra Grimes, Development Assessment Officer, would be pleased to take your call on (02) 9563 8651 or please email development.sydney@rms.nsw.gov.au. I hope this has been of assistance.

Yours sincerely

Signature removed

### Pahee Rathan

Senior Land Use Assessment Coordinator

Transport for NSW

27 Argyle Street, Parramatta NSW 2150 | Locked Bag 5085, Parramatta NSW 2124 P (02) 8849 2666 | W transport.nsw.gov.au | ABN 18 804 239 602





#### 8.6 Submission on Draft Cumberland Plain Conservation Plan

## Reporting Officer

**Executive Manager Urban Release and Engagement** City Development

## **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 endorse a formal submission to the NSW Department of Planning, Industry and Environment on the draft Cumberland Plain Conservation Plan with matters contained in this report.

## **Purpose**

To provide Council with a summary of key issues arising from Councils review of the draft Cumberland Plain Conservation Plan (the Plan), and to seek an endorsement for a formal submission to be made to the Green and Resilient Places Division of the Department of Planning, Infrastructure and Environment.

## **History**

On 26 August 2020, the NSW Department of Planning, Industry and Environment (the Department) released the Plan for public exhibition.

The vision of the Plan is to support Western Sydney's biodiversity and growth, spanning eight local government areas including Blacktown, Fairfield, Liverpool, Campbelltown, Camden, Wollondilly, Hawkesbury and Penrith. The Plan intends to support the creation of infrastructure, housing and jobs for Western Sydney in a planned and strategic way that protects and maintains important biodiversity.

The Plan endeavours to deliver commitments and a series of planned and managed actions over the next 35 years (until 2056), designed to improve ecological resilience and function, and offset biodiversity impacts from housing and infrastructure development. The Plan intends to ensure long-term conservation outcomes in the Western Parkland City by avoiding and protecting important biodiversity in new development areas and in infrastructure corridors. Outside of these areas, the Plan proposes to achieve biodiversity-related outcomes by creating or adding to public reserves (such as National Parks), investing in biodiversity stewardship sites on privately owned land, and restoring areas of native vegetation.

The Plan also introduces planning controls to support strategic conservation planning in Western Sydney, specifically to implement and deliver the Plan; including a new State Environmental Planning Policy (SEPP). The role of local government will be instrumental in implementing the Plan, and Councils will specifically be required to (amongst other things):

- a) Assess Development Applications (DAs) to meet the Plan's commitments and actions, as implemented under the proposed SEPP for strategic conservation planning, and Development Control Plans (DCPs).
- b) Assist in establishing and managing conservation lands to be secured under the Plan (that will offset the impacts of development), and oversee compliance on land identified in the Plan.

Submissions received by the Department will be used to finalise the Plan, and a Summary report will be published once all submissions have been assessed and analysed.

## Report

This report addresses various issues and recommended responses to matters outlined in the Department's draft Cumberland Plan Conservation Plan (the Plan). It is recommended that the issues outlined below be incorporated into a formal submission.

### 1. Inadequate timeframe for the review of the Plan and preparation of submissions

The designated review timeframe for submissions on the Plan is considered to be inadequate for the public exhibition of one of the largest strategic conservation plans to be undertaken in Australia and the first strategic biodiversity certification to be undertaken under the NSW *Biodiversity Conservation Act 2016* (BC Act).

Given the substantial scope and size of the land release program, the biodiversity and socioeconomic impacts of land rezoning, in addition to the biocertification and strategic planning implications; the expectation that community and local government stakeholders would have the resourcing capacity and ability to review and compile an adequate submission in the allotted six week timeframe, the last two of which were during school holiday leave period, is unreasonable. This is further exacerbated by the fact that the supporting documents to be reviewed comprise hundreds of pages, and need to be reviewed simultaneously, including review of the various spatial viewer layers.

**Recommend**: That the Plan, supporting documents and spatial viewer, be subject to a secondary public exhibition period associated with the revised Plan, and release of the associated SEPP (as detailed in the Explanation of Intended Effect. The length of the public exhibition period should be commensurate with the vital importance of the Plan and proposed SEPP.

### 2. Livability and sustainability should be further prioritised and enforced in the Plan

The importance of the Plan as an integral part of a framework for a sustainable Western City Parkland City cannot be overstated.

The Plan's vision is noted to support Western Sydney's biodiversity and growth and to support the delivery of infrastructure, housing and jobs for people in the Western Sydney Parkland while protecting important biodiversity.

It seeks to offset the biodiversity impacts of future urban development, while ensuring a vibrant and liveable city.

Notwithstanding its overarching conservation objective, the need for balance and liveability needs to be reinforced. The Plan must facilitate limited public use (of certain designated conservation areas) together with environmental conservation. True liveability does not conclude with conservation as an end to itself.

The Plan claims to support increased public access to green space to improve opportunities for recreation, wellbeing, and social connection. Yet the Plan's 28 commitments are silent regarding limited public access and use of strategic areas and linkages. Ecofriendly pathways integrated with natural corridors are eminently consistent with conservation outcomes.

Limited access and use will importantly engender greater ownership by local and district citizens and assist in minimising human induced degradation.

**Recommend**: The Plan should adopt a more holistic context and ensure liveability objectives are integrated with conservation outcomes.

## 3. Greater Sydney Region Plan and Western City District Plan

The Plan cites as its foundation, core sustainability outcomes as highlighted by;

- Objective 26 A cool and green parkland city in the Wianamatta (South Creek) corridor
- Objective 27 Biodiversity is protected, urban bushland and remnant vegetation is enhanced.

The Plan supports the implementation of the Greater Sydney Region Plan for a Western Parkland City, and liveability planning priorities in the Western City District Plan, including:

- Planning Priority W13 Creating a Parkland City urban structure and identity, with Wianamatta (South Creek) as a defining spatial element
- Planning Priority W14 Protecting and enhancing bushland and biodiversity
- Planning Priority W16 Protecting and enhancing scenic and cultural landscapes.

These outcomes provide a sound foundation for the Plan, but equally the Plan should also acknowledge.

Greater Sydney Region Plan - A City of Great Places (Designing places for people):

• Objective 12 – Great places that bring people together (including increased access to open space).

Western City District Plan:

 Planning Priority W6 – Creating and renewing great places and local centres and respecting the district's heritage

**Recommend**: The Plan should acknowledge broader liveability principles as encapsulated in objectives and planning priorities of the Greater Sydney Region Plan and Western City District Plan respectively

## 4. Western Sydney Major Infrastructure Corridors

The Plan reinforces the NSW Government's commitment to the strategic direction contained in "Future Transport Strategy 2056" and the delivery of a number key infrastructure corridors in Western Sydney as detailed in Table 2. It also notes the limited exclusion of other major corridors and relevant biodiversity approvals.

The exclusion of Appin Road and Menangle Road and other major planned structure plan distributor and collector roads and conservation principles attached to the same is considered to be a shortfall in the Plan.

**Recommend:** That other major transport corridors at a District Level and the relevant conservation principles that should attach to the same, should be detailed in the Plan.

## 5. E2 zoning proposed under 'Non certified - Biodiversity Avoided lands'

Concern is raised that the blanket application of an E2 Environmental Conservation zoning under the Non-certified – Biodiversity Avoided lands category will be detrimental to the conservation intent of the land categorization scheme. In particular, landholdings in private ownership would be excluded from having the potential to participate in the offset scheme - which means that these lands cannot generate a funding source to assist with their long-term conservation management.

Appendix C, Plan of Commitments does not appear to propose any physical works to improve biodiversity and habitat connectively within the proposed E2 zoned land such as revegetation.

The proposed objective of the E2 zoned land is to improve the management of biodiversity and help protect threatened ecological communities (TEC) and species in these areas. Whilst zoning the land E2 is a step forward to securing biodiversity, it is not considered to be enough to improve biodiversity and protect threatened communities/species to the full potential.

Some of the proposed E2 zoned land is sparsely vegetated. If the land is acquired by the NSW Government, it should follow through with the ecological improvement of the land with actual revegetation works.

If the land is not acquired by the NSW Government, it should consider providing grants or incentives to landowners to revegetate and maintain native vegetation within the proposed E2 zoned land.

**Recommend**: That the Plan be amended to consider the inclusion of a funding source and/or financial compensation scheme to support landowners that have been prescribed environmental conservation zoning, to ensure that these areas are able to be protected and managed in perpetuity and are encouraged and supported to "improve the management of biodiversity and help protect TEC and species in these areas"

## 6. The CPCP spatial viewer fails to identify lands subject to existing conservation agreements and/or Biobank sites

Council has identified a number of parcels of land that are subject to existing conservation agreements, that have not been picked up under the Plan in association with the 'Already protected lands' category.

## Mt Gilead Stage 1:

 Hillsborough Biobank site: The biobanking site for Shale Sandstone Transition Forest (SSTF) (comprising a total of 3.61ha of SSTF in two distinct patches; 2.06ha and 1.55ha) associated with the Lend Lease Mt Gilead Stage 1 Biocertification offset lands – located at Lot 61 DP752042

### **Airds Bradbury Renewal Project:**

- A total of eight land parcels associated with the federal approval for the Airds-Bradbury Renewal project EPBC 2011/6169 and subject to a Bushland Management Plan
- Sugarloaf Farm, Gilead (20.99ha): This biodiversity offset site for Cumberland Plain Woodland (CPW) - located at Lot 3 DP 1007066
- St Helens Park triangle (20.45ha): This biodiversity offset site for SSTF located at Lot 298 DP 752062, Lot 1 and 2 DP 634102, Lot 3 DP 701435
- BC1 Smiths Creek corridor (1.91ha): Onsite conservation area for SSTF
- BC2 Kevin Wheatley VC Reserve (5.26ha): Onsite conservation area for CPW
- BC3-BC4 Peppin Crescent North and Peppin Crescent South (0.57ha combined):
   Onsite conservation area for SSTF
- BC5 Riverside Drive (0.74ha): Onsite conservation area for SSTF
- BC6 Greengate Road (0.76ha): Onsite conservation area for SSTF

**Recommend**: That the CPCP spatial viewer be revised and updated to include all lands subject to existing conservation agreements, to ensure an accurate depiction of the 'Already protected lands' land categorization scheme under the Plan.

## 7. Inconsistent application of land categorization scheme under the Plan

Concern is raised with the inconsistent categorization of land proposed under the Plan. For example, on review of the CPCP spatial viewer, there appears to be a number of land parcels in private ownership located in areas that are affected by the Plan (e.g. mapped as Strategic Conservation Areas and identified as containing areas of Important Koala Habitat) that are excluded under the Plan.

**Recommend**: That land parcels proposed to be avoided under the Plan be identified within the Cumberland Plain Assessment Report for transparency purposes, accompanied by a detailed rationale for each landholding.

## 8. Impacts of proposed land categorisation scheme on current precinct planning matters and traffic infrastructure requirements

Council is currently collaborating with the NSW Government in regards to finalising a structure plan for Glenfield that requires access to the existing roundabout in Glenfield. The roundabout is located just north of the Glenfield multi-level carpark, and currently links Glenfield Road, Roy Watts Road and the Sharp Street railway overpass. The western leg of this roundabout is located on the Hurlstone Agricultural High School site, and an extension of this leg may be required through the School grounds of which the route alignment has not yet been finalised.

Under the Plan, the identified extension route for the western leg of the roundabout would be largely prevented from being progressed as a result of the imposed land categorisation scheme. The CPCP spatial viewer show lands directly adjacent to the roundabout where the required extension route is required, now mapped as 'Non-certified Avoided for biodiversity'.

The rezoning of this land to E2 may prevent the roundabout upgrade from being progressed in line with the precinct planning for the area. This would in turn create an impediment to the safe and efficient traffic movement for future development of the Glenfield precinct, in particular provision of an important second access point to the Hurlstone Agricultural High School site.

**Recommend**: That the Plan be reviewed with consideration to current and future precinct planning matters, and that the CPCP spatial viewer be updated in line with the existing infrastructure requirements to ensure that land categorization applied under the Plan does not impact on current planning for the Glenfield precinct, which is being led by the NSW Department of Planning, Infrastructure and Environment.

## 9. Clarification required on what land use prescriptions apply to lands with overlapping land categorizations

Clarification is sought on areas that are subject to multiple overlapping land categorization schemes under the Plan, that assign land use prescriptions which may be incompatible. One example of this relates to land parcels subject to both the Strategic Conservation Area and Avoided Non-certified – Biodiversity Avoided lands layers.

**Recommend**: For clarity purposes, the Plan should be updated to detail the hierarchy associated with the land categorization scheme.

## 10. Potential for Council to inherit unmanageable lands

Council understands that lands identified under the Plan as Non-certified – Avoided for biodiversity are proposed as part of the avoidance measures under the strategic impact assessment that form part of the 'biodiversity reservation areas' under the Plan.

Accordingly, the SEPP requires:

 Additional matters that a consent authority must be satisfied of before granting consent for subdivision include - that the subdivision will result in the continued protection and long-term management of the high-value native vegetation

Concern is raised with the future long-term management of these lands. Specifically, that based on a business as usual scenario, that in order to satisfy the avoidance criteria under the Plan, this requirement may result in developers seeking to offload E2 avoidance areas onto Council for care and control with little more than the allocation of a 3-5 year management funding, for example under a Vegetation Management Plan (VMP).

**Recommend:** That the Plan be updated to specify management prescriptions for E2 Environmental Conservation land, and give consideration to excluding certain development activities in these areas; particularly in high quality bushland areas. This could be achieved by way of establishing certain thresholds (eg related to high condition, connectivity and/or threatened species habitat) to ensure the intent of these lands are retained and protected into the future. Furthermore, the Department could look to incorporate a database system (subject to local government input), to track the progression of the management of these lands under the Plan.

## 11. Scope and extent of biodiversity assessment conducted to inform the Plan

The Plan area covers a total of 200,000 hectares of Western Sydney, from Wilton in the south to Windsor and Kurrajong in the north.

According to the Plan, an area of between 2190 - 2630 hectares has been accessed for field survey investigations as part of the preparation of the draft Cumberland Plain Assessment Report.

Therefore the area subject to assessment and ground-truthing in the development of the Plan comprises approximately one per cent of the area covered by the Plan; which is of concern.

With such little survey effort conducted to inform the preparation of the Plan, concern is raised there has been little to no consideration given to locally and/or regionally rare species and populations; and that these habitat areas may be affected by the Plan without any form of adequate impact assessment. Council considers this to be a key limitation of the assessment, which is required to be addressed with the undertaking of more comprehensive field survey and assessment.

**Recommend**: That the Plan be revised specifically with consideration to the undertaking of more comprehensive field assessment which takes into consideration locally and/or regionally rare species and populations (subject to stakeholder engagement of both local government and relevant experts).

# 12. Measures to 'avoid and minimise' impacts to Threatened Ecological Communities (TEC) and Serious and Irreversible Impact entities are inconsistent with the Biodiversity Assessment Method

The concept of serious and irreversible impacts (SAII) is a central component of the NSW biodiversity offsets scheme. It is fundamentally about protecting threatened species, populations and TECs that are most at risk of extinction from potential development impacts or activities.

The BC Act and the *Local Land Services Act 2013* (LLS Act) imposes various obligations on decision-makers in relation to impacts on biodiversity values that are at risk of a serious and irreversible impact. These obligations generally require a decision-maker to determine whether or not any of the residual impacts of a proposed development, activity, biodiversity certification or vegetation clearing on biodiversity values (that is, the impacts that would remain after any proposed avoid or mitigate measures have been taken) are serious and irreversible.

The framework to make this determination is provided under the BC Act (and the Biodiversity Regulation 2017 (BC Regulation)). This framework consists of a series of principles defined in the BC Regulation and supporting guidance, provided for under section 6.5 of the BC Act, to interpret these principles.

The principles broadly align with the criteria prepared by the International Union for the Conservation of Nature (IUCN) to assess the extinction risk of species and ecological communities. These criteria were derived by the IUCN from a wide review aimed at detecting extinction risk factors across a broad range of organisms and ecosystems. The consistency of the principles with the IUCN criteria provides a transparent and robust approach to identifying entities most at risk of extinction if impacted by development, clearing or certification.

The plan proposes the clearing of 1788 hectares of TECs – which are intended to be directly managed through the Plans offset program. The bulk of this clearing impact is to SAII entities, including:

- 1,014.5ha of CPW
- 487.7ha of SSTF
- 165.1ha of River Flat Eucalypt Forest
- 52.2ha of Shale Gravel Transition Forest
- 36.9ha of Cooks River-Castlereagh Ironbark Forest

Based on the proportionate impacts to CPW (and not considering any indirect or residual impacts associated with this loss), the Plan does not sufficiently demonstrate how impacts to SAII entities (that are most at risk of extinction from development pressure), have been adequately avoided.

**Recommend:** Further consideration to SAII entities is required under the Plan, in particular with regards to avoidance of impacts to TEC which is not considered to be acceptable in its current form.

### 13. Loss of connectivity and fragmentation of koala habitat under the Plan

On 26 August 2020, the Office of the NSW Chief Scientist and Engineer released their report on the protection of the Campbelltown koala population. The Chief Scientists report was prepared at the request of the Minister for Energy and Environment (Hon Matt Kean) and Minister for Planning and Public Places (Hon Rob Stokes), and an independent expert panel of scientists (the Panel) was established to provide advice on measures required to protect the Campbelltown koala population. Notably, the expert advice was prepared with consideration to the Mount Gilead Stage 2 development, and with regard to the strategic conservation planning for the Greater Macarthur Priority Growth area, as directed by the Plan.

The Chief Scientist report states that few dense urban new developments in Australia have successfully, over the long term, avoided declining koala populations in the context of rapid growth in urban infrastructure, dwellings, and the threats that arise from thousands of human residents.

The Cumberland Plain Assessment report states that 26 per cent of existing koala habitat within the area covered by the Plan will be impacted. However, the biggest impact to koalas and their habitat proposed under the Plan, is the further fragmentation of habitat, and subsequent loss of connectivity as a result of the implementation of the Plan.

The strategic planning proposed by way of the Plan does not avoid existing Reserves and habitat corridors, and will result in the further isolation of bushland areas. The Plan will result in the isolation of approximately 12,807ha, which is equal to around 59 per cent of the region.

**Recommend:** At a minimum, the Plan should include predictive habitat suitability modelling and population viability analyses to estimate the extinction probabilities of the koala population related to the strategic biocertification development scenario proposed under the Plan.

## 14. The draft Plan fails to fully realise and incorporate the recommendations made in the Chief Scientist report

In order to provide a holistic and consistent approach to the protection of koalas in the region, the advice contained within the Chief Scientists report outlines specific findings and recommendations to improve the koala conservation measures proposed for the Mount Gilead Stage 2 development, and the CPCP.

This is realised through a risk based analysis and detailed assessment of a range of possible scenarios for koala habitat in the area. In particular, the findings of the report focus on eight nominal corridors located in the South Campbelltown region associated with the Greater Macarthur Priority Growth Area, including two north-south corridors, and six east-west corridors (being A-F) linking the Nepean and Georges River; with the Panel identifying site-specific mitigation and protection measures for each corridor.

The Chief Scientists report makes four recommendations to ensure the long-term viability of the koala population in Campbelltown into the future, including:

- The establishment of the Georges River Koala Reserve
- Protection of koala habitat corridors and connectivity including koala exclusion fencing, road crossing structures and specifying corridor widths
- Monitoring and adaptive management of the koala population across the region
- Disease prevention program with a focus on the development of vaccinations for Chlamydia and Koala retrovirus.

The Plan, however, fails to fully realise and incorporate Recommendation 2 (Connectivity and habitat of east-west corridors) as made in the Chief Scientist report.

**Recommend**: That the Plan ensure that the recommendations made in the Chief Scientist report, particularly connectivity and habitat of east-west corridors, are fully incorporated into the Plan.

## 15. The corridor prescriptions specified in the Chief Scientist report are diminished by way of the Plan

Recommendation 2 within the Chief Scientist report applies to the connectivity and habitat of east-west corridors in South Campbelltown, and can be broken down into two general categories: The first which applies to the Mount Gilead development (Corridors A, B, C), and the second which applies to the south of the Mount Gilead development as covered by the Plan (Corridors D, E, F).

The Panel outlines the following corridor measures and requirements for east-west connectivity (which applies to all corridors A-F), that habitat within identified corridors should be:

- Protected (especially from development creep)
- Widened through revegetation average size 390 425m

- Include a buffer on either side of the corridor habitat that is at least 30m wide from the corridor to the exclusion fence with feed trees permitted in this buffer area
- Include, between the buffer area and the urban areas, koala proof fencing to prevent
  the movement of koalas out of the corridor into urban areas (with trees more than 3m
  from the fencing to avoid damage) and the movement of domestic dogs (amongst other
  potential threats) into the corridor
- For sites where exclusion fencing is infeasible due to steep terrain, then additional buffer width should be utilised (buffer ~60m), with a traffic speed limit of 40km/h and predator / dog monitoring
- Asset Protection Zone (APZ) is outside the exclusion fencing, within the development footprint
- Further, connectivity structures within corridors should also be assessed including local roads and other infrastructure (e.g. the Upper Canal).

The Chief Scientist report specifies that buffers and APZ's are to comprise additional areas (to the corridor) that extend into the development footprint from the exclusion fencing:

• The Panel finds that the functional roles of APZs and of buffer zones to protect koalas are different, and as such need to be differentiated in the design of the interface. APZs serve a role of protecting people and property from bushfire hazard, while buffers associated with koala protection reduce the impact of threats, light and noise on koalas. The goal being to reduce stress on koalas which has general health benefits and impacts on mortality and breeding rates. For this reason, the Panel finds that buffers should be more clearly defined in MGS2 material in terms of their purpose, with buffers being in place on both sides of the corridor and be in addition to APZs.

Therefore, the corridor equation put forth by the Chief Scientist report can be summarised below:

• Corridor Calc = Corridor width + buffer (within exclusion fence) + APZ (outside)

The Plan confirms that the APZ must be located within the urban capable land, and outside the environmental conservation zoning which is consistent with the Chief Scientist report. This is outlined in Commitment 2 (Action 6) of the Conservation program (Sub-Plan A):

• When preparing new precinct plans for nominated areas, ensure that asset protection zones are located wholly within certified - urban capable land'

**Recommend**: Council considered a report at its ordinary meeting on 13 October 2020 whereby it considered an update on the Draft Biodiversity Certification Application for the Mount Gilead Stage 2 Precinct.

The report outlined a peer review undertaken by Dr Steve Phillips (Biolink Ecological Consultants) of a Koala Corridor Review Report and Koala Carrying Capacity Assessment Report submitted to Council by Lendlease (prepared by Ecological Australia) in relation to Mount Gilead Stage 2. Copies of these reports were also provided to the Koala Independent Expert Panel by Lendlease prior to finalisation of their advice. A copy of Council's report and advice should be referred to in relation to the design of strategic linkage areas which differs from previous advice that is referenced by the Chief Scientist.

## 16. The Plan cherry picks the findings and corridor scenarios identified under the Chief Scientist report

Concern is raised that the Plan commits to delivering just one corridor suitable for koala movement in South Campbelltown as outlined in Commitment 12 (Action 5) of the Conservation program (Sub-Plan B Koalas):

'All east—west koala corridors within the Plan Area will be protected (for vegetation) using environmental conservation zoning. Where not feasible due to width, the corridor will be fenced to exclude koalas but can be considered for future restoration to support koala movement, noting at least one will be secured for koala movement including safe crossing of Appin Road through the Plan'.

The Plan also proposes to install exclusion fencing within some east-west corridors to actively exclude koalas, which is not supported as this would result in a further loss of habitat for the local population and permanently displace those individual koalas already residing in these areas.

**Recommend**: That the Plan include the findings and recommendations of the Chief Scientist report and peer review undertaken by Dr Steve Phillips (June 2020), and provide a commitment under the Plan that appropriate mitigation measures and corridor prescriptions are incorporated into all east-west corridors.

## 17. Koala habitat and connectivity along Appin Road

The Plan addresses the koala mitigation measures proposed by Transport for NSW as part of the Appin Road upgrade and safety improvement works. This includes the installation of fauna exclusion fencing and barriers along Appin Road. The fencing proposed by TfNSW is predominantly focused on the eastern side of Appin Road, however as part of these works there will be some koala-exclusion fencing along the western side of Appin Road at Noorumba Reserve. The barriers proposed by TfNSW in association with the fauna exclusion fencing include the installation of cattle grids at driveway access points onto Appin Road. The intent of the cattle grids are to maintain vehicular access, but to prevent koala movements into the road corridor.

Council staff have previously raised concerns in relation to the infrastructure upgrades proposed by TfNSW for Appin Road, including made in writing to a number of State and Federal Ministers and submissions to NSW Government departments.

For the last few years, Council has been strongly advocating for the need for improved coordination between State and Local Government agencies to ensure that planning for biodiversity outcomes in the South Campbelltown area are addressed during the strategic planning process. This is supported by a number of Council resolutions, in relation to:

- A requirement for the installation of fauna exclusion fencing, appropriate tunnels and high crossing points, to enable safe access through wildlife corridors as part of future development in Mt Gilead (April, 2017)
- Immediate installation of overpasses and koala exclusion fencing along the current alignment of Appin Road (June, 2017)
- A policy position and principles relating to natural asset corridors (November, 2017)

- The findings of the South Campbelltown Koala Habitat Connectivity Study (Biolink, 2017) which were provided to Department of Planning, Industry and Environment (DPIE) and Roads and Maritime Services; reiterating the need to establish east-west natural asset corridors across Appin Road to be supported by wildlife underpasses and overpasses (March, 2018)
- Councils approved Comprehensive Koala Plan of Management (July, 2020)

On review of the Plan, it appears that the Department has taken into consideration the inconsistencies in the design of the mitigation measures proposed by TfNSW under the Appin Road upgrade and safety improvement works; with the Plan proposing to fund the installation of koala-exclusion fencing between Mount Gilead and Appin Village in all remaining areas outside of those proposed to be fenced by TfNSW as part of the Appin Road upgrade. Council is supportive of this outcome, as it would facilitate the continuity of koala-exclusion fencing along both sides of Appin Road and ensure koalas were prevented from accessing the carriageway and being struck by motor vehicles.

**Recommend:** Council is supportive of the Plan's commitment to ensuring that the extent of koala exclusion fencing along Appin Road is fenced in its entirety.

## 18. Proposed offsets under the Plan are unsuitable

The Plan proposes to establish three new public reserves within the first five years of the Plans implementation to deliver three strategic keystone offsets. These include the:

- Georges River Koala Reserve, comprising 1885ha
- Gulguer Reserved Investigation Area (boundary undefined), comprising 1800ha
- Confluence Investigation Area (boundary undefined), comprising 600ha

However, all of the keystone offset areas proposed predominately constitute Sandstone communities, which are not associated with the community subjected to the highest level of impact under the Plan, being Cumberland Plain Woodland.

In order to deliver adequate, and 'like for like' offsets that would be suitable for the proposed removal of > 1000ha of CPW under the Plan; the Plan would need to deliver approximately 3000ha of CPW offsets.

**Recommend**: That the Plan focus on providing suitable and targeted keystone offsets for CPW, equivalent to the impacts proposed under the Plan.

## 19. Exclusion of 'small lots' from participating in biodiversity offset program

A number of small lots appear to be excluded from the Plan through application of the land categorization scheme proposed under the Plan. For example, those lots subject to the E2 Environmental Conservation zoning imposed under the 'Non-certified - Biodiversity Avoided lands' (that are not dually mapped as SCA) appear to likely be ineligible for offsets.

This is because most of these lands are of a very small size and don't meet the appropriate criteria for offsets in accordance with the Biodiversity Conservation Trust (BCT). It is understood that the BCT won't process applications for BSA sites under 20ha in size, as areas on this scale have proven to be too expensive to manage under the current offsetting arrangements. For example, not only will the Part B costs associated with the land value be inadequate for smaller lots under the scheme; but with low ecosystem credit prices, the cost for conservation, management and administration fees associated with the Part A costs end up far exceeding the total credit value.

**Recommend**: The Plan should reconsider its approach to the land categorization scheme to one that supports landowners to protect biodiversity values on their land and encourages participation in the biodiversity offset program, instead of an approach that excludes landowners in these areas.

## 20. The Plan should prioritise conservation opportunities that protect existing bushland areas

Restoration targets proposed under the Plan include undertaking up to 1370ha of ecological restoration of TEC in priority areas – which are said to comprise up to 25 per cent of the conservation target for impacted native vegetation under the Plan.

Revegetation and reconstruction approaches are generally considered an inferior replacement for the conservation of existing bushland areas. There is substantial evidence that the best biodiversity conservation outcomes are achieved by the reservation and protection of intact communities and that rehabilitated sites rarely approach the biodiversity values of intact, or even degraded communities.

In particular, the ecological reconstruction of TECs when used for biodiversity offsets are known to be high risk, expensive, and have high failure rates; as confirmed by the findings of an independent analysis of global offset programs (including programs from NSW), which found:

 'inherently large time lags, uncertainty, and risk of restoration failure require offset ratios that far exceed what is currently applied in practice. Restoration offset policy therefore leads to a net loss of biodiversity and represents an inappropriate use of the otherwise valuable tool of ecosystem restoration'.

The success of restoration approaches as described in the Final Determination for CPW are well known to be problematic, especially in locations that have endured historical soil disturbance.

Concern is raised with the amount of land being proposed for reconstruction under the Plan, and the lack of available science to support the viability of this offsetting approach.

**Recommend**: The Plan should prioritise conservation opportunities that protect areas of existing bushland areas, rather than focus its attention on ecological reconstruction of cleared farmland that has been subject to historical disturbance regimes.

#### 21. Establishment of Council Reserves as 'Conservation Lands' under the Plan

Conservation lands established through the conservation program include both new reserves and additions to existing reserves. The term 'reserves' in the Plan can refer to national parks, nature reserves, state conservation areas, regional parks (all managed by National Parks and Wildlife Service), council reserves and community-based reserves, as long as they have secure (on-title) agreements in place and will be managed for conservation in perpetuity.

**Recommend:** That further clarification be provided in the Plan regarding the mechanism for establishment of Council reserves that are included in the CPCP and if the mechanism will come with a guarantee of funding for management or if is there a requirement for Council to fund management in perpetuity. Further to this, clarification is required with regards to capitalising funds and if they will be managed through developer contributions in perpetuity.

# 22. Information sharing of local knowledge and issues

Council, its staff and the local community have been engaged with the proposed Reserve area over the past 70 or so years and as such have an extensive understanding of management issues. Council in particular has directly managed works including bush regeneration, priority weed management, Aboriginal and European heritage conservation, reserve access issues and recreation upgrades and has many documents to support this.

**Recommend:** That an early collaborative approach to future management be undertaken, preferably prior to funding allocations under proposed Biodiversity Stewardship Agreements (BSA) to ensure that there are no shortfalls.

### 23. Inclusion of Council Reserves into the proposed Georges River Koala Reserve

The proposed Reserve incorporates various Council owned and/or Council managed reserves (Care, Control and Management), some of which have high recreational value and have seen significant investment from Council over the many years of active management.

The Council owned reserves in question include Scattergood Park, St Helens Park, rear of Foxlow PI, Airds, Canally Reserve, Airds and Ingleburn Reserve, Ingleburn. The Council managed Crown Lands include The Woolwash, Airds and Freres Crossing and Keith Longhurst Reserves (The Basin or Georges River Nature Reserve), Kentlyn.

**Recommend:** Council requests clarification as to the arrangements under the proposed Georges River Koala Reserve for both Council owned and Council managed reserves.

#### 24. Inconsistent boundary delineation of proposed Georges River Koala Reserve

To aid in managing future conflicts and for ease of installation and overall effectiveness of Reserve exclusion fencing, the proposed Reserve boundary should be amended to include all lands to the east of existing roads and/or properties. This will assist adjoining land owners in identifying Reserve lands and will reduce confusion with land ownership between private and public land owners. In addition, many of the proposed boundaries cross large creek lines (such as Spring Creek, St Helens Park) or do not align with existing roads. This will be problematic for future management and will impact on creating a secure reserve network that addresses existing issues such as illegal trailbike and 4WD access.

**Recommend:** The practical application of the Reserve boundary as currently proposed under the Plan is problematic. To more adequately support the future management system of the Reserve, the Plan should adopt more appropriate fencing delineation which could be achieved by incorporating all properties on the eastern periphery of the Reserve boundary.

# 25. Community access and existing use rights

Council has over many years received feedback from local residents and visitors regarding the use of reserves such as Freres Crossing and Keith Longhurst Reserve (The Basin or Georges River Nature Reserve) and DPIE owned lots through-out Kentlyn and Minto Heights. Currently the majority of the proposed reserve is zoned RE1 Public Recreation under the Campbelltown Local Environmental Plan 2015 and our residents have been vocal about maintaining access rights to these reserves for uses such as horse riding. Many of the residents originally purchased property in the rural areas of Campbelltown to utilise the benefits of the surrounding land for recreational activities and as such these undertakings should be considered in future management.

**Recommend:** The Plan should take into consideration community access and existing use rights into the future management of the Georges River Koala Reserve.

# 26. Acquisition of private lands associated with the proposed Georges River Koala Reserve

Council has received a high number of calls from concerned residents enquiring into how the Plan affects their land, and in particular if their individual properties will be subject to future compulsory acquisition clauses under the Plan.

Exhibition of the Plan has been undertaken without the provision of the appropriate level of detailed information for residents to understand how they will be impacted by the proposal, and this has caused a high level of uncertainty and fear in the community. This has also put undue pressure on Council resources to respond to the resultant enquiries stemming from residents in relation to the exhibition of the Plan.

**Recommend:** A more active engagement of affected landowners is required to be undertaken by the Department to address the uncertainty caused by the Plan.

# 27. Lack of consideration given to the Georges River Recreational Trail under the Plan

The proposed Georges River Recreational Trail extends from the Dharawal National Park in the south to Glenfield in the north and runs along the entire length of the Georges River along the eastern side of the Campbelltown LGA. The proposed trail primarily utilises existing fire trails and largely traverses land owned by the NSW Government and interlinks many existing Council and Crown Reserves (under Council's care, control and management), all of which are within the proposed koala reserve. Its consideration during the planning stage of the proposed reserve is essential, particularly with establishment of stewardship sites and calculations of biodiversity credits.

The proposed trail has been in planning over the last 30 years, firstly in the late 1990's as the The Great Kaimia Way to more recent Council led studies under the auspice of the Georges River Recreation Trail.

The development of an extensive formalised recreational trail system throughout the proposed reserve has widespread support from the community and will serve as an important natural, educational and recreational resource for the Campbelltown LGA and broader Macarthur region. In addition, the proposed trail and would provide Campbelltown with a unique opportunity to attract tourists to the area generating increased economic benefits whilst preventing ongoing impacts of unsanctioned and illegal trails and protecting the environment through increased visitation.

**Recommend**: Council would like to see the Plan take into consideration the Georges River Recreational Trail. To assist with this, Council can provide the Scoping Report as well as detailed on ground mapping that has been completed over the last two years.

### 28. Allocating enforcement responsibility to local Councils for compliance matters

Council currently notes many existing and ongoing issues with the proposed Reserve including illegal firewood collection, rubbish dumping, illegal 4WD/trail bike access and illegal land clearing. To date many of these are largely managed by Council using finite resources and when escalated are often not acted upon by DPIE as they are considered 'too small' for prosecution and investigation. Under the proposed management arrangement, it is suggested that resourcing for compliance activities are appropriately funded and staffed above and beyond existing National Park Wildlife Services ranger levels. This is of particular importance given the many historical issues, large urban interface and significant population increases projected for the Campbelltown and broader Macarthur area during the reserve establishment phase.

**Recommend:** The Department should engage with local councils to discuss funding and staffing requirements related to the allocation of enforcement responsibility for compliance matters.

# 29. Auditing of Part 5 Environmental Assessments in Strategic Conservation Areas as prescribed under the Plan

Clarification is required regarding Council compliance to oversee Part 5 impact assessments in strategic conservation areas. This creates confusion and currently there is no real requirement for Part 5 assessment activities to take into account the Biodiversity Values Map.

Unless the proposed guidelines are legislated, councils would not be obligated to consider these when undertaking works. To ensure effectiveness, inclusion of impact triggers should be included within the SEPP to direct Part 5 impact assessments to include assessment with regard to:

- Requirements for public authorities to avoid, minimise, mitigate and offset impacts to biodiversity when undertaking essential infrastructure development on non-certified land in the nominated areas identified under the Plan.
- Planning controls for the strategic conservation area that the determining authority must consider when assessing activities under Part 5 of the *Environmental Planning* and Assessment Act 1979.
- Mitigation measures to address indirect and prescribed impacts on TEC and species from infrastructure development in the nominated areas.

**Recommend**: That clarification is provided in relation to the compliance process proposed under the Plan for the undertaking of Part 5 assessments in strategic conservation areas.

# 30. Proposed funding of Council-based Compliance Officers under the Plan

Local councils will play a key compliance role, ensuring that conservation measures are implemented in accordance with the Plan. The Plan commits to providing funding for at least three council-based officers across Western Sydney to ensure compliance with the conservation program. These officers will work closely with council rangers to monitor activities such as illegal dumping and vegetation clearing.

**Recommend**: Further detail is required to be provided on the compliance role of local Councils as directed under the Plan, particularly how three Council-based officers are to be funded and managed across eight council areas.

### 31. Lack of internal consultation regarding existing land transfer agreements

Concern is raised about the lack of internal consultation and dialogue between the Department and the Office of Strategic Lands (OSL) in the preparation and development of the Plan, especially with regard to existing land transfer agreements being progressed between OSL and Council.

Existing ongoing and lengthy negotiations for a substantial period regarding large areas of OSL-owned lands that were in the process of being transferred to Council. However, it now appears these areas are also identified as keystone offsets required to be delivered under the Plan.

**Recommend:** Council encourages the Department to consult with the OSL to ensure a whole of government approach and to ensure that lands required as offsets under the Plan are capable of being delivered.

#### 32. Implementation (DCP/LEPs/SEPP)

The Plan identifies that development controls to avoid, mitigate or minimise the indirect and prescribed impacts associated with increased urbanisation and growth would be required.

Development Control Plans (DCP) are highlighted to importantly include objectives and controls, including model clauses for DCPs proposed by the DPIE.

**Recommend**: That critical objectives and controls be detailed in the relevant State Environmental Planning Policy for Strategic Conservation Planning. Only lower order objectives and controls should be detailed in DCPs.

### 33. Funding Conservation - Outcomes and Equity

The Plan proposes initial funding to address the documented commitments and actions. Additionally, it proposes that the conservation program be funded through developer contributions as a biodiversity component of a Special Infrastructure Contribution, including potential for full cost recovery.

However, not all the conservation requirements are occasioned by urban development and there should be funding provision for other non-developed induced impacts.

**Recommend:** That funding of desired conservation outcomes which extend beyond compensatory development impacts should be the subject of other forms of public funding.

# 34. Funding Conservation for ongoing management

The Plan implies significant ongoing management responsibility and cost implications for a range of bodies, including councils.

It is not appropriate that councils are responsible for a range of ongoing management actions and associated costs without access to additional resourcing or assistance.

**Recommend:** That the ongoing management responsibility for diverse natural areas be acknowledged and appropriate resourcing provided beyond councils traditional revenue sources.

# 35. Potential for the provision of a Special Infrastructure Contribution

The Plan states that a Special Infrastructure Contribution levy fund for biodiversity of \$4500 per dwelling was proposed in the Wilton and Greater Macarthur Growth Areas draft Land Use and Infrastructure Implementation Plans. The NSW Minister for Planning will consider a range of developer contribution levels, including full cost recovery, prior to making a final determination on the biodiversity component of the Special Infrastructure Contribution before the Plan is approved.

**Recommend**: Clarification is required regarding whether councils are required to formulate their own policy positons for the negotiation of Voluntary Planning Agreement for avoided land areas or require informal offset strategies based on Total Fund Deposit values using the Biodiversity Assessment Method – Calculator.

#### Conclusion

The Plan is one of the largest strategic conservation plans to be undertaken in Australia and is the first plan to be undertaken under the new BC Act.

It is recommended that Council endorse the making of a submission that includes the issues raised in this report.

#### **Attachments**

Nil



# 8.7 Development Application Status

# **Reporting Officer**

Director City Development City Development

# **Community Strategic Plan**

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

# Officer's Recommendation

That the information be noted.

# **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 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. List showing status of Development Applications (contained within this report)

Ordinary Council Meeting

# **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	Electronic determination prepared	
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	Report to planning panel being prepared	
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	
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	

Ordinary Council Meeting

# **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	Report to planning panel being prepared	
4079/2017/DA-CD	Western Sydney University, 183 Narellan Road, Campbelltown	Concept application for the staged development of residential, mixed use and open space land uses including Stage 1 for super lot subdivision and civil works	\$6,175,279	>\$5 million capital investment value Crown development	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	Under assessment	

	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	

Ordinary Council Meeting

# **Development Application Register**

	DAs to be considered by the Local Planning Panel					
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
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	More than 10 unique objections, planning agreement	Under assessment	
3493/2017/DA-RS	Linum and Lantana Streets, Macquarie Fields	Construction of 12 two storey dwellings and subdivision into 12 Torrens title allotments	\$3,200,000	Council land	Withdrawn by applicant	
3503/2019/DA-M	19 Dan Street, Campbelltown	Demolition of an existing dwelling and construction of 5 x 2 storey multi dwellings and associated site works	\$647,000	Conflict of interest	Reported to LPP's September 2020 meeting.	Application deferred by Panel to allow applicant to provide further information
292/2018/DA-SW	Menangle Road, Menangle Park	Civil works and subdivision of land into 68 Torrens title allotments, including 1 residue allotment - Stage 2A Menangle Park	\$5,670,000	Planning agreement	Reported to LPP's September 2020 meeting.	Approved with conditions at September meeting
2184/2019/DA-M	26 Brenda Street, Ingleburn	Demolition of existing structures and construction of two storey semi-detached dwellings	\$585,900	Development standard variation greater than 10%	Reported to LPP's September 2020 meeting.	Application deferred by Panel to allow applicant to provide further information
2225/2020/DA-DW	Lot 8177 DP 881519, Bayton Place, St Helens Park	Construction of a single storey dwelling	\$84,500	Development standard variation greater than 10%	Under assessment	

# **Development Application Register**

Ordinary Council Meeting

10/11/2020

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2183/2019/DA-M	25 Carinda Street, Ingleburn	Demolition of existing structures and construction of two storey semi-detached dwellings	\$585,900	Development standard variation greater than 10%	Reported to LPP's September 2020 meeting.	Application deferred by Panel to allow applicant to provide further information
2225/2020/DA-DW	Lot 8177 DP 881519, Bayton Place, St Helens Park	Construction of a single storey dwelling	\$84,500	Development standard variation greater than 10%	Under assessment	
2401/2018/DA-C	139 St Johns Road, Bradbury	Child care centre	\$1,154,792	Development standard variation greater than 10%	Under assessment	
2675/2008/DA-S	Lot 7304 Kellerman Drive, St Helens Park	Subdivision into 355 residential lots and associated civil and road works	\$9,000,000	More than 10 unique objections	Under assessment	
2183/2019/DA-M	25 Carinda Street, Ingleburn	Demolition of existing structures and construction of two storey semi-detached dwellings.	\$579,300	Development standard variation greater than 10%	Reported to LPP's September 2020 meeting.	Application deferred by Panel to allow applicant to provide further information
2687/2018/DA-SW	Appin Road, Gilead	Subdivision of land and associated civil works into 139 residential lots and 3 residue lots	\$7,972,417	More than 10 unique objections, planning agreement	Reported to LPP's September 2020 meeting.	Application deferred by Panel to allow applicant to provide further information
681/2018/DA-SW	Menangle and Cummins Roads, Menangle Park	Subdivision of land and associated civil works into 90 residential lots and 3 residue lots	\$6,930,000	Planning agreement	On public exhibition	

10/11/2020

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2611/2019/DA-M	42 Brenda Street, Ingleburn	Demolition of existing structures and construction of three x two storey semi-detached dwellings	\$855,350	Development standard variation greater than 10%	Under assessment	
3859/2019/DA-M	116 Ingleburn Road, Ingleburn	Demolition of existing structures and construction of three x two storey semi-detached dwellings	\$878,000	Development standard variation greater than 10%	Waiting on information from applicant	
1786/2020/DA-C	10 Wickfield Street, Ambarvale	Mixed use commercial, child care centre and residential development	\$12,585,013	SEPP 65 – Residential Apartment	Under assessment	
3989/2019/DA-U	226 Queen Street, Campbelltown	Use of existing commercial premises as a night club	\$65,000	Contentious use – licensed premises	Under assessment	
3988/2019/DA-BH	88 Rudd Road, Leumeah	Demolition of existing structures and construction of a 27 room boarding house	\$3,180,997	More than 10 unique objections	Waiting on information from applicant	

DAs with a value of \$1 million or more approved under Delegated Authority by the General Manager since last Council						
meeting						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
Nil	Nil	Nil	Nil	Nil	Nil	Nil

CAMPBELLTOWN

#### 8.8 Planning Proposal Request - 2 Farrow Road, Campbelltown

# **Reporting Officer**

**Executive Manager Urban Centres** City Development

# **Community Strategic Plan**

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.4 - Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workforce including professional, technology and knowledge based skills and creative capacity

# Officer's Recommendation

- 1. That Council not support the Planning Proposal Request (attachment 1) which seeks rezoning of industrial land at 2 Farrow Road to permit high rise residential development and mixed use development outcomes and changes to the maximum permissible height of buildings for the site (with a variety of heights up to 101 metres/28 storeys).
- 2. That the applicant be advised of Council's decision.

# **Executive Summary**

- Council has received an owner-initiated Planning Proposal Request (PPR), seeking an amendment of Campbelltown Local Environment Plan 2015 (CLEP 2015) to rezone industrial land at 2 Farrow Road, Campbelltown to permit high rise residential development) and mixed use development outcomes on the subject land with accompanying alterations to the maximum height of buildings map (with a variety of heights up to 101 metres/28 storeys). The proposed rezoning and change to the maximum height of buildings map has the potential to provide future development of 1200 dwellings on the subject land.
- The subject land is 2.84 hectares in area and is strategically located adjacent to Campbelltown Railway Station, being part of a broader industrial precinct on the western side of the main rail line. The site is occupied by a single level warehouse building with a floor area of approximately 10,543sqm and used for industrial activities.

- As part of the broader review of CLEP 2015, Council has separately endorsed a planning proposal to rezone the subject land from 4B Industry under LEP 2002 to IN2 Industrial under CLEP 2015. This zoning amendment is being undertaken to address the 'deferred matter' status of the land under the CLEP 2015. The endorsed planning proposal also introduces a height limit of 19m to the site to be consistent with height controls for industrial development for the IN2 Industrial zone under CLEP 2015. The planning proposal has been publicly exhibited and forwarded to the Department of Planning, Industry and Environment for finalisation. It is anticipated that it will be finalised within a few months.
- The PPR is accompanied by an urban design study and conceptual precinct plan providing an urban renewal vision for the site and surrounding industrial precinct, including conceptual building envelopes, publicly accessible areas, sporting facilities and public open space along Bow Bowing Creek. The urban design study and associated precinct plan is aspirational in nature and has not been endorsed by Council or any other affected land owners. In this respect the PPR proposes amendments to CLEP 2015 for the subject site only, not the broader precinct shown in the accompanying study.
- Advice has been obtained from the Campbelltown Local Planning Panel (the Panel) to assist Council's determination of the matter in accordance Section 2.19 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The Panel does not support the PPR.
- The PPR has been assessed in accordance with the relevant state and local planning framework, including the Reimagining Campbelltown City Centre Master Plan, and a number of inconsistencies have been identified that are considered significant enough for the PPR to not be supported. Details of these inconsistencies are discussed in the body of the report, and generally relate to the following broad issues:
  - loss of strategically important employment land
  - o unwarranted expansion of housing capacity in the city centre
  - o potential negative impacts on the revitalisation of Queen Street
  - excessive building heights
- It is recommended that Council do not support the PPR.

# **Purpose**

The purpose of this report is to inform Council of a PPR that Council has received for 2 Farrow Road, Campbelltown, provide an assessment of that proposal and inform Councillors of the advice of the Panel in this regard.

Property Description Lot 1 DP 406940, 2 Farrow Road, Campbelltown

**Application No** 1250/2020/E-PP

Applicant Hyside Projects Subone Pty Ltd

Owner Campbelltown Central 2 Pty Limited

Date Received 4 May 2020

# **History**

The subject PPR was submitted to Council on 4 May 2020. A key part of the PPR was the requested amendment of CLEP 2015 to permit staggered building heights across the subject land up to a maximum height of 121 metres (36 storeys).

In response to the Councillor Briefing on 21 July 2020 and having regard to prior discussions with Council planning staff, the proponent submitted an addendum to their proposal on 19 August 2020 reducing the proposed spread of building heights across the site. The addendum modified the PPR by reducing the proposed height limits across the site (attachment 4), including the reduction of the maximum height limit from 121 metres (36 storeys) to 101 metres (28 storeys).

# Report

#### 1. Introduction

The subject PPR is an owner initiated proposal and seeks an amendment of Campbelltown Local Environment Plan 2015 (CLEP 2015) to rezone industrial land at Lot 1 DP 406940, 2 Farrow Road Campbelltown and increase the maximum permissible height of buildings applicable to the site. The site is a corner allotment with frontages to Badgally Road and Farrow Road and total area of 2.8 hectares. The land is strategically located adjacent to Campbelltown Railway Station, and is developed with a single storey industrial warehouse with associated external hardstands, parking areas and internal driveways.

The intended outcome of the PPR is to permit high rise residential and mixed use development outcomes up to 101 metres in height (28 storeys) on the subject land, as conceptually indicated in the accompanying 'Campbelltown Northern Precinct Plan – Urban Design Study' and addendum report (attachments 2 and 3). This supporting study and precinct plan is aspirational in nature, and has not been prepared or endorsed by Council or other affected landowners. In this respect, the PPR does not seek any planning amendments beyond the boundary of the subject site.

This report provides an assessment of the PPR to assist Councillors in deciding whether the PPR should be supported by Council and forwarded to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination and public exhibition.

# 2. Site Description

The subject site is located on the corner of Farrow Road and Badgally Road, on the north-western side of Campbelltown Railway Station, directly across Farrow Road from the entry/exit points into the station. The site has an area of 2.84 hectares, and is generally rectangular in shape. The site has a frontage to Farrow Road of approximately 200 metres, a frontage to Badgally Road of approximately 110 metres, and a frontage to Bow Bowing Creek of approximately 223 metres.

The site contains a metal and brick warehouse building with a floor area of approximately 10,543sqm. Areas around the northern and western sides of the warehouse are used for parking, loading and storage. The site also contains two rows of trees; one along the site's Badgally Road frontage and one along its frontage to Bow Bowing Creek.

To the north of the site beyond Bow Bowing Creek are industrial, retail and commercial land uses along Blaxland Road and Badgally Road. To the east of the site beyond Badgally Road are industrial and bulky goods land uses. To the south of the site beyond Farrow Road and the railway line is a commuter carpark and Campbelltown Railway Station, including pedestrian access via stairs and a lift. To the west of the site is a large vacant parcel of Council-owned land, beyond which is the main commuter car park on the northern side of the railway line.

# 3. The Planning Proposal Request

The PPR seeks the following changes to CLEP 2015:

- a. Removal of the subject site from the "Deferred Matters" area on the Land Application Map.
- b. Amend the zoning of the site from 4(b) Industrial B (which applies under CLEP 2002 because the site is within a deferred area) to B4 Mixed Use.
- c. Amend the Height of Buildings Map to apply a series of height limits across the site, ranging from 63 metres to 101 metres (18 to 28 storeys).
- d. Add a Clause 41 to "Schedule 1: Additional Permitted Uses" of CLEP 2015, to exempt residential flat buildings on the site adjacent to Bow Bowing Creek from having to comply with Clause 7.9 of the CLEP, which requires that buildings in the B4 zone have an active street frontage and contain only non-residential land uses on the ground floor.

The PPR includes an urban design study, addendum report and accompanying Precinct Plan, prepared by the applicant to provide a contextual development strategy for how the subject site and nearby sites in the area could be collectively developed as a precinct if the PPR for the subject site was supported. The PPR documentation indicates that future development resulting from the proposed rezoning could facilitate an estimated 1200 new dwellings and potentially 1150 – 1500 jobs, however these figures are based upon a number of assumptions for the future development of the broader precinct as provided within the accompanying urban design study.

The accompanying study, addendum report and precinct plan show a broader land use vision for the surrounding industrial land as prepared by the proponent. The supporting study and precinct plan provide a broad land use vision that is aspirational in nature, and has not been prepared or endorsed by Council or other affected landowners. In this respect, the PPR does not seek any planning amendments beyond the boundary of the subject site.

# 4. Assessment – State Planning Policies

The following state planning policies are relevant to the assessment of the PPR as outlined below.

# 4.1 Greater Sydney Region Plan 2018 – A Metropolis of Three Cities

The Greater Sydney Region Plan (GSRP) 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 GSRP is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

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 overarching theme of the Plan is to shift from a focus on radial convergence into the Eastern Harbour City to a model of self-containment within each of the three cities, based on the concept of the 30 minute city whereby residents should have access to a metropolitan centre/cluster within 30 minutes of their homes.

Whilst the proposal would increase the number of homes within very close proximity to the Campbelltown CBD, it would also exacerbate the imbalance of homes and jobs within the Campbelltown LGA and the Western Parkland City broadly (only 34 per cent of employed residents of the Campbelltown LGA work in the area). The proposal would sterilise the employment potential of the land, diminishing work opportunities close to home for residents of the Campbelltown LGA and the Western Parkland City. This outcome would be inconsistent with the 30 minute vision of the GSRP to achieve greater self-containment of employment for the City of Campbelltown.

The assessment of the PPR against the most relevant strategies and objectives of the GSRP is summarised in the table below.

# Strategy/objective of the Greater Sydney Region Plan 2018

Objective 22: Investment and business activity in centres

The urban structure to support the metropolis of three cities needs to give people access to a large number and range of jobs and services delivering a well-connected city – a 30-minute city.

Campbelltown-Macarthur forms part of the metropolitan cluster within the Western Parkland City and will deliver the metropolitan functions of providing concentrations of higher order jobs and a wide range of goods and services.

Existing centres: Expansion options will need to consider building heights and outward growth. In some cases, directly adjacent industrial land may be appropriate for centre expansions to accommodate businesses.

# Assessment of Proposal against strategy/objective

The subject land is a key site located adjacent to the train station and City Centre and has potential to provide employment-generating commercial activities and population services to benefit residents of the Campbelltown LGA over time, should Council decide to expand the City Centre to the western side of the railway line.

The rezoning of the subject land to permit a predominantly residential development on the subject site would be inconsistent with the direction of growing Campbelltown as a commercially-focused centre, as it would sterilise this important site's ability to provide a far more meaningful contribution towards this goal.

As there is already an abundance of land within and around the city centre that is able to accommodate high density residential and mixed use residential development, a more suitable outcome for the subject site would be to either retain the site as industrial land or

rezone it to allow for a land use outcome that better aligns with the objective of enhancing Campbelltown's commercial focus.

The future expansion of the Campbelltown CBD to the western side of the railway line is an outcome that is envisaged by the Reimagining Campbelltown City Centre Master Plan and the Campbelltown Precinct Plan within the Glenfield to Macarthur Corridor Strategy. However, the precise land use outcomes for this precinct are yet to be determined and are dependent on ongoing strategic planning work.

This directive states specifically that centre expansion may be appropriate accommodate businesses (i.e. not residential development). The proposal is supported by a concept plan indicating that 25,350sqm of non-residential floor space would provided. This outcome would result in a reduction of land/floor space available to accommodate businesses, as the site currently has 28.400sqm of industrial land. incremental expansion of the Campbelltown CBD that the PPR proposes would be largely for the purpose of accommodating additional residential development and is therefore considered to be inconsistent with this section of the Plan.

Strategy 22.1 Provide access to jobs, goods and services in centre

Attracting significant investment and business activity in strategic centres to provide jobs growth

Creating the conditions for residential development within strategic centres and within walking distance (up to ten minutes), but not at the expense of the attraction and growth of jobs, retailing and services.

Whilst continuing residential development is important to the growth of Campbelltown-Macarthur as a regional city centre, there is sufficient land zoned within and near the city centre to provide for additional housing over the next 20 years.

The subject land is a key site located adjacent to Campbelltown Railway Station and the city centre, and has potential to provide land uses that generate economic activity and employment for the benefit of residents of the Campbelltown LGA. The rezoning of the subject land to permit a predominantly residential development on the subject site would be at the expense of the attraction and growth of jobs, retailing and services.

The continuation of or expansion of employment-generating land uses on the subject land would therefore better support

Objective 23: Industrial and urban services land is planned, retained and managed.

All existing industrial and urban services should be safeguarded competing pressures, especially residential and mixed-use zones. This approach retains this land for economic activities required for Greater Sydney's operation, such as urban services. Specifically these industrial lands are required for economic and employment purposes. Therefore the number of jobs should not be the primary objective rather a mix of economic outcomes that support the city and population. The management of these lands should accommodate evolving business practices and changes in needs for urban services from the surrounding community and businesses.

A review of industrial land adjacent to train stations, which would normally considered a preferred location conversion to residential development, reveals there are only a few sites remaining across Greater Sydney. Further, this industrial land adjacent to train stations is, in the main, part of large intact industrial precincts or directly linked to the freight rail network and therefore highly valuable industrial land - it is not suitable for conversion to residential.

Strategy 23.2: Consider office development in industrial zones where it does not compromise industrial or urban services activities in the South and Western City Districts.

Innovative approaches in the South and Western City Districts may present opportunities where office uses can be compatible on certain industrial and urban services land. This could facilitate the attraction of knowledge businesses and a broader diversity of jobs close to home.

the residential communities in and around the Campbelltown-Macarthur regional city centre. Accordingly, the PPR is not considered to be consistent with this objective.

The subject land is within an existing a large intact industrial precinct adjacent Campbelltown Station that is zoned for industrial land uses. The proposed rezoning of this industrial land to mixed-use (with a predominantly residential outcome) would be inconsistent with this objective. Whilst the commercial component of a future mixed-use development may have a higher employment density than that of the site's current industrial use, this objective makes clear that the number of jobs should not be the primary objective. Rather, economic diversity is of paramount importance. At present, the area surrounding Campbelltown station has a balanced supply of four different land use zones that support different types of economic activity and employment (B3 Mixed Use, B5 Commercial Core, B4 Business Development and 4(b) Industrial Liaht Industrial). which separated/delineated by the railway line and regional roads so as to create economic agglomerations and control amenity impacts. The proposed rezoning of this industrial land to mixed use with a predominantly residential outcome would disrupt this balance and erode the existina liaht industrial agglomeration on the western side of the railway line.

The proposal is therefore considered to be inconsistent with this objective of properly planning, retaining and managing industrial and urban services land and preventing industrial land adjacent to train stations being converted to residential land.

The subject site, given its location adjacent to the Campbelltown train station and city centre and its associated high level of accessibility, has the opportunity to achieve an outcome that would be consistent with this strategy.

However, the proposed rezoning of the land to allow a mostly residential development on the subject site with minimal business activity does not capitalise on this opportunity. The proposal would be inconsistent with the goal of attracting knowledge business and a broader diversity of jobs close to home.

The above strategies and objectives of the GSRP support the site being retained and managed as industrial land for employment generating land uses.

The proposed rezoning of the land to allow for predominantly residential outcomes on the site with limited business activity does not capitalise on the strategic importance of the site to promote employment growth for the Campbelltown City Centre and is therefore considered to be inconsistent with the above objectives and strategies of the GSRP.

# 4.2 Western City District Plan

As part of the NSW State Government's GSRP, Campbelltown is identified as a metropolitan cluster and health and education precinct in the Western City District Plan (WCDP). The WCDP provides relevant planning priorities for consideration relating to infrastructure and collaboration, liveability, productivity and sustainability, and is a relevant consideration for the subject PPR.

An assessment of the PPR in accordance with the relevant planning priorities of the WCDP is provided in the table below.

Planning Priority	Assessment of Proposal against priority
W1 – Planning for a city supported by infrastructure	The site benefits from its location adjacent to Campbelltown station which is a key piece of infrastructure that would support any proposal for intensification of development on the site.
	Preliminary investigations have revealed that the planned bridge between Broughton and Badgally Streets over the railway line will require land from the subject site as the existing road corridor is not wide enough. However, the precise extent of land required at this stage is unknown. Therefore, the PPR is considered to be premature in the sense that whilst investigations are currently ongoing, Council at present does not have information sufficient to depict the necessary road corridor width on any amended zoning map or land acquisition map.
W3 – Providing services and social infrastructure to meet people's changing needs	The proposal is supported by a concept plan that indicates that a quantum of floor space within the mixed-use development that would ultimately be developed on the site could be devoted to community-based land uses.
W5 – Providing housing supply, choice and affordability with access to jobs, services and public transport	The PPR is partly consistent with this Planning Priority as it would provide a large amount of housing supply in a location that is highly accessible to public transport. The site itself is also highly accessible to existing jobs, given its location within an existing industrial precinct and proximity to the Campbelltown CBD. However, Campbelltown has an imbalance between homes and jobs in the form of a large deficit of jobs, and the proposal's heavy skew towards residential development would exacerbate this imbalance.

Therefore, whilst the site itself is close to existing businesses, there is not an abundance of employment opportunities in Campbelltown, and the proposal would result in a net loss of employment land/floor space. The proposal does not assist in the achievement of the broader goal for Western Sydney to achieve the alignment of housing supply with employment opportunities, and it is therefore inconsistent with this Planning Priority.

W6 – Creating and renewing great places and local centres, and respecting the District's heritage

The Campbelltown CBD, located on the eastern side of Campbelltown train station, currently has an abundance of land that is zoned for residential and mixed use development. It is necessary for land within the CBD to be redeveloped in order for the CBD as a whole to undergo urban renewal. Allowing an expansion of the CBD into the land to the west of the railway line is likely to delay or prevent the redevelopment of land within the CBD that is currently able to accommodate residential and mixed use development by absorbing demand for residential and commercial floor space that could otherwise be supplied within the existing CBD. The proposal would therefore delay or prevent the renewal of the Campbelltown CBD, and is inconsistent with this Planning Priority.

In addition, a spot rezoning of the subject site on its own would lead in to land use conflicts, poor residential amenity and unsightly views for residents of the site in the short and medium term, given that the locality surrounding the site contains several large industrial land uses. This would not be conducive to the creation of great places that the Planning Priority aims to achieve.

W7 – Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City

The site benefits from its location adjacent to Campbelltown station which is a key piece of infrastructure that would support any proposal for intensification of development on the site.

Preliminary investigations have revealed that the planned bridge between Broughton and Badgally Streets over the railway line will require land from the subject site as the existing road corridor is not wide enough. However, the precise extent of land required at this stage is unknown. Therefore, the PPR is considered to be premature in the sense that whilst investigations are currently ongoing, Council at present does not have information sufficient to depict the necessary road corridor width on any amended zoning map or land acquisition map.

W9 – Growing and strengthening the metropolitan cluster	The PPR is partly consistent with this Planning Priority as it would grow the metropolitan cluster of Campbelltown's CBD by extending it to the western side of the railway line. However, it is likely to weaken rather than strengthen the existing metropolitan cluster in the medium term by absorbing demand for residential and commercial floor space that could otherwise be supplied within the existing CBD and preventing or delaying the redevelopment of existing land within the CBD.
W10 – Maximising freight and logistics opportunities and planning and managing industrial and urban services land	The PPR is clearly inconsistent with this Planning Priority, as it would lead to the loss of 2.84 hectares of valuable employment-generating industrial/urban services land.
W11 – Growing investment, business opportunities and jobs in strategic centres	The PPR is clearly inconsistent with this Planning Priority, as whilst it would provide some commercial floor space, it would represent a net loss of employment land/floor space on the subject site, given that the volume of indicative employment land/floor space would be less than that of the site in its existing form. The subject site, given its highly accessible location, represents a unique opportunity to contribute meaningfully to the achievement of business and jobs growth in the strategic centre of Campbelltown. The current proposal fails to take advantage of this opportunity and would instead worsen the imbalance of homes and jobs within the Campbelltown LGA. The proposal is therefore inconsistent with this Planning Priority.
W12 – Protecting and improving the health and enjoyment of the District's waterways	One of the aims of the Reimagining Campbelltown City Centre Master Plan is to deliver a widened and rehabilitated Bow Bowing Creek corridor in order to transform this space into a public open space/transport corridor, accessible to pedestrian and cyclists. This would allow the health of the creek to be improved and enable the creek to be enjoyed by the community.  The zoning map submitted with the PPR does not reflect this vision, as it does not make provision for Public Recreation land to be provided adjacent to
W15 – Increasing urban tree canopy cover and delivering Green Grid connections	the creek. Accordingly, the PPR is considered to be inconsistent with this Planning Priority.  Increasing the urban tree canopy cover on the site is an outcome that is able to be achieved should the subject site ultimately be rezoned and redeveloped. To assist this it would be necessary to prepare a site-specific Development Control Plan.
	In terms of delivering Green Grid connections, one of the aims of Reimagining Campbelltown City

	<del>_</del>
	Centre Master Plan is to deliver a widened and rehabilitated Bow Bowing Creek corridor in order to transform this space into a public open space/transport corridor, accessible to pedestrian and cyclists. The zoning map submitted with the PPR does not reflect this vision, as it does not make provision for Public Recreation land to be provided adjacent to the creek. Accordingly, the PPR is considered to be inconsistent with this Planning Priority.
W18 – Delivering high quality open space	The proposal is supported by a concept plan showing a number of parks within the area to the west of the railway line. One of these open space areas is located on the subject site and the rest are indicatively located on other land.
	The conceptual open space area on the subject site is proposed to be zoned B4 Mixed Use Zone rather than being delineated an open space zone. It is therefore unclear as to how the PPR would secure and deliver on this open space outcome through the proposed land zoning. It is also noted that the proposed building height map requests a maximum building height of 63-64 metres for the part of the site that corresponds to the indicative location of the park.
	Given the context of the site within an industrial precinct the western side of the rail line, any open space park delivered on the site would potentially have a low level of amenity given land use conflicts with the surrounding industrial uses.
	For these reasons, there is uncertainty that the conceptual open space area indicated on the PPR would be delivered to a high quality outcome in accordance with this Planning Priority.
W19 – Reducing carbon emissions and managing energy, water and waste efficiently	The PPR is partly consistent with this Planning Priority, to the extent that high-density residential development is inherently more efficient than low-density residential or low density industrial development in terms of per capita carbon emissions and energy use. However, as the proposal would exacerbate the existing imbalance of local jobs and homes, it would create the need for more transport movement within Sydney as a whole than would otherwise be the case if an outcome were achieved that led to greater self-containment of employment within Campbelltown.
	Furthermore, the proposal on this location would create an isolated community that is not directly connected to the existing CBD, thus increasing the demand for vehicle use to access day to day services.

A number of inconsistencies between the PPR and the WCDP have been identified as outlined above. For these reasons, the PPR is considered to be generally inconsistent with the WCDP.

#### 4.3 Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Area

The Department of Planning, Infrastructure and Environment (DPIE) has prepared Greater Macarthur 2040: An Interim Plan, which sets out the strategic planning framework for the Greater Macarthur Growth Area.

The plan sets a long term vision and provides a framework for the Greater Macarthur Growth Area, comprising the urban renewal of the rail corridor from Glenfield to Macarthur, and the development of planned land release areas from Menangle Park to Appin. The broad aims of the Plan are summarised as follows:

- economic development opportunities through an economically strong Campbelltown-Macarthur with new centres at Glenfield, Menangle Park, Gilead and Appin
- provide new homes and local centres
- improve transport connections
- transport-oriented development in both urban renewal and land release precincts
- promotion of housing diversity
- provision of suitable open spaces and amenities
- protecting the koala population

Through the aims, the Greater Macarthur 2040 Plan also sets out actions that will help meet the vision identified within the document. The PPR has been assessed against the 'Place', 'Land Use' and 'Infrastructure' aims of the Plan that are relevant to Campbelltown and the land use outcomes proposed. Details are provided below.

#### Place

With regard to place, the Plan aims to achieve the following in relation to the suburb of Campbelltown:

- Provide a range of building heights, with high rise buildings close to the station to maximise pedestrian activity and increase trade for local businesses.
- Plan for a large floor plate, campus-style office park west of the station.

With regard to the first of these aims, the proposal would provide a range of building heights, with the highest buildings located directly adjacent to the train station, and these parts of the site would have the highest maximum building heights in the entire City. However, Council has recently undertaken detailed height modelling for the Leumeah-Campbelltown-Macarthur City Centre as part of Reimagining Campbelltown City Centre Master Plan, which does not identify the subject site as having the tallest buildings in the City. This is discussed in further detail later in this report.

With regard to the second of these aims, the proposal is inconsistent with the creation of a large floor plate campus-style office park on the western side of Campbelltown train station. Should the proposal for a predominantly high-density residential development proceed, it would thwart this aim by sterilising the land's ability to become part of an office park in the future. The subject site is the closest site to the train station, making it the site most likely to be feasible for an office park development, and if the site is developed for predominantly residential purposes, it would also be likely to create an undesirable precedent for similar inappropriate development, making it unlikely that an office park would ever be created on the western side of the station.

#### Land use

With regard to land use, the Plan aims to achieve the following aims in relation to the suburb of Campbelltown:

 Campbelltown will offer higher-order civic, cultural, employment, residential and retail opportunities. It will include 3600 additional dwellings with an activated commercial and retail core.

The PPR indicates that development of the subject site in line with the zoning and maximum building heights that are sought would result in an estimated additional 1200 dwellings. This equates to 33 per cent of Campbelltown's target for housing growth in the city centre to 2036 being provided on a single site, which would lead to a disproportionate amount of future housing demand being provided on the site. If the subject site were to supply 1200 dwellings, this would significantly exceed planned housing supply and associated infrastructure provision, worsen the existing imbalance between housing and jobs within the Campbelltown LGA, and be potentially detrimental to the activation of Queen Street through shop-top housing redevelopments.

Shifting the renewal focus from the core area of the CBD to the western industrial side of the railway would therefore be inconsistent with the above land use aims of the Plan.

#### Infrastructure

With regard to infrastructure, the Plan aims to achieve the following in relation to the suburb of Campbelltown that is directly relevant to the subject site:

ii. Investigate connection from Broughton Street to Badgally Road and extension of Badgally Road over rail line

Preliminary investigations have revealed that the planned bridge between Broughton Street and Badgally Road over the railway line will require land from the subject site as the existing road corridor is not wide enough. However, the precise extent of land required at this stage is unknown. Therefore, the PPR is considered to be premature in the sense that whilst investigations are currently ongoing, Council at present does not have information sufficient to depict the necessary road corridor width on any amended zoning map or land acquisition map.

# 4.4 Glenfield to Macarthur Urban Renewal Corridor Strategy

The Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy) establishes a high level strategic planning framework to guide future housing, employment opportunities and infrastructure delivery along the Campbelltown rail corridor, forming part of the Greater Macarthur Priority Growth Area.

The subject site is within the Campbelltown Precinct Plan, being one of the seven train station precincts identified under the Corridor Strategy. The Campbelltown Precinct Plan provides the vision for the future development of the city centre having regard to the long term housing and employment needs for the area until 2036. As part of the desired future character and built form, the subject site is identified under the Precinct Plan for high rise residential (seven storeys and over) as described below:

This area could accommodate apartment housing to deliver a high level of amenity for the existing and future residents. This could comprise seven plus storey apartment buildings, with potential for communal open spaces and shared facilities. Detailed planning would be required to identify appropriate height and built form outcomes. The new dwellings should be carefully designed to integrate with the existing streetscape. Building design should maximise climate control and amenity for occupants and capitalise on district views.

The potential for seven plus storey apartment buildings on the subject land is a long term vision and, as outlined above, requires further detailed planning work to determine appropriate height and built form outcomes. In this respect, the Precinct Plan also identifies the opportunity for a large floor plate, campus style office park west of the station, which could reasonably include the subject land.

The Campbelltown Precinct Plan in the Corridor Strategy was adopted in 2017. Since this time the preparation of the GSRP and WCDP has provided a new planning framework for housing and employment delivery in the local government areas of the Sydney Region. Council has undertaken extensive work under this new planning framework, including preparation and endorsement of the LSPS, review of CLEP 2015, preparation of the Draft Strategic Review of Employment Lands Strategy, and recently endorsed Campbelltown Local Housing Strategy (LHS). These planning policies and strategies confirm Council's direction for the management of housing and employment land use outcomes on the subject land, consistent with the Reimagining Campbelltown City Centre Master Plan.

The Reimagining Campbelltown City Centre Master Plan provides a clear direction for future land use outcomes in the precinct, identifying the subject land as forming part of a future tech and city servicing precinct. This future tech and city servicing land use outcome would be consistent with the Campbelltown LHS, endorsed by Council on 29 September 2020. The LHS confirms capacity for high density shop-top housing within the existing B3 and B4 zones of the city centre on the eastern side of the railway line, underpinning the planned revitalisation of the Queen Street commercial precinct. The subject PPR rezoning is therefore not considered justified given that future housing supply would disrupt the strategic delivery of housing within the B3 and B4 zones of the city centre, including the development and revitalisation of Queen Street.

The recently exhibited Draft Campbelltown Strategic Review of Employment Lands Strategy also supports the retention of the existing industrial zoned land on the western side of Campbelltown Railway Station encompassing the subject site. This area has been identified for employment opportunities for residents in the short term. This employment objective is consistent with the updated vision for the City Centre under the Reimagining Campbelltown City Centre Master Plan recently exhibited by Council, identifying the potential of the subject land to form part of a broader Tech and City Servicing Precinct.

The detailed planning work for the city centre undertaken by Council, as contemplated by the Campbelltown Precinct Plan, supports the retention of the subject land for employment generating land uses and the promotion of city centre residential apartments within the existing zoned areas of the city centre. This planning outcome is promoted under the Reimagining Campbelltown City Centre Masterplan, and is consistent with the updated direction provided in the GSRP and WCDP to retain and manage existing employment zones near the Campbelltown City Centre. Accordingly, the PPR is not considered warranted on the basis of the long term land use vision under the Campbelltown Precinct Plan for high rise residential (seven plus storeys).

# 4.5 State Environmental Planning Policies

The details of the consistency of the PPR with relevant State Environmental Planning Policies (SEPPs) and Deemed SEPPs is provided in the table below.

State Environmental Planning Policies (SEPPs)	Consistency
SEPP No 19 - Bushland in Urban Areas	The site does not contain any known significant vegetation.
SEPP No 55 - Remediation of Land	Consistent. A Preliminary Site Investigation is provided in Appendix 5. Based on the work undertaken in the above mentioned assessment, the land to which this PPR relates is considered to be capable of being made suitable for the land use purposes which are proposed.
SEPP 64 – Advertising and Signage	Consistent. Any future DA for mixed-use development would be subject to the provisions of this SEPP.
SEPP No 65 - Design Quality of Residential Apartment Development	Consistent. Any future DA for a residential flat building and/ or shop top housing on the site would be subject to the provisions of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent. Any future DA for a residential flat building and/ or shop top housing on the site would be subject to the provisions of this SEPP.
SEPP (Affordable Rental Housing) 2009	Consistent. Future development on the site may incorporate affordable housing which would need to be relevantly assessed under the provisions of this SEPP.
SEPP (Infrastructure) 2007	Consistent. Any future DA would be subject to the provisions of this SEPP.
SEPP (State and Regional Development) 2011	Consistent. Any future development constituted as Regional Development will

	be determined by the Sydney Western City Planning Panel.
(Deemed SEPP) Greater Metropolitan	Consistent. Future DAs will be subject to
Regional Environmental Plan No 2 – Georges	detailed assessment relating to stormwater
River Catchment	and drainage to mitigate any adverse impact on the water quality and river flows
	of the Georges River and its tributaries.
SEPP (Koala Habitat Protection) 2019	The site does not contain any known koala habitat.

# 4.6 Section 9.1 Local Planning Directions

Section 9.1 of the EP&A Act allows the Minister responsible for planning to provide direction to Council in relation to the amendment or preparation of draft local environmental plans. The Directions that are relevant to this PPR are outlined below.

- Direction 1.1 Business and Industrial Zones
- Direction 3.4 Integrated Land Use and Transport
- Direction 4.3 Flood Prone Land
- 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

A number of inconsistencies with the relevant Directions have been identified as outlined below.

### Direction 1.1 Business and Industrial Zones

# **Objectives**

The objectives of this direction are to:

- (a) encourage employment growth in suitable locations
- (b) protect employment land in business and industrial zones, and
- (c) support the viability of identified centres

The Direction states that the planning proposal must:

- a) give effect to the objectives of this direction
- b) retain the areas and locations of existing business and industrial zones
- c) not reduce the total potential floor space area for employment uses and related public services in business zones
- d) not reduce the total potential floor space area for industrial uses in industrial zones, and
- e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment

#### Comment

The PPR is considered to be inconsistent with the objectives of Direction 1.1 given the net loss of employment land through loss of the existing industrial/employment zone, potential impacts on the planned revitalisation of Queen Street and the Campbelltown City Centre, and potential land use conflicts arising from locating high density residential development amidst an industrial zone.

### Direction 5.10 Implementation of Regional Plans

# **Objectives**

The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.

The Direction states that Planning Proposals must be consistent with a Regional Plan released by the Minister for Planning.

#### Comment

The strategies and objectives of the GSRP and WCDP support the site being retained and managed as industrial land for employment generating land uses. Further, there is considered to be no justification to introduce high density residential land use outcomes on the land given established capacity within the Campbelltown City Centre to accommodate projected dwelling targets to 2040 without the conversion of this land from employment to residential uses.

The proposed rezoning of the land to allow for predominantly residential outcomes on the site with limited business activity does not capitalise on the strategic importance of the site to promote employment growth for the Campbelltown City Centre and is therefore considered to be inconsistent with the relevant objectives and strategies of the GSRP and WCDP.

# Direction 7.1 Implementation of A Plan for Growing Sydney

This direction requires that planning proposals be consistent with the NSW Government's "A Plan for Growing Sydney" published in December 2014.

#### Comment:

A Plan for Growing Sydney pre-dates the updated planning framework for the Sydney Region, provided through the establishment of the Greater Sydney Commission and making of the GSRP and the WCDP as discussed above.

Campbelltown-Macarthur is identified as a strategic centre under A Plan for Growing Sydney. The strategic actions of the Plan include the growth of strategic centres to provide more jobs closer to home.

The Plan states that Campbelltown-Macarthur will be a focus for employment, services and transport connections as part of a network of strategic centres across Western Sydney. Importantly, the priorities for Campbelltown-Macarthur include the investigation of potential business park opportunities on the western side of the train line.

The proposed rezoning of the land to provide for predominantly residential outcomes on the western side of the railway line does not capitalise on the strategic importance of the site to promote employment growth for the Campbelltown City Centre, as identified under "A Plan for Growing Sydney", and is therefore considered to be inconsistent with Direction 7.1.

# 5. Assessment - Local Planning Policies

The following Local Plans and strategic planning policies are relevant to the consideration of the PPR, and an assessment of the PPR against these plans and strategies is outlined below.

# 5.1 Campbelltown Community Strategic Plan 2027

Campbelltown Community Strategic Plan 2027 (CSP) is Council's highest level strategic plan, and outlines the strategic direction of Council for a 10 year period based on the feedback of the local community and research on successful and resilient communities.

The purpose of the CSP is to identify the community's main priorities and aspirations for the future and to plan an approach to achieve these goals.

The CSP has been structured to address four key outcomes that Council and other stakeholders will work to achieve. Theses outcomes are:

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

These outcomes will be achieved through the implementation of 27 strategies identified within the CSP.

The following strategies of the CSP align with 'Outcome Three: A Thriving Attractive City' and are considered the most relevant in the consideration of this PPR:

- 3.1- Support the resilience, growth and diversity of the local economy
- 3.2- Ensure that service provision supports the community to achieve and meets their needs
- 3.3- Become an innovative city where advances in technology, creativity and community participation are nurtured and embraced
- 3.4- Retain and expand existing businesses and attract new enterprises to Campbelltown, offering opportunities for a diverse workforce including professional, technology and knowledge based skills and creative capacity
- 3.5- Support for new education opportunities that match workforce skill sets with emerging economic needs underwritten by creative entrepreneurship and innovation capacity within the local community
- 3.6- Develop tourism opportunities and promote Campbelltown as a destination

The above strategies encourage and support the development of the local economy through business innovation and growth. The present industrial zoning of the land under LEP 2002, and as proposed to be retained under CLEP 2015, is consistent with these strategies by retaining employment opportunities in the short term, and preserving strategically located landholdings for future redevelopment and employment growth in the long term.

The subject site, given its highly accessible location, represents a unique opportunity to contribute meaningfully to the attraction of new enterprises to Campbelltown in the professional, technology, knowledge based and creative industries. The subject PPR seeks to facilitate predominantly high density residential outcomes on the site, which does not achieve this employment growth outcome. The current proposal, because of its heavy skew towards residential development, fails to take advantage of this opportunity and would instead worsen the imbalance of homes and jobs within the Campbelltown LGA. Accordingly, the proposal is not considered to be consistent with the CSP.

# 5.2 Campbelltown Community Participation Plan (CPP)

Community participation is an overarching term covering how Council engages the community in its work under the EP&A Act. The purpose of the Campbelltown Community Participation Plan (CPP) is to provide a single document that the community can access which sets out how they can participate in planning matters. This includes plan making, development assessment, strategy development and planning proposals that are required to be assessed and determined by Council, Local or Regional Planning Panels.

Under Council's CCP, Planning Proposals are required to be publicly exhibited for a period of 28 days following a Gateway determination. Should Council resolve to support the PPR and submit a Planning Proposal to DPIE (which this report does not recommend), the Planning Proposal would be exhibited in accordance with the provisions of the CCP if a Gateway Determination were received.

# 5.3 Campbelltown Local Strategic Planning Statement

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March, 2020. All planning proposals are now required to demonstrate consistency with the LSPS.

A number of actions within the LSPS are relevant to the proposal, and an assessment of the proposal against these actions is contained in the table below.

Action	Assessment of Proposal against action
1.11 Support the creation of walkable neighbourhoods to enhance community health and wellbeing and create liveable, sustainable urban areas	The PPR would lead to the creation of a walkable neighbourhood, and is therefore consistent with this action.
1.17 Ensure open space is well connected via pedestrian and cycle links	The Bow Bowing Creek corridor has been identified by Council through the Reimagining Campbelltown document as an important pedestrian/cycle link through the City that can link areas of open space to each other. It is planned that a widened and rehabilitated Bow Bowing Creek corridor will be delivered in order to transform the creek and its surrounds into a public open space/transport corridor for pedestrian and cyclists. The zoning

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 transitorientated development	map submitted with the PPR does not reflect this vision, as it does not make provision for public recreation land to be provided adjacent to the creek. The proposal is therefore inconsistent with this action.  The PPR is partly consistent with this action in that if the proposal were to be progressed, Council and the Government would be working in partnership to enable urban growth on the subject site, which has a high degree of connectivity and accessibility to transport. However, given that the proposed rezoning of land would fracture an existing agglomeration of employment-generating industrial land exacerbate the existing imbalance of jobs and homes within the Campbelltown LGA, the proposal is not considered to be sustainable as this action requires.
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	The proposal is generally consistent with this action, given that it seeks to rezone existing urban land for higher density land uses, and would therefore not threaten the functions and values of scenic lands, environmentally sensitive lands and the Metropolitan Rural Area.
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	The PPR is largely inconsistent with this action. The proposal is not considered to be a "strategic rezoning of land" as it is inconsistent with the vast majority of the applicable strategic planning framework, as discussed in this report. In terms of infrastructure, the proposal fails to make adequate provision for a linear park along Bow Bowing Creek as identified in the Reimagining Campbelltown City Centre Master Plan, and is considered to be premature in the sense that the amount of land from the subject site required for road widening associated with the Broughton-Badgally Bridge is unknown. Further, given the absence of an adopted policy position for high-density redevelopment on the western side of Campbelltown station, the proposal is not presently aligned with the required provision of infrastructure in this locality.
2.12 Promote housing diversity through local planning controls and initiatives	The proposal is generally consistent with this action, given that it seeks to rezone existing urban land for higher density land uses.
2.15 Ensure that sufficient, quality and accessible open space is provided for new urban areas	The proposal is supported by a concept plan showing a number of parks within the area to the west of the railway line. One of these is located on the subject site and the rest are indicatively located
2.16 Ensure that quality embellishment for passive and active recreation is provided to new and existing open space to service new	on other land. However, the proposed zoning map included with the PPR shows the entire site as having a B4 Mixed Use zoning. Further, the proposed building height map indicates a maximum

residential development and redevelopment of existing urban areas

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

building height of 63 metres for the part of the site that corresponds to the indicative location of the park, Accordingly, the proposed amendments to CLEP 2015 do not align with the indicative open space areas shown in the accompanying concept plan. This deficiency would need to be addressed part of the determination of the PPR should it be supported.

It should be noted that any open space area delivered on the site would likely have a low level of amenity due to its close proximity to surrounding industrial land uses. Accordingly, the potential for land use conflicts between high density residential and industrial would ensue, resulting in an open space area that is unlikely to be "quality" as this action requires.

A key aim of the Reimagining Campbelltown City Centre Master Plan is to deliver a widened and rehabilitated Bow Bowing Creek corridor in order to transform this space into a public open space/transport corridor, accessible to pedestrian and cyclists. The zoning map submitted with the Planning Proposal request does not reflect this vision, as it does not make provision for Public Recreation land to be provided adjacent to the creek.

Given the above factors, the PPR is considered to be inconsistent with these actions.

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

The proposal is supported by a concept plan indicating that a new public park would be provided in a location accessible to public streets, and that a linear park would be provided. However, the zoning map submitted with the PPR does not align with this concept plan, meaning that there is no certainty that these outcomes would be delivered. This matter would need to be addressed as part of the determination process for the PPR should it be supported.

- 5.13 Investigate opportunities to rehabilitate existing waterways within the LGA to maximise the benefits to the community
- 8.24 Facilitate blue and green projects to introduce water into the urban environment, reducing the impacts of the urban heat island effect and providing increased shade and canopy coverage

One of the aims of Reimagining Campbelltown is to deliver a widened and rehabilitated Bow Bowing Creek corridor in order to transform this space into a public open space/transport corridor, accessible to pedestrian and cyclists, which would give effect to this action. The zoning map submitted with the PPR does not reflect this vision, as it does not make provision for public recreation land to be provided adjacent to the creek, and the proposal is therefore inconsistent with this action. It is however noted that overall the development of the site in accordance with the plans provided would reduce

the overall site coverage by buildings providing a potential opportunity to increase canopy coverage. The PPR includes shadow diagrams prepared for Identify appropriate building indicative buildings at the building heights proposed heights through design requirements to ensure that solar access is not (63 to 101 metres). These diagrams indicate that buildings at the maximum building height proposed restricted in open space areas adjoining multi-storey developments would have overshadowing impacts upon the Council Civic Centre and Campbelltown Court House in the afternoon period. These two sites contain open space areas that would be significantly overshadowed by buildings at the maximum building height proposed. The proposal is therefore inconsistent with this action. 9.8 Promote the development and The subject site is located within an existing agglomeration of industrial land that serves an intensification of Campbelltown's important economic and employment function. The existing agglomerations to boost productivity and competitive edge PPR would excise the subject site from this agglomeration and thereby have the effect of weakening it. The proposal is therefore inconsistent with this action. 10.5 Continue to recognise The Campbelltown CBD, located on the eastern the dynamic and evolving nature of side of Campbelltown train station, currently has an abundance of land that is zoned for mixed use centres, their ability to become activated and integrated mixed use development. It is necessary for land within the hubs which are highly productive CBD to be redeveloped in order for the CBD as a whole to evolve into an activated and integrated liveable places, and the potential of large and existing retail mixed use hub. Allowing an expansion of the CBD providers to offer local employment into the land to the west of the railway line is likely to delay or prevent the redevelopment of land within the CBD that is currently able to residential and accommodate mixed development by absorbing demand for residential and commercial floor space that could otherwise be supplied within the existing CBD. The proposal would therefore delay or prevent the evolution of the Campbelltown CBD into an activated and integrated mixed use hub, and is therefore inconsistent with this action.

#### 5.4 Reimagining Campbelltown

The Reimagining Campbelltown project commenced in late 2017. Phase 1 outlined the vision for the future of the Campbelltown, Macarthur and Leumeah stating that the economy and built form of these centres will need significant re-structuring to ensure that projected population growth can be accommodated across the Western Parkland City by 2036. This vision formed the basis of the Reimagining Campbelltown City Centre Master Plan.

At its meeting on 14 April 2020, Council resolved to endorse and exhibit Reimagining (Phase 2) - Campbelltown City Centre Master Plan 2020. The Plan was publicly exhibited until July 2020. A post exhibition report was received and noted by Council at the Council meeting on 13 October, 2020.

The vision for the plan is to elevate Campbelltown to the status of a Metropolitan CBD, a leading centre of health services, medical research and mid-tech activity that will be achieved through ambition, innovation and opportunity.

The vision for Reimagining Campbelltown City Centre is underpinned by a Place Framework. Comprising six strategic growth pillars and 25 commitments, it is the enduring decision-making framework to guide growth and investment for a more prosperous future. The six strategic growth pillars comprise the following:

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

An assessment of the PPR has been undertaken in accordance with the six strategic growth pillars and corresponding 25 commitments for growing the Campbelltown City Centre. Whilst the PPR is broadly consistent with a number of pillars and commitments, the following inconsistencies have been identified with the commitments under the strategic growth pillars (3) 'Centre of Opportunity', (5) 'City and Bush', and (6) 'The Good Life' as discussed below.

#### Commitment 3.1 - Cluster businesses to achieve economic benefits

Campbelltown city centre is the engine room of the broader LGA. It comprises five economic precincts, each with a specific role and function – the core CBD, world class health, knowledge and innovation precinct, sports and entertainment precinct, cultural precinct and tech and city servicing innovation precinct.

The subject land is located within the tech and city servicing innovation precinct, being strategically located west of Campbelltown train station. The Reimagining Campbelltown City Centre Master Plan identifies this area for accommodating a range of tech, advanced and additive manufacturing and city servicing uses, as well as accommodation uses in the longer term. This mix of higher value industrial uses benefits from its high worker amenity, public space, ease of access to the Core CBD, and high public transport accessibility.

The PPR seeks to displace industrial uses on the subject land with predominantly high rise residential towers, with limited commercial uses at podium level facing the street. This outcome is inconsistent with Commitment 3.1 and the vision for a tech and city servicing precinct.

# • Commitment 3.2 - Intensify land use to promote a more efficient and productive economy

The Campbelltown city centre makes the very most of its extensive land area. Medium and high intensity land uses are concentrated around key infrastructure (e.g. Campbelltown Hospital), while traditionally low intensity uses such as urban services and large format retail showrooms are accommodated in innovative medium and higher intensity buildings. More intensive land use in the city centre facilitates greater development opportunities, resident population and jobs, and better leverages the city centre's substantial infrastructure and assets.

The Reimagining Campbelltown City Centre Master Plan identifies the core CBD as accommodating the highest intensity land uses, located on the eastern side of Campbelltown Railway Station along the central section of Queen Street. Building envelopes within the core CBD precinct are determined by the height controls under CLEP 2015 which provide for maximum heights of between 32m and 45m for this precinct.

The PPR seeks amendment of CLEP 2015 to provide for height limits of between 63m and 101m for the subject land, outside the core CBD. This outcome is considered to be inconsistent with this commitment given that the proposed heights under the PPR significantly exceed the building heights permitted in the Core CBD, even substantially exceeding the planning proposal for the Campbelltown RSL site (which seeks 85m) which is located within the Core CBD.

# Commitment 3.3 Increase local jobs

Campbelltown residents have access to a diverse range of local employment opportunities in the City Centre which match their skillsets and qualifications. The city has evolved to provide extensive opportunities for high skilled knowledge jobs in its historically strong sectors of health, education and manufacturing, as well as plant and animal sciences, so residents who want to, can work in the city centre.

The high density residential outcomes envisaged under the PPR provide limited commercial and retail opportunities at ground/podium levels facing the street. This outcome is inconsistent with the promotion of high skilled knowledge jobs under the above commitment.

# • Commitment 5.3 - Create a memorable, legible and green built form which celebrates its 'City Centre in a valley' setting.

Campbelltown City sits nestled in a valley, dissected by creeks and framed by green hills. This unique natural environment and connection to local setting has long shaped the city centre's evolution. Throughout the city's growth, the aesthetic, environmental and recreational values of the green spaces have remained at the heart of the city's identity and place values.

To ensure the city's green frame maintains significance as part of the urban experience, the city's future built form will need to consider impact to its visual context. The impact of new building height from key arrival viewpoints as well as regional and local high points (identified in the previous map) is to be minimised.

The building height guidance map for the City Centre identifies the distribution of height based on intensification of land, proximity to transport and access to amenity. The subject land is identified as the second lowest building height form on this map, recognising the vision for this land to be utilised for a tech and city servicing precinct providing high skilled knowledge jobs.

The proposed building heights under the PPR would significantly exceed the tallest building heights prescribed for the Core CBD on the eastern side of the Campbelltown Railway Station. Accordingly, the PPR is considered to be inconsistent with this commitment.

### • Commitment 6.1 – A City you can call home.

Campbelltown city centre will be home to a strong and diverse community living in housing that supports social, economic and cultural wellbeing. There will be an array of housing choices, including affordable options for key workers and families. The city is inclusive and welcoming of new residents, migrants, students and visitors.

The master plan has capacity to deliver vibrant and liveable neighbourhoods, by accommodating an additional 15,609 homes across the three centres of Macarthur, Campbelltown and Leumeah. This housing capacity figure significantly exceeds the projected growth by DPIE to 2036 for the Campbelltown City Centre, and importantly, does not consider the subject land for housing provision given the focus for this area to accommodate a tech and city servicing innovation precinct.

Whilst Reimagining recognises the potential for future residential on the subject land, to be integrated as part of a tech and city servicing innovation precinct, the high density residential tower outcomes shown under the PPR do not align with this intent. Accordingly, the PPR is considered to be inconsistent with this commitment.

### 5.5 Campbelltown Local Environmental Plan 2015

Under Campbelltown Local Environmental Plan 2015, the site is identified as a "Deferred Matter" area meaning that the site remains zoned 4(b) - Industry B under the preceding local planning instrument, Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002).

Council has separately endorsed and exhibited a planning proposal for the review of the CLEP 2015 which proposes a number of updates to the plan, including the removal of the "Deferred Matters" areas from the CLEP 2015. Under this planning proposal, the site is proposed to be zoned to the equivalent IN2 Light Industrial zoning with a maximum building height of 19 metres.

This separate planning proposal to rezone the land to IN2 Light Industrial under has been endorsed by Council and public exhibition has been completed. Council have considered the submissions made in regards to the planning proposal and resolved to forward it (with changes that do not relate to the subject site) for finalisation. It is anticipated that the updated zone and height controls for the land will come into effect in a few months. The objectives of the IN2 Light Industrial zone continue to encourage land use outcomes that will contribute to economic and employment growth in the City of Campbelltown.

It is particularly noted that during the exhibition of the LEP review planning proposal there were three submissions from land owners in the vicinity of the subject land. These three submissions all sought different outcomes for the Blaxland Road precinct, including three different land use zones being B4 mixed use, B5 business development and IN1 General Industrial. The report to Council following receipt of these submissions advised that the future use of this precinct needs to be consistent with Reimagining Campbelltown City Centre Master Plan, which at that time was on public exhibition, and the outcomes of the employment lands strategy.

#### 5.6 Employment Lands Study and Local Housing Strategy – CLEP 2015 Review

As part of the broader review and alignment of CLEP 2015 with the WCDP, Council has prepared the Campbelltown Local Housing Strategy and Draft Campbelltown Strategic Review of Employment Lands Strategy, which are directly relevant to the future zoning of the subject land and surrounding industrial land west of the railway line.

At its meeting of 29 September 2020, Council considered and endorsed the Campbelltown Local Housing Strategy (LHS). The LHS is currently being considered by the DPIE for endorsement. The Draft Campbelltown Strategic Review of Employment Lands Strategy has been prepared in tandem with the Campbelltown LHS, and was reported to the Council meeting of 8 September, 2020 where Council considered the draft Study and endorsed it for public exhibition which is currently occurring.

The evidence base and preliminary work complete under these studies supports the retention of the subject site for employment outcomes to ensure the sustainable development of the city centre to 2036 and beyond. The projected housing demand in the city centre over same period is planned to be accommodated within the existing zones of the city centre, primarily on the eastern side of the railway line. The planned revitalisation of the Queen Street precinct is dependent upon the viable uptake of new shop top housing within this precinct. This vision for the city centre is clearly articulated in the Reimagining Campbelltown City Centre Master Plan, identifying the potential for the subject land and surrounds to form a high tech city servicing and innovation precinct.

Given that the PPR would involve highly consequential changes to the supply and location of housing and employment land within the Campbelltown city centre, it is considered prudent to ensure any rezoning of the land aligns with the final recommendations of these two strategies.

#### 5.7 Campbelltown Macarthur Place Strategy

The Greater Sydney Commission published the Campbelltown Macarthur Place Strategy (Place Strategy) in March 2020. The Place Strategy adopts the same boundary as the Reimagining Campbelltown City Centre Master Plan. The Place Strategy details actions requiring a high degree of collaboration between multiple stakeholders and is more than a land use planning document. It contains specific priorities and actions required to realise a sustainable, resilient and prosperous Campbelltown-Macarthur.

In regards to productivity the Place Strategy notes the significant jobs deficit with only 34 per cent of employed residents working in the Campbelltown LGA. While generally a higher level document, the Place Strategy makes particular mention of the Blaxland Road industrial precinct, which along with industrial lands at Minto and Ingleburn has the potential to build on existing sector strengths as well as transition to advanced manufacturing and precision engineering. The Place Strategy references Council's Economic Development Strategy which emphasises the opportunities for specialisation in technology based products to radically reshape the city centre's industrial precincts. The Place Strategy highlights the potential for local advanced manufacturing to create competitive advantages in goods that support the transition to technologies such as health related devices, driverless cars and renewable energy.

Therefore the Place Strategy promotes the use of the Blaxland Road industrial precinct for land uses that are not predominantly residential, as is proposed in the subject PPR.

#### 6. Advice of the Panel

The PPR was reported to the Panel for advice on 23 September 2020, as required under Section 2.19 of the EP&A Act. The advice of the Panel as well as their considerations and reasons for their decision is presented below:

#### **Advice of the Panel to Council**

The Panel does not consider that the planning proposal request has demonstrated that it has strategic or site specific merit and therefore recommends that Council not proceed with a request for a Gateway determination for this proposal.

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

The Panel noted the explanation by the proponent that the PPR is based on the Ministerial Direction in regards to the Campbelltown Precinct Plan November 2017 in the Glenfield to Macarthur Urban Renewal Corridor Strategy.

However the Panel also noted that there are a number of other strategic plans that post-date the Corridor Strategy including the Western City District Plan March 2018. These later strategic plans provide for and envisage alternate strategic outcomes for the site and the proposal is not consistent with these.

The planning proposal, Urban Design Study and associated precinct plan relates to a 2.84ha site within a broader 17.6ha precinct and does not integrate with or reflect the vision for the broader precinct and is not compatible with that vision.

In addition, the Western City District Plan requires Council to retain and manage industrial and urban services lands and protect them from residential uses.

The Panel were of the view that:

- a) The planning proposal lacks site specific merit as the proposal is surrounded by significant employment lands, creating the potential for undesirable land use conflict.
- b) There is insufficient supporting evidence of employment generation for the site and an analysis of potential adverse impacts on adjoining employment lands.
- c) There is sufficient capacity within the Campbelltown Local Government Area for additional dwellings to meet housing targets in land already zoned for high density residential or mixed use development.
- d) The proposal could compromise the revitalisation of the Campbelltown City Centre and residential development opportunities identified in the Re-imagining Campbelltown City Centre Masterplan 2020.
- e) The site is not well located to existing open space within a 200 metre radius, and services and facilities required for high density residential development.
- f) The proposal is isolated in nature and is not part of a wider endorsed strategy of renewal as envisaged by the proponent that is required for the efficient and orderly development of urban land in a regional centre.

Accordingly, the Panel has recommended Council not proceed with a request for a Gateway determination for this proposal given that it has not demonstrated strategic or site specific merit.

#### 7. Public Participation

Should the PPR be supported by Council for a Gateway Determination and exhibition (which this report does not recommend), public consultation would take place in accordance with the conditions of any Gateway Determination made by the DPIE in accordance with Sections 56 & 57 of the EP&A Act.

#### 8. Key Issues and Concerns

The key issues and concerns with the Planning Proposal Request, as discussed in this report, are listed below:

- The proposal would lead to the loss of industrial land that has an important economic and employment function.
- The proposal would eliminate the opportunity for a significant employment-generating economic activity to take place on the site, e.g. a large-scale health/education related land use or a business park.
- The proposal would prevent/delay the timely urban renewal of the Campbelltown CBD by absorbing much of the medium-term demand for residential and commercial floor space within Campbelltown.
- The maximum building height proposed is considered to be excessive, having regard to the desired distribution of building heights under the Reimagining Campbelltown City Centre Master Plan and overshadowing impacts.
- Introducing residential development into the area west of the railway line would lead to severe land use conflicts, in terms of noise, odour, dust, traffic and operating hours.
- A residential development on the subject site would have a poor level of residential amenity due to the surrounding land uses. Views from apartments would be predominantly of industrial buildings.
- Having residential apartments on the ground level of the development adjacent to Bow Bowing Creek, as the PPR proposes, would not support the level of activation sought in the vision for this creek in the Reimagining Campbelltown City Centre Master Plan.
- The extent of land needed from the subject site for the Badgally Road Broughton Street Bridge is unknown at this stage, so the proposal is premature and could compromise the delivery of this bridge.
- Whilst the Urban Design Study that accompanies the PPR indicates that the site would accommodate public parklands, No RE1 Public Recreation zoning has been indicated on the proposed zoning map, so it is unclear how certainty could be achieved in terms of the delivery of these parks.

#### 9. Additional studies

Notwithstanding the key issues and concerns outlined above, should Council decide to support the proposal then 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
- Road Corridor Reservation Study in relation to the Badgally-Broughton bridge
- Bow Bowing Public Open Space Corridor Study
- Public Domain Strategy
- Open Space Needs Analysis
- Detailed Contamination Assessment
- Site Specific DCP including a master plan
- Urban design analysis to formulate appropriate development standards in relation to FSR, qualifying site area and block depths
- A funding strategy for the provision of infrastructure including urban domain enhancements, any road improvement that may be needed and drainage works to reduce flooding impacts
- Consideration of appropriate mechanisms to deliver affordable housing across the site and formulation of a strategy in this regard

The above studies would need to be finalised to the requirements of Council and may require revision to the PPR.

#### 10. Conclusion

The Planning Proposal Request seeks the following amendments to Campbelltown Local Environmental Plan 2015 for No.2 Farrow Road, Campbelltown:

- a. Removal of the subject site from the "Deferred Matters" area on the Land Application Map.
- b. Amend the zoning of the site from 4(b) Industrial B (which applies under CLEP 2002 because the site is within a deferred area) to B4 Mixed Use.
- c. Amend the Height of Buildings Map to apply a series of height limits across the site, ranging from 63 to 101 metres.
- d. Add a Clause 41 to "Schedule 1: Additional Permitted Uses" of the CLEP, to exempt residential flat buildings on the site adjacent to Bow Bowing Creek from having to comply with Clause 7.9 of the CLEP, which requires that buildings in the B4 zone have an active street frontage and contain only non-residential land uses on their ground floors.

The proposed rezoning of the land to allow for predominantly residential outcomes on the site with limited business activity does not capitalise on the strategic importance of the site to promote employment growth for the Campbelltown City Centre and is therefore considered to be inconsistent with the relevant objectives and strategies of the state and local planning framework. Details of these inconsistencies are discussed in the body of the report, however generally relate to the following broad issues:

- loss of strategically important employment land
- unwarranted expansion of housing capacity in a location where there is a high risk of land use conflict
- potential negative impacts on the revitalisation of Queen Street
- Urban design impacts from excessive building heights

Enabling high density and high rise residential development on the subject site at this time would detract from Council's short term goal of Revitalising Queen Street. It is proposed that Queen Street would be revitalised, in part, by encouraging in-centre living in residential apartments in the short to medium term. Any rezoning of land for similar land uses on the western side of the railway line should not be prioritised until such time as the revitalisation of Queen Street has been realised.

The Panel considered the PPR at its meeting of 23 September 2020, and has recommended that Council not proceed with a request for a Gateway determination given that it does not consider that the PPR has demonstrated that it has strategic or site specific merit.

Given the significance of the issues and concerns outlined above, and having regard to the advice of the Panel, it is considered that Council should not support the PPR for a Gateway Determination.

#### **Attachments**

- 1. Planning Proposal Request (due to size) (distributed under separate cover)
- 2. Urban Design Study (due to size) (distributed under separate cover)
- 3. Addendum to Urban Design Study (distributed under separate cover)
- 4. Amended Height of Buildings Map (distributed under separate cover)

## 8.9 Quarterly Business Review Statement as at 30 September 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 adjustments recommended in the Quarterly Business Review be adopted.

#### **Purpose**

To advise Council that the quarterly financial review has been conducted on the original income and expenditure estimates presented in the 2020-2021 budget. The adjustments relating to the review of the original budget allocations are presented for Council's consideration.

#### Introduction

The current planning and reporting framework for NSW Local Government has a greater focus on financial sustainability. In an effort to achieve consistency in reporting between councils, the Office of Local Government introduced a set of minimum requirements and predefined templates to assist councils in meeting their legislative obligations. Collectively, these documents are known as the quarterly budget review statement (QBRS). The latest QBRS under the reporting framework is attached.

#### Report

In accordance with Clause 203 of the Local Government (General) Regulations 2005, the Responsible Accounting Officer is required to prepare a quarterly budget review of income and expenditure estimates and submit a report to Council. The QBRS must also include an opinion of the Responsible Accounting Officer concerning the financial position of Council. This report provides an overview of the results of the financial review for the quarter ended 30 September 2020.

This review has considered the impact of the COVID-19 pandemic on Council's operations until the end of this financial year. There are numerous adjustment to both income and expenditure items across many section budgets. While there will be loss of revenue in some operations and increased costs in others, the measures that Council has implemented forecasts a balanced budget at year end.

In June 2020, Council adopted a balanced budget for 2020-2021. There is no proposed change to the budget result in this review.

The recommended movements relating to income and expenditure are summarised in the attachment and details of significant items greater than \$20,000 are listed in the body of this report for Council's consideration.

The following items are detailed with corresponding adjustments recommended following the completion of the quarterly financial review:

#### Adjustments to salaries across the following functions:

Records - \$300,000 increase in expenditure City Growth - \$266,000 decrease in expenditure

Strategic Partnerships - \$20,000 decrease in expenditure City Standards and Compliance - \$85,000 decrease in expenditure Planning and Development - \$350,000 decrease in expenditure Community Businesses - \$37,000 decrease in expenditure Leisure Services - \$28,000 decrease in expenditure Educational Cycleway - \$14,000 decrease in expenditure Community Life - \$109,000 decrease in expenditure Creative Life - \$80,000 decrease in expenditure Sport Recreation and Leisure Management- \$35,900 decrease in expenditure Community Learning and Library Services - \$125,200 decrease in expenditure Operations - \$82,000 decrease in expenditure Open Space - \$11,500 decrease in expenditure Corporate Services and Governance - \$8000 decrease in expenditure Financial Services - \$110,000 decrease in expenditure People and Performance - \$30,500 decrease in expenditure Corporate Support Systems - \$74,900 decrease in expenditure

The major adjustments are listed above, the total salary adjustment is approximately a \$1.2m reduction. As part of the budget preparation process, the organisational salary structure is fully funded. In the response to the current pandemic these salary savings have resulted from decreased casual usage, limiting overtime where possible and general staff turnover. These savings have been utilised to fund other programs and loss of revenue due to the COVID-19 pandemic impact.

#### Adjustments to hired personnel and consultants across the following functions:

Community Businesses - \$37,000 increase in expenditure People and Performance - \$30,500 increase in expenditure Corporate Support Systems - \$27,900 increase in expenditure Economic and Investment Growth - \$106,000 increase in expenditure

The above consulting and hired personnel costs have resulted from the use of agencies and contracted staff to provide specialised advice and fill budgeted positions. All costs have been off-set by salary savings.

#### Functions and Events - \$474,900 decrease in expenditure

Due to the current restrictions, a number of events and functions have either been cancelled, deferred or reduced in size. These include the following:

Civic Functions - \$25,000 decrease in expenditure
Exchanges and Visits - Koshigaya - \$38,700 decrease in expenditure
Heritage Week - \$6000 decrease in expenditure
Fisher's Ghost Festival - \$6100 decrease in expenditure
Feast - \$6600 decrease in expenditure
Relay for Life - \$4000 decrease in expenditure
Campbelltown Sports Ground - \$295,000 decrease in expenditure
Fisher's Ghost Art Exhibition - \$14,000 decrease in expenditure
Councillor Support and Conferences - \$79,500 decrease in expenditure

#### Animal Care Facility - \$56,000 decrease in income

The projected income estimate has been reduced as the income received from impounding fees, fines and sale of animals has decreased as part of the COVID-19 community and business support program.

#### Street Parking Fines - \$331,900 decrease in income

Enforcement activities had decreased significantly since the commencement of the pandemic due to lower community movement activity resulting in lower non-compliance rates and the allocation of Rangers to the Rangeroo Program (assisting with delivery of Meals on Wheels). This resulted in lower income levels. It is anticipated that this will improve as normal operations resume however this adjustment is required for income foregone to date.

## Planning and Development - \$140,000 increase in expenditure and \$180,000 decrease in income

Increased legal activity due to objections to development application rulings has required additional funds being allocated to the legal budget.

Income from development activity is not achieving the budget projections so far this year. This has further been affected by the pandemic, resulting in an anticipated reduction in the income being received from the Development Application and Planning process.

#### Childcare Fees, Charges and Grants - \$50,000 decrease in income

The Family Day Care Service has experienced a fall in the utilisation rates of its service. This has resulted in an expected loss of income from a decrease in the administration fee received.

#### Facility Hire/Program Income - \$849,700 decrease in income

Income losses have been identified across the usage of Council facilities and a number of programs including: entry fees, facility hire, membership, program income and the sale of equipment and food. This is mainly due to COVID-19 restrictions that have been in place. These services include the following:

Leisure Services - \$330,000 decrease in income
Campbelltown Sports Ground and Athletics Facility - \$195,000 decrease in income
Campbelltown Arts Centre Artistic Programs - \$88,000 decrease in income
Library Services - \$58,000 decrease in income
Community Halls and Centres - \$178,700 decrease in income

# Local Road and Community Infrastructure Program - \$1,106,300 increase in expenditure and income

A new federal government grant program to stimulate the economy has allocated Council the amount above to expend on infrastructure renewal projects. These funds will be added to the roads renewal program.

#### Public Utilities - \$261,400 decrease in expenditure

As a result of the reduced usage of various Council facilities there have been savings in electricity and water usage costs.

#### Operational Services - \$80,200 increase in expenditure

The Operational Services staff are moving to paperless and mobile methods of recording and submitting data. This has required the acquisition of electronic mobile devices. The savings in time and materials is anticipated to offset this cost over time.

#### Campbelltown Central Square Precinct - \$600,000 increase in expenditure

Funds have been allocated for the preliminary stage of the Campbelltown Central Square Precinct project proposal. This will involve community and stakeholder engagement, preliminary planning and financial feasibility studies. The initial funding for these works will be provided by the Development Reserve.

#### Investment Property - \$135,000 increase in expenditure

Funds have been allocated for the preliminary costs involved with the acquisition of investment properties. This will involve the strategy development and due diligence. The initial funding for these works will be coming from the Development Reserve.

#### Interest on Investments - \$1.1m decrease in income

As a result of continuing record low interest rates and the expenditure on a number of major projects funded from reserves, it is anticipated that the interest earned on invested funds will be significantly less than was originally budgeted, a shortfall of at least \$1m. In addition, the ceasing of charging interest on outstanding rates accounts due to COVID-19 will result in a further \$100,000 loss of income.

#### Rates-General Purpose Revenue - \$581,900 increase in income

As part of normal operations, additional supplementary rates have been issued during the last quarter resulting in this additional rating income being generated. The additional funds have been utilised to offset increased expenditure or loss of income in other areas.

#### Financial Assistance Grant - \$375,800 increase in income

In previous years, the financial assistance grant allocation has been trending flat or downwards. As such Council was conservative in its estimation for this year's grant allocation. Advice has been received that Council will receive an amount of \$375,800 above budget this year. The additional funds have been utilised to offset increased expenditure or loss of income in other areas due to COVID-19.

#### **Summary**

As reported to Council in previous years, the financial objective has been to budget a surplus to improve Council's liquidity ratio. The liquidity ratio has improved to a satisfactory level and as such, a balanced budget is projected for the 2020-2021 financial year.

While the COVID-19 pandemic has significantly impacted the operations of Council, as per the Responsible Accounting Officer's statement, the 2020-2021 results continue to support Council's sound financial position in the short to medium term. During 2020-2021, Council will further refine its financial strategy in line with the development of the 10 year Long Term Financial Plan (which will include a scenario of extended restrictions due to the pandemic), required by the Integrated Planning and Reporting Framework and determine the most appropriate and financially responsible action for future periods.

#### **Attachments**

1. Quarterly Business Review Statement as at 30 September 2020 (contained within this report)

#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

#### Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

#### 30 September 2020

It is my opinion that the Quarterly Budget Review Statement for Campbelltown City Council for the quarter ended 30/09/20 indicates that Council's projected financial position at 30/6/21 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: SIGNATURE HAS BEEN REMOVED date: 27-October-2020

Corinne Mears

Responsible Accounting Officer

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#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

#### Income & Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2020

#### Income & Expenses - Council Consolidated

•	Original		Appro	ved Chang	ges		Revised	Variations		Projected	Actual
(\$000's)	Budget	Carry	Other than	Sep	Dec	Mar	Budget	for this	Notes	Year End	YTD
	2020/21	Forwards	by QBRS	QBRS	QBRS	QBRS	2020/21	Sep Qtr		Result	figures
Income											
Rates and Annual Charges	118,396						118,396	791	1	119,187	118,666
User Charges and Fees	10,286						10,286	(829)		9,457	2,314
Interest and Investment Revenues	5,133						5,133	(1,100)	3	4,033	215
Other Revenues	6,621						6,621	5	4	6,626	1,474
Grants & Contributions - Operating	27,167	20	(3,890)				23,297	1,228	5	24,526	6,702
Grants & Contributions - Capital	19,925	2,659	5,501				28,085	-		28,085	2,794
Total Income from Continuing Operations	187,529	2,679	1,611	-	-		191,819	95		191,914	132,165
Expenses											
Employee Costs	76,703	463	80				77,245	(1,190)	6	76,055	21,011
Borrowing Costs	435	-	-				435	-		435	(6)
Materials & Contracts	32,605	2,414	(2,287)				32,732	(319)	7	32,412	7,035
Depreciation	25,427	-	-				25,427	-		25,427	6,840
Legal Costs	1,135		(10)				1,125	25	8	1,150	88
Consultants	1,913		4,105				6,019	1,063	9	7,081	883
Other Expenses	35,862	3,676	(2,893)				36,645	(63)	10	36,583	10,654
Total Expenses from Continuing Operations	174,080	6,553	(1,005)	-	-	-	179,628	(485)		179,143	46,505
Net Operating Result from Continuing Operation	13,449	(3,874)	2,616		-	-	12,191	580		12,771	85,659
Discontinued Operations - Surplus/(Deficit)							-			-	
Net Operating Result from All Operations	13,449	(3,874)	2,616		-		12,191	580		12,771	85,659
Not Operating Popult before Conited Items	/6 A70	/C E221	/2 00F\				(4E 004)	F00		(4E 24.4)	92.960
Net Operating Result before Capital Items	(6,476)	(6,533)	(2,885)	-	-		(15,894)	580		(15,314)	82,866

Ordinary Council Meeting

#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

# Income & Expenses Budget Review Statement Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	The rates budget for 2020-2021 was set based on anticipated growth factors and developments.  Additional rate income has been generated from supplementary levies.
2	COVID-19 related loss if income due to facility closure or reduced activity, including leisure centres, community facilities and inspection fees. Other reduced income in Child Care (updated projected utilisation).
3	The record low interest rates are impacting on the amount of interest earned on investments.
4	COVID-19 related loss if income due to changed operations or reduced activity, including impounding income, parking fines and sale of food/beverages. Part offset by rebates on ESL.
5	Various adjustments for grant/contribution movements, including new funding for Local Road and Community Infrastructure Program, additional Financial Assistance Grant, and reduced planning income due to a slowdown in building activity.
6	Variations in employee costs due to new staff and staff vacancies. Reduction in casual salary and overtime costs due to operational changes. Temporary slow down on the replacement of staff.
7	Minor adjustments and transfers across a number of areas in Council, mainly resulting from slowdown in operations.
8	Minor adjustments to legal costs budget mainly resulting from property operations.
9	Additional consultancy work allocated to the commencement of significant projects related to Reimagining Campbelltown.
10	Various increases and decreases across a number of areas, including unspent funds taken as savings, such as; equipment purchases, utility charges and, insurance premiums and various programs either cancelled or deferred.

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#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

#### **Capital Budget Review Statement**

Budget review for the quarter ended 30 September 2020

#### Capital Budget - Council Consolidated

	Original		Appro	ved Chan	ges		Revised	Variations		Projected	Actual
(\$000's)	Budget	Carry	Other than	Sep	Dec	Mar	Budget	for this	Notes	Year End	YTD
	2020/21	Forwards	by QBRS	QBRS	QBRS	QBRS	2020/21	Sep Qtr		Result	figures
Capital Expenditure											
New Assets											
- Land & Buildings	36,618	197	1,611				38,425	(30)	1	38,395	26
- Other							-			-	
Renewal Assets (Replacement)											
- Plant & Equipment	3,703	22	(17)				3,708	-		3,708	1,437
- Office Equipment/Furniture & Fittings	25	15	1,325				1,365	8	2	1,373	637
- Land & Buildings	29,758	16,282	1,934				47,975	(877)	3	47,098	4,033
- Roads, Bridges, Footpaths	18,345	6,101	(739)				23,707	2,070	4	25,777	2,502
- Stormwater/Drainage	100	1,515	0				1,615	-		1,615	0
- Other Assets	330	378	(378)				330	-		330	74
Loan Repayments (Principal)	2,656						2,656	-		2,656	280
Total Capital Expenditure	91,535	24,510	3,735	-	-	-	119,780	1,171		120,951	8,989
Capital Funding											
Rates & Other Untied Funding	67,125		4,093				71,218	1,171	5	72,389	3,335
Capital Grants & Contributions	19,925	2,659	5,501				28,085			28,085	2,794
Reserves:											
<ul> <li>External Restrictions/Reserves</li> </ul>	(2,390)	7,306	(5,379)				(463)			(463)	27
<ul> <li>Internal Restrictions/Reserves</li> </ul>	2,854	14,545	(479)				16,920			16,920	2,229
New Loans							-			-	
Receipts from Sale of Assets											
- Plant & Equipment	1,417						1,417			1,417	604
- Land & Buildings	2,600						2,600			2,600	
- Other Assets	4						4			4	
Total Capital Funding	91,535	24,510	3,735	-	-	-	119,780	1,171		120,951	8,989
Net Capital Funding - Surplus/(Deficit)	0	-	(0)	-	-		0	(0)		(0)	(0)

Ordinary Council Meeting

#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

#### Capital Budget Review Statement Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Transfer of capital budget to operational budget.
2	Increase in furniture and fittings expenditure to fund arts centre retail shop.
3	Transfer of renewal funds from Building program to various infrastructure programs.
4	Transfer of renewal funding from Building program, and new Federal Grant funding, Local Roads and Community Infrastructure.
5	Reconciliation of untied funds as a result of capital movements utilised to fund capital works.

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#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

#### **Cash & Investments Budget Review Statement**

Budget review for the quarter ended 30 September 2020

#### Cash & Investments - Council Consolidated

	Original	Move	ment in Res	erves	Current	Projected		Projected	Actual
(\$000's)	Budget	Income/	Transfers	Works in	Balance	Movement	Notes	Year End	YTD
	2020/21	Expenses	to/from	Kind	2020/21	Mar Qtr		Balance	figures
Externally Restricted (1)									
Stormwater Management	4,200	-	-	-	4,200	-		4,200	4,200
Specific Purpose Grants	17,336	-	(5,389)	-	11,947	-		11,947	11,786
Specific Purpose Contributions	2,400	-	-	-	2,400	-		2,400	2,400
Developer Contributions - S7.11	22,108	898	(68)	-	22,937	-		22,937	22,937
Developer Contributions - Other	1,513	20	-	-	1,533	-		1,533	1,533
Domestic Waste Management	14,210	-	-	-	14,210	-		14,210	14,210
Self Insurance Workers Compensation Claims	6,900	-	-	-	6,900	-		6,900	6,900
Total Externally Restricted	68,668	918	(5,458)	-	64,128	-		64,128	63,968
(1) Funds that must be spent for a specific purpose									
Internally Restricted (2)									
Property Development	80,059	-	(5)	-	80,054	-		80,054	80,054
Committed Works	10,594	-	(2,147)	-	8,447	-		8,447	8,447
Self Insurance Workers Compensation Claims	400	-	-	-	400	-		400	400
Replacement of Plant and Vehicles	7,871	-	179	-	8,051	-		8,051	8,051
Committed Works funded by Loans	3,045	-	24	-	3,069	-		3,069	3,069
Employee Leave Entitlements	8,450	-	-	-	8,450	-		8,450	8,450
Environmental Sustainability	1,641	-	57	-	1,698	-		1,698	1,698
Asset Replacement	5,357	-	947	-	6,304	-		6,304	6,304
Infrastructure Replacement Fund	27,893	-	-	-	27,893	-		27,893	27,893
Olympic Ambassador	120	-	5	-	125	-		125	125
Event Attraction	902	-	550	-	1,452	-		1,452	1,452
Insurance Claims - Excess	7,324	-	548	-	7,873	-		7,873	7,873
Local Government Elections	830	-	200	-	1,030	-		1,030	1,030
Other	129	0	-	-	129	-		129	129
Total Internally Restricted	154,615	0	359	-	154,975	-		154,975	154,975
(2) Funds that Council has earmarked for a specific purpose									
Unrestricted (i.e. available after the above Restricti	20,305				28,170	-		28,170	28,331
Total Cash & Investments	243,589				247,273			247,273	247,273

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 30/09/20 and should be read in conjunction with the total QBRS report

Ordinary Council Meeting

### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

#### Cash & Investments Budget Review Statement

#### **Comment on Cash & Investments Position**

Not Applicable

#### <u>Investments</u>

Investments have been invested in accordance with Council's Investment Policy.

#### Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$247,273,366.

This Cash at Bank amount has been reconciled to Council's physical Bank Statements. The date of completion of this bank reconciliation is 30/9/20.

#### **Reconciliation Status**

The YTD Cash & Investment figure reconciles to the actual	\$ 000's	
Cash at Bank (as per bank statements) Investments on Hand		14,817,578 234,565,487
less: Unpresented Cheques add: Undeposited Funds	(Timing Difference) (Timing Difference)	(6,450) 571,008
less: Identified Deposits (not yet accounted in Ledger) add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning) (Require Actioning)	(2,674,701) 444
less: Unidentified Deposits (not yet actioned) add: Unidentified Outflows (not yet actioned)	(Require Investigation) (Require Investigation)	-
Reconciled Cash at Bank & Investments		247,273,366
Balance as per Review Statement:		247,273,366
Difference:		-

#### Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes Details

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#### Campbelltown City Council

#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

#### Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2020

	Current Pr	Original	Actuals		
(\$000's)	Amounts	Indicator	Budget	Prior Periods	
	20/21	20/21	20/21	19/20	18/19

NSW Local Government Industry Key Performance Indicators (OLG):

#### 1. Operating Performance

Operating Revenue (excl. Capital) - Operating Expenses
Operating Revenue (excl. Capital Grants & Contributions)

-15,314
163,829
-3.9 %
0.5 %
5.8 %

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

#### 2. Own Source Operating Revenue

Operating Revenue (excl. ALL Grants & Contributions)
Total Operating Revenue (incl. Capital Grants & Cont)

139,303
191,914
72.6 %
74.9 %

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.



Current Assets less all External Restrictions 55,872
Current Liabilities less Specific Purpose Liabilities 40,000
1.40
1.40

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.







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Campbelltown City Council

#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

#### Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2020

	Current Pro	ojection	Original	Actuals		
(\$000's)	Amounts I		Budget	Prior Periods		
	20/21	20/21	20/21	19/20	18/19	

NSW Local Government Industry Key Performance Indicators (OLG):

#### 4. Debt Service Cover Ratio

Operating Result before Interest & Dep. exp (EBITDA)

Principal Repayments + Borrowing Interest Costs

34,600

31.19

11.06

7.51

8.72

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.

#### 5. Rates, Annual Charges, Interest & Extra Charges Outstanding

Rates, Annual & Extra Charges Outstanding 4,500
Rates, Annual & Extra Charges Collectible 117,500
4.3 % 3.8 %

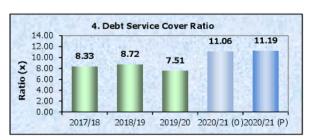
To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

#### 6. Cash Expense Cover Ratio

Current Year's Cash & Cash Equivalents (incl.Term Deposits)
Operating & financing activities Cash Flow payments

247,273
160,000
18.86

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.







Quarterly Budget Review Statement for the period 01/07/20 to 30/09/20

Ordinary Council Meeting

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#### **Contracts Budget Review Statement**

Budget review for the quarter ended 30 September 2020

Part A - Contracts Listing - contracts entered into during the quarter

·	nto during the quarter	Procurement Process	Start	Duration	Budgeted	Notes
Contractor	Contract detail & purpose	Undertaken	Date	of Contract	(Y/N)	140,60
EXPENDITURE \$50,000 - \$150,000						
University of Newcastle.	Q20/16 Western Sydney City Deal Evaluation Framework	Public Quote	28/07/20	Until completion	Υ	
EXPENDITURE \$150,000 - \$300,000						
Gauci Civil Contracting Pty Ltd	Q20/18 Supply and Installation of Family Zone at Campbelltown Sports Stadium	LGP	10/09/20	Until completion	Υ	
EXPENDITURE > \$300,000						
Capital Precast & Drainage Pty Ltd	Q20/15 Supply and Deliver Culverts	LGP	11/08/20	Until Completion	Υ	
Simpson Landscapes and Consultants Pty Ltd ATF Simpson Family Trust.	Q20/03 Construction of Glenfield Park Playspace	Public Tender	07/09/20	Until Completion	Υ	
Nace Civil Engineering Pty Ltd	T20/19 Upgrade of Raby Road Intersections	Public Tender	27/08/20	Until Completion	Υ	
Fleetwood Urban Pty Ltd	T20/16 Design & Construct Custom Play Structure at Glenfield Park Playspace	Public Tender	03/09/20	Until Completion	Υ	
Beasy Pty Ltd, Budget Demolition & Excavation Pty Lt	t T20/06 Demolition of Buildings	Public Tender	09/09/20 three	years with 2 x 12 month options for extension	Υ	1

#### Notes:

<sup>\*\*</sup> Contract Values are commercial in confidence

<sup>1.</sup> Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.

<sup>2.</sup> Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.

<sup>3.</sup> Contracts for employment are not required to be included.

#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

# Contracts Budget Review Statement Comments & Explanations relating to Contractors Listing

Notes	Details
1	Service based contract distributed amongst panel on an as required basis, therefore value is approximate only.

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#### **Quarterly Budget Review Statement**

for the period 01/07/20 to 30/09/20

#### Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	883,191	Υ
Legal Fees	87,757	Υ

#### **Definition of a consultant:**

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

#### Comments

Expenditure included in the above	YTD figure but	not budgeted includes:
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Details

Item 8.9 - Attachment 1 Page 202

#### 8.10 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 comments and updates to the reports and letters requested be noted.

#### Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 3 November 2020.

#### **Attachments**

- 1. Reports requested listing (contained within this report)
- 2. Letters requested listing (contained within this report)

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*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Delivery	1		
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.		February 2021
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.	February 2021
13.10.20 PL	ORD NM - 11.1 Charging for parking within the Campbelltown Local Government Area  That a full feasibility report be presented to Council outlining the financial and non-financial implications of introducing paid parking into the Campbelltown Local Government Area.		M <b>a</b> y 2021
13.10.20 MC	ORD NM - 11.2 Pedestrian Refuge - Fields Road, Macquarie Fields  That Council investigate the feasibility of installing a pedestrian refuge or similar pedestrian protection measure on Fields Road between Bingara Road and Bunbury Road, Macquarie Fields, to provide a safe crossing point for pedestrians on a very busy main road, especially during school hours.		December 2020

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Ordinary Council Meeting

## Reports requested effective 3 November 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Develop	oment		
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.		February 2021
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.		March 2021
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.	Contributions Plan.	December 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

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Ordinary Council Meeting

## Reports requested effective 3 November 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Develop			
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	Exhibition subject to the Gateway determination.	December 2020
	presented to Council.		
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 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
12.05.20 BT	ORD 8.3 Planning Proposal to rezone Land at the corner of Appin Road and Kellerman Drive, St Helens Park  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.	Exhibition subject to the Gateway determination.	December 2020

Ordinary Council Meeting

## Reports requested effective 3 November 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Govern	ance		
9.06.20 GB	NM 11.1 - Extension of the Sponsorship Policy  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.	Consultation with the business has commenced and a report is anticipated to be presented to Council at the December 2020 meeting.	December 2020
9.06.20 BG	NM 11.2 - Data Capture  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	Management are currently reviewing opportunities and aim to have a report to Council by the December cycle.	December 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
11.12.18 BM	ORD - 14.4 - Engagement of Architects for Construction of a New Childcare Centre  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  2. That the scope of works and risk mitigation strategies are undertaken in accordance with this report and within the cost estimates  3. That a further report be submitted to Council once a Development Approval has been obtained consistent with the analysis contained in this report.	Stage one of the scope works.  Stage one has been completed and Stage two is now in progress.  Due to COVID-19 this project is on hold. The team is currently reviewing the feasibility for construction of a childcare.	March 2021
09.07.19 KH	ORD NM 11.1 Reimagining Campbelltown  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.  2. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of energy- generating footpaths.	The team is investigating with a report on electric car charging stations anticipated to be presented to Council at the December 2020 meeting.      A report on energy generating footpaths was prepared and presented to Council at the November 2019 meeting.	December 2020
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 December 2020.	December 2020

Ordinary Council Meeting

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10/11/2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
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.	Due to COVID-19 this project has been on hold.  It is intended that a consultant will be engaged within the next 3 months to commence investigations.	February 2021
09.06.20 PL	ORD 8.1 Development Application Status  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.	Initial investigations have begun and are scheduled to be complete by mid to late September 2020.  A briefing will be presented to Council, with a report expected to be presented in December 2020.	December 2020
City Lifestyl	es		
10.03.20 WM	ORD NM 11.1 - Flag Raising Day  That a report be presented on the feasibility of a flag raising day for the combined Pacific Community.	A report to be presented to Council at the November 2020 meeting as Item 8.2 on the agenda.	November 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Lifestyl	es		
13.10.20 PL	ORD NM 11.3 Community Partnership - Macarthur Football Club  1. That a report be presented to Council on the outcome of the first year of our Community Partnership with Macarthur Football Club valued at \$450,000.  2. That report is to include the following:  a) That all various programs implemented for 2019-2020 be detailed in the report  b) The individual number of participants in each program  c) The length of each program  d) The cost of each program  e) Has all the money being \$450,000 been spent in the previous financial year? If not what balance is left and how will it be spent?  f) How were the various programs received by the participants?	report expected to be presented to Council in December 2020.	December 2020
General Mai	l nager		
08.10.19 MO	ORD NM 11.2 Digital Advertising in Shopping Precincts  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.  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.	A Creative Marketing Specialist commences in January 2020 and will undertake the investigations so a report can be presented.  A report to be presented to Council at the November 2020 meeting as Item 8.1 on the agenda.	November 2020

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Ordinary Council Meeting

## Letters requested effective 3 November 2020

*Date of	Action Item	Comments / updates
Decision	Transit Italia	- apatio
*Mover		
move.		
City Develop	ment	
11.08.20	NM 11.1 Protection of the Campbelltown Koala Colonies	Letter sent on 18/09/2020 to the Minster for Energy and Environment, the
KH		Hon Matt Kean MP.
	1. That Council write to the Minister for Energy and Environment, the	
	Hon Matt Kean MP, requesting that in light of his recent public	
	statements to double the koala population, the NSW state government	
	provide immediate support for the preservation and protection of the	
	Campbelltown and south-west koala colonies and habitats.	
	2. That Council request the NSW Government commence immediate	
	construction of viable, safe and effective East-West crossing points	
	across Appin Road together with the requisite flexi-fencing along Appin	
	Road.	
General Man		1
08.09.20 GB	MM 5.1 Local Government Representation of the National Cabinet	Letters sent on 7/10/2020 to the Premier Gladys Berejiklian, Dr Mike Freelander MP, Greg Warren MP and Anoulack Chanthivong MP.
	That Council write to the Premier Gladys Berejiklian and to Dr Mike	
	Freelander, Federal Member for Macarthur and to the Member for	
	Campbelltown, Greg Warren, the member for Macquarie Fields,	
	Anoulack Chanthivong which highlights Council's disappointment that	
	Local Government is not represented on the newly formed National	
	Cabinet and seeks their assistance in requesting that First Ministers	
	review the decision to exclude Local Government.	

#### 8.11 Investments and Revenue Report - September 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 Councils financial services portfolio for the month of September 2020.

#### Report

This monthly report provides details of Council's investment and revenue portfolio.

#### Investments

Council's investment portfolio as at 30 September stood at approximately \$234m. 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 ongoing impact to the economy of historically low interest rates due to COVID-19. The impact has been estimated and an adjustment will be reflected in future quarterly budget reviews.

For the month of September, Council's return exceeded the benchmark by some 96 basis points on an annualised basis which is a positive on an absolute basis. This return excludes funds held in at call account but includes the 30 day notice saver account and the NSW TCorp Cash Fund. The yield on the AusBond Bank Bill Index is very low and while Council's investment performance has fallen in recent times, it has however maintained an excellent return over the benchmark index and relative to comparative councils.

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

Council's investment advisor, Amicus Advisory have confirmed that Council's investment portfolio is being well managed and is compliant with current policy settings, with clear buffers between exposures to individual entities and credit limits.

Council's total liquidity of around \$41m to meet short to medium term cash flow needs remains strong with \$3m held in an at call account, \$35m in the TCorp Cash Fund and \$3m in a 30 day notice account opened during the reporting period This account is effectively a hybrid of a term deposit and an at call account.

The official cash rate was not adjusted in this month's Reserve Bank Board meeting and remains at one quarter of a per cent. The ASX200 closed at 5815.90 at the completion of September. This represents an annualised monthly performance result of negative 48.43 per cent ex dividend, the monthly change was negative 4.04 per cent and is attributable to the ongoing effects of COVID-19.

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 30 September 2020 totalled \$124,058,787 representing 100 per cent of the current budget estimate.

The rates and charges receipts collected to the end of September totalled \$34,263,560. In percentage terms 28 per cent of all rates and charges due to be paid have been collected, compared to 33.6 per cent collected in the same period last year.

The NSW Government made changes to the rates and charges due dates moving the first quarterly instalment back one month from 31 August to 30 September. This change is relevant this year only and does not affect the remaining instalment due dates. Penalty interest charges on unpaid rates between 1 July 2020 and 31 December 2020 remains at zero per cent, however this rate will change on 1 January 2021 to seven per cent.

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 available such as regular weekly payments. 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.

Letters seeking additional contact points, not supplied on the transfer/notice of sale, continues to be highly successful in capturing email addresses and mobile phone numbers useful for enhanced communication with ratepayers.

Council has received positive feedback from Pensioners that can now make an application to receive a Pension Rebate Concession over the phone and internet. During the month, 459 applications were made over the phone and 144 online. 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, 119 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 30 September 2020 are \$1,846,835 reflecting a decrease of \$203,702 since August 2020. During the month 774 invoices were raised totalling \$1,147,360. 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 \$396,178 as at 30 September 2020. The majority of this debt relates to Government and Other Grants totalling \$124,093 with the most significant portion of \$80,000 relating to the "Eagle Farm Reserve Play Space" grant that has since been paid. Also incorporated in this debt is \$44,092 relating to the "Rates and Waste Pensioner Subsidy Claim", payment of this grant is paid annually in early December.

Various Sundry items total \$72,638. A major portion of this amount relates to Road and Footpath occupancy fees of \$10,547 being for a development in Broughton Street. A legally binding settlement of \$5,271 per month was entered and subsequently defaulted. Council's agents successfully negotiated a new arrangement of \$3000 per month commencing October 2020 under the provision that no further defaults will be negotiated and legal judgment would commence without further notice.

Also 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. The finalisation of the liquidation process can take significant time at which point Council will be provided the report advising of any dividend.

Debts categorised as Sports and Field Hire totalled \$53,583, the most significant portion is \$44,420 for "catering sales commission" for events at Campbelltown Sports Stadium. The company involved has reached out to Council advising that their income has been affected due to the current pandemic and have entered into an arrangement of \$5000 per month. This arrangement is being reviewed quarterly with payments being maintained currently.

Debts categorised within Healthy Lifestyles for \$22,117 includes \$12,522 that relates to bookings made in advance for the Bicycle Education Centre allowing customers to pay their invoices off over time well before the event date.

Public hall hire fees of \$38,688 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 also 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 through the local court.

Due to the current pandemic no new formal recovery action is being taken, however staff will continue to make contact with overdue debtors seeking suitable payment options and to check in 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 September 2020 (contained within this report)
- 2. Rates and Charges Summary and Statistics September 2020 (contained within this report)
- 3. Debtors Summary and Ageing Report September 2020 (contained within this report)

## Summary of Council's Investment Portfolio



Portfolio as at 30 September 2020

Product Type	Face Value	% of Total
At Call Deposits	13,077,969	5.6%
Notice Account	3,010,662	1.3%
Term Deposits - Fixed Rate	66,705,898	28.4%
Term Deposits - Floating Rate	79,000,000	33.7%
Fixed Rate Bond	5,000,000	2.1%
FRN	32,250,000	13.7%
Managed Funds - TCorp	35,520,958	15.1%
Grand Total	234,565,487	100.0%

# Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AAA	4,810,000	3.3%
AA-	104,741,997	71.9%
A+	4,000,000	2.7%
BBB+	13,153,901	9.0%
Baa1	3,000,000	2.1%
BBB	14,000,000	9.6%
Baa2	2,000,000	1.4%
Total Term Deposits	154,705,898	100.0%

#### Fixed and Floating Rate Notes

ISIN	Issuer	Issuer Rating	Maturity Date	Coupon	Face Value
none	NT Treasury Corp	Aa3	15-Dec-22	0.90% Annually	\$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	СВА	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
AU3FN0048724	NAB	AA-	19-Jun-24	3m BBSW + 0.92%	\$1,300,000
AU3FN0049730	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

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## Summary of Council's Investment Portfolio - September 2020 cont'd

Long Torm Credit Boting		Exposure of Entire Portfolio						
Long-Term Credit Rating	Actual	Minimum	Maximum	Compliant				
AA+, AA, AA- and above (or MTB*)	71.2%	40%	100%	Yes				
A+, A, A- and above	79.7%	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	15.1%	0%	20%	Yes				

## Portfolio Return

Council's investment portfolio (excluding At Call Deposits but includes TCorp Cash Fund & Notice Saver Account) provided a weighted average return (running yield) of:

30 September 2020	Monthly Return	Annual Return
Campbelltown City Council – Investment Portfolio	0.09%	1.54%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.01%	0.58%
Performance Relative to Benchmark	0.08%	0.96%

## Rates Summary

Statement of all Outstanding Rates and Extra Charges



Rate - Charge	Net Arrears 1/7/2020	Net Levy for Year	Pension Rebates	Extra Charges	Total Receivable	Cash Collected	Net Amount Due	Postponed Rates & Interest	Gross Amount Due
Residential	3,134,057.23	69,288,441.61	1,446,503.07	169.32	70,976,165.09	18,468,350.32	52,507,814.77	285,787.60	52,793,602.37
Business	608,426.97	20,108,350.78		25.00	20,716,802.75	7,196,125.23	13,520,677.52		13,520,677.52
Farmland	16,104.97	556,684.46	215.39	0.00	572,574.04	133,661.26	438,912.78	268,502.39	707,415.17
Mining	0.00	28,627.08		0.00	28,627.08	28,627.08	0.00		0.00
SR - Loan	525.47	0.00		0.00	525.47	0.00	525.47	132.44	657.91
SR - Infrastructure	368,470.21	6,820,792.04		-1.17	7,189,261.08	1,935,764.53	5,253,496.55	55,677.10	5,309,173.65
Total	\$4,127,584.85	\$96,802,895.97	\$1,446,718.46	\$193.15	\$99,483,955.51	\$27,762,528.42	\$71,721,427.09	\$610,099.53	\$72,331,526.62
Garbage	956,513.47	22,967,478.65	854,907.17	-16.08	23,069,068.87	6,086,169.92	16,982,898.95		16,982,898.95
Stormwater	70,141.68	1,435,620.73		0.00	1,505,762.41	414,862.03	1,090,900.38		1,090,900.38
Grand Total	\$5,154,240.00	\$121,205,995.35	\$2,301,625.63	\$177.07	\$124,058,786.79	\$34,263,560.37	\$89,795,226.42	\$610,099.53	\$90,405,325.95

Total from Rates Financial Transaction Summary	89,897,232.75
Overpayments	-508,093.20
Difference	0.00

## **Analysis of Recovery Action**

Rate accounts greater than 6 months less than 12 months in arrears	491,555.00
Rate accounts greater than 12 months less than 18 months in arrears	0.00
Rate accounts greater than 18 months in arrears	0.00
TOTAL rates and charges under instruction with Council's agents	\$491,555.00

Item 8.11 - Attachment 2

10/11/2020

## Rates Statistics



Rate Notices 56,941 485  Electronic - DoH 4,929  Instalment Notices  Electronic - DoH Missed Instalment Notices - Pensioners > \$15.00  Notice to new owner 144 133 119  7-day Letters - Council issued - Pensioners > \$500.00  7-day Letters - Agent Issued Statement of Claim Judgments Writs												•	
Electronic - DoH	No. of documents Issued	July	August	September	October	November Decem	er January	February	March	April	May	June	Oct-19
Electronic - DoH													
Instalment Notices   Electronic - DoH	Rate Notices	56,941	485										
Electronic - DoH  Missed Instalment Notices - Pensioners > \$15.00  Notice to new owner 144 133 119  7-day Letters - Council issued - Pensioners > \$500.00 7-day Letters - Agent Issued Statement of Claim Judgments Writs  Electronic - eRates & BPAYView Pensioner applications 149 170 603	Electronic - DoH	4,929											
Missed Instalment Notices - Pensioners > \$15.00 Notice to new owner 7-day Letters - Council issued - Pensioners > \$500.00 7-day Letters - Agent Issued Statement of Claim Judgments Writs Electronic - eRates & BPAYView Pensioner applications 149 170 603	Instalment Notices												
- Pensioners > \$15.00 Notice to new owner 7-day Letters - Council issued - Pensioners > \$500.00 7-day Letters - Agent Issued Statement of Claim Judgments Writs Electronic - eRates & BPAYView Pensioner applications 149 170 603	Electronic - DoH												
Notice to new owner       144       133       119         7-day Letters - Council issued       2         - Pensioners > \$500.00       7-day Letters - Agent Issued         Statement of Claim       Judgments         Writs       Writs         Electronic - eRates & BPAYView Pensioner applications       9,019       9,577       9,881         Pensioner applications       149       170       603	Missed Instalment Notices												8,232
7-day Letters - Council issued - Pensioners > \$500.00 7-day Letters - Agent Issued Statement of Claim Judgments Writs Electronic - eRates & BPAYView Pensioner applications 149 170 603	- Pensioners > \$15.00												716
- Pensioners > \$500.00 7-day Letters - Agent Issued Statement of Claim Judgments Writs Electronic - eRates & BPAYView Pensioner applications 149 170 603	Notice to new owner	144	133	119									25
7-day Letters - Agent Issued Statement of Claim Judgments Writs Electronic - eRates & BPAYView	7-day Letters - Council issued												2,358
Statement of Claim         Judgments           Writs         Writs           Electronic - eRates & BPAYView         9,019         9,577         9,881           Pensioner applications         149         170         603	- Pensioners > \$500.00												206
Judgments       Writs         Writs       9,019       9,577       9,881         Pensioner applications       149       170       603	7-day Letters - Agent Issued												617
Writs         Electronic - eRates & BPAYView         9,019         9,577         9,881         6           Pensioner applications         149         170         603         603	Statement of Claim												6
Electronic - eRates & BPAYView         9,019         9,577         9,881           Pensioner applications         149         170         603	Judgments												47
Pensioner applications 149 170 603													22
	Electronic - eRates & BPAYView	9,019	9,577	9,881									6,304
	Pensioner applications	149	170	603									-
		199	165	134									403

Item 8.11 - Attachment 2

## DEBTORS SUMMARY 1 September 2020 to 30 September 2020



DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/08/2020	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/09/2020	% DEBT RATIO
Corporate Administration	633,557	116.112	236.433	513,236	29.49%
Abandoned Items	1,949	110,112	230,433	1,949	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
	89	0	0	89	
Community Bus	1				0.01%
Sportsground and Field Hire	76,911	30,579	11,119	96,371	5.46%
Government and other Grants	694,416	565,971	572,611	687,776	12.87%
Public Hall Hire	46,592	17,322	15,395	48,519	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	121,469	176,453	184,333	113,589	5.63%
Healthy Lifestyles	30,023	28,186	28,912	29,296	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	49,812	23,800	14,872	58,740	1.85%
Pool Hire	9,713	260	3,314	6,658	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	199,135	3,126	166,334	35,927	28.17%
Shop and Office Rentals	51,525	49,007	60.721	39.812	2.17%
Various Sundry Items	130,315	110,582	46,393	194,505	6.42%
Waste Collection Services	22,035	25,963	10,624	37,373	6.17%
	2,050,537	1,147,360	1,351,061	1,846,835	100%

#### AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 September 2020



	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due
Corporate Administration	449,890	36,655	9,936	16,755	513,236
Abandoned Items	0	410	0	1,539	1,949
Education and Care Services	18,710	0	0	0	18,710
Community Bus	89	0	0	0	88
Sportsground and Field Hire	24,956	16,595	1,238	53,583	96,37
Government and other Grants	90,971	64,762	407,950	124,093	687,77
Public Hall Hire	7,469	1,214	1,147	38,688	48,51
Health Services	0	О	0	350	350
Land and Building Rentals	76,218	36,207	1,024	141	113,589
Healthy Lifestyles	4,528	1,874	778	22,117	29,29
Licence Fees	12,933	8,218	1,438	36,152	58,740
Pool Hire	563	1,080	3,743	1,273	6,65
Private Works	1,189	О	0	1,423	2,612
Road and Footpath Restoration	1,376	7,545	0	27,006	35,92
Shop and Office Rentals	34,429	2,481	2,481	421	39,812
Various Sundry Items	114,433	6,144	1,290	72,638	194,50
Waste Collection Services	15,008	22,365	0	0	37,37
	814,083	205,550	431,024	396,178	1,846,83

Previous	
90+ d	ays
	18,265
	1,539
	0
	0
	65,334
	0
	47,510
	350
	7,796
	25,812
	39,394
	1,373
	1,423
	8,167
	580
	64,718
	0
	282,260

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## 8.12 Annual Report 2019-2020

## **Reporting Officer**

Coordinator Corporate Planning & Strategy City Growth

## **Community Strategic Plan**

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

## Officer's Recommendation

That Council endorse the Annual Report 2019-2020.

## **Purpose**

To seek Council endorsement of the Annual Report for the period of 2019-2020.

## **History**

In line with the Integrated Planning and Reporting guidelines, Council is required to produce a report detailing the achievements and accomplishments over the course of the previous financial year aligning with the ongoing delivery of Council's Integrated Planning and Reporting documents.

## Report

The Annual Report is a key piece of Council's reporting and accountability to our community and stakeholders. The report presents progress towards the outcomes of the Community Strategic Plan, projects and actions in the Delivery Program and Operational Plan, as well as key financial and statutory data.

The Community Strategic Plan, Campbelltown 2027 is our highest level document setting the vision of 'Campbelltown City – designed for ambition, innovation and opportunity' with four key outcomes that Council and other stakeholders will work to achieve, these outcomes are:

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

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Reading the annual report will give a thorough overview of key projects completed, budget alignment and the current position of Council in relation to its service delivery to the community. This Annual Report provides an update and progress on Council's achievements against the Community Strategic Plan, 2017-2021 Delivery Program and 2019-2020 Operational Plan.

Although this reporting period has been challenging with events such as an extreme fire season, hottest summer on record, flooding and a global pandemic (COVID-19), Council has continued to strive to position itself as a leader and facilitator of growth and identify opportunities for the region. Whilst continuing to place emphasis on delivering outstanding and safe services for our community including pivoting a number of services appropriately with a decrease in face to face service and an increase in on-line services, webinars and click and collect options.

Council also delivered a significant program of capital works, fun and exciting events, environmental protection initiatives and continued to tell Campbelltown's story, challenge perceptions and helping position the city as a vibrant and attractive place where opportunities come to life.

#### **Attachments**

1. Annual Report 2019-2020 - due to size (distributed under separate cover)

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# 8.13 Minutes of the Campbelltown Arts Centre Strategic Committee meeting held 16 September 2020

## **Reporting Officer**

Executive Manager Creative Life City Growth

#### Officer's Recommendation

That the minutes of the Campbelltown Arts Centre Strategic Committee held 16 September 2020 be noted.

## **Purpose**

To seek Council's endorsement of the minutes of the Campbelltown Arts Centre Strategic Committee meeting held 16 September 2020.

## Report

Detailed below are the recommendations of the Campbelltown Arts Centre Strategic Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration.

#### Reports listed for consideration

## 4.1 Minutes of the previous Campbelltown Arts Centre Strategic Committee Meeting held 15 April 2020

It was **Moved** Councillor Chowdhury, **Seconded** Mr Christie:

That the information be noted.

#### 5.1 Campbelltown City Council Collection - New Acquisitions

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

That the following proposed donations be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council to be acquired as a part of the Campbelltown City Council collection:

- donation by Rodney Pople Airport 1
- donations by Paddy Wainburranga Fordham Yalk Woman, Walga, Nammooroddoo,
   Mun Gruk Gruk Man, Mun Gruk Gruk Woman, Mun Gruk Gruk and Lightning Man

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- donations by Andrew John Sibley Catch a Falling Star, Come Fly with Me, It's only a
  Paper Moon, You are the Sunshine of my Life, Some Enchanted Evening, Vilya, Oh
  Vilya, Memories of my Garden, Flowers Embraced, Roses with Love and Red Roses
- donations by Tony Irving The Old Kiosk, St. Kilda, Ramsden Place, Waratah Place,
   Chapter House Lane, Heape Court, Drewery Lane and Niagara Lane
- donation by Suzanne Archer Habitat Wedderburn.

#### 5.2 Fees and charges for the leasing of artworks

It was **Moved** Ms Stackpool, **Seconded** Councillor Chowdhury:

That the proposed fees and charges, with an increase of 30%, for the leasing of artworks from the Campbelltown City Council collection be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council.

#### 5.3 2020 Fisher's Ghost Award update

It was **Moved** Councillor Oates, **Seconded** Mrs Long:

That the information be noted.

#### 5.4 Overview of the 2021 Artistic Program

It was **Moved** Mr Donaghey, **Seconded** Councillor Chowdhury

That the information be noted.

#### **Attachments**

1. Minutes of the Campbelltown Arts Centre Strategic Committee held 16 September 2020 (contained within this report)

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## **CAMPBELLTOWN CITY COUNCIL**

## **Minutes Summary**

Campbelltown Arts Centre Strategic Committee Meeting held at 6.00pm on Wednesday, 16 September 2020.

ITEM	TITLE	PAGE
1.	ACKNOWLEDGEMENT OF LAND	2
2.	APOLOGIES	2
3.	DECLARATIONS OF INTEREST	2
4.	MINUTES OF THE PREVIOUS CAMPBELLTOWN ARTS CENTRE STRATEGIC COMMITTEE MEETING HELD 15 APRIL 2020	2
5.	REPORTS	3
5.1	Campbelltown City Council Collection - New Acquisitions	3
5.2	Fees and charges for the leasing of artworks	17
5.3	2020 Fisher's Ghost Award update	20
5.4	Overview of the 2021 Artistic Program	21
6.	GENERAL BUSINESS	21

# Minutes of the Campbelltown Arts Centre Strategic Committee Meeting held on 16 September 2020

**Present** Chairperson Councillor Meg Oates

Councillor Massood Chowdhury

Councillor Ben Moroney

Member - Michael Banasik - Councillor

Member - Dr Cheryle Yin –Lo Member - Ms Lucy Stackpool Member - Mr Steven Donaghey Member - Ms Dorothy Heatley Member - Mrs Joan Long Member - Mr Andrew Christie

**In attendance** Director City Growth – Ms Rebecca Grasso

Executive Manager Creative Life - Mr Michael Dagostino

Executive Support – Ms Kelly Wooden

#### 1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by the Chairperson Councillor Meg Oates.

## 2. APOLOGIES

Council's General Manager – Lindy Deitz

Member – Ms Alison Derrett Member – Ms Dorothy Heatley

Member – Ms Mariah Calman

Member – Ms Lorna Grear

#### 3. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

# 4. MINUTES OF THE PREVIOUS CAMPBELLTOWN ARTS CENTRE STRATEGIC COMMITTEE MEETING HELD 15 APRIL 2020

## **Reporting Officer**

**Executive Manager Creative Life** 

## Officer's Recommendation

That the information be noted.

## Committee's Recommendation:

It was **Moved** Councillor Chowdhury, **Seconded** Mr Christie:

That the information be noted.

## Report

The minutes of the Campbelltown Arts Centre Strategic Committee Meeting held 15 April 2020, copies of which have been circulated to each Sub Committee member, were adopted by Council at its meeting held 9 June 2020.

#### **Attachments**

#### 5. REPORTS

## 5.1 Campbelltown City Council Collection - New Acquisitions

## Reporting Officer

Executive Manager Creative Life City Growth

#### Officer's Recommendation

That the following proposed donations be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council to be acquired as a part of the Campbelltown City Council collection:

- donation by Rodney Pople Airport 1
- donations by Paddy Wainburranga Fordham Yalk Woman, Walga, Nammooroddoo, Mun Gruk Gruk Man, Mun Gruk Gruk Woman, Mun Gruk Gruk and Lightning Man
- donations by Andrew John Sibley Catch a Falling Star, Come Fly with Me, It's only a Paper Moon, You are the Sunshine of my Life, Some Enchanted Evening, Vilya, Oh Vilya, Memories of my Garden, Flowers Embraced, Roses with Love and Red Roses
- donations by Tony Irving The Old Kiosk, St. Kilda, Ramsden Place, Waratah Place, Chapter House Lane, Heape Court, Drewery Lane and Niagara Lane
- donation by Suzanne Archer Habitat Wedderburn.

## **Committee's Recommendation:**

It was Moved Councillor Chowdhury, Seconded Councillor Banasik:

That the following proposed donations be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council to be acquired as a part of the Campbelltown City Council collection:

- donation by Rodney Pople Airport 1
- donations by Paddy Wainburranga Fordham Yalk Woman, Walga, Nammooroddoo,
   Mun Gruk Gruk Man, Mun Gruk Gruk Woman, Mun Gruk Gruk and Lightning Man
- donations by Andrew John Sibley Catch a Falling Star, Come Fly with Me, It's only a Paper Moon, You are the Sunshine of my Life, Some Enchanted Evening, Vilya, Oh Vilya, Memories of my Garden, Flowers Embraced, Roses with Love and Red Roses
- donations by Tony Irving The Old Kiosk, St. Kilda, Ramsden Place, Waratah Place,
   Chapter House Lane, Heape Court, Drewery Lane and Niagara Lane
- donation by Suzanne Archer Habitat Wedderburn.

## **Purpose**

To seek the endorsement of the Campbelltown Arts Centre Strategic Committee of the acquisition of donated works to the Campbelltown City Council collection.

## Report

Campbelltown City Council's Collection Policy provides a framework for the management of Council's permanent collection by Campbelltown Arts Centre. Listed below are the proposed donated works to be acquired for Council's collection in line with the policy objectives.

#### **Donation 1**

#### **Rodney Pople**

Airport 1 2016 106 x 141 cm Oil on Linen

#### **Biography**

Rodney Pople is an interdisciplinary artist working in painting, photography and sculpture. He received a Diploma of Fine Arts (Photography) from the Tasmanian School of Art before undertaking postgraduate studies in sculpture at the Slade School of Art in London and the New York Studio School. In 2014 Pople's photo-based paintings were the subject of a major solo exhibition at the Australian Centre for Photography, Sydney. He has exhibited regularly in Australia for over 30 years, and recently also in Berlin and Shanghai. Pople's practice includes public, private and site-specific commissions of a large or small scale.

#### **Artist Statement**

These images assault our collective hubris and churn our stomachs in visceral recoil. They are, however, the realities of a harsh world; a world Pople refuses to gloss. He demands that we see what we have done, though we know not what we do.



Rodney Pople, Airport 1, 2016. Photo Courtesy of the Artist.

## Donations 2 - 8

## **Paddy Fordham Wainburranga**

Yalk Woman Sugar Lift Aquatint 600 x 500 mm 2003

Edition: 100

## **Paddy Fordham Wainburranga**

Walga Sugar Lift Aquatint 600 x 500 mm 2003

Edition: 100

## **Paddy Fordham Wainburranga**

Nammooroddoo Sugar Lift Aquatint 600 x 500 mm 2003

Edition: 100

#### Paddy Fordham Wainburranga

Mun Gruk Man Sugar Lift Aquatint 600 x 500 mm 2003

Edition: 100

#### **Paddy Fordham Wainburranga**

Mun Gruk Woman Sugar Lift Aquatint 600 x 500 mm 2003

Edition: 100

#### Paddy Fordham Wainburranga

Mun Gruk Sugar Lift Aquatint 600 x 500 mm 2003

Edition: 100

#### **Paddy Fordham Wainburranga**

Lightning Man Sugar Lift Aquatint 600 x 500 mm 2003

Edition: 100

#### **Biography**

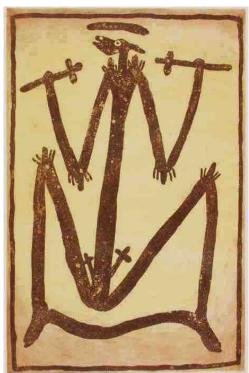
During his lifetime, renowned artist, dancer, didgeridoo player, and storyteller Paddy Fordham Wainburranga embodied the living history of the people of Australia's far north. Born in the bush at Bumdubu, near Bulman, north-east of Katherine, Wainburranga lived a totally traditional life learning the ancient customs and Dreamtime stories from his father and uncles. He first encountered whites at the age of eleven when, with European settlement encroaching on their lands, the Rembarranga people were settled at Maningrida.

Wainburranga began working as a stockman while still a young man on many of the stations throughout the Top End and it was not until the 1970's when, settled once more at Maningrida, Wainburranga began to paint for the nascent Arts and Crafts Centre. Having learnt traditional bark painting from his father and being steeped in ancient stories, his innovative talent for formulating narrative sequences in a manner both authentic and accessible won him quick recognition. In time he became the senior elder of the Rembarrnga people and divided his time between making artworks and leading the Rembarrnga in important ceremonial activities throughout the Northern Territory.

#### **Artist Statement**

In his clearly delineated, elongated figures and ceremonial designs, Wainburranga presented an insight into ancient Aboriginal beliefs. In major narrative paintings he related how Aboriginal life began, how his people became divided into moieties and skin groups, what 'pay back' means, and how the clan system works including human relationship with the

spirits, with nature, and with each other. Amongst a large number of other traditional stories, Wainburranga related the adventures of Gurrdunyu the Moon Man, Waditj the Rock Man, Gollomomo the Crocodile Man, Kollo the Left Handed Man and many others.



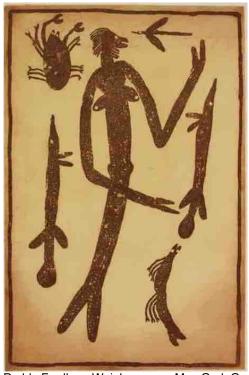
Paddy Fordham Wainburranga, Nammooroddoo, 2003. Photo courtesy of Robert C. Littlewood.



Paddy Fordham Wainburranga, Yalk Man, 2003. Photo courtesy of Robert C. Littlewood.



Paddy Fordham Wainburranga, Mun Gruk Man, 2003. Photo courtesy of Robert C. Littlewood.



Paddy Fordham Wainburranga, Mun Gruk Gruk Woman, 2003. Photo courtesy of Robert C. Littlewood.

#### Donations 9 - 18

#### **Andrew Sibley**

Catch a Falling Star Sugar-Lift Etching With hand colouring by the artist 677 x 480mm Edition: 125 Signed, inscribed and numbered by the artist

Catch a Falling Star written by Paul Vance (born 1929) and Lee Pockriss (1924-2011) 1957

#### **Andrew Sibley**

Come Fly With Me
Sugar-Lift Etching
With hand colouring by the artist
675 x 480mm
Edition: 125
Signed, inscribed and numbered by the artist

Come Fly with Me by Jimmy Van Heusen (1913-1990) lyrics by Sammy Cahn (1913-1993) 1957

#### **Andrew Sibley**

It's only a Paper Moon Sugar-Lift Etching With hand colouring by the artist 672 x 483mm Edition: 125 Signed, inscribed and numbered by the artist

It's Only a Paper Moon by Harold Arlen (1905-1986) lyrics by E. Y. Harburg (1896-1981) and Billy Rose (1899-1966) 1933

#### **Andrew Sibley**

You are the Sunshine of my Life Sugar-Lift Etching With hand colouring by the artist 675 x 480mm Edition: 125 Signed, inscribed and numbered by the artist

#### **Andrew Sibley**

Some Enchanted Evening
Sugar-Lift Etching
With hand colouring by the artist
670 x 480mm
Edition: 125

Signed, inscribed and numbered by the artist

Some Enchanted Evening Richard Rodgers (1902–1979) and Oscar Hammerstein II (1895–1960) South Pacific 1949

#### **Andrew Sibley**

Vilya, Oh Vilya Sugar-Lift Etching With hand colouring by the artist 675 x 483mm Edition: 125 Signed, inscribed and numbered by the artist

Vilya, Oh Vilya Die lustige Witwe (The Merry Widow), operetta Vilya, oh vilya Composed by Franz Lehar (1870-1948) 1905

#### **Andrew Sibley**

Memories of My Garden\* Hand Coloured Linocut 216 x 137mm 1993 (2013) Edition: 100

#### **Andrew Sibley**

Flowers Embraced\*
Hand Coloured Linocut
205 x 128mm
1993 (2013)
Edition: 100

#### **Andrew Sibley**

Roses with Love\*
Hand Coloured Linocut
213 x 134mm
1993 (2013)
Edition: 100

#### **Andrew Sibley**

Red Roses\* Hand Coloured Linocut 213 x 134mm 1993 (2013) Edition: 100

\* Subject of the Private Press book: 'Four Linocuts by Andrew Sibley' written by Robert C. Littlewood, The Lytlewode Press, Chateau Bosgouet, Normandie, France, 2014.

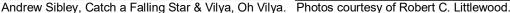
## **Biography**

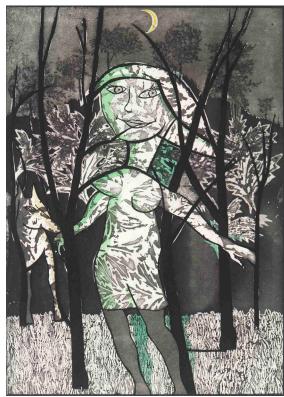
Born in 1933 in Kent, England, Andrew Sibley migrated to outback Queensland with his family in 1948. After leaving the family property he spent a short time in Papua New Guinea before returning to Brisbane in the late 1950's. In the early 1960's Sibley was a part of the 'Brisbane School' with Jon Molvig, Roy Churcher and, further away on Bribie Island, Ian Fairweather. Sibley found early success winning prestigious prizes and was invited to exhibit at the Whitechapel Galley in London in 1962 and the Paris Biennale in 1963. In the mid-late 1960's Sibley was a part of the Rudy Komon gallery stable in Sydney that included many of the most important Australian artists of the time and where he established lifelong connections with these fellow artists.

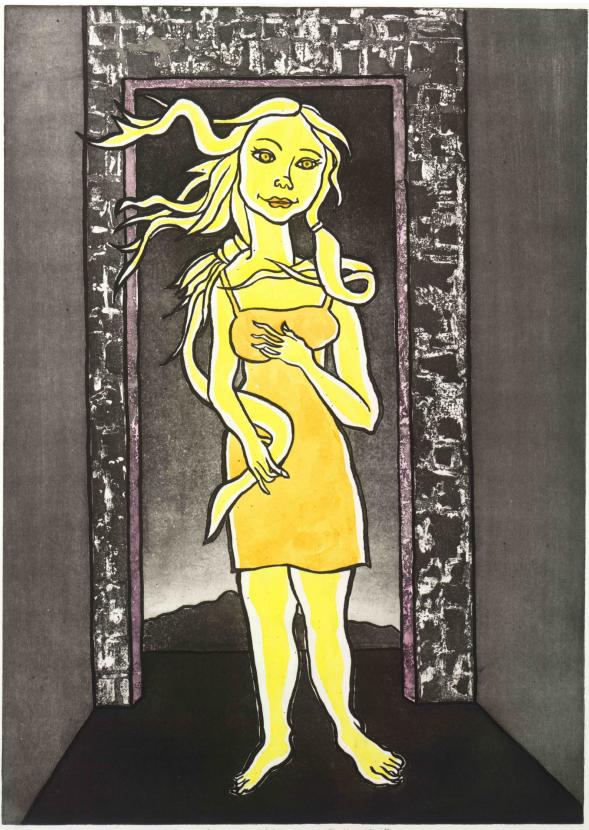
#### **Artist Statement**

Sibley liked to draw and paint in series and focus on 'types' in his portraiture. Explaining his motivation, he wrote: "(This) series reminds us of our primal and natural instincts to be a part, or rather, respond to nature - to love, to own our passions."









Andrew Sibley, You are the Sunshine of my Life. Photos courtesy of Robert C. Littlewood.







Andrew Sibley, Memories of my Garden, Red Roses & Flowers Embraced. Photos courtesy of Robert C. Littlewood.

#### **Donations 19 – 25**

## **Tony Irving**

The Old Kiosk, St. Kilda Etching & Aquatint 1984

Edition: 100

## **Tony Irving**

Ramsden Place \*\* Etching & Aquatint Copper Plate Edition 100

## **Tony Irving**

Waratah Place \*\*
Etching & Aquatint
Copper Plate
Edition 100

## **Tony Irving**

Chapter House Lane \*\*
Etching & Aquatint
Copper Plate
Edition 100

#### **Tony Irving**

Heape Court \*\*
Etching & Aquatint
Copper Plate
Edition 100

#### **Tony Irving**

Drewery Lane \*\*
Etching & Aquatint
Copper Plate
Edition 100

#### Tony Irving

Niagara Lane \*\*
Etching & Aquatint
Copper Plate
Edition 100

\*\* Subject of the Private Press book: 'The Laneways of Melbourne' written by John Arnold, The Lytlewode Press, Melbourne. 2001.

## **Biography**

Melbourne based painter Tony Irving has been exhibiting his sensitive realist artworks since the mid 1960's. His works are held in the collections of the National Gallery of Australia and the National Gallery of Victoria.

#### **Artist Statement**

The urban and suburban landscape has frequently been at the heart of my subject matter, but in recent years I found the modernist architecture and pools of California's west coast offered a surprising world. There's space, distinctive light and colour and even a sense of mystery that I was keen to capture.

I was taken by the sense of suspended animation and solitude at private pools. People are away from the everyday in these artificial and somehow contrived environments. I imagine different stories when I'm composing and painting but I wanted there to be an ambiguous atmosphere for the viewer – who are Mr and Mrs Stahl? Who is the Guardian? The paintings are open ended, leaving the viewer to place their own interpretation on the characters in the paintings, to create their own narrative. Or not.



Tony Irving, The Old Kiosk, 1984. Photo courtesy of Robert C. Littlewood.





Tony Irving, from series The Laneways of Melbourne, 1990. Photos courtesy of Robert C. Littlewood.

#### **Donation 26**

Suzanne Archer Habitat Wedderburn 2017 241 x 241 cm Oil on Canvas

#### **Biography**

Living and working in the Wedderburn bush for 30 years, Archer has been significant in the cultural fabric of the region and has strong ties to Campbelltown. Archer's work is nationally regarded; her contribution to the Campbelltown City Collection has been generous and represents her prolific studio practice.

#### **Artist Statement**

"The wonderful and amazing thing is that if one allows one's imagination to constantly be fed the ideas will flow. I never censor ideas, I always accept them and filter them out for that moment but later they may surface again when the timing is right. Sometimes the object itself might be repurposed into a sculpture, or become a subject for a painting, artist book or installation keeping my studio practice a constant surprise even to myself."



Suzanne Archer, Habitat Wedderburn. Photo courtesy of Document Photography.

## **Attachments**

## 5.2 Fees and charges for the leasing of artworks

## **Reporting Officer**

Executive Manager Creative Life City Growth

#### Officer's Recommendation

That the proposed fees and charges for the leasing of artworks from the Campbelltown City Council collection be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council.

**Committee's Recommendation:** Moved by Lucy Stackpool, seconded by Masood Chowdhury.

It was **Moved** Ms Stackpool, **Seconded** Councillor Chowdhury:

That the proposed fees and charges, with an increase of 30%, for the leasing of artworks from the Campbelltown City Council collection be endorsed by the Campbelltown Arts Centre Strategic Committee for further consideration by Council.

## **Purpose**

To seek the endorsement of the Campbelltown Arts Centre Strategic Committee of the proposed fees and charges for the leasing of artworks from the Campbelltown City Council collection.

## **History**

To date, the loaning of artworks from the Campbelltown City Council collection has been limited to that of loans to other museums and galleries for temporary exhibition programming and to Council offices. On average, Campbelltown Arts Centre participates in one to five outward loans annually to other art institutions. Loans to museums and galleries for temporary exhibition is done at no cost and is standard across the industry.

## Report

This report proposes to expand the Campbelltown City Council Collection Policy to include the leasing of artworks from the Campbelltown City Council collection to organisations that can provide evidence of suitable insurance and security for artworks. As per current Campbelltown Arts Centre loan practices, the lending organisation must complete a leasing agreement and agree to the Arts Centre's terms and conditions prior to the commencement of the loan period.

Outlined below are the advantages of introducing an artwork leasing program to both Council and potential lenders as well as risks to consider.

The proposed fees and charges outlined have been calculated as an annual cost intended to be charged to the lender and will cover the services provided by Campbelltown Arts Centre in facilitating the loan including; artwork selection, asset management, regular condition reporting, handling, packing and transport.

Museums, Galleries and Cultural Institutions would be exempt from paying the leasing fee.

#### **Advantages to Council**

- to diversify and expand on the way the Campbelltown City Council collection is experienced by audiences
- promotion of the Campbelltown City Council collection and Arts Centre program where possible
- to alleviate strain on the Campbelltown City Council artwork storage facilities.

#### **Advantages to Lenders**

- transformation of office spaces through the curating of artworks that bring inspiration and energy to the space
- Campbelltown Arts Centre provides the ability to refresh the artwork selection every two years by offering affordable leasing agreements
- Campbelltown Arts Centre's qualified staff can offer inspiration and expertise in selection and curation of the lender's space as well as supporting the artwork lease from start to finish. The Arts Centre team will be responsible for all aspects of management, handling, install and all ongoing care requirements.

#### **Risks to Consider**

Risk	Action
Security and insurance	The lender will be required to provide their Certificate of Currency and documentation of their security systems for review by Council's Collections Officer and Risk and Liability Officer. The insurance valuations of each leased artwork will be provided by Campbelltown Arts Centre. The lender will also be required to facilitate a compulsory site visit for qualified Arts Centre staff to physically view the proposed spaces for install and identify and assess any other potential risks. Once these actions are taken, all lenders will be required to sign a leasing agreement with Campbelltown Arts Centre and agree to the Arts Centre's terms and conditions of leasing prior to commencement of the loan period. To reduce the risk, the value of the artwork loaned will be limited to \$10,000.
Maintaining artwork condition	Thorough condition reporting will be undertaken prior to any artwork departing Campbelltown Arts Centre and again when initially installed at the lending organisation. The lending organisation will be required to facilitate Arts Centre staff undertaking condition reporting of all leased artworks every four months until the end of the lease period. Within the terms and conditions of the lease agreement, the lender will be required to contact Campbelltown Arts Centre immediately if any change in the artwork's condition has been identified. Leases would be for a two years and artworks changed over at this time. This will reduce the risk of artworks being damaged due to environmental conditions, such as light and dust.

Risk	Action
Removal of Artworks	Within the terms and conditions of the lease agreement, the artwork is not to be removed by anyone other than qualified Arts Centre staff at any time. Should the artwork need to be temporarily removed for necessary works, the lender will be required to notify Campbelltown Arts Centre in advance and qualified staff will undertake the safe removal of artworks as required. To ensure further clarity of these conditions, Campbelltown Arts Centre will apply distinct labelling of these terms and processes for removal on the reverse of the artwork and the wall space behind the artwork when hung.

## Proposed fees and charges

The below calculations are based on a lease of 10 artworks over two years:

Breakdown of costs:

Artwork transport (delivery and return)				
Artwork selection and preparation including compulsory site visit by Council's Collections Officer: 10 hours x \$75				
Condition reporting by Council's Collections Officer: 5 hours x \$75 x 6 inspections (every 4 months)				
Artwork Labels (printed and mounted): \$25 each x 10				
Total costs for 10 artworks over two years				
Indicative cost per artwork for a two year period				

The lender will also incur a one-off fee of \$375+GST for one leased artwork over a two year period. Costs such as but not limited to insurance and installation will be borne by the hirer.

#### **Attachments**

## 5.3 2020 Fisher's Ghost Award update

## **Reporting Officer**

Executive Manager Creative Life City Growth

## Officer's Recommendation

That the information be noted.

#### Committee's Recommendation:

It was Moved Councillor Oates, Seconded Mrs Long:

That the information be noted.

## **Purpose**

To provide the Campbelltown Arts Centre Strategic Committee with an update for the 2020 Fisher's Ghost Art Award.

## Report

The Executive Manager Creative Life will provide the Committee with an update for the 2020 Fisher's Ghost Art Award.

#### **Attachments**

## 5.4 Overview of the 2021 Artistic Program

## **Reporting Officer**

Executive Manager Creative Life City Growth

## Officer's Recommendation

That the information be noted.

#### Committee's Recommendation:

It was Moved Mr Donaghey, Seconded Councillor Chowdhury

That the information be noted.

## **Purpose**

To provide the Campbelltown Arts Centre Strategic Committee with an overview of the Arts Centre's 2021 artistic program.

## Report

The Executive Manager Creative Life will provide the Committee with an overview of the Arts Centre's 2021 artistic program.

#### **Attachments**

#### 6. GENERAL BUSINESS

Councillor Chowdhury enquired if Campbelltown Arts Centre had any Cultural programs for people from South Asia planned. Council's Executive Manager Creative Life Michael Dagostino advised that options were being investigated and information would be tabled at a later meeting should programs be developed.

Council's Executive Manager Creative Life Michael Dagostino advised that Campbelltown Arts Centre had received notification that they would receive State Government Funding of \$450K per year for the next 3 years (same level as per previous years). A great outcome considering recent cuts across the board to State Government funding.

Councillor Banasik noted that Wollondilly Council had previously received funding under the Western Sydney City Deal for a new community and cultural centre in Picton.

The Chair, Councillor Oates thanked members for their time and commitment to the Campbelltown Arts Centre Committee.

The next meeting of the Campbelltown Arts Centre Strategic Committee will be held in 2021, at a date to be determined.

Councillor Meg Oates

Chairperson

Meeting Concluded: 7.05pm



### 9. QUESTIONS WITH NOTICE

## 9.1 Heritage Applications

Councillor Ben Moroney has given notice of the following Questions With Notice that will be asked at the Ordinary Meeting of Council held 10 November 2020.

- 1. Since the dissolution of the Heritage Subcommittee, what has been the change, if any, in:
  - a) The number of heritage relevant development applications per month
  - b) The mean and median processing time of heritage relevant development applications
  - c) The mean and median value of heritage relevant development applications
  - d) the number of heritage grant applications per month
  - e) the mean and median processing time of heritage grant applications
  - f) the mean and median value of heritage grant applications

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Nil

11. NOTICE OF MOTION

- 12. URGENT GENERAL BUSINESS
- 13. PRESENTATIONS BY COUNCILLORS

#### 14. CONFIDENTIAL REPORTS FROM OFFICERS

## 14.1 Lease of a Council Property

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 Deed of Variation - Road Widening

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.

# **CAMPBELLTOWN CITY COUNCIL**

# **Minutes Summary**

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Ordin	ary Council Meeting
0.10	Donarta and Latta

# 10/11/2020

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# Minutes of the Ordinary Meeting of the Campbelltown City Council held on 10 November 2020

**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

#### Recommendation

Nil

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

#### 3. CONFIRMATION OF MINUTES

## 3.1 Minutes of the Ordinary Meeting of Council held 13 October 2020

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

That the Minutes of the Ordinary Council Meeting held 13 October 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

#### 4. DECLARATIONS OF INTEREST

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

# **Pecuniary Interests**

Nil

# **Non Pecuniary – Significant Interests**

Councillor Gilholme – Item 8.4 – Planning Proposal – Removal Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Gilholme – Item 8.5 – The Meadows, Ingleburn Gardens Planning Proposal. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Gilholme – Item 8.8 – Planning Proposal Request – 2 Farrow Road, Campbelltown. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Greiss – Item 8.4 – Planning Proposal – Removal Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Greiss – Item 8.5 – The Meadows, Ingleburn Gardens Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Greiss – Item 8.8 – Planning Proposal Request – 2 Farrow Road, Campbelltown. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Lound – Item 8.4 – Planning Proposal – Removal Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Lound - Item 8.5 - The Meadows, Ingleburn Gardens Planning Proposal. Councillor Lound advised he is a member of the Sydney Western Planning Panel and will leave the meeting.

Councillor Lound – Item 8.8 – Planning Proposal Request – 2 Farrow Road, Campbelltown. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

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

Nil

#### Other Disclosures

Nil

#### 5. MAYORAL MINUTE

# 5.1 Community Service Awards - Ray James OAM, Keith Kent OAM and Father Peter Caruana

It was Moved Councillor Brticevic, Seconded Councillor Hunt:

That Ray James OAM, Keith Kent OAM and Father Peter Caruana be presented with a Community Service Award in recognition of their contributions to the Campbelltown community.

193 The Motion on being Put was CARRIED.

#### 6. PETITIONS

#### 7. CORRESPONDENCE

# 7.1 Heritage Cattle Tanks - Hurley Park, Campbelltown

It was Moved Councillor Oates, Seconded Councillor Rowell:

That the letter be received and the information be noted.

194 The Motion on being Put was CARRIED.

#### 8. REPORTS FROM OFFICERS

# 8.1 Advertising and Marketing Opportunities for Council Activities and Programs

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

That the information be noted.

# 8.2 Feasibility of Flag Raising Events

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

- 1. That Council includes a cultural ceremony as part of the opening of annual Feast event.
- 2. That grant funding be widely promoted to encourage cultural groups to apply to host cultural events and significant days.
- 3. That a policy be brought back to Council for consideration that provides clear guidelines for flag raising events.
- **196** The Motion on being Put was **CARRIED**.

#### 8.3 Re-establishment of South Area Alcohol Free Zones

It was Moved Councillor Lound, Seconded Councillor Chowdhury:

- That public notices be placed on Council's website and social media pages for a minimum 14 day period, inviting submissions on Council's intention to re-establish Alcohol Free Zones over the streets and footpaths detailed in attachment 1 to this report being within the areas of:
  - (a) Airds
  - (b) Ambarvale
  - (c) Bradbury
  - (d) Campbelltown CBD South
  - (e) Campbelltown CBD North
  - (f) Campbelltown East 1
  - (g) Campbelltown East 2
  - (h) Glen Alpine
  - (i) Leumeah
  - (j) Menangle Park
  - (k) Rosemeadow 1
  - (I) Rosemeadow 2
  - (m) Ruse
  - (n) St Helens Park 1
  - (o) St Helens Park 2
- 2. Any submissions received during the public exhibition period be reported to Council.
- 3. Should no submissions be received during the public exhibition period, formal notice of Council's intention to re-establish Alcohol Free Zones over the areas specified in Recommendation No.1, be issued to the following organisations and/or groups:
  - (a) The Anti-Discrimination Board of NSW
  - (b) The Officer in charge of the Police Station nearest the zones
  - (c) The liquor licensees and secretaries of registered clubs whose premises are in close proximity to the proposed zones

- (d) Any known group that might be affected by the creation of the proposed zones.
- 4. Any submissions received from the organisations/groups listed in Recommendation No.3 during the notice period be reported to Council.
- 5. Where no submissions are received from the organisations/groups listed under Recommendation No.3, the formal re-establishment of the respective Alcohol Free Zones be commenced by way of public notice being given on Council's website and social media pages for a minimum period of seven days prior to the proposed commencement date of the Alcohol Free Zones.
- 197 The Motion on being Put was CARRIED.

Note: Councillor Moroney voted against the motion.

**Meeting note:** Having declared an interest in Items 8.4, 8.5 and 8.8 Councillor Gilholme, Councillor Greiss and Councillor Lound left the meeting at 7:02pm and did not take part in the discussions or vote on those matters.

8.4 Planning Proposal – Removal Clause 4.1A Cap on Maximum Number of Dwellings at Claymore, Western Sydney University Site and Airds/Bradbury

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

- 1. That Council approve the forwarding of the Planning Proposal contained in attachment 1 of this report to the Minister for Planning and Public Spaces for finalisation.
- 2. That Council not exercise, via the General Manager the functions of the Minister for Planning under section 3.31(3)(b) of the *Environmental Planning and Assessment Act* 1979, pursuant to the Instrument of Delegation dated 14 October 2012, due to a submission being received from the NSW Rural Fire Service.
- 3. That the NSW Rural Fire Service be advised of Council's resolution.

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, P Lake, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Councillor B Moroney.

# 8.5 The Meadows, Ingleburn Gardens Planning Proposal

It was Moved Councillor Oates, Seconded Councillor Morrison:

- 1. That Council, forward the attached draft Planning Proposal (attachment 1) relating to land within the Meadows Precinct, to the Department of Planning, Industry and Environment seeking endorsement of Gateway Determination.
- 2. That should the Minister determine under section 3.3.4(2) of the *Environmental Planning and Assessment Act 1979*, that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination.
- 3. That following the public exhibition:
  - (a) where submissions are received by Council during the public exhibition period, a submissions report be presented to Council, or
  - (b) where no submissions are received by Council during the public exhibition period, the draft Planning Proposal be finalised.
- 4. That subject to recommendation 3(a) Council exercise via the General Manager the approval functions of the Minister under Section 3.36 (2)(a) of the *Environmental Planning and Assessment Act 1979*, to make the relevant amendments to the Campbelltown Local Environmental Plan 2015, pursuant to the instrument of delegation dated 20 November 2012.

A Division was recorded in regard to the Resolution for Item 8.5 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, M Chivers, P Lake, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Councillor B Moroney.

199 The Motion on being Put was CARRIED.

#### **Procedural Motion**

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

That Item 8.8 – Planning Proposal Request – 2 Farrow Road, Campbelltown be brought forward to follow Item 8.5.

#### 8.6 Submission on Draft Cumberland Plain Conservation Plan

It was Moved Councillor Hunt, Seconded Councillor Thompson:

That Council endorse a formal submission to the NSW Department of Planning, Industry and Environment on the draft Cumberland Plain Conservation Plan with matters contained in this report.

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

# 8.7 Development Application Status

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

That the information be noted.

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

**Meeting note:** Item 8.8 was moved by procedural motion to follow Item 8.5. Having declared an interest in Item 8.8 Councillor Gilholme, Councillor Greiss and Councillor Lound did not take part in the discussion or vote on the matter.

# 8.8 Planning Proposal Request - 2 Farrow Road, Campbelltown

It was **Moved** Councillor Hunt. **Seconded** Councillor Morrison:

- 1. That Council not support the Planning Proposal Request (attachment 1) which seeks rezoning of industrial land at 2 Farrow Road to permit high rise residential development and mixed use development outcomes and changes to the maximum permissible height of buildings for the site (with a variety of heights up to 101 metres/28 storeys).
- 2. That the applicant be advised of Council's decision.

A Division was recorded in regard to the Resolution for Item 8.8 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, M Chivers, B Moroney, W Morrison and B Thompson.

Voting against the Resolution were Councillors P Lake and T Rowell.

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

**Meeting note:** At the conclusion if the discussion regarding Item 8.8 Councillor Gilholme, Councillor Greiss and Councillor Lound returned to the meeting at 7.15pm.

# 8.9 Quarterly Business Review Statement as at 30 September 2020

It was Moved Councillor Hunt, Seconded Councillor Thompson:

That the adjustments recommended in the Quarterly Business Review be adopted.

204 The Motion on being Put was CARRIED.

# 8.10 Reports and Letters Requested

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

That the comments and updates to the reports and letters requested be noted.

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

# 8.11 Investments and Revenue Report - September 2020

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

That the information be noted.

206 The Motion on being Put was CARRIED.

## 8.12 Annual Report 2019-2020

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

That Council endorse the Annual Report 2019-2020.

# 8.13 Minutes of the Campbelltown Arts Centre Strategic Committee Report

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

That the minutes of the Campbelltown Arts Centre Strategic Committee held 16 September 2020 be noted.

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

#### 9. QUESTIONS WITH NOTICE

# 9.1 Heritage Applications

It was Moved Councillor Moroney, Seconded Councillor Brticevic:

That the questions and answers be noted.

- 1. Since the dissolution of the Heritage Subcommittee, what has been the change, if any, in:
  - a) the number of heritage relevant development applications per month

Before the dissolution of the committee we received approximately four heritage relevant development applications per year. Since the dissolution we have received approximately three development applications per year.

b) the mean and median processing time of heritage relevant development applications

				Prior to dissolution	After dissolution
processing ment applicat	of	heritage	related	238 days	352 days
processing ment applicat	of	heritage	related	313 days	380 days

It can be seen that the processing time has increased. However due to the small sample size, careful consideration needs to be given to the scale of the applications, and therefore wisely you have also sought information on their value.

c) the mean and median value of heritage relevant development applications

	Prior to	After
	dissolution	dissolution
Median value of heritage related development applications	\$99,000	\$1,250,000
Mean value of heritage related development applications	\$4,262,179	\$11,124,370

It can be seen that the median and mean value of heritage applications has been substantially higher post dissolution, but must stress again that this is a small sample size.

d) the number of heritage grant applications per month

The information on heritage grants is based on financial years. The number of heritage grant applications is not a large number. The largest number we received was in the 2014-2015 financial year when four applications were received.

	Prior to	After
	dissolution	dissolution
Number of heritage grant applications	2 per year	1 per year

e) the mean and median processing time of heritage grant applications

		_			Prior to dissolution	After dissolution
Median processing applications	time	of	heritage	grant	151 days	21 days
Mean processing applications	time	of	heritage	grant	156 days	21 days

There has been a significant reduction in the processing time for heritage grant applications.

f) the mean and median value of heritage grant applications.

	Prior to	After
	dissolution	dissolution
Median value of heritage grant applications	\$2,000	\$1,957
Mean value of heritage grant applications	\$1,845.50	\$1,957

209 The Motion on being Put was CARRIED.

## 10. RESCISSION MOTION

Nil

## 11. NOTICE OF MOTION

Nil

# 12. URGENT GENERAL BUSINESS

#### 13. PRESENTATIONS BY COUNCILLORS

- 1. Councillor Meg Oates on 30 October with Councillors Chivers, Chowdhury, Hunt, Gilholme, Lound and Manoto attended the opening of the Fisher's Ghost Art Award at Campbelltown Arts Centre. Councillor Oates congratulated all artists with special mention to Annika Romeyn the winner of the 2020 Open Award with 'Verge 3' and Alun Rhys Jones who was awarded the Macarthur Award, sponsored by the Labour Councillors for this piece 'I, FULL SLEEVE'. Councillor Oates encouraged all of the community to attend to view the artworks.
- 2. Councillor Meg Oates on 28 October attended Koshigaya Park for the turning of the Sod for the traditional Yarning Circle. A Yarning Circle is an Aboriginal cultural space where people can sit down together and share stories, learn as a collective group, build respectful relationships and preserve and pass on cultural knowledge.
- 3. Councillor Meg Oates on 9 November represented the Mayor at the NAIDOC week opening at the Civic Forecourt. Uncle Ivan performed a traditional smoking ceremony the opening also included a flag raising ceremony and was attended by a small group of local elders and representatives.
- 4. Councillor Masood Chowdhury on 25 October celebrated the Durga Puja Festival at the Greg Percival Community Hall and Glenfield Community Hall. This festival is a very important time of year for the Hindu community. This event celebrates the triumph of the goddess Durga over the buffalo demon Mahisasura.
- 5. Councillor Karen Hunt on 24 October represented the Mayor at Club Menangle with Councillor Greiss and Councillor Morrison for the Breeders Challenge Finals night. Uncle Ivan performed a smoking ceremony and the Indigenous harness drivers were presented with silks and caps specifically designed for the Kari J C Caffyn Drivers Plate.
- 6. Councillor Ben Gilholme on 9 November represented the Mayor at the Anglicare Minto Village topping out ceremony. Councillor Gilholme noted that this provided an opportunity to view stage 1 of the project and he was visually able to see the potential of the buildings for the near future residents. Councillor Gilholme thanked the Director of City Development for attending.
- 7. Councillor Margaret Chivers on 28 October with the Mayor, Councillor Brticevic, Councillor Oates, Councillor Chowdhury, Councillor Gilholme and Councillor Manoto attended the opening of Artist Exchange, the new gift shop inside the Campbelltown Arts Centre. Councillor Chivers noted that this was a motion she moved in 2018 and passed on her thanks to the Director of City Growth and the Executive Manager Creative Life acknowledging that this was a large project that involved relocating the welcome and reception desk. Councillor Chivers encouraged the community to visit noting that Artists Exchange is now selling gift vouchers.
- 8. Councillor Margaret Chivers on 3 November attended Eagle Vale Library to unveil a quiet spin bike which has been designed for libraries and now overlooks Eagle Farm Reserve Lake. Councillor Chivers thanked the library staff for their efforts in locating this bike and shared her excitement that the bike provides visitors with the option to ride and read.

- 9. Councillor Warren Morrison on 24 October attended Club Menangle to celebrate the 10th anniversary of Indigenous harness racing. Councillor Morrison shared what a success the series has become and looks forward to its continuation.
- 10. Councillor Warren Morrison congratulated the Director of City Growth on the updates to Campbelltown Arts Centre with the opening of Artist Exchange. Councillor Morrison noted all the display units are now on wheels allowing artworks to be moved to accommodate events.
- 11. Councillor Warren Morrison on 31 October attended the Beersheba Day ceremony at the Beersheba monument on the corner of Menangle Road and Beersheba Parade. Councillor Morrison thanked Club Menangle for providing a memorable ceremony to remember the Australian Light Horse Regiment and the battle of Beersheba in 1917.
- 12. Councillor Bob Thompson passed on his thanks to Council landscaping staff for their work in gardens, in particular, noting the hedging near the running track at Leumeah.
- 13. The Mayor, Councillor Brticevic on 28 October welcomed Anthony Mundine and Gosh Daher to launch their Indigenous Roadside Concrete Barriers. The artwork by Aboriginal workers and artists features a serpent and enhances the visual appeal of these concrete barriers while also showcasing the artworks. Councillor Brticevic welcomed the barriers in Campbelltown.
- 14. The Mayor, Councillor Brticevic on 30 October attended a Beersheba breakfast with the Council Executives. The breakfast was to mark the memorial day to honour the courageous efforts of the Australian Light Horse Regiment in the battle of Beersheba in 1917. Councillor Brticevic thanked Club Menangle for continuing to honour the courageous efforts of the Australian Light Horse Regiment, which trained at Menangle Park and pay respects to the 31 brave Australian soldiers who made the ultimate sacrifice during this battle.

#### 14. CONFIDENTIAL REPORTS FROM OFFICERS

## **Confidentiality Recommendation**

It was Moved Councillor Lake, Seconded Councillor Manoto:

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 Lease of a Council Property

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 Deed of Variation - Road Widening

Item 14.2 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.

- 2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.
- 210 The Motion on being Put was CARRIED.

The Ordinary Meeting of Council was adjourned at 7.58pm and reconvened as a meeting of the Confidential Committee at 7.59pm.

#### **Recommendations of the Confidential Committee**

# 14.1 Lease of a Council Property

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

- 1. That Council endorse the lease with South Western Sydney Health District for 80 Woodhouse Drive, Ambarvale on terms and conditions set out in this report.
- 2. That the Lease is executed under the Common Seal of Council (if required).
- 211 The Motion on being Put was CARRIED.

## 14.2 Deed of Variation - Road Widening

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

That Council resolves to execute a Deed of Variation, in the form annexed to this report, by authorising the Mayor and General Manager to execute such Deed and affix the common seal of council to that Deed.

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

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

213 The Motion on being Put was CARRIED.

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.05pm and the Mayor advised that the resolutions to Items 14.1 and 14.2 were adopted.

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

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

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

There being no further business the meeting closed at 8.07pm.

Confirmed by Council on

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

# **CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES**

At the Council Meeting held 8 December 2020 the following Council minutes were adopted:

There being no further business at the meeting of 10 November 2020, the meeting closed at 8.07pm.

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Confirmed by the Chairperson: