CAMPBELLTOWN
CITY COUNCIL

ORDINARY BUSINESS PAPER

8 DECEMBER 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
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

01 December 2020

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 8 December 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 10 November 2020

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 10 November 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 10 November 2020 are presented to Council for confirmation.

Attachments

1. Minutes of the Ordinary Meeting of Council held 10 November 2020 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 10 November 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.

192 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 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.

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

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:

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
   (l) 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.

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

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.

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

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.

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

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
Median processing time of heritage related development applications	238 days	352 days
Mean processing time of heritage related development applications	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 dissolution	After 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 dissolution	After 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 time of heritage grant applications	151 days	21 days
Mean processing time of heritage grant applications	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 dissolution	After 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.

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

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

4. DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

7.1 National Cabinet - Local Government Representation

Officer's Recommendation

That the letters be received and the information be noted.

A copy of the letter received from the Premier, the Hon Gladys Berejiklian MP regarding Local Government representation on the National Cabinet. Meetings were held with Dr Mike Freelander MP, Anoulack Chanthivong MP and Greg Warren MP.

Attachments

1. Letter from the Premier, Gladys Berejiklian MP regarding Local Government representation on the National Cabinet (contained within this report)
2. Letter to the Premier, Gladys Berejiklian MP regarding Local Government representation on the National Cabinet (contained within this report)

NSW GOVERNMENT

Gladys Berejiklian MP
Premier of New South Wales

Ref: A3971412

30 OCT 2020

Councillor George Brticevic
Mayor
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Dear Mayor,

Thank you for your correspondence of 7 October 2020 regarding Local Government representation at National Cabinet.

I note your views on this matter.

The NSW Government is committed to working with the Local Government sector to ensure that issues facing councils as a result of the coronavirus pandemic are considered and addressed.

Thank you for taking the time to bring this matter to my attention.

Yours faithfully,

SIGNATURE HAS BEEN REMOVED

Gladys Berejiklian MP
Premier

GPO Box 5341 Sydney NSW 2001 ▪ P: (02) 8574 5000 ▪ F: (02) 9339 5500 ▪ W: nsw.gov.au

Office of the Mayor

CAMPBELLTOWN CITY COUNCIL

7 October 2020

The Hon. Gladys Berejiklian MP
Premier of NSW
52 Martin Place
SYDNEY NSW 2000

Dear Premier

Local Government representation on the National Cabinet

I am writing to you to express our disappointment that Local Government are not represented on the recently established National Cabinet.

With the continuation and broadening of the agenda of the National Cabinet to consider issues in the national interest, Local Government is critical to ensure a holistic approach to decision making. Despite representation on COAG since 1992, the membership of the broadened National Cabinet was not extended to include Local Government.

The challenge facing National Cabinet over the coming months is unlike any which has faced Australian governments in recent times and it will require the concerted, coordinated and complementary efforts of all three levels of government to rebuild consumer confidence, support business and support the creation of millions of jobs. Local Government is best placed to drive locally-led recovery.

Our community expect their three levels of government to be working together, and to see evidence of that. As the level of government closest to the everyday lives of the Australian community, including Local Government in National Cabinet would provide decision makers with insights and opportunities directly from local communities.

The inclusion of Local Government would also demonstrate a strong unity of purpose and a combined commitment to promote and implement National Cabinet decisions across the broadest implementation platform available to government.

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91 Queen Street, Campbelltown
PO Box 57, Campbelltown NSW 2560 DX5114

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T 02 4645 4000
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ABN: 31 459 914 087

Office of the Mayor

CAMPBELLTOWN CITY COUNCIL

We look forward to hearing from you to understand how we can continue to work together to deliver exceptional outcomes four our community and State, particularly during these unprecedented times.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Cr George Brticevic
Mayor

Campbelltown City Council
91 Queen Street, Campbelltown
PO Box 57, Campbelltown NSW 2560 DX5114

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8. REPORTS FROM OFFICERS

8.1 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)

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	Approved by Panel 26 November 2020
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 be considered by Panel at meeting of 15 December 2020	
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	

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 currently with Panel for consideration	
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	

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	
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
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%	Waiting on information from applicant	
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
2401/2018/DA-C	139 St Johns Road, Bradbury	Child care centre	$1,154,792	Development standard variation greater than 10%	Under assessment	

Development Application Register

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
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	
2687/2018/DA-SW	Appin Road, Gilead	Subdivision of land and associated civil works into139 residential lots and 3 residue lots	$7,972,417	More than 10 unique objections, planning agreement	Under assessment	
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 at time report prepared	
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	Waiting on information from applicant	
3989/2019/DA-U	226 Queen Street, Campbelltown	Use of existing commercial premises as a night club	$65,000	Contentious use – licensed premises	Report provided to Panel's November 2020 meeting	
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	

Development Application Register

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
1761/2019/DA-SW	Commissioners Drive and Denham Court Road, Denham Court	Subdivision to create 204 Torrens title residential allotments including construction of roads and associated civil works	$10,173,081	Delegated authority	Completed	Approved with conditions
1768/2059/DA-SW	Goldsmith Avenue, Campbelltown	Construction of two sports fields, associated landscaping, lighting and civil works, vegetation management and rehabilitation works	$4,900,000	Delegated authority	Completed	Approved with conditions

8.2 Amendments to the Mount Gilead Stage 2 Biodiversity Certification Application

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

Community Strategic Plan

Objective	Strategy
2 Outcome Two: A Respected and Protected Natural Environment	2.5 - Plan for and ensure that development in our city is sustainable and resilient

Officer's Recommendation

1. That Council lodge the amended Biodiversity Certification Application with the Minister for Energy and Environment.

2. That Council exhibit the amended Biodiversity Certification Application for a minimum of 30 days.

3. That a further report be provided to Council detailing the outcomes of the public exhibition process and associated amendments to the Biodiversity Certification Application.

Purpose

To inform Council of amendments made to the Biodiversity Certification Application for Mt Gilead Stage 2 and to recommend it be exhibited for public comment.

History

Council considered a report at its Ordinary Meeting on 6 August 2019 in relation to the Biodiversity Certification Application for Mount Gilead Stage 2 and resolved, in part, to support its submission to the Minister for Energy and Environment.

Council's support was conditional on amendments to the Biodiversity Assessment Report and Biodiversity Certification Strategy to:

- align with feedback from relevant Federal and State agencies
- reduce impacts to red flag entities and threatened species habitat
- increase the width of wildlife corridors; and
- facilitate the movement of koalas in line with Council's adopted policy position on koala connectivity

At its Ordinary Meeting on 13 October 2020, Council considered a further report providing an update on the Mount Gilead Biodiversity Certification Application. This report outlined the advice from The Minister for Environment and Energy, The Hon Matt Kean MP in August 2020, who recommended the Biodiversity Certification Application for Mount Gilead Stage 2 be amended to ensure consistency with the recommended corridor widths, fencing and buffer requirements of the Chief Scientist and Engineer/Koala Independent Expert Panel Report, which was subsequently published in August 2020.

The Council Report also detailed the outcomes of a Peer Review undertaken by Dr Steve Phillips from Biolink of a Koala Carrying Capacity Assessment Report and Koala Corridor Review Report submitted by Lendlease pertaining to Mount Gilead Stage 2. In summary, these reports included a proposal to widen corridor widths associated with the Biodiversity Certification Application and to provide a 3m high x 40m long underpass to connect the Woodhouse Creek Corridor near Beulah. Lastly, the Council report detailed a number of events that have transpired since the Biodiversity Certification Application was lodged with the Minister for the Environment including but not limited to:

- September 2019: The Department of Planning, Industry and the Environment (DPIE) provided acknowledgement that the biodiversity certification application was duly made.

- October 2019: Environment, Energy and Science Division of DPIE publish 'Conserving Koalas in the Wollondilly and Campbelltown Local Government Areas' Report.

- June 2019 – June 2020: Parliamentary Inquiry into koala conservation in NSW and final report published in fulfilment of the Terms of Reference.

In addition to the above, other recent developments of relevance to the Stage 2 Biodiversity Certification Application include:

- August – September 2020: The release and subsequent amendment of The Gilead Koala Conservation Plan by Lendlease. It is understood that this Plan was submitted to DPIE.

- July - August 2020: The lodgement of Biobank applications associated with the Stage 2 Biodiversity Certification Application with DPIE.

- October 2020: Council received a letter from DPIE confirming legislative deadlines associated with the determination of Biobanking Applications and conferral of Biodiversity Certification Applications. This letter also specified exhibition and lodgement requirements for the amended Biodiversity Certification Application for Gilead Stage 2.

In response to the Minister's advice, an amended Biodiversity Certification Assessment Report and Biocertification Strategy has been prepared as discussed in this report.

Report

This report outlines amendments to the draft Biodiversity Certification Assessment Report and Biocertification Strategy (attachment 3) which forms the basis of an amended Biodiversity Certification Application for Gilead Stage 2.

Consistency with the requirements of the Chief Scientist and Engineer/Koala Independent Expert Panel Report and Council's requirements associated with the conditional lodgement of the Biodiversity Certification Application is also assessed. Finally, this report outlines the need to progress the biodiversity certification application prior to land use planning / rezoning in order to meet the legislative requirement for the Minister to enter into Biobanking applications associated with biodiversity certifications by the 24 August 2021, which can only occur after biodiversity certification has been granted, which also must occur by 24 August 2021.

1. Key changes to the Biodiversity Certification Assessment Report and Biodiversity Certification Assessment Strategy

The amended Biodiversity Certification Assessment Report (BCAR) applies to the same Biodiversity Certification Assessment Area (BCAA) as previously reported to Council. Proposed certified lands will still impact on the same ecological communities and species (including threatened entities). However, amendments have been made to the extent of native vegetation and area proposed for biodiversity certification, retention, conservation and restoration. Table 1 details the differences between the 2019 and 2020 versions of the BCAR in relation to these matters. Differences in proposed land uses within the BCAA are also shown in attachments 1 and 2.

Table 1: Changes to proposed BCAA Land Use, Biodiversity Impacts and Vegetation retention and restoration within the 2019 and 2020 BCAR

	July 2019 BCAR	November 2020 BCAR
Extent of proposed Certified Land	332.17 ha	328.3ha
Extent of Proposed Onsite Conservation Areas	201.81 ha	199.39 ha
Extent of proposed Retained Lands (onsite)	138.59 ha	146.06 ha
Existing Native Vegetation – certified land (impacted)	76.89 ha	75.72 ha
Existing Native Vegetation – retained lands (retained)	16.66 ha	23.53 ha
On site conservation Areas Existing Native Vegetation conserved Cleared land to be restored to native vegetation Cleared (tracks/dams) Total	 172.26 ha 28.13 ha 1.42 ha 201.81 ha	 167.23 ha 30.17 ha 1.99 ha 199.39 ha
Red Flag Cumberland Plain Woodland Certified/Impacted Retained Onsite conservation	 9.63 ha 2.08 ha 19.17 ha	 9.02 ha 6.17 ha 15.47 ha
Red Flag Shale Sandstone Transition Forest		

Certified/Impacted Retained Onsite conservation	48.87 ha 9.02 ha 117.13 ha	10.53 ha** 5.43 ha 100.94 ha
Impacts to Red Flag species *Pomaderris brunnea*	23 individuals	6 individuals
Koala Habitat – Certified/Impacted Retained onsite conservation areas – existing habitat conserved Onsite conservation area – habitat restored	 72.22 ha 17.11 ha 161.52 ha 38.88 ha	 73.81 ha 21.96 ha 158.23 ha 39.41 ha
Impacts to Squirrel Glider habitat	60.27 ha	67.55 ha
Impacts to Cumberland Plain Land Snail Habitat	34.99 ha	35.62 ha
Impacts to Southern Myotis breeding habitat	21.65 ha	44.03 ha

** Reduction in impact largely attributed to an error associated with the incorrect assignment of plot data with the 2019 BCAR.

In summary, there has been a minor reduction (1.5 per cent) in impacts to existing native vegetation, a substantial increase (41 per cent) existing native vegetation being retained, a minor decrease (3 per cent) in the amount of existing native vegetation that will be retained within onsite conservation areas and a slight increase (7 per cent) in the area of native vegetation that will be restored within onsite conservation areas.

Noting the substantial increase in existing native vegetation being kept on retained land, measures to further protect this vegetation will need to be explored.

An additional type of conservation measure is also proposed for several small areas to be managed in perpetuity (e.g. classification and management of land as community land 'Natural Area' under the *Local Government Act 1993* and adoption of a plan of management. Such areas will generate a 90 per cent credit entitlement under the Biodiversity Certification Assessment Methodology. This would require that Council manage these areas in perpetuity and would require a funding offer from Lendlease. Alternatively, the preferred approach would be to manage these areas as retained land to reduce the ongoing maintenance and compliance burden to Council.

Changes to the development footprint and conservation areas has also resulted in changes to the credit obligation required to achieve a net maintain and improve outcome and credits that would be generated by onsite conservation areas. Similar to the 2019 BCAR, ecosystem credits generated onsite, exceed the ecosystem credit requirement, enabling all offsets associated with impacts to native vegetation to be delivered within the BCAA.

However, a credit deficit for the koala, Squirrel Glider and Southern Myotis would require the proponent to purchase credits on the open market or make a payment into the Biodiversity Conservation Trust to meet the required credit obligation for these species.

2. Alignment with the Requirements of the NSW Chief Scientist and Engineer/Koala Independent Expert Panel Report

The following table assesses the consistency of the amended Biodiversity Certification Application with the NSW Chief Scientist and Engineer/Koala Independent Expert Panel Report, under Pathway 4 which is the scenario that results in an increase in koala numbers.

CS&E Requirement	Assessment of Compliance/Comment
Recommendation 2 East-west corridors within the Greater Macarthur Growth Area can provide connectivity and biodiversity values for flora and fauna species. Not all identified corridors are suitable to provide connectivity for koalas, but the habitat should be protected for koala habitat, biodiversity values and amenity in the region. a) Within the proposed Mount Gilead development: • The Menangle Creek to Noorumba Reserve corridor (A) should be used for koala movement if: ○ A connectivity structure can feasibility be constructed on Appin Road. The proposed tree top bridge is not likely to be adequate and would not be used by koalas. A land bridge should be considered to allow koalas and other fauna to cross Appin Road, an example of this is being developed for Wallabies in Mona Vale. ○ If the crossing is not feasible, the koala habitat should be fenced off at Appin Road. In this case, the koalas within this fragmented area would need to be actively managed.	Lendlease are seeking to amend the State Voluntary Planning Agreement for Gilead Stage 1 to replace the offer of two steel bridges with a culvert underpass at Noorumba Reserve to facilitate koala movements. It is unclear whether such an offer is supported by the State Government including the RMS noting that Appin Road is an RMS road. As outlined in the Peer Review Report prepared by Biolink (as reported to Council on 13 October 2018), further investigation is required in relation to the feasibility of a proposed underpass particularly in relation to water management and management of the required development footprint. Koala exclusion fencing will support the proposed underpass near Noorumba Reserve and will extend along the boundary of the corridor controlled by Lendlease.

• The Woodhouse Creek to Beulah reserve corridor (B) is an important northern connection for the koala population between the Georges River Reserve and the Nepean Corridor and should be retained. The proposed measures to protect that habitat in the corridor are currently not adequate and should be improved with the measures outlined in c). The underpass near Beulah Reserve as proposed by Lendlease should be constructed. • Close attention should be paid to test the feasibility of the design of the koala connectivity at the confluence of Menangle Creek and Nepean River, near the Hume Highway and possibly under three bridges.	Corridor B amendments have been made to protect and enhance habitat within the corridor as discussed in the response to c) below. Lendlease propose to construct a 3m high x 40m long underpass to connect the Woodhouse Creek Corridor near Beulah. The number of proposed crossings has been reduced to a single bridge structure.
c) Habitat within identified corridors should be: • Protected (especially from development creep)	Koala exclusion fencing would be installed along corridor boundaries controlled by Lendlease as per the requirements of the CS&E report. Biobanking applications have been submitted to DPIE to protect, restore and manage habitat within Corridor B and sections of Corridors A and C controlled by Lendlease as well as sections of corridors A and B on the Hillsbourgh Homestead Site.
• That identified corridors should be widened through revegetation (average size 390m to 425m) (p. xiv page c). In addition to the above recommendation, the report also advises (p. ix paragraph 5) that 'Every opportunity to maintain or increase the width of corridors should be taken and work to understand whether there is a minimum width to make a viable corridor, as well as how this minimum is affected by vegetation density of the corridor and urban density of the surrounding developments'.	Corridor A Menangle Creek: Lendlease does not control all land along the length of Corridor A. Proposed biobank sites on land controlled by Lendlease and on part of the Hillsbourgh Homestead will protect and restore koala habitat. The average width of Corridor A which is accessible to wildlife is 334m which includes lands identified in the Cumberland Plain Conservation Plan for E2 Zoning. Corridor B Woodhouse Creek: An average corridor width of 399m is achieved, which excludes the 30m buffer required by CS&E report. No part of the corridor would be separated by more than a 100m distance.

	The average width increases to 429m if the buffer is included. The buffer and sections of the corridor include certain retained land, open space, drainage areas, bio retention basins, and outer APZs along with existing conservation measures and an area to the east of Appin Road.
• 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.	Corridor A Menangle Creek: Buffers have been provided where possible and included in average corridor width calculations. Corridor B Woodhouse Creek: Buffers as defined in the CS&E report have been provided. As detailed above, an average corridor width of 399m is achieved excluding the buffer. The average corridor width would increase to 429m if buffers are included.
• Include, between the buffer area and 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.	Koala exclusion fencing would be installed along the boundary of all koala habitat areas controlled by Lendlease.
• For sites where exclusion fencing is unfeasible due to steep terrain, then an additional buffer width should be utilised (30m associated with use of exclusion fencing and 60m where exclusion fencing cannot be provided), with a traffic speed limit of 40 km/h and predator/dog monitoring.	As above
• Asset protection zone is outside the exclusion fencing, within the development footprint.	Outer Protection Areas have been incorporated into fenced areas of the proposed koala corridor. This is considered appropriate to manage both human and ecological risk should future bushfire impact the retained corridor. Places of refuge or reduced fire attack are considered an important role of the corridor buffer, whilst still providing an ecological habitat role.

There are aspects of the amended BCAR/biodiversity certification application that require further discussion with DPIE and the Minister for Energy and Environment including but not limited to the suitability of including bio-retention basins, drainage areas, open space, recreation areas and outer protection areas within proposed koala corridors. Further post exhibition amendment to the Biodiversity Certification Application may be required pending the outcome of this engagement with DPIE.

Further clarification is also required from DPIE in relation to how the required corridor widths and buffers within the CS&E Report (average width of 390-425 plus 30m buffer if koala exclusion fencing is provided) relates to the Nepean River Corridor. The Nepean River Corridor has previously been identified as a primary koala corridor within the Greater Macarthur 2040 Interim Plan and a minimum preferred width of 425m specified. It is also unclear as to how potential impacts to Ground Water Dependent Ecosystems would be assessed as part of the biodiversity certification process.

3. Alignment with Council's Conditional Lodgement Requirements for the Biodiversity Certification Application

The following table assesses how the amended Biodiversity Certification Application aligns with the requirements of Council's conditional Lodgement of the Mount Gilead Stage 2 Biodiversity Certification Application.

Council's Requirement	Assessment of Compliance/Comment
Impacts on red flag entities and threatened species habitat are reduced	Impacts to red flag areas/species have been reduced within the amended BCAR.
Increase the width of wildlife corridors and facilitate the movement of koalas in line with Council's adopted policy position on koala connectivity amongst other matters.	The Woodhouse Creek Corridor achieves an average width of 429m. The calculation of this average width has taken into account conservation areas both within and outside of the BCAA, areas proposed for ancillary uses, cleared land an area to the east of Appin Road. Areas of the Menangle Creek Corridor on land controlled by Lendlease would be widened and a section of the corridor also conserved on the Hillsbourgh Homestead Site. Onsite conservation areas along with existing conservation measures and koala habitat would deliver an average corridor width of 286m. This average width would be increased if other landholders also restored koala habitat along the length of the corridor. The average width of Corridor A which is accessible to wildlife including cleared land is 334m. It is understood that Lendlease has made a formal offer to amend the State Voluntary Planning Agreement for Gilead Stage 1 to replace the offer of two steel bridges with a culvert underpass at Noorumba Reserve to facilitate koala movements. A 3m high x 40m

	long underpass to connect the Woodhouse Creek Corridor near Beulah is also proposed.
Appropriate land uses are located within and adjacent to proposed conservation areas and red flag buffers	Recreation areas, open space, bio-retention basins and outer asset protection ones are proposed within or adjacent to conservation areas on land proposed for certification or in the case of open space on retained land.
The biodiversity certification application is amended in light of comments received by DPIE and other relevant state agencies	The application has been amended to incorporate recommendations of the Chief Scientist. Post exhibition amendments would occur in response to feedback from DPIE.
The biodiversity certification is amended in light of specialist studies undertaken as part of the strategic planning process and is consistent with the requirements of relevant state Government Policy documents and is supported by a rezoning proposal.	Due to legislative deadlines, and time taken to complete the parliamentary inquiry and Chief Scientists review, the Biodiversity certification process cannot proceed in conjunction with a planning proposal as discussed in Section 4 of this report.
That a funding agreement with the owner of the lands subject to the Biodiversity certification Application to secure the costs of Council resources during the biodiversity certification process is implemented.	Lendlease has agreed to meet Council's costs.

4. Next Steps

The Biodiversity Certification Application for Gilead Stage 2 was made under Part 7AA of the repealed *Threatened Species Conservation Act 1995* (as saved by the Minister for the Environment's order under clause 27(2) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017). As the Application seeks to establish four biobanking sites, the Minister for Energy and Environment only has until 24 August 2021 to determine these Biobanking applications and enter into biobanking agreements. This may only occur after biodiversity certification has been conferred, as per the requirements of Clause 14 (1) (c) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017). As such, biodiversity certification will also need to be conferred by the 24 August 2021 to meet this statutory timeframe.

Previous assessment of the Biodiversity Certification Application recommended it be amended as part of the strategic planning process and progressed concurrently with a planning proposal and the associated development of a Final Precinct Plan.

Given, the legislative deadline, the Department has requested that Council exhibit the amended application, and submit an amended Biodiversity Certification Application and the Response to Submissions Report by 24 February 2021. A statutory land use process would occur separate to this.

Whilst this outcome is not ideal, it enables ecological considerations to inform the future precinct plan. Potential limitations include the risk of major transport routes or other utilities impacting on agreed conservation measures.

However, to meet the legislative deadline of 24 August 2021, and to provide sufficient time for DPIE to review the amended biodiversity certification application, it is recommended that Council support exhibition of the amended biodiversity certification application for a minimum of 30 days (being the statutory requirement). Whilst it is open for Council to exhibit the plan for a longer period, this would not enable the regulatory timeframe to be met.

Should the deadline expire, Lendlease would be required to re-submit an amended strategic biodiversity certification application in accordance with the new *Biodiversity Conservation Act 2016*. This outcome would delay the associated road upgrade of Appin Road and installation of koala exclusion fencing, to the risk of both road users and fauna alike.

Conclusion

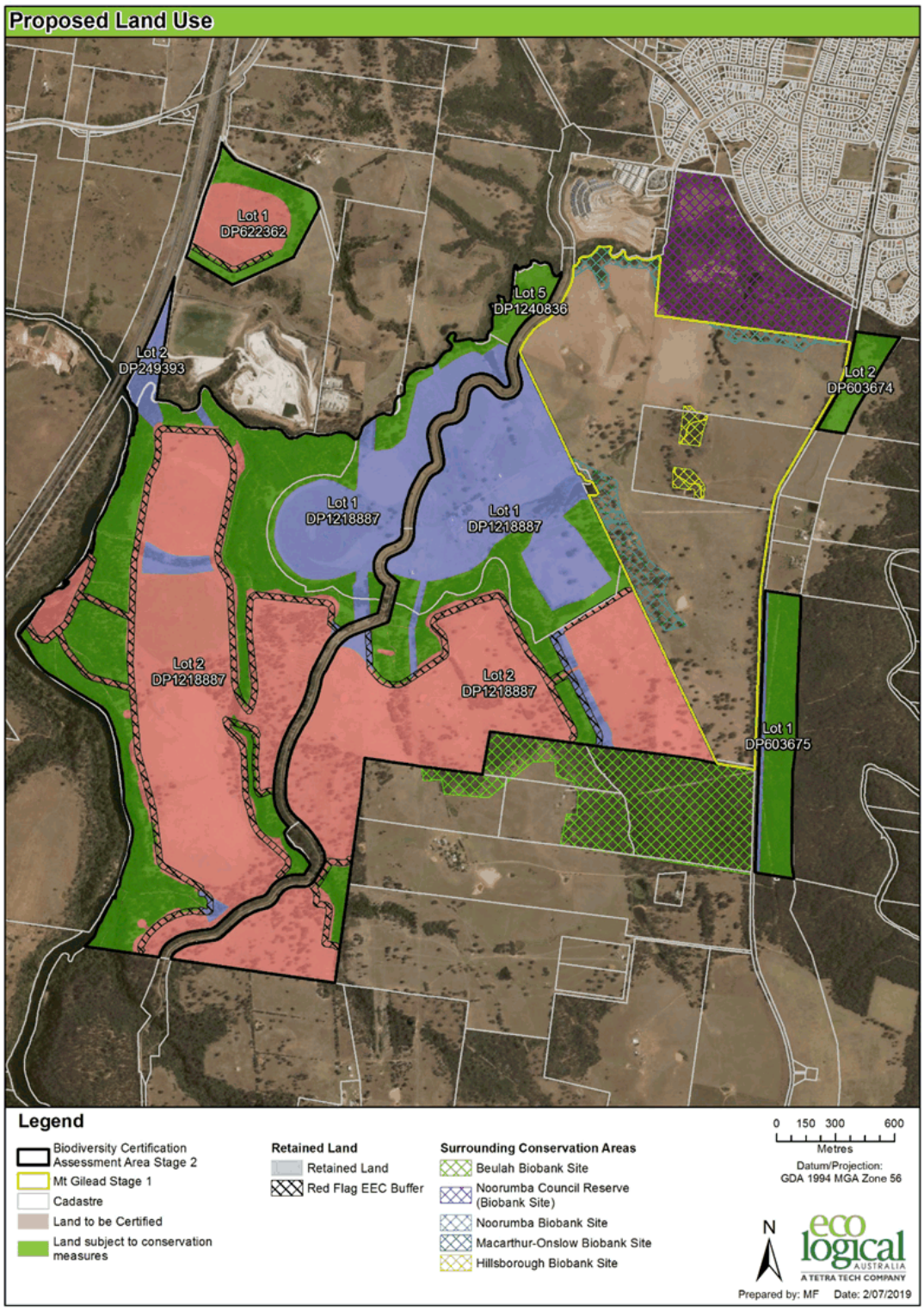
This report has outlined amendments to the Biodiversity Certification Application and Assessment Report for Mt Gilead Stage 2.

The amendments are consistent with the requirements of the Chief Scientist and Engineers Report and address the updated findings of Dr Steve Phillips, whose peer review was recently presented to Council. Although some issues remain that require further consultation with Department of Planning Industry and Environment and the Minister for Energy and Environment, it is recommended that Council endorse the public exhibition of the amended Biodiversity Certification Application for Mt Gilead Stage 2.

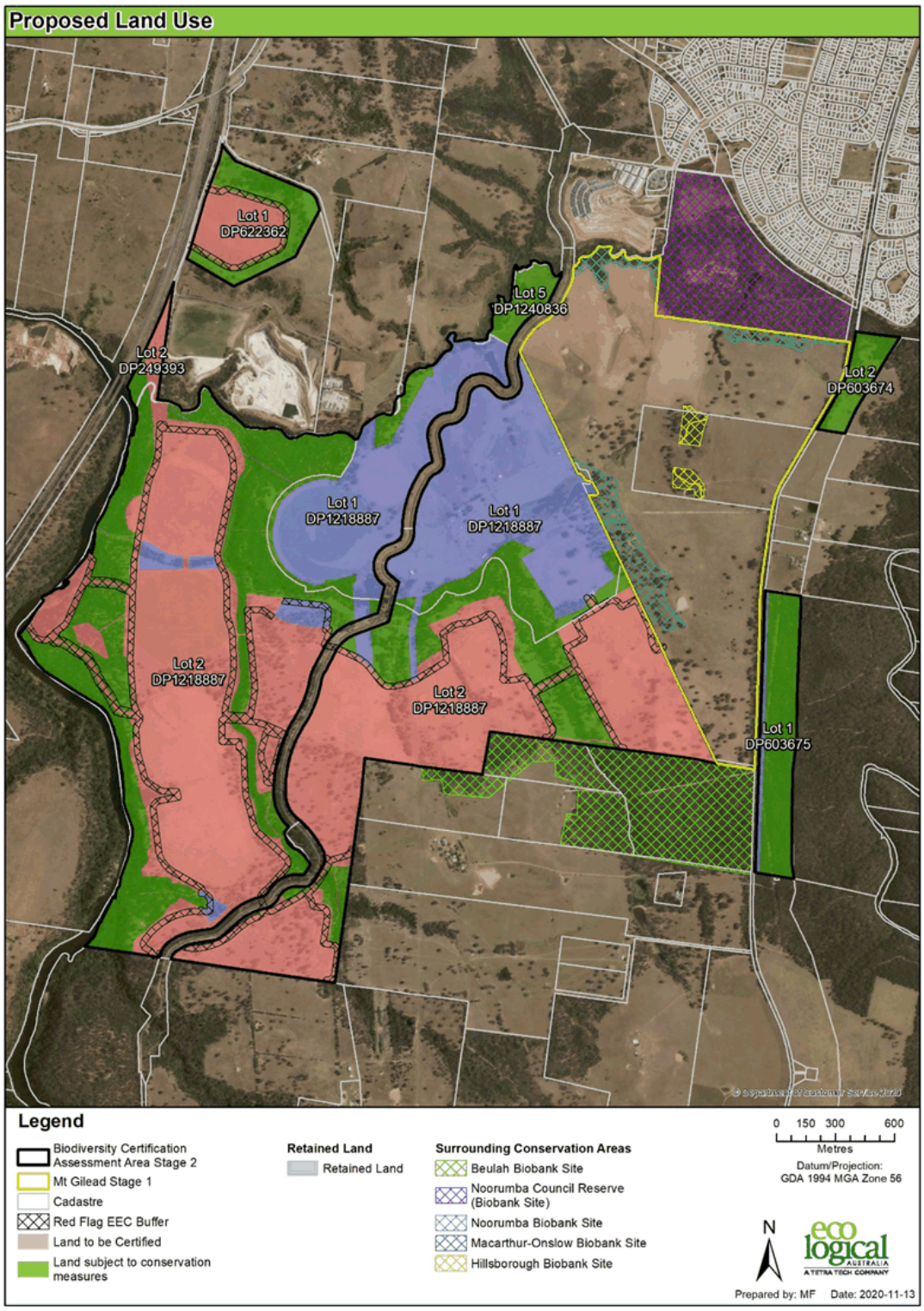
Attachments

1. Proposed Land Use 2019 Biodiversity Certification Assessment Report - Map (contained within this report)
2. Proposed Land Use 2020 Biodiversity Certification Assessment Report - Map (contained within this report)
3. Amended Biodiversity Certification Application and Assessment Report for Mt Gilead Stage 2 - (due to size - 264 pages) (distributed under separate cover)

Attachment 1 – Proposed Land Use 2019 Biodiversity Certification Assessment Report



Attachment 2 – Proposed Land Use 2020 Biodiversity Certification Assessment Report



8.3 Outcome of Public Exhibition of Draft Campbelltown Strategic Review of Employment Land

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 the draft Campbelltown Strategic Review of Employment Land and Background report (attachments 3 and 4) be endorsed by Council and forwarded to the Department of Planning, Industry and Environment for endorsement.

2. That all persons/groups who made a submission in relation to the exhibition of the draft Campbelltown Strategic Review of Employment Land be advised of Council's decision.

Executive Summary

The preparation of the draft Campbelltown Strategic Review of Employment Lands Strategy (ELS) and Background report has been undertaken in accordance with the Western City District Plan (WCDP) and Campbelltown Local Strategic Planning Statement (LSPS) to guide future local and regional decisions on employment land in the Campbelltown Local Government Area (LGA).

At its meeting on 8 September 2020, Council considered a report on the draft ELS and background report and resolved to place the draft ELS and Background report on public exhibition for 28 days.

The draft ELS and Background report were placed on Public exhibition from 30 September until 30 October 2020. In total, 19 submissions were received.

All submissions have been considered as outlined in this report, and in response a number of minor amendments are proposed Council's consideration and endorsement.

It is recommended that the updated draft ELS be endorsed by Council and a copy of the endorsed LES and Background report be forwarded to the Department of Planning, Industry and Environment (DPIE) for their endorsement.

Purpose

The purpose of this report is to:

- Review the submissions received on the draft ELS and Background report as a result of community consultation.
- Outline the amendments undertaken to the draft ELS in response to those submissions.
- Seek Council's approval to forward the endorsed ELS and Background Report to the Department of Planning Infrastructure and Environment for their endorsement.

History

The WCDP requires employment land strategies to be prepared by Councils in the Western City District. The approval of the LSPS by the Greater Sydney Commission, which came into effect on 31 March 2020, was an important first step in the broader LEP review process and has informed the preparation of this draft ELS.

The preparation of the draft ELS and Background Report complies with the Campbelltown LSPS and will inform a future and planned review of Campbelltown Local Environmental Plan 2015 (CLEP 2015).

At its meeting on 8 September 2020, Council considered a report on the draft ELS and Background Report and resolved as follows:

1. That the draft Review of Employment Lands Strategy and background report be placed on public exhibition for 28 days.

2. That the outcome of the exhibition be reported back to Council.

This report outlines the public exhibition process undertaken by Council in accordance with the above resolution.

Report

Introduction

The draft ELS is a study undertaken at local government level and prepared generally in accordance with Sydney regional and district planning framework, and the specific actions of the Campbelltown LSPS.

The draft ELS and background report are an evidence based study that investigated the availability of various types of employment land (commercial, retail and industrial) within the Campbelltown LGA and established a number of directions and recommendations to facilitate the protection and growth of employment precincts within the City.

The key objectives of the draft ELS are to:

a) Align employment land outcomes with the directions and actions as outlined in the Greater Sydney Commission's – Western City District Plan and the LSPS

b) Review and provide advice on achieving the employment targets set by the NSW State Government as part of the Western City District Plan

c) Establish clear strategic directions that consider employment targets, current and future demand, emerging trends and existing strategy intents

d) Ensure sufficient land is zoned to accommodate current and future demand across a range of employment types

e) Inform the review of the CLEP 2015 in relation to the rezoning of land for employment purposes

f) Provide Council with evidence-based strategic directions and justification in relation to the implementation

The draft ELS has been prepared by planning consultants HillPDA, engaged by Council through an open tender process in 2019. It is considered important that a study of this complexity be prepared by independent economic and planning experts in order to have a high level of credibility with the community, stakeholders and the State Government. This is important when presenting justification to the Department of Planning, Infrastructure and Environment reconciling the differences between the WCDP and the Corridor Strategy in relation to the future zoning of industrial land particularly in Campbelltown where Council is also a landowner.

Main findings of the draft ELS

Business Centres (B1, B2, B3 and B4 zoned land)

1 In 2019, there were 39 business centres distributed across the LGA. The area of the business centres combined was over 260 hectares and they accommodated around 875,000sqm of floor space. Of this floor space, 57 per cent was occupied retail and commercial space (incl. education), 128,508sqm or 14 per cent was residential related and 60,432sqm or seven percent was vacant/storage.

2 The Campbelltown LGA business centres generate employment opportunities for around 24,770 people across various industries. Retail and public administration were the largest contributors to jobs.

3 The demand modelling indicated demand for between 430,000sqm to 470,000sqm by 2041. Generally, most centres have the capacity to accommodate this projected future growth if redevelopment was to occur in line with planning controls. In some instances, a minimum non-residential floor space ratio (FSR) could be applied to secure and protect future commercial floor space.

4 The centres of Macquarie Fields, Glenfield, and Mount Gilead do not have enough capacity to accommodate future growth expectations. Either an expansion of the existing centres or creation of a new centre is required at these locations.

Employment Precincts (IN1, IN2, B5 and B7 zoned land):

1 In 2019, there were nine employment precincts located within Campbelltown LGA. Combined these precincts provided around 772 hectares of appropriately zoned employment land, of which, around 680 hectares or 88 per cent was developed while around 90 hectares or 12 per cent was undeveloped.

2 The precincts contained 2.9 million sqm of floor space, of which Ingleburn was the largest containing over 1.5 million sqm of floor space.

3 The largest job and floor space industries were manufacturing and transport, postal and logistics.

4 The demand modelling indicated between 28,000 to 38,000 jobs would be required to meet the population projections. This would generate a need for an additional 928,000 to 1.8 million sqm of floor space in employment precincts by 2041 or a need for between 206 hectares and 355 hectares of appropriately zoned land.

Post Exhibition Review

The draft ELS and Background Report were publically exhibited from 30 September 2020 until 30 October 2020 in accordance with the Council report and resolution of 8 September 2020. Exhibition material was made publicly available in electronic form on Council's website, and over 3000 written notification letters provided to:

- All owners of land within the LGA that is zoned for retail, commercial or industrial purposes
- All landowners within the area covered by the Glenfield to Macarthur Corridor Strategy
- Proponents of current planning proposals
- Relevant public authorities

Staff were available by phone and by appointment to discuss the draft ELS and background report and hard copies of the ELS and background report were provided to all individuals that requested a hard copy.

As a result of the public exhibition, a total of 19 submissions were received as follows:

- Twelve submissions were submitted by way of an online submission through 'OvertoYou' Council's web page", of which seven submissions were positive/supportive, three were unsupportive, and two were neutral. Of the three that were unsupportive one was a one word response of 'unsupportive' with no further comments and as such this submission has not been further discussed nor included in the attachments.

- Seven detailed submissions were submitted to Council, of which six submissions were generally supportive of the findings and recommendations of the draft ELS.

Attachment 1 presents a table that includes a copy of the six short and supportive/positive submissions received through the 'OvertoYou' Web Page. Those six short submissions are noted. No amendments are required to the draft ELS as a result of those six positive/supportive submissions.

Attachment 2 includes a copy of the twelve detailed submissions received by Council.

The 12 detailed submissions were from the following persons/entities:

1. Member for Macquarie Fields, Mr Anoulack Chanthivong MP
2. Lendlease
3. Property Council Australia
4. Minto Market Place

5. Endeavour Energy
6. KDC Pty Ltd on behalf of Keneco Property Pty Ltd
7. Four separate Ingleburn residents
8. WillowTree Planning on behalf of Charter Hall
9. NSW Ports

Discussion of the key issues outlined in each detailed submission is provided below, including an outline of revisions undertaken to the draft ELS, where considered necessary.

1. Submission from Member for Macquarie Fields, Mr Anoulack Chanthivong MP

A submission was received from the Member for Macquarie Fields that raised two specific concerns in relation to the draft ELS. The concerns being:

1. The guiding principle "Increase density within a walkable catchment" listed on page 44 of the draft ELS. The rationale for this guiding principle states "Centre performance is intrinsically linked to the density within the trade catchment". The submission questioned what evidence and research was this Statement based on.

2. The action under section 3.8.3 of the draft ELS: "Continue to conditionally support the master planning process associated with the Glenfield Urban Renewal Area". The submission referred to previous correspondence from the General Manager dated 20 April 2020 which stated "Council has publicly maintained its position on the proposed rezoning of the Hurlstone Agricultural High School land by the NSW Government". In regard to this matter the submission questioned why has Council's position changed on this issue to 'conditionally support' the rezoning.

Response:

In response to the concerns raised, the following discussion and proposed amendment has been provided:

1. Centre viability is underpinned by the number of visitors and sales in a centre. As retail economists, HillPDA (the author of the draft ELS) has worked extensively in defining trade catchments for centres and analysing centre performance and demand. Trade catchments are defined with consideration of the number of people in the catchment, travel time and distance to a centre, competing centres and services within the centre. These factors combined define the customer numbers that are more likely to use the centre and subsequent expenditure patterns. Increasing the amount of people within the trade catchment, improves the likelihood of visitor trips and sales within the centre. This is due to additional residents generating demand for population serving retail and services. The draft ELS encourages increasing the density of workers and residents within the walkable catchments to create more sustainable centres. Density can be achieved in a number of ways. The draft ELS does not comment on the amount or configuration of residential density in the centres, it only specifies the demand for employment floor space based on a given population.

2. Council's position has not changed on the Hurlstone Agricultural High School land rezoning and the action was not intended to imply so. In this regard, the relevant action in regards to Glenfield has been amended by replacing the words 'conditionally support' with 'be actively involved' so that the action now reads:

"Continue to be actively involved in the master planning process associated with the Glenfield Urban Renewal area"

Aside from the expert advice of HillPDA, a comparison of the level of trade and residents in a small village to the level in a town, to the level in a major metropolitan centre like Campbelltown to see there is a clear link between population in the vicinity of a centre and the success and scale of economic development in a centre.

2. Submission from Lendlease

A submission was received from Lendlease who manage Macarthur Square on behalf of the owners of the centre, GPT Wholesale Shopping Centre Fund and Australian Prime Property Fund Retail (the Owners). The submission was fundamentally supportive of the draft ELS and its recommendations. The submission expressed that Macarthur Square is the largest retail centre in the region and as such submit that the draft ELS should afford greater recognition to the established retail hierarchy within the Campbelltown City Centre and the LGA more broadly to ensure Macarthur Square's ongoing economic viability and sustainability. The submission recommends, or offers comment, on certain elements of the draft ELS, including:

- Consider singling out Macarthur Square itself as a regionally significant retail centre which services the south-west Sydney area within the centre hierarchy

- Increased zoning for mixed use purposes for local centres such as Leumeah and Minto should not unduly erode the viability or hierarchy of existing retail centres with regional significance including Macarthur Square

- Not restricting development within the Macarthur area within the shorter term if market conditions call for additional residential or commercial space

- Identifying the Macarthur Square site as having significant future mixed use development opportunities.

Lendlease also advised that it is in the process of developing a long-term masterplan vision for Macarthur Square, which incorporates significant future mixed use development opportunities. Lendlease are working collaboratively with Council to consider future land use outcomes for the centre.

Response:

Lendlease's support for the draft ELS is noted. The following comments are made in response to the above:

- There is merit in further strengthening the relevant part of the Strategy to recognise the function and role of the major retailers and the fact that Macarthur Square services the broader region. To reflect this, section 3.8.1of the draft ELS has been amended.

- While concern is noted, the analysis identified demand to accommodate mixed use development around the centres of Leumeah, Minto and Macquarie Fields. It recognises that any future development would need to be commensurate with the centre hierarchy. No change to the ELS required.

- The intent of the action is to encourage development on the eastern side of the railway, rather than restrict development in Macarthur. To clarify the intent, the relevant part of the Strategy has been amended by removing the reference to the Macarthur area.

- The Draft ELS does not identify actions for specific sites. Reimagining Campbelltown established clear intent for the broader metropolitan cluster, which includes the Macarthur Square site. The Draft ELS is supportive of growth within the metropolitan cluster. No change to the draft ELS required.

Any proposal put forward by Lendlease to convert the site to a mixed use precinct would need to be in the form of an owner initiated planning proposal request accompanied by relevant information justifying the change, particularly in the context of the Reimagining Campbelltown City Centre Master Plan, and accompanied by the appropriate fees.

3. Submission from Property Council Australia

A submission was received from the Property Council of Australia who are a peak representative of the property and construction industry. The submission suggested that the draft ELS has addressed several important issues affecting centres and employment precincts and provided appropriate responses. Specific support was offered for a number of actions including:

- Council working closely with large industrial proponents to bring forward the supply of industrial land
- Accelerating the supply of suitably serviced industrial land as amendments to the Greater Macarthur Structure Plan are appropriate and welcomed. Council should ensure that industry stakeholders and landowners are consulted in respect of the action relating to the review of contribution plans
- Providing greater flexibility for industrial development and overcoming unnecessary obstacles such as building height controls where they do not serve a good planning purpose
- Providing greater flexibility in IN2 Light Industrial and B5 Business development zones with open land-use tables
- The protection of industrial and employment precincts at Ingleburn and Minto and the broader strategy to protect employment lands
- Defining a clear role and function for Maryfields. The Property Council of Australia encourages Council to work closely and engage with industry to use its knowledge and ideas to inform its decision-making
- Council working closely with the tertiary education sector to develop a stronger education precinct
- Focusing on opportunities within the food processing and distribution cluster and strong transport and logistics sector
- Creating a hierarchy for the centres and actions to strengthen the economic potential and vibrancy of the Campbelltown CBD
- Increasing the number of residents living in close proximity to the retail and commercial heart of Campbelltown to stimulate activation and vibrancy
- Applying principles of Transport Oriented Development that lead to compact, sustainable development along main transport routes
- Focusing on encouraging activation and visitation of the city's neighbourhood centres by local residents.

The Property Council of Australia suggests that new developments within centres should aim, where possible, to provide appropriate commercial floor space, designed with flexibility in mind so that a variety of commercial uses could occupy the space. In addition, the Property Council noted that the Strategy does not appear to have involved any review of zonings and the land uses permissible within Business centres. In this regard it was suggested that Council should satisfy itself that the zoning of each of these centres is appropriate.

The submission also noted that it is important that Council determine the most efficient planning requirements capable of delivering an adequate supply of office floor space into the future.

Response:

The Property Council of Australia's support for the draft ELS is noted. In response to the feedback received from the Property Council the following actions are added under Strategy 3.8.4 as follows:

- Where possible, new developments within centres should aim, to provide appropriate commercial floor space, designed with flexibility in mind so that a variety of commercial uses can occupy the space.

- Council will review the permissible land uses in each business and employment zone.

4. Submission from Minto Marketplace

A submission was received from Minto Marketplace, which was supportive of the draft ELS. The submission notes that a Development Application involving the reconfiguration of the Woolworth's supermarket, an expansion of al fresco dining options, the introduction of child care services and other adjustments of retail floor space will be shortly lodged with Council. The submission suggests that the centre currently underperforms in terms of the range of services offered, its depth of employment opportunity, its contribution to the local evening economy and in terms of walkability and its housing offer. They are encouraged by the draft ELS and study observations and would like to work with Council to enable a broader range of employment options, services and new housing to be designed.

Response:

Minto Marketplace's support for the draft ELS is noted. No changes to the draft ELS are required.

5. Submission from Endeavour Energy

A submission was received from Endeavour Energy Asset Planning and Performance who advised that they have reviewed the documents and noted that under Section 2.5 'Guiding principle' there is a reference for the need to aligned infrastructure with current need and future growth' with the strategy being 'Appropriate and available water and wastewater services, sewerage and electricity'.

The submission also noted that the potential development outcomes such as some proposed high rise in Campbelltown and Ingleburn as well as some known greenfield developments will require additional new zone sub stations and this matter has been noted.

Considering the known greenfield development and higher density urban infill outcomes identified in the draft ELS, they wish Council to review and comment on the draft of Endeavour Energy's 'Guidance Notes for Electricity Distribution', a copy of which was attached to their submission.

Response:

The above comments are noted.

The draft Guidance Note is not directly relevant to this study. A review of the draft Guidance Note will be undertaken as a separate exercise. No amendment to the ELS is required.

6. Submission from KDC Pty Ltd (KDC) – Supportive

A submission was received from KDC on behalf of their client, Keneco Property Pty Ltd. The submission generally supports the draft ELS, subject to consideration in relation to specific sites at 189 Airds Road, Leumeah, 48 Blaxland Road, Campbelltown and 159 Airds Road, Minto.

The submitter does not believe limiting uses within industrial zoned lands is required as described under the market trends section in Table 3 of the draft ELS . They acknowledge that an appropriate supply of B5 Business Development and B7 Business Park zoned land is needed, if any changes in land use permissibility are recommended. They recommend that if Council limit land uses within the IN1 and IN2 zones, that further land, with appropriate zoning that allows for these changing industrial uses (self-storage and landscape material supplies) be made available.

The submission is supportive of additional employment lands being created that have strong access to transport routes and believes that the removal of height limits is an appropriate action. The submission supports the action to zone new employment precincts in Greater Macarthur. They would welcome the opportunity to work with Council in identifying and addressing potential development issues.

In relation to the Deferred Matter Land in Campbelltown, the submission considers option 2 (Extension of Large Format Retail) and option 3 (Light industrial function) more appropriate and in demand. As landowners of a parcel of land affected, they would appreciate working with Council to come to a decision on the future land use.

Response:

Keneco Property's general support for the draft ELS is noted. The following addresses the above comments:

- Table 3 (page 22) of the draft ELS identifies broader industrial market trends and raises items for consideration. This information provides an analysis of potential implications to Campbelltown as a result of some of the broad market trends including the take up of land within industrial areas for non-industrial uses such as health services, education and factory outlets. To address the above concern, the wording under Table 3 has been amended to read:

'Consider reviewing the permissibility of land uses within Zones IN1 and IN2 to ensure that the industrial areas are not occupied by non-industrial uses, particularly for land uses that are more appropriate to occur within other residential and commercial zones within the LGA.

Self-storage is a use that has greater flexibility in where it can be located. Considering the critical shortage of land in IN1 General Industrial areas, investigate, in consultation with the industry, removing the use from the permissible with consent land use table.

Consider permitting vehicle body repair workshop and plant nurseries in the IN2 Light Industrial zoned land.'

- While it is acknowledged there is a shortage of land for light industrial and specialised retail in Campbelltown LGA, the recommendation to consider rezoning the Deferred Matter Land at Campbelltown to B7 Business Park is still retained. This zone is considered to create the greatest flexibility in terms of future uses, including enabling light industrial uses. Regardless, it is recommended that the action be altered to encourage Council to consult with existing landowners during the investigation process. Wording of action under 2.7.6 (page 29) has been amended to read:

  'Investigate, in consultation with landowners, the three land use options for the land at Campbelltown.'

7. Submissions from Ingleburn residents

Two unsupportive and two neutral submissions were received or believed to be received from owners of dwelling houses within the Ingleburn industrial area. Two of these submissions did not include a name nor an address but raised issues that suggest that they are owners of or have some connection to residential dwellings within the Ingleburn industrial precinct.

The Ingleburn industrial precinct is located on the western side of the Ingleburn Railway Station, and the area is currently zoned IN2 Light Industrial under CLEP 2015, however there are a number of dwelling houses within this area.

Historically, under the County of Cumberland Planning Scheme for industries, which applied to this area in the 1960s, light industrial uses were permitted within the living area zones within this area providing they occupy an area of less than 5000sqft (464.5 sqm) and do not impact the amenity of the area.

In the 1970s, and as a result of continuous pressure on Council at that time to allow larger light industrial uses on the western side of Ingleburn, the area was ultimately zoned for Special Industrial zone under the then Interim Development Order No 21 (gazetted on 5 July 1977). Notably, dwelling houses were no longer permissible under this zone. A survey information presented to Council in 1978 (source Committee meeting of 22 August 1978), showed that at that time 180 lots were affected by the Special Industry zoning under IDO 21, of these 134 were used for residential purposes, 34 lots were vacant, six used for commercial purposes and 6 used for industrial purposes.

Since that time, the majority of the houses within this industrial precinct have been replaced by light industrial uses. A recent desktop survey of the aerial map shows that currently there are about 70 dwelling houses remaining within the subject area.

In November 2017, the State Government released the Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy) which included precinct plans along the railway corridor for the areas around the Macarthur, Campbelltown, Leumeah, Minto, Ingleburn and Macquarie Fields railway stations.

Under the Ingleburn Precinct Plan in the Corridor Strategy, the subject area is shown as part mixed use (3-6 storeys), part high rise residential (7 plus storeys) and part medium rise (3-6 storeys).

The Precinct Plans are supported by Ministerial Direction No 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor Strategy which aims to ensure that future planning proposals are consistent with the precinct plans.

Some owners within the Ingleburn industrial precinct have aspiration for their properties to be rezoned for high-rise residential and mixed uses purposes as stipulated by the precinct plans within the Corridor Strategy, and as such were not supportive of the recommendation within the draft ELS in relation to the need to protect employment land.

Details of the four submissions received from Ingleburn residents and responses to the concerns raised are presented below:

7.1 Submission from Resident 1 – Unsupportive

A submission was received from an Ingleburn resident that demonstrated that they did not support the draft ELS. The submission raised a number of questions and concerns as follows:

1. Question why Council has taken so long to raise an objection (in the form of the draft ELS) to the original Glenfield to Macarthur Urban Renewal Corridor Strategy

2. That the draft ELS appears contrary to the Draft Local Strategic Planning Statement (LSPS)

3. Does not believe that the State Government Ingleburn Precinct Plan that suggests High rise residential development on the industrial side of Ingleburn Station would result in a net loss of jobs. The submission suggests jobs would be created through construction jobs (temporary) and some ground floor commercial space (permanent) as part of mixed use development. It questions why a comparison of potential jobs has not been made in the draft ELS and Background Report

4. The submission suggests that rejuvenation of the Wider Ingleburn Industrial Precinct would result in further additional jobs that would exceed the small number of permanent jobs lost due to the conversion to high rise residential around the station

5. Does not consider the desire to keep all industrial zoning realistic, and considers it contrary to the Precinct Plan, which they indicate is in the advanced stages of planning.

Response:

The objection to retaining the industrial zoned land near Ingleburn Station is noted. Industrial land in Campbelltown LGA is considered of strategic value from an economic, employment and services perspective. While it is acknowledged that the draft ELS varies from the intent of the Ingleburn Precinct Plan, the area has been identified to 'retain and manage' under the State Government's Regional Plan and WCDP. At the time the Ingleburn Precinct Plan was adopted, Council did not have the required evidence base to make an informed decision as to the future of the land. This study has provided the evidence base to advocate to the State Government necessary preferred land use configuration and zones.

The actions identified in the draft ELS are consistent with the intent to 'retain and manage' employment land. The preparation of the ELS is an action of the LSPS and has been prepared in alignment with the other actions of the LSPS.

The draft ELS and Background Report identify that there is currently an insufficient supply of industrial and higher order business zoned land to service the current and future population of the LGA. The manufacturing industry, which is prevalent in Ingleburn and Minto, is also one of the largest employers of Campbelltown residents and significantly contributes to the LGA's economy. While it is acknowledged that the rejuvenation of the precinct would create both temporary construction and permanent commercial employment opportunities, it would not necessarily secure the types of employment and services that are in demand in the LGA. The draft ELS also seeks to enhance the vitality and performance of the established centres before seeking to explore and rezone new areas.

The Local Housing Strategy, which was endorsed by Council on 29 September 2020 also identifies that there is sufficient capacity within the existing residential areas and centres to accommodate and achieve the housing targets without having to rezone industrial zoned land at Ingleburn.

Introducing residential uses in close proximity to industrial uses can also create amenity conflicts and impede the capacity and performance of industrial uses.

While this Draft Strategy intends to preserve industrial uses, it is acknowledged that markets are dynamic, and strategies should be reviewed regularly to evaluate supply and demand.

7.2 Submission from Resident 2 – Unsupportive

Resident 2 disagrees with retaining the industrial zoning for the old residential blocks in the industrial side of Ingleburn train station. The blocks are too small for commercial development for industrial use. Rezoning those blocks to high rise residential will achieve a better result for the region in renewing the built environment. Between now and 2041 they will continue to have old houses on them and still be used for residential purposes but remain an eyesore as one of the first sights workers are greeted with when they arrive to Ingleburn via rail. I just cannot see the incentive either for developers to invest in industrial developments given the small size of the blocks, or for current owners to move them on.

Response:

The objection to retaining the industrial land near Ingleburn Station is noted. Industrial land in Campbelltown is considered of strategic value from an economic, employment and services perspective. The area has been identified to 'retain and manage' under the State Government's Regional Plan and the Western City District Plan. The actions identified in the

draft ELS are consistent with this intent. The draft ELS also identifies that there is currently insufficient supply of industrial and higher order business zoned land to service the current and future population. The manufacturing industry, which is prevalent in Ingleburn, is also one of the largest employers Campbelltown residents and significantly contributes to the LGA's local economy.

Due to the short supply of industrial zoned land in the LGA relative to future needs, the existing residential housing around the station may be amalgamated and turned over to industrial use once greater certainty around the future direction of the precinct is determined. This Draft Strategy is intended to create that certainty.

No amendments to the draft ELS are proposed.

7.3 Submission from Resident 3 – Neutral

Resident 3 is an owner of a property in Ingleburn. The submission requests that they bee allowed to build storages and house or house and granny flat where currently it's a light industrial zone where they are "not allowed to build anything". The submission notes that permission to build storages and house will help both and industrial land can be saved so people can come for employment as well as living. The resident notes that if the study says keep industrial land for employment, then they should be allowed to build storage for employment and a flat on top for living to make everyone happy. Resident 3 also expresses sorrow that they will not sell their land and note that their house is old. They request that the land be rezoned so that they can build something to help society and make everyone happy.

Response:

The planning rules allow, with development consent, alterations to existing use rights including minor renovations and additions to existing dwellings. The draft ELS does not encourage residential uses within the industrial precinct as it creates land use conflicts and would not be in line with the objectives of the industrial zones. To enable greater flexibility in use for the existing residential properties, there is an opportunity to investigate allowing home industry as an additional permissible use. This would enable some industrial uses to be carried out in a dwelling, or in a building ancillary to a dwelling. This would still be keeping with the broader intent of the light industrial area, particularly given it transition over time.

The following action has been added to Section 2.7.3 of the draft ELS:

Action: To provide flexibility in use of land existing residential properties in IN2 Light Industrial zone, investigate introducing Home Industry as permitted with consent whether as an amendment to the zone table or as a schedule 1 use for relevant land

7.4 Submission from Resident 4 – Neutral

Resident 4 requests permissions to build a house with granny flat or storage units.

Response:

There is limited context to this submission. Assuming the person lives within the industrial zone, additional residential uses would not be encouraged. Storage premises are currently not a permissible use within the IN2 Light Industrial zone; however, they are permissible with consent in the IN1 General Industrial zone. There is merit in investigating the inclusion of

Storage premises in the IN2 Light Industrial zone. The following action has been added to Section 2.7.3 of the draft ELS:

Action: Investigate introducing 'Storage premises' in the IN2 Light Industrial zone as permitted with consent.

8. Submission from Willow Tree Planning

A submission was received from Willow Tree Planning Pty Ltd on behalf of Charter Hall who have an interest in multiple industrial assets in the Campbelltown Local Government Area. The submission generally supports the aims and objectives of the draft ELS. The submission specifically draws attention to and supports a number of actions. In some instances, further recommendations are made. These recommendations are outlined below:

- Further limiting permissible uses: the submitter cautions that any further limits on the permitted uses in the industrial areas would undermine the other objectives of the draft ELS in relation to the generation of employment, attraction of investment, and strength of the economy
- Building height: The draft ELS suggests that merit assessment of building height could be conducted with consideration of visual and other amenity impacts. The respondent comments that whilst the potential merits of this approach are upheld, it is requested that the 'merit' criteria are publicly exhibited with opportunity for comment. They further comment that the 19m height limit is not supported, as it may still unjustifiably impede development for multi-storey or high-bay warehouses, which would otherwise have no unacceptable impacts
- Terminology: utilise the word 'promote' instead of 'protect' in the context of Strategy 2.7.11
- Ongoing review: emphasise the need for ongoing review to avoid static or rigid approach to planning, particularly as residential land supply is exhausted, and centres are development to capacity.
- Clarification is requested in terms of 'higher-order industrial and business uses' that are proposed under the future function outlined in Table 2 of the draft ELS.

Response:

The general support for the draft ELS is noted. The following response has been provided to the recommendations:

- The caution is noted. The draft ELS does not intend to further limit the permissibility of uses in the industrial areas. It does suggest the addition of some uses in the IN2 Light Industrial zone.
- The draft ELS recommends a merit based approach to building height. The reference to 19m has been amended from the strategy text in section 2.7.3.
- The suggested terminology change from 'protect' to 'promote' has not been made as the term protect is more consistent with the wording to 'retain and manage' under the WCDP.
- A sentence has been added at the start of each strategy section as follows:
- The following strategies and actions are drafted in response to the planning, supply and demand analysis. It is acknowledged that markets are dynamic and strategies should be regularly reviewed in order to adapt to shifting trends in land use, the economy and population requirements.

Clarification was requested in terms of 'higher-order industrial and business uses' that are proposed under the future function outlined in Table 2 of the draft ELS. Higher order industrial and business uses are generally those businesses that can pay a higher premium for land and floor space. They can also achieve a greater through-put of product and normally make a greater contribution to local employment and the economy. These businesses generally have more capacity to respond to advancements in technology and market demand.

9. Submission from NSW Ports

A submission was received from NSW Ports who are responsible for managing the port and freight assets of Port Botany, Port Kembla, the Cooks River Intermodal Terminal and the Enfield Intermodal Logistics Centre (ILC). NSW Ports supports the strategies and actions identified within the draft ELS as being necessary to support the growing freight task in NSW and specifically in Western Sydney.

The submission suggests that Campbelltown Local Government Area (LGA) plays a strong role in the existing container freight task in Sydney and is home to the Macarthur Intermodal Shipping Terminal (MIST) at Minto. The Campbelltown LGA will continue to play an important role within the Western Parkland City as container volumes grow to meet the needs of a growing population.

NSW Ports is strongly supportive of a 24/7 supply chain to enable efficient and timely delivery of goods to their destinations. To this end, NSW Ports supports the below Action identified in the draft ELS, and believes it will act to promote the competitive advantage of the Campbelltown LGA into the future:

> Seek to reinforce a competitive advantage and the economic significance of Ingleburn and Minto industrial precincts by enabling the opportunity for 24/7 operation, where unlikely to affect the amenity of sensitive receivers.

NSW Ports also supports the proposed Strategies to "deliver a sustainable pipeline of land for employment precincts" and to "increase the capacity of existing employment precincts".

NSW Ports identifies that there is an opportunity for a bulk receival facility to be located in South-Western Sydney. As such, Campbelltown Council has an opportunity to facilitate such a rail terminal through appropriate land zoning in proximity to the rail corridor in the south or east of the LGA in consultation with Transport for NSW and bulk commodity importers. This facility could then be used to handle container imports through Port Kembla in the long-term, making the Campbelltown LGA a key freight gateway. This presents shorter term land use opportunities for Mount Gilead and Campbelltown-Macarthur in the interim, until such time as a facility for containers from Port Kembla is required.

Response:

NSW Port's submission supports the draft ELS. While the submission does not recommend changes to the draft ELS, it does identify a strategic opportunity for the LGA to become a freight gateway. Council should continue to engage with NSW Ports to identify opportunities in South Campbelltown for land to be zoned IN1 General Industrial.

Glenfield to Macarthur Corridor Strategy

The 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 Corridor Strategy which included 6 Precinct Plans was endorsed by the State Government in late 2017. The main focus of the precinct plans was to increase mixed use and residential development within a walking distance from the railway stations. At the time of the preparation of the Precinct Plans, neither Council nor the State Government had reviewed the status of the employment land within Campbelltown LGA.

This draft ELS along with the Campbelltown Local Housing Strategy (LHS) have provided an evidence based analysis and recommendations in relation to the Campbelltown's' LGA capacity for the provision of both housing and local employment. While they apply to the whole LGA, insofar as they relate to the city centre, they are consistent with the Reimagining Campbelltown City Centre Master Plan, which provides a further basis for planning decisions for the Leumeah, Campbelltown and Macarthur Precinct Plans in the Corridor Strategy.

The draft ELS and the LHS have found that Campbelltown has sufficient land either zoned or included within a nominated growth area to cater for the future needs of housing, retail and commercial uses, however there is a shortage in industrial land. This means that while our population can grow and live within the LGA, there would be no capacity to match the growth with local jobs. Accordingly, there is a need to protect industrial land within our City and identify additional opportunities for industrial land. Notably, the recommendation to protect industrial land is also consistent with WCDP.

Contrary to the above recommendation, the Corridor Strategy's Precinct Plans for Ingleburn and Campbelltown identify some land currently zoned for industrial purposes under the CELP 2015 as either mixed use/high rise residential (7 plus storeys), or low rise residential (3-6 storeys). The application of the corridor strategy needs to have regard for this more recent strategic planning work. The Corridor strategy is enforced by way of Ministerial Direction No 7.7 under Section 9.1(2) of the Environmental Planning and Assessment Act 1979. Further discussions will need to occur with DPIE and the Greater Sydney Commission following review of the LHS and the ELS by DPIE.

Campbelltown Economic Development Strategy 2020

The Campbelltown Economic Development Strategy 2020 identifies the key drivers for economic growth in Campbelltown. These fall under four main priority areas:

- Better clustering and connecting businesses to achieve economic benefits
- Intensifying land use to promote a more efficient and productive economy that optimises infrastructure investment
- Increasing local job opportunities by attracting and creating more knowledge and high-skilled jobs
- Building on our education, health and industry strengths to upskill the local resident workforce

There is great alignment between this employment lands strategy and the Campbelltown Economic Development Strategy 2020. The following actions identified in the Economic Development Strategy are in part fulfilled by the Employment Lands Strategy:

- Review and update relevant planning and legislative frameworks to ensure they are responsive to the changing needs of different industries and land uses (eg building heights, setbacks., etc)
- Support business expansion by maintaining an adequate supply of suitably zoned land that can accommodate a variety of uses (eg commercial, industrial, retail)

Where to from here

If Council endorses the revised draft ELS and the Background Report (Attachments 3 and 4), the next step is for the endorsed ELS and background report to be forwarded to the DPIE for their endorsement.

Following their endorsement it would be proposed to undertake a detailed assessment of the recommendations of the ELS for incorporation into a review of the CLEP 2015 and Campbelltown (Sustainable City) Development Control Plan 2015.

Conclusion

The preparation of the draft Campbelltown Strategic Review of Employment Lands Strategy and the Background Report has been undertaken in accordance with the Western City District Plan and Campbelltown Local Strategic Planning Statement to guide future local decisions on employment land within Campbelltown LGA.

The draft Campbelltown Strategic Review of Employment Lands Strategy is underpinned by evidence-based research and has been informed by targeted consultation with stakeholders.

The draft Campbelltown Strategic Review of Employment Lands Strategy and Background Report were placed on public exhibition for 30 days and over 3000 letters were sent to all landowners of employment land and proponents of current planning proposals and a number of public authorities.

As a result of the public exhibition of the draft Campbelltown Strategic Review of Employment Lands Strategy, Council received 19 submissions, the majority of which (13 submissions) were in agreement with the findings and recommended actions of the draft Campbelltown Strategic Review of Employment Lands Strategy, and indicated a positive remark.

The submissions that did not support the findings and recommendations of the draft Campbelltown Strategic Review of Employment Lands Strategy were mainly from landowners within the industrial area of Ingleburn, along with the submission from the Member for Macquarie Fields, Mr Anoulack Chanthivong MP.

At the local level, if endorsed by Council, the draft Campbelltown Strategic Review of Employment Lands Strategy would play an important role in informing a review of the Campbelltown Local Environmental Plan 2015 and the Campbelltown Sustainable City Development Control Plan guide the decision making process of future planning proposals in the LGA. The draft Campbelltown Strategic Review of Employment Lands Strategy will also inform the next update of the Campbelltown Local Strategic Planning Statement.

Attachments

1. Short Submissions received (contained within this report)
2. Detailed Submissions received (contained within this report)
3. Draft Campbelltown Strategy November 2020 (contained within this report)
4. Draft Campbelltown Strategic Review of Employment Land background report (due to size) (distributed under separate cover)

Attachment 1 - Positive Short Submissions Received through Campbelltown 'Over to You' Web Page				
No.	**Time**	**Person**	**Category**	**Comments**
1.	Oct 09 20 06:44:23 am	Anonymous	Positive	It's import to keep the area new and revitalized to stay attractive as a destination for families. Having good access to public transport, Employment, shops and parks will continue to improve the local area. I am looking forward to the proposed changes in the Ingleburn area.
2.	Oct 12 20 09:22:27 am	Anonymous	Positive	I am happy with Draft Campbelltown Strategic Review of Employment Land - Strategy and Background Report.
3.	Oct 12 20 09:23:22 am	Anonymous	Positive	I am very satisfied with Draft Campbelltown Strategic Review of Employment Land - Strategy and Background Report
4.	Oct 12 20 07:01:19 pm	Anonymous	Positive	Great for our future
5.	Oct 12 20 10:01:23 am	Anonymous	Positive	I am satisfied with Draft Campbelltown Strategic Review of Employment Land - Strategy and Background Report.
6.	Oct 12 20 12:35:29 pm	Anonymous	Positive	We support the submission

Anoulack Chanthivong MP
MEMBER FOR MACQUARIE FIELDS

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

27 October 2020

Dear Lindy

I write in relation to the Draft Campbelltown Strategic Review of Employment Land Strategy currently on public exhibition.

I have serious concerns regarding the guiding principle "Increase density within a walkable catchment" listed on page 44 of the strategy. The rationale for this guiding principle states: "Centre performance is intrinsically linked to the density within the trade catchment".

What evidence and/ or research is this statement based? Councils and developers across Sydney routinely rely on the argument that high-density development automatically creates jobs and retail vitality. Unfortunately, the reality is often very different.

I also have concerns with the final action listed under section 3.8.3 of the strategy: "Continue to conditionally support the master planning process associated with the Glenfield Urban Renewal area".

In correspondence dated 15 April 2020, you stated: "Council has publicly maintained its opposition to the proposed rezoning of the Hurlstone Agricultural High School land by the NSW Government". Why has Council's position changed on this issue to now "conditionally support" the rezoning?

I have fought for many years, alongside my community, to protect the green open space provided by the farmland at Hurlstone Agricultural High School. I would hope that Council and Councillors will embrace their role as community advocates and join the fight against the Liberal Government's plans to replace the majority of Hurlstone's farm with overdevelopment.

I would be grateful for your advice on the matters I have raised in my submission.

Yours sincerely,

Anoulack Chanthivong MP
Member for Macquarie Fields

Office: Shop 3, 2-6 Oxford Road Ingleburn NSW 2565 **Mail:** PO Box 882 Ingleburn NSW 1890
Phone: 02 9618 2077 **Fax:** 02 9618 2088 **Email:** macquariefields@parliament.nsw.gov.au
Website: www.letsbackanoulack.com

29 October 2020

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

Dear Ms Deitz,

RE: Submission to the Public Exhibition of the Campbelltown Local Employment Land Strategy and Background Report

1. Introduction

Lendlease welcomes the opportunity to provide a submission to the Draft Campbelltown Strategic Review of Employment Land – Strategy and Background Report (the Draft Strategy). Lendlease manage Macarthur Square on behalf of the owners of the Centre, GPT Wholesale Shopping Centre Fund and Australian Prime Property Fund Retail (the Owners).

We understand that the Draft Strategy will inform future reviews of Campbelltown's local planning instruments and aims to identify the key economic and employment issues and trends and well as a sustainable growth strategy that will meet the identified employment targets for the LGA.

Macarthur Square is the largest retail centre in the region and is located at the heart of Macarthur town centre, adjacent to Macarthur train station. Lendlease are committed to ensuring that the centre maintains its status as a major regional retail centre so that it can meet future demands generated by the rapidly growing population.

In summary, Lendlease submit that the Draft Strategy should afford greater recognition to the established retail hierarchy within the Campbelltown City Centre and the LGA more broadly to ensure Macarthur Square's ongoing economic viability and sustainability. This should be addressed through the identification of Macarthur Square as the major centre servicing the region.

This submission further details recommendations to assist Council in finalising the Draft Strategy. Lendlease look forward to the opportunity to discuss how the Owners' landholdings can contribute to the delivery of Council's future vision.

2. Lendlease Investment in Macarthur Square

During the 1960's and 70's Lendlease understood the opportunity that Campbelltown - Macarthur presented as a true satellite city, a place to live, work and play. Lendlease was involved in establishing master planning and introducing retail amenity for the residents of Campbelltown – Macarthur well ahead of its time. With such a rich history and connection to the region, we are excited to be part its future transformation and the opportunity to develop Campbelltown-Macarthur as a true lifestyle capital.

The land on which Macarthur Square sits is a strategic landholding, and the asset has played an important role in the LGA for the past 40 years. It is the largest shopping centre in the region and is located at the heart of Macarthur town centre, adjacent to Macarthur train station and in between Campbelltown – Macarthur's Health and Education precincts, refer to **Figure 1** below for the site context.

Lendlease (Millers Point) Pty Limited, ABN 15 127 727 502
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300 Barangaroo Avenue, Barangaroo NSW 2000, Australia www.lendlease.com

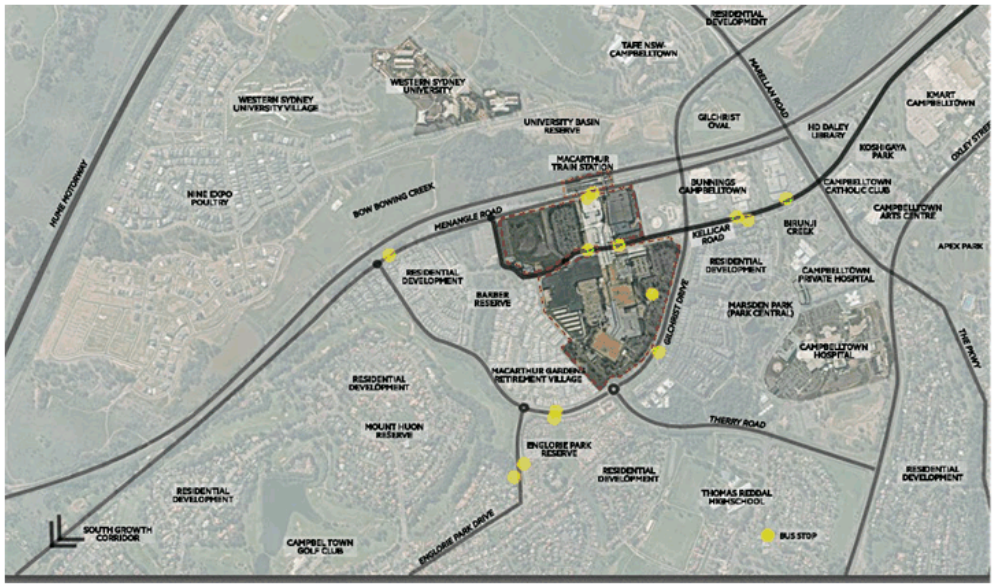

Figure 1: Macarthur Square Site Context

Macarthur Square comprises of approximately 107,000sqm (Gross Lettable Area) with approximately 280 specialty stores and sees around 12.2 million visitors each year. It is the major regional retail centre servicing the south-west Sydney area.

Macarthur Square is a true activity hub catering to a broad range of shopping and services for the district. Lendlease are committed to the long-term growth of Macarthur Square, and recognises that the centre needs to continue to evolve over time to maintain its relevance and status as a regional destination. Lendlease are committed to ensuring that the centre maintains its status as a major regional retail centre so that it can meet future demands generated by the rapidly growing population.

As previously signaled to Council and discussed at a meeting held on 17 September 2020, Lendlease are in the process of developing a long-term Masterplan vision for Macarthur Square. Lendlease are working collaboratively with Council to consider future land use outcomes for the centre.

3. SUPPORT FOR DRAFT STRATEGY AND RECOMMENDATIONS

3.1 Overview

Lendlease are fundamentally supportive of Council's aspirations, vision, and strategic planning policy direction as presented in the Draft Strategy. Below are key recommendations that will enable the Draft Strategy to be the mechanism to achieve the sustainable employment growth in the right locations within the Campbelltown LGA.

3.2 Centres Hierarchy

Section 3.8.1 of the Draft Strategy identifies that Council should establish and clear centre hierarchy that provides clarity to the market around growth expectations and desired role and function of centres. Based on the findings of the Background Report, the Campbelltown-Macarthur CBD is identified as a Metropolitan Cluster, which is the highest order centre in the

LGA. Macarthur Square itself, however, is not singled out in the strategy as a regionally significant retail centre which services she south-west Sydney area.

Whilst it is acknowledged that Macarthur Square is situated within the Campbelltown – Macarthur CBD, Macarthur Square itself is regionally significant and warrants singling out within the employment lands strategy as the major retail centre serving the region. This will ensure Macarthur Square's ongoing economic viability and sustainability.

3.3 Sustainable Employment Growth with the LGA

The Draft Strategy notes that there is a shortage of 206 to 355 hectares of employment zoned land predominately comprising industrial, urban services lands and specialised retail within the LGA to 2041. In addition, the strategy flags potential rezoning of new mixed use centres in Minto and Leumeah to service planned residential growth.

The Draft Strategy also identifies the potential to rezone the centres at Minto and Leumeah rail stations to B4 Mixed Use to enhance their viability as centres and to service increased residential density in these catchments. Similarly, the strategy identifies a potential new mixed use centre at Macquarie Fields.

It is acknowledged that employment growth is expected within the Campbelltown LGA to support the growing population. Increased zoning for mixed use purposes for local centres such as Leumeah and Minto should not unduly erode the viability or hierarchy of existing retail centres with regional significance including Macarthur Square.

3.4 Growth of the Campbelltown – Macarthur CBD

The Draft Strategy notes that shorter term development in Campbelltown City Centre should be prioritised on the eastern side, rather than in the Macarthur area, particularly when it is associated with additional residential, retail or office space.

As previously signaled to Council, Macarthur Square has significant growth potential being within an already established local centre which would warrant consideration of accommodating higher density mixed use transit-oriented development within Macarthur. The timeframe for delivery of the masterplan is dependent on market conditions. However, a restriction should not be placed on delivery of development within the Macarthur area within the shorter term if market conditions call for additional residential or commercial space.

4. Summary and Next Steps

In summary, we provide the following submission points to the Draft Strategy:

- Lendlease are fundamentally supportive of Council's aspirations, vision, and strategic planning policy direction as presented in the Draft Strategy. We also believe the Draft Strategy can be further strengthened to ensure sustainable employment growth in the LGA can be achieved including ensuring that the economic viability and sustainability of existing retail centres with regional significance.
- Noting the preliminary masterplan work already undertaken by Lendlease for Macarthur Square, in consultation with Council, it is also recommended that the Draft Strategy specifically identify the site as having significant future mixed use development opportunities.
- The Draft Strategy should afford greater recognition to the established retail hierarchy within the Campbelltown City Centre and the LGA more broadly to ensure Macarthur

Square's ongoing economic viability and sustainability. This should be addressed through the identification of Macarthur Square as the major centre servicing the region.

- Increased zoning for mixed use purposes for local centres such as Leumeah and Minto should not unduly erode the viability or hierarchy of existing retail centres with regional significance including Macarthur Square.

Lendlease are fundamentally supportive of the aspirations, vision, and strategic planning policy direction as presented in the Draft Strategy. We would welcome any opportunity to discuss the key additions and recommendations in our submission.

We acknowledge the effort to prepare such a detailed strategic plan and thank Council for the opportunity to respond in anticipation of delivering a collaborative plan. Please do not hesitate to contact with any queries on this submission.

Yours sincerely,

Head of Retail Development – Urban Regeneration

PROPERTY COUNCIL of Australia

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Australia's property industry
Creating for Generations

30 October 2020

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

Email – council@campbelltown.nsw.gov.au

Dear Ms Deitz

Draft Campbelltown Employment Land Strategy

The Property Council of Australia welcomes the opportunity to provide comments to Campbelltown City Council on the draft Employment Land Strategy recently released for consultation.

As Australia's peak representative of the property and construction industry, the Property Council's members include investors, owners, managers and developers of property across all asset classes. We are pleased to provide the attached comments for your consideration.

Council has prepared a comprehensive strategic review of its employment lands (retail, commercial and industrial) that respond to the regional and district planning framework, Council's Local Strategic Planning Statement and market conditions. The Strategy has addressed a number of important issues affecting its centres and developed a series of appropriate responses to be addressed in the short, medium and longer-term.

As a significant local government area situated within Greater Sydney's Western Parkland City, we fully support the Council's proposals to grow its local economy for the benefit of its residents.

Should you have any questions regarding the content of this submission please contact , NSW Policy Manager, on or

Yours sincerely

Acting NSW Executive Director
Property Council of Australia

PROSPERITY | JOBS | STRONG COMMUNITIES

Submission to Campbelltown City Council

Campbelltown Strategic Review of Employment Land

30 October 2020

PROSPERITY | JOBS | STRONG COMMUNITIES

1.0 General Comments

The Property Council welcomes the opportunity to provide comments to Campbelltown City Council (**the Council**) on its draft Employment Lands Strategy (**the Strategy**). We understand this has been prepared in response to Action 51 of the *Western City District Plan* and Action 11.1 of Council's *Local Strategic Planning Statement 2020* (LSPS).

The District Plan requires that Council complete this strategic review as a precondition to updating its local environmental plan. The Property Council supports Council undertaking this review.

The Greater Sydney Regional Plan identifies Campbelltown-Macarthur as one of four centres that together (as a cluster) will deliver metropolitan functions for the Western Parkland City. Campbelltown-Macarthur is also identified as a Health and Education Precinct within the Plan's centre hierarchy. The Strategy has reflected this approach.

Campbelltown LGA has a very diverse range of employment lands including health and education, retail, commercial and industrial zoned land occupying numerous centres and precincts. It is appropriate that the Strategy has given consideration to each of these employment sectors as part of its review.

2.0 Employment/Industrial Land

2.1 Industrial and Urban Services Land

The Western City District Plan has adopted a 'retain and manage' approach for industrial land within the City of Campbelltown. This requires all existing industrial and urban services land to be safeguarded from competing pressures, including residential and mixed-use zones. Council has satisfied this requirement, which is appropriate for the Western City District.

The Strategy indicates that the City's main employment areas are spread across nine employment precincts, occupying more than 770 hectares of land and approximately 2.9 million sqm of floor space. Notwithstanding this, Ingleburn and Minto are the dominant employment precincts within the LGA having 1.4 million and 0.9 million sqm of employment floor space respectively, primarily consisting of industrial land uses. The majority of Campbelltown LGA's industrial and employment precincts are large and have the benefit of significant scale to attract businesses and ensure they remain competitive.

The Campbelltown LGA employment precincts occupy one of the following zonings under *Campbelltown Local Environmental Plan 2015*:

- IN1 General Industrial
- IN2 Light Industrial
- B5 Business Development
- B7 Business Park
- plus, a small area of 4(b) Industrial land that has been deferred under a non-Standard Instrument LEP.

These zones allow for viable employment land uses to support the city's urban areas.

2.2 The Local Profile

Key statistics identified in the Strategy are:

- Population will increase from 156,713 in 2016 to 275,778 in 2036.[1]
- 25% of residents have a university qualification (compared to 28% Greater Sydney)
- 21% have a trade qualification (compared to 15% Greater Sydney)
- 48% of local workers are residents
- 23% of local workers have a tertiary qualification.
- 34% of Campbelltown's resident workers were employed locally.
- 42,489 (62%) of Campbelltown's resident workers travel outside the LGA to work.
- Jobs to workers ratio in 2018/19 was 0.75
- Campbelltown's Gross Regional Product was $7.27B for year ending June 2019.

2.3 Guiding Principles

Section 2.5 of the Strategy identifies six (6) guiding principles that it recommends should be considered when analysing and determining future employment land use requirements.

The guiding principles are:

- **People**: diverse opportunities for employment and learning
- **Land**: adequate, appropriate and long-term supply of land
- **Built form**: appropriate space that meets current and future needs
- **Infrastructure**: is aligned with current need and future growth
- **Economic**: a sustainable and productive long-term economy
- **Place**: attractive place of employment.

These are appropriate considerations to review and determine future employment land use requirements for the City of Campbelltown.

3.0 Business Centres

3.1 General comments

Section 3 of the Strategy considers the city's 39 business centres, which range from large commercial centres such as the Campbelltown CBD and regional shopping centre Macarthur Square to small neighbourhood shops. Combined these centres occupy 260 hectares of land and about 875,000m^2 of floor area.

The current planning controls under *Campbelltown Local Environmental Plan 2015* apply to these centres:

- B1 Neighbourhood Centre (97 hectares – 37% total centres)
- B2 Local Centre (51 hectares – 20% total centres)
- B3 Commercial Core (47 hectares – 18% total centres)
- B4 Mixed Use (59 hectares – 23% total centres)
- Plus, a small area of deferred land zoned 3(c) under a non-Standard LEP (4 hectares – 2%).

The Strategy does not appear to have involved any review of these zonings and the land uses permissible within each zone. Council should satisfy itself that the zoning of each of these centres is appropriate.

[1] We note that the NSW Government's projections for population growth for Campbelltown LGA are lower than outlined in this strategy (https://www.planning.nsw.gov.au/Research-and-Demography/Population-projections/Projections)

More than 24,000 jobs are associated with these centres, with the employment of 14,500 people at the Campbelltown-Macarthur centre. The remaining 9,500 are spread across the other 38 local centres.

3.2 Future Centres Demand

Section 3.5 of the Strategy analyses future demand and current supply for retail and office space across selected centres within the City.

Based on two scenarios modelled and considered within the Strategy, there will be demand for between 146,000m^2 and 228,728m^2 of retail floor area across the LGA by 2041. The current oversupply of retail floor area in the Campbelltown CBD will eventually be reversed with approximately 107,000m^2 of additional supply needed in coming years. It is important the Council consider where and how it wants that additional floor space to be provided. It is noted that there are actions within the Strategy that consider this issue.

The Strategy has modelled three scenarios for future demand for office space within the LGA. Each of the scenarios has forecast increased demand for office space between 120,000m^2 and 269,000m^2. The majority of this demand is located within the Campbelltown CBD with some additional demand in Glenfield.

Section 3.6 goes on to consider the capacity of existing centres. It has suggested Council consider introducing non-residential FSR planning mechanism for the centres of Campbelltown, Ingleburn, Macquarie Fields, Glenfield, Minto and Leumeah. Council must determine the most appropriate mechanism to deliver the future office space required. For Campbelltown CBD use of ground and first floor will not be sufficient and a 'commercial core' with a higher minimum non-residential component has been recommended. It is important that Council determine the most efficient planning requirements capable of delivering an adequate supply of office floor space into the future.

4.0 Strategies and actions

Section 2.7 of the Strategy sets out the important directions and actions to achieve its objectives relevant to employment (industrial) land. Section 3.8 of the Strategy sets out the important directions and actions to achieve its objectives relevant to business centres land.

The following table considers the strategies and actions and provides the views of the Property Council to each.

Employment Land Strategies and Actions	Property Council Response
Strategy 1: Promote the competitive advantage of Campbelltown LGA *Actions*: - Implement the actions identified in the *Campbelltown Economic Development Strategy* that promote investment and employment opportunities in the LGA. - Work closely with large industrial proponents to identify and address expectations to bring supply online quickly and enhance development interest. - Seek to reinforce a competitive advantage and the economic significance of Ingleburn and Minto industrial precincts by enabling the opportunity for 24/7 operation, where unlikely to affect the amenity of sensitive receivers.	The Property Council supports this strategy and the implementation of these three (3) associated actions. In particular, we would support Council working closely with large industrial proponents to bring forward the supply of industrial land.
Strategy 2: Deliver a sustainable pipeline of land for employment precincts *Actions*: - Advise State Government of findings of this study and the anticipated shortage of land for employment precincts. Request that they consider opportunities for employment precincts during any future Greater Macarthur Structure Plan amendments. - Explore opportunities to enter into public-private partnerships, for early infrastructure delivery, with developers that are seeking to deliver new employment lands (particularly IN1 General Industrial, IN2 Light Industrial or B5 Business Development). Upfront infrastructure delivery may bring more employment land on the market quickly. - Consider working with the State Government to develop and publish a priority infrastructure delivery program that identifies the locations that will be the focus of infrastructure planning and delivery and the anticipated timeframes. Locations that can deliver a greater number of jobs and economic contribution should be prioritised first. - Review contribution plans to capture the costs of infrastructure improvement works and community facilities in employment precincts. - As a priority, investigate 'urban capable' land in South Campbelltown to accommodate a diversity of industrial, urban service and specialised retail land. Locations closer to the Hume Highway are the most appropriate for employment precincts.	The Property Council supports this strategy and the five (5) associated actions. In particular, the actions aimed at accelerating the supply of suitably serviced industrial land as amendments to the Greater Macarthur Structure Plan are appropriate and welcomed. Council should ensure that industry stakeholders and landowners are consulted in respect of the action relating to the review of contribution plans.

Employment Land Strategies and Actions (Continued)	Property Council Response
Strategy 3: Increase the capacity of existing employment precincts *Actions:* - Consider removing building height controls from the industrial precinct and protecting the character and sightlines through specific provisions in the DCP, if required. This would enable new forms of industrial development, such as multi-storey and high-bay warehousing, and design solutions to be achieved. - Consider amending the DCP to add greater flexibility around parking rates by applying a merit-based assessment rather than hypothetical future uses assessment. Strict numerical controls (eg 1 space per 300sqm of warehouse) should be set aside in favour of an assessment of average staff and visitor requirements of similar types of development. This information could be provided as part of a development specific traffic impact assessment. - To provide more flexibility for employment uses in the IN2 Light Industrial and B5 Business Development zone, consider amending the approach to the Local Environmental Plan land-use tables to be open rather than closed. For example, listing prohibited uses and then enabling other uses to be permitted with consent. - Strict numerical controls relating to setbacks should be reviewed to encourage: 1. Small setbacks that provide meaningful landscaping that contributes to the urban canopy 2. Pedestrian access and amenity, particularly in areas close to train stations such as Minto, Campbelltown, Leumeah and Ingleburn.	The Property Council supports this strategy and the four (4) associated actions. In particular, the actions that provide greater flexibility for industrial development and overcome unnecessary obstacles (such as building height controls where they do not serve a good planning purpose). The intention to provide greater flexibility in IN2 Light Industrial and B5 Business development zones with open land-use tables is an appropriate reform and one which we fully support.

Employment Land Strategies and Actions (Continued)	Property Council Response
Strategy 4: Retain employment precincts along the Glenfield to Macarthur Renewal Corridor at Ingleburn, Minto and Campbelltown. *Actions:* - Noting the sufficient residential capacity identified in the *Campbelltown Local Housing Strategy 2020*, existing employment zones at Minto, Ingleburn and Campbelltown should be protected from residential development. - Postpone rezoning of employment precincts until the renewal of eastern centres has come to fruition, and there is adequate demand to support the rezoning to align with the Glenfield to Macarthur Land Use and Infrastructure Implementation Plan. In particular, industrial areas around Ingleburn and Minto should be protected. A future review of these areas can be undertaken once residential supply on the eastern side of the railway has been established, and a future employment land review is conducted.	The Property Council supports this strategy and the two (2) associated actions. In particular, the protection of industrial and employment precincts at Ingleburn and Minto which make a significant contribution to the employment targets of the City and Western City District.
Strategy 5: Define a clear future role and function of Maryfields. *Actions:* - Consider potentially investigating and attracting a developer to deliver a similar product outcome to that achieved at Habitat Byron. This would be a 'point of difference' product type that could appeal to new businesses and encourage home-based businesses to move to an employment precinct. It would provide a low rise – workshop/office and SOHO living product. The intent of the product is not to incorporate retail uses, rather than a mix of creative and business uses that do not compete with the nearby centres. An employment component must be attached to each dwelling. - Investigate a partnership and potentially seek a grant to develop a state-of-the-art innovation and research centre within the B7 Business Park precinct.	The Property Council supports this strategy and the two (2) associated actions. We encourage Council to work closely and engage with industry to use its knowledge and ideas to inform its decision-making regarding this site.

Employment Land Strategies and Actions (Continued)	Property Council Response
Strategy 6: Define a clear future role and function for the Deferred Matter Land at Campbelltown. *Actions:* - Investigate the three land use options for the deferred-matter land at Campbelltown as follows: *Option 1 – High Amenity Business Tech Park:* A B7 Business Park zone would enable the site to be transitioned and deliver commercial employment uses in a high amenity environment. This zone would be complimentary to the CBD and would enable a mix of uses including business and office premises, light industries and small bars and pubs. Specialised retail and residential would not be permissible within the area. There is a risk that a B7 Business Park would detract from potential office space being delivered in the city centre, as there is insufficient demand in the shorter term for both sides to deliver offices. A mix of uses including light industries would however be an appropriate outcome. *Option 2 – Extension of Large Format Retail:* Blaxland Road is immediately to the north-east of the identified land and is zoned B5 Business Development. Considering the substantial population growth anticipated in the LGA, there is demand for additional large format retail. The land would become a natural extension of Blaxland Road and could provide a mix of warehouse uses, specialised large format retail and light industries. This zone would prevent office premises and residential development being delivered. *Option 3 – Light Industrial function:* As part of the Campbelltown LEP Review, the land has been rezoned for light industrial uses in line with LEP 2002 4(b) Industrial Zone. While there is considerable demand for industrial land in the LGA, an industrial use for the site would not be consistent with the long-term direction set out in the Reimaging Campbelltown 2020. The proposed zone would assist in addressing the current shortage of industrial land in the LGA.	The Property Council supports this strategy and looks forward to the outcome of Council's investigations regarding this precinct.

Employment Land Strategies and Actions (Continued)	Property Council Response
Strategy 7: Explore synergies with the local TAFE and universities to develop training and education programs targeted to local industries. *Actions:* - Encourage more universities or university outposts to establish in Campbelltown, either in a cluster with WSU or in the Campbelltown CBD. - Review Council's community assets to determine the opportunity to provide training spaces for utilisation by businesses, universities and TAFE to run training courses. - Work with TAFE and universities to undertake meaningful engagement with local industries to determine the gap in employment skill sets and tailor training courses to suit.	The Property Council supports this strategy and the three (3) associated actions. In particular, we endorse Council working closely with the tertiary education sector to develop a stronger education precinct within the Campbelltown-Macarthur centre.
Strategy 8: Encourage agglomeration and clustering *Actions:* - Actively support and market, through Council's website and collateral, the food processing and distribution cluster opportunity, including provision for large dark stores that are well positioned to distribute to Greater Sydney, Canberra and the south coast. - Undertake research, explore and invest in opportunities for industrial symbiosis – where the waste or by-products from one business is used as a raw material for another to alleviate costs and encourage more sustainable production.	The Property Council supports this strategy and the two (2) associated actions. In particular, we agree with the Council's focus on opportunities within the food processing and distribution cluster.
Strategy 9: Facilitate greater collaboration and alliances between industry and businesses *Actions:* - Seek to facilitate and encourage a business support program that aims to foster collaboration and connection between industry and business including identifying and providing education pathways and job placements. - Explore opportunities to establish an alliance for the transport and logistics and manufacturing industries to strengthen supply chain synergies and collaboration opportunities.	The Property Council supports this strategy and the two (2) associated actions, which are appropriate responses to the City's strong transport and logistics sector.

Employment Land Strategies and Actions (Continued)	Property Council Response
Strategy 10: Deliver better places of employment *Actions:* - Support businesses and workers by ensuring the planning framework encourages: 1. The retention of convenience retail uses (for example shop, kiosk, take-away food and drink) as permissible and limit the size of these uses as detailed in Clause 5.4 of CLEP 2015. 2. A pleasant location for people to rest or interact with others during the working day. 3. Improved connectivity to surrounding open space (relax during breaks).	The Property Council supports this strategy and the associated action regarding provision of amenities to support businesses and workers.
Strategy 11: Protect the role and functions of employment lands *Actions:* - The future role, function and strategic positioning of employment land within the LGA is described in Table 5.	The Property Council supports this strategy and the associated action regarding the City's main employment precincts.

Business Centres Strategies and Actions	Property Council Response
Strategy 1: Establish and reinforce a clear centre hierarchy across the LGA *Actions:* - Based on findings in the Background Report, and to better conform to the Greater Sydney Commission's commercial centre classifications, consider adopting the proposed hierarchy outlined below and in Table 11 and Figure 10. - Council should consider the economic impacts of planning proposals and development applications on the proposed commercial hierarchy.	The Property Council supports the creation of a hierarchy of centres for the Campbelltown LGA.
Strategy 2: Prioritise the growth and renewal of Campbelltown-Macarthur metropolitan cluster. *Actions:* - Prioritise shorter term development in Campbelltown City Centre (eastern side), rather than in the Macarthur area, particularly when it is associated with additional residential, retail or office space. - Consider amending the existing Campbelltown LEP standards (ie minimum non-residential FSR or number of commercial storeys) to increase the number of non-residential floors in the Campbelltown CBD in line with *Reimagining Campbelltown City Centre Masterplan*. - Implement the priorities and directions outlined in the *Reimagining Campbelltown City Centre Masterplan* and the Campbelltown Macarthur Place Strategy including actions to improve connectivity, rationalise landspace taken for car parking and build on the centre's anchors. - Trial temporary re-purposing the Campbelltown Council Hurley Street car park to become a market square or park that can be utilised for: (a) Night-time market installations (b) Public domain (park) (c) Entertainment spaces (d) Weekend markets (e) Public art, street furniture and wayfinding outcomes	The Property Councils this strategy and the seven (7) associated actions. Actions intended to strengthen the economic potential and vibrancy of the Campbelltown CBD are supported and should be implemented to deliver much needed support growth to the CBD's retail and service-focused businesses. We support initiatives aimed at increasing the number of residents living in close proximity to the retail and commercial heart of Campbelltown to stimulate activation and vibrancy.

Business Centres Strategies and Actions (Continued)	Property Council Response
Attract new businesses to the city centre in accordance with use and activity clusters identified in *Reimagining Campbelltown City Centre Masterplan* and the Economic Development Strategy. These clusters may include the: (a) Commercial core, (b) Justice Precinct, (c) City Centre living, (d) Health, knowledge and innovation precinct, (e) Cultural precinct. - Improve the appeal an identity of the centre to become a destination: (a) Consider opportunities for street and public art in the main street and at the entrance locations to create a sense of arrival (b) Encourage public events and activities that bring families and friends into the centre such as 'Art in the city', 'street fairs', markets, etc (c) Explore opportunities for pop-up activations in vacant tenancies to enhance activation and provide affordable space for new businesses. (d) Investigate a building improvement project that encourages shop front renewal. - To support centre vitality, explore opportunities to increase residential and worker density within the walkable catchment: (a) Consider allowing a greater density of residential and office space within the walkable catchment to support centre activation (b) Provision for a mix of housing to cater for a diversity of age groups and incomes (c) Consider investigating incentives to achieve affordable, key worker and student housing in the centre	

Business Centres Strategies and Actions (Continued)	Property Council Response
(d) As an option, investigate rezoning northern end of Campbelltown to R4 High Density Residential to assist in consolidating the centre or alternatively, in the B4 Mixed Use zone enable a greater diversity of ground floor uses such as light industry and specialist retail, which currently do not qualify under the 'shop top housing' use. (e) Explore the potential to continue the R3 zone between Apex Park and Campbelltown Public School, north of Lindsay Street to provide more opportunity for infill residential development. (f) Consider undertaking feasibility testing to determine if the current building height controls are feasible to incentivise development or if they are instead encouraging land banking. Land banking occurs when the planning controls are at a scale where demand insufficient to meet the controls and there is a hesitation to deliver an outcome less than what the controls enable as it would not be viable to redevelop in the future. Developers instead hold on to the property until the market has caught up.	

Business Centres Strategies and Actions (Continued)	Property Council Response
<u>Strategy 3: Support the renewal of the transit-oriented local centres to work towards achieving the vision of the Glenfield to Macarthur Urban Renewal Corridor Strategy.</u> *Actions:* - To reiterate the commercial hierarchy and support the revitalisation of the Campbelltown-Macarthur and Leumeah, consider prioritising the renewal of existing centres on the eastern side of the rail line before transitioning industrial land to higher order residential and business uses. This will enable the ongoing use of the western precincts for industrial purposes in the short to medium-term. It would also support more sustainable take-up and viability than over expanding the centres too quickly. - Consider rezoning the centres at the Minto and Leumeah rail stations B4 Mixed Use to enhance the viability of the centres and increase residential density within their walkable catchment. - Consider undertaking design and feasibility testing to prioritise increasing the density of existing centres rather than rezoning and expanding the centres. This should consider the possibility of incorporating a minimum non-residential FSR provision to secure longer-term commercial floor space. Controls could include investigating: (a) At least two storeys of commercial floorspace for properties fronting the main street and/or rail line interface. (b) A minimum non-residential FSR of 0.5:1 for properties in the centre frame areas. - Investigate a potential main street connection with cycleway and street trees along Redfern Road to improve the connection from the rail station. In the longer term, consider the opportunity of extending commercial uses along the main street interface to connect the Minto station centre to Minto Marketplace and enhance passive surveillance over the street and public recreation facilities. - To support the forecast growth at Macquarie Fields, investigate a new mixed-use centre at the rail station to support local convenience uses. - Continue to conditionally support the master planning process associated with the Glenfield Urban Renewal Area.	The Property Council supports this strategy and the five (5) associated actions. In particular, we are supportive of strategically applying principles of Transport Oriented Development (TOD) that lead to compact, sustainable development along main transport routes. Clearly outlining areas of growth and land release with appropriate planning controls (like rezoning of industrial areas for new housing as foreshadowed) provides incentives to develop, and facilitates diversity of housing supply and densification needed by creating certainty to investors for both housing and commercial development. New developments within centres should aim, where possible, to provide appropriate commercial floor space, designed with flexibility in mind so that a variety of commercial uses could occupy the space.

Business Centres Strategies and Actions (Continued)	Property Council Response
Strategy 4: Enhance the vibrancy and integration of local centres *Actions:* - Consider developing a place-based strategy for local centres that aims to partner with the shopping centre owners with a vision to incentivise restructuring centres rather than only implementing design treatments. This could include: (a) Incorporating higher density shop-top housing; (b) Encouraging the restructuring of standalone centres to incorporate a 'main/eat street' concept that acts as a more active interface for uses such as outdoor dining. This would require reconfiguring existing carparking and opening up the side interface of the existing shopping centre. - Subject to design and feasibility testing as part of the place-based approach, consider increasing the building height in local centres to incentivise redevelopment. - Where possible, community facilities should be integrated in centres rather than on stand-alone sites, this can increase passing trade and visitation numbers for local businesses. - Consider the opportunity to integrate higher density residential in and around local centres. This could include the opportunity for residential development to be delivered above car parking for the centre. - Consider undertaking a pedestrian and cycle study that explores opportunities and priorities to: (a) Identify safe connections within the walkable catchment of centres, (b) Enhance the walkability of catchments through cosmetic treatments, (c) Incorporate wayfinding elements for strategic connections. - Encourage new local centres to be designed as 'main street' concepts that have more desirable interfaces and sense of place. Creating informal spaces for people to meet and chat can enhance community vitality and belonging. New shopping centres should be encouraged to be delivered in a way that integrates with the street. - Consider the role and function of the new centre in relation to the existing centre at Claymore. While there is additional demand for around 12,000m^2, this could either be distributed evenly across both centres or consolidated in one centre to enable larger supermarket and specialty retail provision. A specific economic impact assessment should be undertaken to determine the implications of these options.	The Property Council supports this strategy and the seven (7) associated actions. We welcome moves to improve the viability and attractiveness of local centres through both planning controls and urban design initiatives. Sites adjacent to local centres should be encouraged to redevelop to increase density and provide greater diversity of housing types. Council and other agencies should develop place-based planning controls that align to the characteristics of a site or precinct and deliver an optimal economic and urban design outcome.

Business Centres Strategies and Actions (Continued)	Property Council Response
Strategy 5: Seek to provide clearer direction for B1 Neighbourhood centres adjoining education uses *Actions:* - In consultation with the State Government, consider exploring the possibility of rezoning school sites to a more appropriate zone that reflects the use, as part of the LEP review process, - For centres that adjoin school sites, seek to: (a) locate community facilities, such as libraries and halls, in adjoining centres to keep people in the centres longer and enhance passing trade and (b) enhance the connection or interface with the school to create safe environments and enhance passing trade opportunity. - To enhance the economic viability of centres, consider increasing residential density within a walkable catchment.	The Property Council supports this strategy and the three (3) associated actions. These actions are appropriate and should be discussed with State agencies to ensure that there is early agreement on Council's proposals.
Strategy 6: Neighbourhood Centres *Actions:* - Investigate opportunities to locate smart business hubs in neighbourhood centres to support home-based businesses and encourage greater visitation of centres. - Explore opportunities for pop-up activations in vacant tenancies to enhance activation and provide affordable space for new businesses. - As part of the structure planning process for the Greater Macarthur area, opportunities have been identified for three new larger local centres at Menangle Park, North Gilead and South Gilead. Demand modelling indicates that additional smaller neighbourhood centres should also be considered to provide convenience services within a walkable catchment of new residents. Investigate the opportunity for additional smaller neighbourhood centres in this area. - Investigate a building improvement project that encourages shop front renewal. - Consider investigating alterations to building height controls to encourage the revitalisation of neighbourhood centres and the opportunity to deliver greater residential density through shop-top housing outcomes. - Explore the opportunity for a new B1 Neighbourhood Centre to provide convenience retail uses for the St Helens Park community. - Consider enabling home occupation and home business and permissible uses within the zone.	The Property Councils supports this strategy and the seven (7) associated actions. In particular, the focus on encouraging activation and visitation of the city's neighbourhood centres by local residents.

From:
To: Council
Subject: CAMPBELLTOWN CITY COUNCIL DRAFT CAMPBELLTOWN STRATEGIC REVIEW OF EMPLOYMENT LAND STRATEGY AND BACKGROUND REPORT
Date: Friday, 30 October 2020 10:14:10 PM
Attachments: image001.png
ENDEAVOUR ENERGY GUIDANCE NOTES TO LOCAL GOVERNMENT VERSION 6 DRAFT OCTOBER 2020.pdf

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The General Manager
Campbelltown City Council

ATTENTION: Carolyn Whitten, Principal Planner LEP Review SUSTAINABLE GROWTH

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Dear Sir or Madam

I refer to Council's letter of 28 September 2020 regarding the Draft Campbelltown Strategic Review of Employment Land Strategy and Background Report. Submissions need to be made to Council by 30 October 2020.

Endeavour Energy's Asset Planning & Performance have reviewed the documents and noted that in the Draft Campbelltown Strategic Review of Employment Land Strategy, Section 2.5 'Guiding principles' includes 'Infrastructure –is aligned with current need and future growth' with the strategy being 'Appropriate and available water and wastewater services, sewerage and electricity'. The potential development outcomes such as some proposed high rises in Campbelltown and Ingleburn as well as some known greenfield developments (which will need new zone substations at Gilead and West Appin for which discussions are underway with the developers to organise the location of future zone substations) have been noted but they have no specific comments or concerns regarding the planning proposal.

Endeavour Energy is also aware of the Council's Local Strategic Planning Statement vision for 2040 (LSPS). Whilst Endeavour Energy has not reviewed the Council's LSPS please find attached draft of Endeavour Energy's 'Guidance Notes for Electricity Distribution'. The guidance notes are based on Endeavour Energy's recent experience with planning proposals for new precincts / rezonings and significant development applications and has been provided to other councils in reviewing their LSPSs. It provides an overview of Endeavour Energy believes are the issues affecting the electricity distribution network that need to be considered by councils in determining and conditioning consents. Whilst Endeavour Energy appreciates that not all the issues identified in the notes may be directly or immediately relevant or significant to the planning proposal, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development envisaged occur. Endeavour Energy would appreciate any feedback from councils on the guidance notes – particularly in regards to how they may be improved or any additional detail that may be required to assist councils.

Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me. Due to the high number of development application / planning proposal notifications submitted to Endeavour Energy, to ensure a response contact by email to property.development@endeavourenergy.com.au is preferred.

With the current COVID-19 health risk, as many as possible of Endeavour Energy staff are working from home. As a result there is only a small contingent located at the Huntingwood head office for essential operations. Although working from home, access to emails and other internal stakeholders is now somewhat limited and as a result it may take longer than usual to respond to enquiries. Thank you for your understanding during this time.

Yours faithfully

Development Application Specialist
Network Environment & Assessment

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23 October 2020

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

Attention: David Smith: David.Smith@campbelltown.nsw.gov.au
and: council@campbelltown.nsw.gov.au

Dear Lindy,

RE: COUNCIL'S DRAFT STRATEGIC REVIEW OF EMPLOYMENT LAND STRATEGY

Thank you for the opportunity to make this submission with respect to the implications of the abovementioned study on Minto Marketplace.

Minto Marketplace is anchored by a full-line Woolworths supermarket and a K-Mart Discount Department Store (DDS) and offers around 18,000m² of retail floorspace servicing the local Minto, St Andrews, Leumeah and north Campbelltown catchments. The centre incorporates over 60 specialty stores including a variety of fashion and beauty stores, a newsagency, travel agencies, real estate, tax, banking and postal services, a food court and other facilities.

The shopping centre is centrally located at the corner of Pembroke and Ben Lomond Roads, approximately 600m from the Minto rail station.

Originally known as Minto Mall, the centre was constructed in 1981. Minto Mall was purchased by the Murdocca Group in 2013 and rebranded as Minto Marketplace. Under its new management, the centre has benefitted from a $20million refurbishment program.

Keeping a shopping centre attractive to the market is, however, an ongoing pursuit and further refurbishments at Minto Marketplace are in train. A Development Application involving a reconfiguration of the Woolworths supermarket, an expansion of al fresco dining options, the introduction of child care services and other adjustments of retail floorspace will shortly be lodged with Council.

This application reflects a broader trend across suburban Sydney whereby local shopping centres are increasingly expected by the communities they serve to offer more than a shopping 'experience' – they now provide a range of professional and family-oriented services, entertainment, dining, transport connections and play a vital role in providing local employment opportunity, especially for women and teenage children.

The Murdocca Group is to ensure that its asset remains relevant to the market and is able to adapt to change as required. Other factors also are likely to drive a more holistic transformation of the centre over time. Recent

COVID experiences have reinforced the importance of local neighbourhoods in building and maintaining community wellbeing and in becoming a workplace of choice for many residents.

In addressing these trends local 'shopping' centres will be called upon to accommodate a much broader range of employment activity and will, correspondingly, become both necessary and preferred locations for new housing, supporting the range of services on offer and strengthening local '7-11' economies.

These changes are positive and ought to be encouraged where the urban fabric allows. They go hand-in-hand with questions asked as to what steps can be taken to create better centres and more liveable neighbourhoods.

Whilst Minto Marketplace strives to meet the needs of its local catchment, the reality is that it underperforms as a centre – in terms of the range of services offered, its depth of employment opportunity, its contribution to the local evening economy and in terms of its walkability, amenity and its housing offer. Although strategically located its 7-hectare site presents as a barrier to the connection of surrounding areas despite the fact that it is largely under-developed.

The owners of Minto Marketplace are encouraged by Hill PDA's observations and the recommendations it makes in its strategy review of Campbelltown's employment lands. Minto Marketplace is keen to work with Council to deliver a better centre for the people of Minto and is confident that the recent strategy review lays the foundation for this conversation to begin.

At ***Appendix A*** we list relevant observations and strategy recommendations presented in Hill PDA's report and provide a concluding commentary with respect to their relevance to Minto Marketplace.

In summary, Minto Marketplace believes that its centre has more to offer the local community and that its development over time can complement that which is planned for the Minto town centre. This potential is clearly identified and supported by Hill PDA's strategy review.

On this basis Minto Marketplace welcomes Council's continued interest in achieving the review's objectives and looks forward to working with Council to achieve these outcomes.

Yours Sincerely,

Director - Minto Marketplace

APPENDIX A – KEY OBSERVATIONS & ACTIONS FROM COUNCIL'S EMPLOYMENT LANDS REVIEW

1. EMPLOYMENT LANDS

Observations:

a. Between 29,000 and 38,000 jobs are required in employment precincts to meet future population growth, this would generate a need for an additional 928,000 to 1.8 million square metres of floorspace to 2041.

b. The supply deficit of employment land in the LGA would reach critical levels if land along the Glenfield to Macarthur Corridor was rezoned for other uses.

c. An increasing number of companies are keen to provide a pleasant working environment for their employees as it helps them to attract and retain talent. Employees like to have access to basic services such as a childcare, bank or gym, and convenience retail services. Businesses benefit from having services nearby.

Suggested Strategies:

- Retain employment precincts along the Glenfield to Macarthur Renewal Corridor at Ingleburn, Minto and Campbelltown.

- Promote the competitive advantage of Campbelltown LGA.

Suggested Actions:

- Existing employment zones at Minto, Ingleburn and Campbelltown should be protected from residential development.

- Postpone rezoning of employment precincts until the renewal of eastern centres has come to fruition in particular, industrial areas around Ingleburn and Minto should be protected. A future review of these areas can be undertaken once residential supply on the eastern side of the railway has been established, and a future employment land review is conducted.

- Deliver better places of employment through the retention of convenience retail uses and improved connectivity to surrounding open space and services.

2. BUSINESS CENTRES

Observations:

a. The centres of Campbelltown, Ingleburn, Macquarie Fields, Glenfield, Minto and Leumeah will need to consider incorporating a non-residential planning mechanism in order to meet future demand. In the case of Ingleburn, Minto and Leumeah, it is unlikely that a ground floor only solution will be appropriate, however a centre wide ground and first floor outcome is not required. This is consistent with the planning proposals for Minto and Ingleburn CBD.

b. While it is important to protect commercial floor space provision, introducing residential uses can help support the viability of centres and boost business vibrancy and revenue. Centres in close proximity to good public transport services are more likely to experience the benefits of this change.

c. Consider increasing residential development within walkable catchments of local centres where it can be done without reducing the net amount of commercial floorspace. Centres along the Glenfield to Macarthur rail corridor would be most appropriate for increased residential density through mixed-use or stand-alone residential developments.

Suggested Strategies:

- Establish and reinforce a clear centre hierarchy across the LGA to provide clarity to the market around growth expectations and the desired role and function of centres.
- Support the renewal of the transit-oriented local centres to work towards achieving the vision of the Glenfield to Macarthur Urban Renewal Corridor Strategy the centres to the east of the rail line provide considerable opportunity for urban renewal and higher density development. These centres have the capacity to deliver more jobs and homes closer to public transport, enhancing accessibility, liveability and viability for businesses.
- Enhance the vibrancy and integration of local centres.

Suggested Actions:

- Consider rezoning the centres at the Minto and Leumeah rail stations to B4 Mixed Use to enhance the viability of the centres and increase residential density within their walkable catchment.
- Consider developing a place-based strategy for local centres that aims to partner with the shopping centre owners with a vision to incentivise restructuring centres ... This could include:
    - Incorporating higher density shop-top housing
    - Encouraging the restructuring of standalone centres to incorporate a 'main/eat street concept' this would require reconfiguring existing car parking and opening up the side interface of the existing shopping centre.
- Subject to design and feasibility testing as part of the place-based approach, consider increasing the building height in local centres to incentivise redevelopment.
- Where possible, community facilities should be integrated in centres rather than on stand-alone sites, this can increase passing trade and visitation numbers for local businesses.
- Consider the opportunity to integrate higher density residential in and around local centres. This could include the opportunity for development to be delivered above car parking.
- Consider undertaking a pedestrian and cycle study that explores opportunities and priorities to provide a safe and walkable catchment with strategic connections.

Comment:
The study's observations relate to industrial and business lands but are relevant to the delivery of services and amenity more generally across the LGA. For Minto, they help to frame the important ongoing role that Minto Marketplace performs, and will continue to perform, for its worker and resident communities.

Minto Marketplace occupies 7 hectares of strategically located urban land. The site is suited to a range of employment opportunities, to a more expansive service offering, to new housing (both freestanding and atop of commercial floorspace) and can be designed to better connect to its surrounding areas and services.

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Our ref: 20495

30 October 2020

City Development – Draft Campbelltown Strategic Review of Employment Land
Campbelltown City Council
Po Box 57
CAMPBELLTOWN NSW 2560

Dear Sir/Madam,

RE: Planning Submission – Draft Industrial Lands Strategy 2036

1 INTRODUCTION

This planning submission (submission) has been prepared by KDC Pty Ltd (KDC) on behalf of our client, Keneco Property Pty Ltd. This submission is generally in support of the Draft Campbelltown Strategic Review of Employment Land Strategy, subject to consideration of the recommendations outlined below. The submission specifically relates to sites at 189 Airds Road, Leumeah, 48 Blaxland Road, Campbelltown, and 159 Airds Road, Minto.

Keneco Property has appointed KDC to assist in developing a response to the Draft Campbelltown Strategic Review of Employment Land Strategy.

We understand that the Draft Campbelltown Strategic Review of Employment Land Strategy is on public exhibition until 30 October 2020 so interested parties can make a submission. Keneco Property appreciates the opportunity to provide written input regarding the planning proposal.

2 BACKGROUND

The Draft Campbelltown Strategic Review of Employment Land Strategy has been prepared by HillPDA on behalf of Campbelltown City Council. The purpose of this the strategy is to inform the review of the Campbelltown Local Environmental Plan (LEP) 2015 to ensure that it algins with State Government objectives, particularly being the visions of the Western City District Plan and future growth targets. The strategy relates to all industrial and business zoned land within the Campbelltown Local Government Area (LGA) and therefore applies to the Keneco Properties sites within the LGA.

3 SITE

This submission specifically relates to three sites located within the Campbelltown LGA, being:

+ 189 Airds Road, Leumeah (Figure 1);
+ 48 Blaxland Road, Campbelltown (Figure 2); and
+ 159 Airds Road, Minto (Figure 3).

The Leumeah site is zoned IN1 General Industrial, the Campbelltown site is a deferred matter, however, is zoned a 4(b) – Industrial under Campbelltown (Urban Area) LEP 2002, and the Minto site is zoned B5 Business Development. Land zoned IN1 and B5 are identified within the study as being employment precincts, and therefore the study is relevant to the above sites. The deferred matter land is also considered an employment precinct.

Figure 1 – Locality Plan – 189 Airds Road (Source: Planning Portal)

Figure 2 – Locality Plan – 48 Blaxland Road (Source: Planning Portal)

Figure 3 – Locality Plan – 159 Airds Road (Source: Planning Portal)

4 DISCUSSION

Given the subject sites are located within Employment Precincts, this submission has focused on Section 2 of the Strategy relating to employment precincts. The sites are specifically located within the Minto, Leumeah and Campbelltown/Blaxland Road employment precincts.

Section 2.4 Employment precinct market trends

Table 3 of Chapter 2 discusses market trends throughout Campbelltown, the below provides comments to some of the suggestions with Table 2.

Non-traditional uses within industrial areas

This section notes that industrial precincts are increasingly being occupied by other non-traditional uses such as knowledge intensive businesses, large format retailers and factory outlets and education/health services. The strategy seeks to avoid these uses as they can increase market rents and land values in industrial precincts. As a result, the strategy recommends that permitted uses in industrial areas should be limited to those that require separation from sensitive receivers. This includes prohibiting self-storage and landscaping material supplies from the IN1 General Industry area and permitting vehicle body repair workshop and plant nurseries in the IN2 zoned land.

Keneco Property does not believe that limiting uses within industrial zones lands is necessary and that the land should instead cater for modern demands. The Greater Sydney Region Plan seeks to retain, grow and enhance industrial land and in order to do so recommends the monitoring of industry needs, trends and new technologies. It appears that the Strategy is responding to the changing needs and trends throughout the industry by limiting land uses rather then catering for these trends. Notwithstanding, the Strategy does acknowledge that an appropriate supply of B5 Business Development and B7 Business Park zoned land needs to be provided to reduce the pressure on IN1 and IN2 zoned industrial land.

Keneco Property supports this and recommends that should Council limit land uses within the IN1 and IN2 zones, that further land with appropriate zoning that allows for these changing industrial uses to be made available.

The proximity of employment precincts to key transport routes

The importance of industrial lands being located within proximity to key transport routes is acknowledged within Table 2 and as a result, the strategy recommends that new industrial land should made in Campbelltown in these types of locations, particularly to the south of Macarthur. Keneco Property would be supportive of additional employment lands being created that have strong access to transport routes. Keneco Property would welcome the opportunity to be involved in the planning of new employment land.

CLEP 2015 Height Limits

Table 2 acknowledges that land stock in Campbelltown is becoming constrained and scarce and as a result recommends that Council consider removing height controls in industrial precincts completely to enable greater development opportunity and adaptability as industry needs change. Keneco Property supports this recommendation and believes that the removal of height limits will reduce pressure on industrial land and provide appropriate development throughout employment precincts, particularly if permissible land uses are to be limited.

2.6 Future demand and capacity

Future demand and capacity

Section 2.6 of the Strategy discusses future demand and capacity. The strategy notes that the current provision of zoned employment land is not adequate to meet future demand requirements. The section of Strategy again recommends that land in the Greater Macarthur be zoned to support new employment precincts. Keneco Property supports this recommendation and would appreciate the opportunity to be involved in future planning.

2.7 Strategies and actions

2.7.1 Strategy: Promote the competitive advantage of Campbelltown LGA

Strategy 2.7.1 seeks to promote Campbelltown as a place to invest. To do so the Strategy looks to work closely with large industrial proponents to identify and address expectations and potential development issues early. Keneco Property would welcome the opportunity to work with Council in identifying and addressing potential development issues.

2.7.2 Strategy: Deliver a sustainable pipeline of land for employment precincts.

Strategy 2.7.2 has been implemented to assist in delivering additional employment precincts throughout the LGA, particularly in Macarthur through amending the Greater Macarthur Structure Plan. Keneco Property supports this Strategy and its associated actions.

2.7.3 Strategy: Increase the capacity of existing employment precincts

Strategy 2.7.3 looks to amend planning controls to encourage development that maximises land potential and create greater flexibility in terms of permissible uses and parking controls. Keneco Property agrees that greater flexibility is required throughout employment precincts particularly in order to respond to future demand. Keneco Property supports Strategy 2.7.2 and its associated actions.

2.7.6 Strategy: Define a clear future role and function for the Deferred Matter Land at Campbelltown

Strategy 2.7.6 applies to Deferred Matter Land at Campbelltown. One of Keneco Property's sites is within this Deferred Matter Land, see Figure 4 below.

Figure 4 – Deferred Matter Land (Source: Draft Campbelltown Strategic Review of Employment Land Strategy)

It is understood that Council is interested in establishing a clear planning framework for the Deferred Matter land. Therefore, the action accompanying Strategy 2.7.6 provides three land use options for the land which are to be investigated further. The land use options identified in the strategy for the land are as follows:

- Option 1: High Amenity Business Tech Park
- Option 2: Extension of Large Format Retail
- Option 3: Light industrial function

Keneco Property is supportive of both options 2 and 3. Keneco Property believes that Options 2 and 3 are consistent with the existing land uses along Blaxland Road. It is considered that future development in accordance with Option 2 or 3, would complement and support the existing development along Blaxland Road. It is considered that Option 1 would be inconsistent with surrounding development and would be better placed in town centres.

Keneco Property would appreciate the opportunity to work with Council in coming to an agreement on the future land use for this land.

5 CONCLUSION

This planning submission is lodged in general support of the the Draft Campbelltown Strategic Review of Employment Land Strategy and agree that the strategy, particularly Section 2 will encourage future growth and stability of employment precincts throughout the LGA. However, Keneco property requested that Council take into consideration the recommendations and comments provided within Section 4 of this submission.

Campbelltown City Council is commended for taking initiative in maintaining and retaining the industrial lands across the LGA. Keneco Property would welcome being involved or consulted further if the opportunity arose.

If there are any questions relating to the above submission, please do not hesitate to contact me on

Yours sincerely,

Client Director
KDC Pty Ltd

From: Over to you Campbelltown
To: overtoyou; Council
Subject: Anonymous User completed Online Submission
Date: Wednesday, 14 October 2020 1:43:13 PM

Anonymous User just submitted the survey Online Submission with the responses below.

Is your submission/feedback?

Unsupportive

Please enter your submission

I do not support the Campbelltown Council's Draft Campbelltown Strategic Review of Employment Land Strategy, for the following reasons: 1) The Original Glenfield to Macarthur (Urban Corridor Renewal Strategy) has been in the Planning System for quite some time now (since originally proposed, in 2015). Why has it taken Council this long to raise an objection to the original plan for this? Planning for this project is now far advanced. Surely Council could have raised these issues much earlier in the planning process, instead of further delaying a large-scale project, which is vital for Australia's overall economic recovery, given the dire state of the current economic climate. I would appreciate being told about the reasons for this. It would also appear contrary to the much-publicized Draft LSPS (released, with much fanfare, in 2019). Could you please, further explain, these points? 2) In reference to the proposed high rise (within a 400m radius of the Ingleburn Train station, on the Industrial Side of the station), my observations are as follows: a) Developing the abovementioned area would NOT result in a net loss of jobs; instead, many more jobs would likely be created by rezoning this land R4 (highrise). Initially, many additional construction jobs would be created in the building of these home apartments (at a proposed agreed minimum height of 8 stories, with further provisions to attain a height of 12 stories - if deemed necessary). b) The original plans call for commercial spaces/shops, etc on the ground floor of the proposed (8 story, high-rise apartments), to "activate" these buildings, (and associated retail spaces). This would likely result in a large increase in permanent jobs, rather than as council claims, an overall loss of such jobs. I would also ask why these (original) planning scenarios were not presented (as a comparison) in the Consultant's Report, (as this does not present a balanced and realistic view of the overall picture). c) Furthermore, rejuvenation of the Wider Ingleburn Industrial Precinct would (again) result in further additional jobs which would likely exceed the loss of the small number of permanent jobs, which currently exist within the 400m proposed Highrise Zone (R4 zoning, for Ingleburn). d) The Council's desire to keep all of the Ingleburn Industrial Area as Employment Land, is not, in my opinion, realistic, and goes contrary to the spirit of the Glenfield to Macarthur Urban Renewal Corridor Plans, which (as I have mentioned) are at an advanced stage of planning. I have lived in this area (Ingleburn), as a ratepayer, for almost 20 years, now; so I feel that I have a good understanding of the area, and of the issues, that I have raised here. I will be writing similar letters (to this one) to The NSW Department of Planning and Environment; and to the Greater Sydney Commission, as I have strong feelings about this issue. Also, if appropriate I will also write to other Relevant Planning Bodies, outlining my concerns (in a similar way), to the letter, which I send to the Council, here. I wish to thank you for your time in reading and considering this letter, and anticipate your reply. Yours Sincerely, Simon James Rovelli

From: Over to you Campbelltown
To: overtoyou; Council
Subject: Anonymous User completed Online Submission
Date: Sunday, 11 October 2020 10:46:20 PM

Anonymous User just submitted the survey Online Submission with the responses below.

Is your submission/feedback?

Unsupportive

Please enter your submission

I don't agree with retaining the industrial zoning for the old residential blocks in the industrial side of Ingleburn train station. The blocks are too small for commercial development for industrial use. The GTM strategy of rezoning those blocks to high rise residential will achieve a better result for the region in renewing the built environment. Between now and 2041 they will continue to have old houses on them and still be used for residential purposes but remain an eyesore as one of the first sights workers are greeted with when they arrive to ingleburn via rail. I just cannot see the incentive either for developers to invest in Industrial developments given the small size of the blocks, or for current owners to move them on.

From: Over to you Campbelltown
To: overtoyou; Council
Subject: Anonymous User completed Online Submission
Date: Monday, 12 October 2020 12:25:16 PM

Anonymous User just submitted the survey Online Submission with the responses below.

Is your submission/feedback?

Neutral

Please enter your submission

With respect i am owner of 14 Liverpool Street ingleburn. Please allow us to build storages and house or house and granny flat currently its light industrial zone whereas I am not allowed to build anything. If you allow us to build storages and house it will help both and we can save industrial land so people can come for employment as well as living. If study says keep the industry land for employment then please allow us to build storage for employment and flat on top for living so we live on first floor and ground floor for storage. Please make every one happy. I am sorry I will not sale my land. My house it's so old. Please allow us rezoning so we can build something to help society and make happy to everyone thanks [redacted] I look forward to hearing from you thanks [redacted]

From: Over to you Campbelltown
To: overtoyou; Council
Subject: Anonymous User completed Online Submission
Date: Monday, 12 October 2020 8:32:03 PM

Anonymous User just submitted the survey Online Submission with the responses below.

Is your submission/feedback?

Neutral

Please enter your submission

Please give permission to make house with granny flat or make storage with units etc.....

9 November 2020 Ref: WTJ20-500_Submission

WILLOW TREE PLANNING

ACN: 146 035 707 ABN: 54 146 035 707
Suite 4, Level 7, 100 Walker Street
North Sydney NSW 2060
P: 02 9929 6974
enquiries@willowtreeplanning.com.au
www.willowtreeplanning.com.au

City Development – Draft Campbelltown Strategic Review of Employment Land
Campbelltown City Council
PO Box 57
Campbelltown NSW 2560

Attention: Rana Haddad

RE: PLANNING SUBMISSION TO DRAFT CAMPBELLTOWN STRATEGIC REVIEW OF EMPLOYMENT LAND

Dear Rana,

This Planning Submission has been prepared by Willowtree Planning Pty Ltd on behalf of Charter Hall, in relation to the draft Campbelltown Strategic Review of Employment Land ('Strategic Review'). This Submission has focused on the impacts of the Strategic Review on multiple Charter Hall industrial assets within Campbelltown Local Government Area (LGA).

The Strategic Review includes both a Strategy and Background Report, prepared by Hill PDA for Campbelltown City Council. The aims of the Strategic Review include protecting and expanding Campbelltown's employment land in order to attract new businesses and industries and provide more local employment opportunities.

The aims and objectives of the Strategic Review are supported, and the Strategies and Actions devised within the Strategic Review are commended insofar as they seek to promote the growth and strength of Campbelltown's employment lands and economy. Accordingly, this Submission makes a number of recommendations to support the implementation of the Strategic Review:

- Removal of height controls from industrial-zoned land to support an increased density of employment-generating development and/or a wider variety of industrial uses.
- No Floor Space Ratio (FSR) control for industrial-zoned land. It is noted this reflects the existing *Campbelltown Local Environmental Plan 2015* (CLEP2015) controls.
- More flexible land use permissibility within the industrial zones to support the diversity of emerging employment-generating uses recognized by the Strategic Review in the context of shifting trends across the industrial sectors.
- Comprehensive review of the Development Control Plan (DCP) as current controls, for example setbacks and car parking controls, are outdated and unreasonably restrict built form development.
- 24/7 operations within the employment lands precincts of Minto and Ingleburn.
- Ongoing review of the highest and best use for the LGA's employment precincts, including in light of residential and commercial capacities.

Planning Submission
Draft Campbelltown Strategic Review of Employment Land
Multiple Charter Hall Industrial Assets in Campbelltown Local Government Area

These recommendations would support the highest and best use of industrial-zoned employment lands and optimize their contribution to Campbelltown LGA.

Accordingly, it is requested that the recommendations presented within this Submission are duly considered by Council.

Should you wish to discuss the matter further, please do not hesitate to contact Willowtree Planning.

Yours Faithfully,

Director
Willowtree Planning Pty Ltd

1. SITE IDENTIFICATION AND DESCRIPTION

This Submission is made in relation to the following five (5) Charter Hall industrial assets:

Table 1. Site Identification		
Street Address	**Legal Description**	**Current Use & Development**
6 Benson Rd, Ingleburn	Lot 64 DP 263978	Inghams food-processing facility within a 7,748m² warehouse on a 2.9ha site.
42 Airds Rd, Minto	Lot 5070 DP 807078	Distribution centre with an area of 10,766m² on a 2.6ha site.
1 Culverston Rd, Minto	Lot 1 DP 1223938	Three (3) detached warehouses with a combined area of 18,671m².
5-7 Culverston Rd, Minto	Lot 3 DP 817793	Vehicle depot/car storage facility on a 6.6ha site.
6 Hepher Rd, Campbelltown	Lot 1 DP 1190825	Storage facility within a 17,765m² warehouse on a 5.5ha site.

Accordingly, all sites currently serve industrial, warehousing, distribution, logistics and storage purposes.

The locations of the subject sites are shown in **Figures 1-5**.

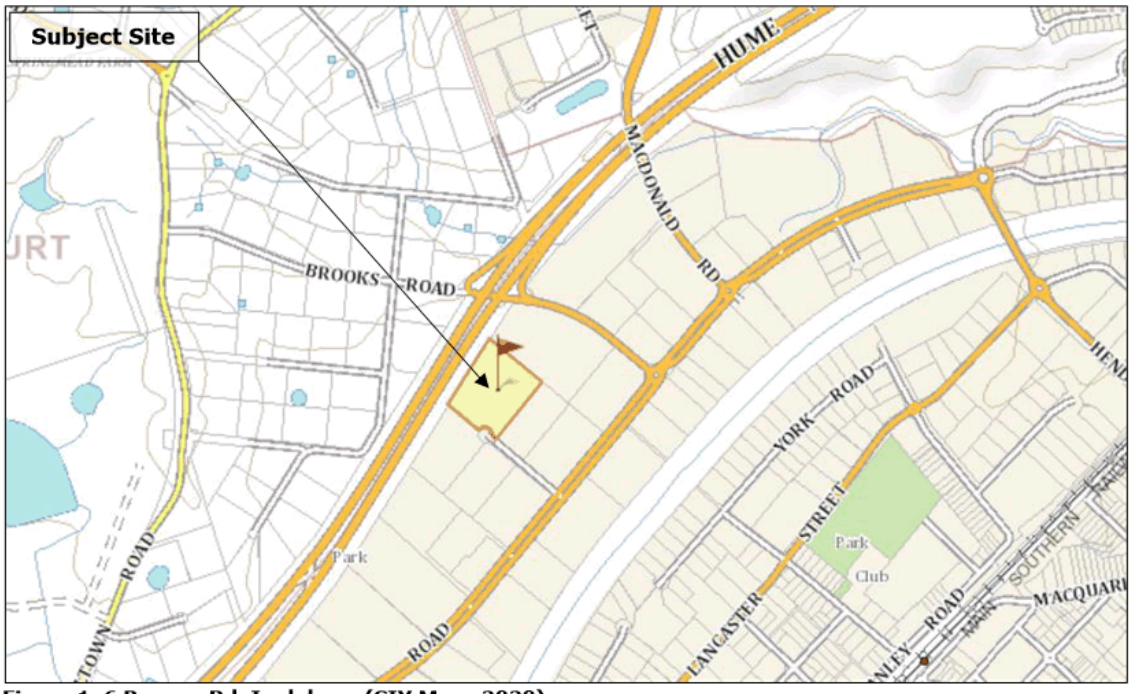


Figure 1. 6 Benson Rd, Ingleburn (SIX Maps 2020)

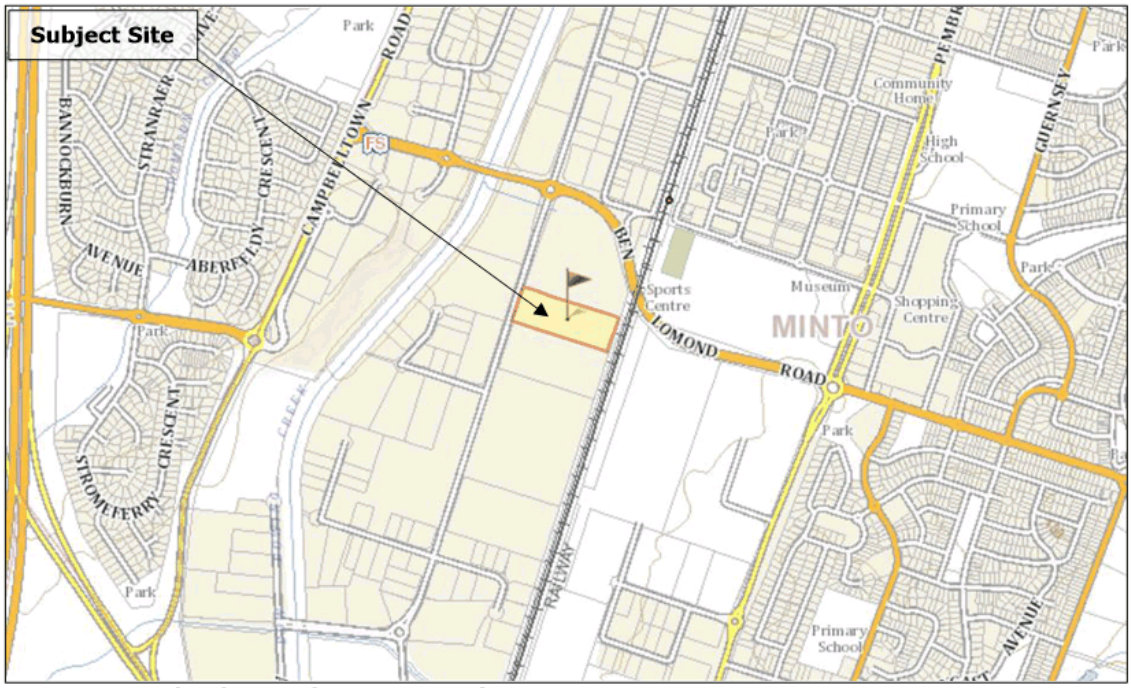


Figure 2. 42 Airds Rd, Minto (SIX Maps 2020)

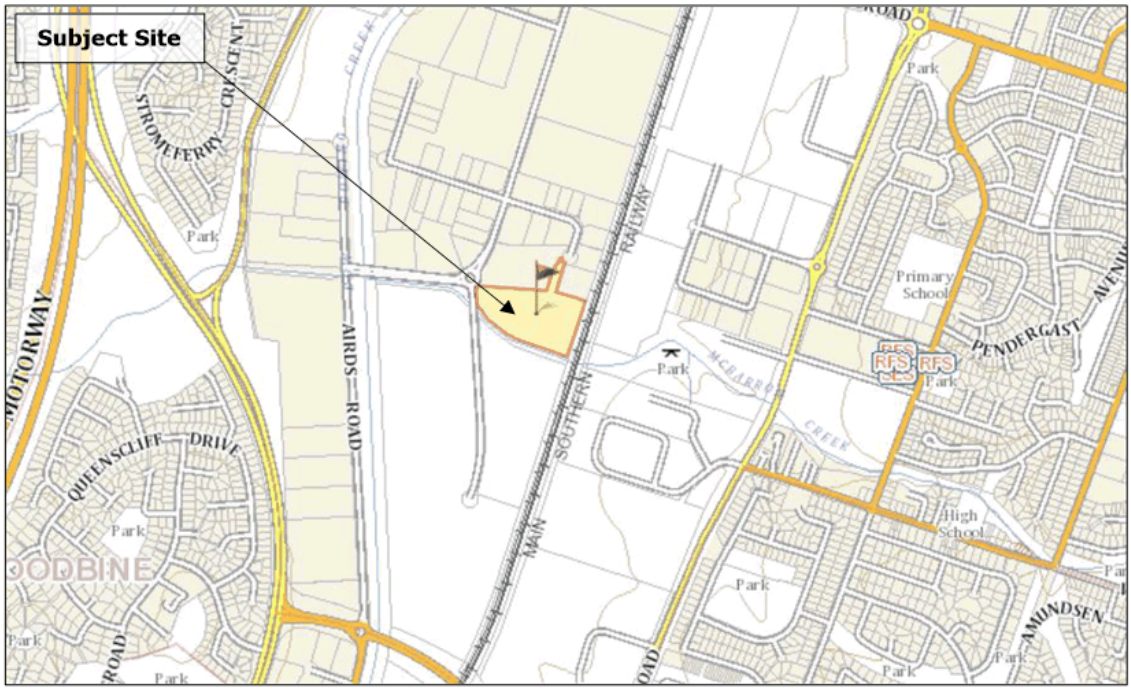


Figure 3. 1 Culverston Rd, Minto (SIX Maps 2020)

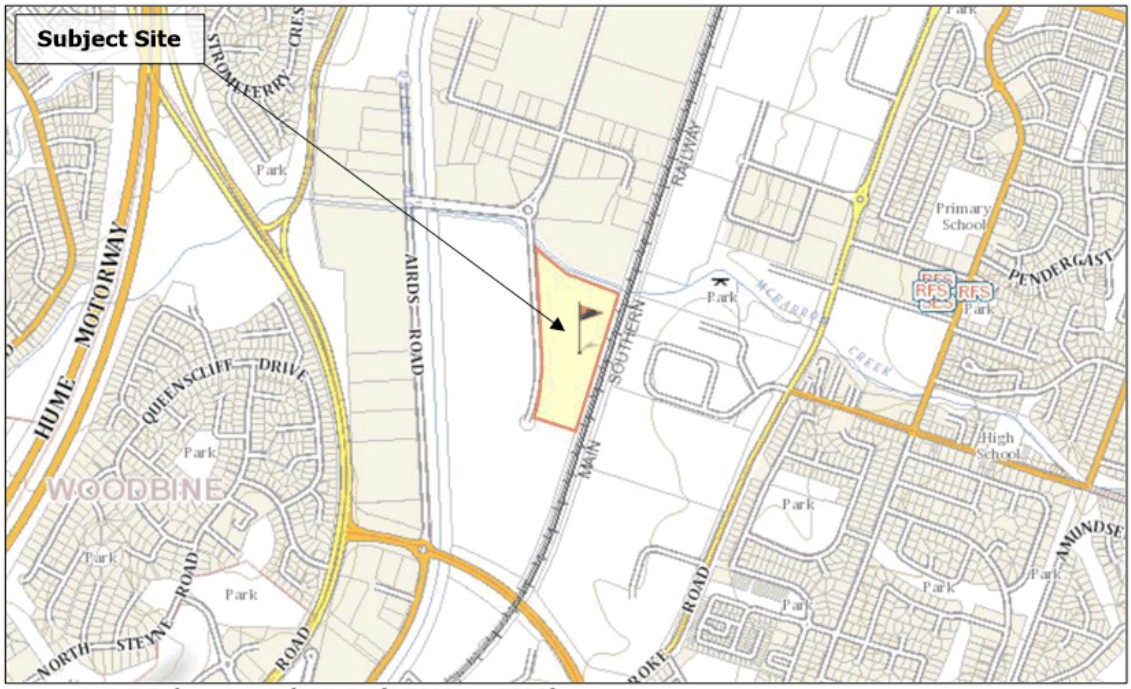


Figure 4. 5-7 Culverston Rd, Minto (SIX Maps 2020)

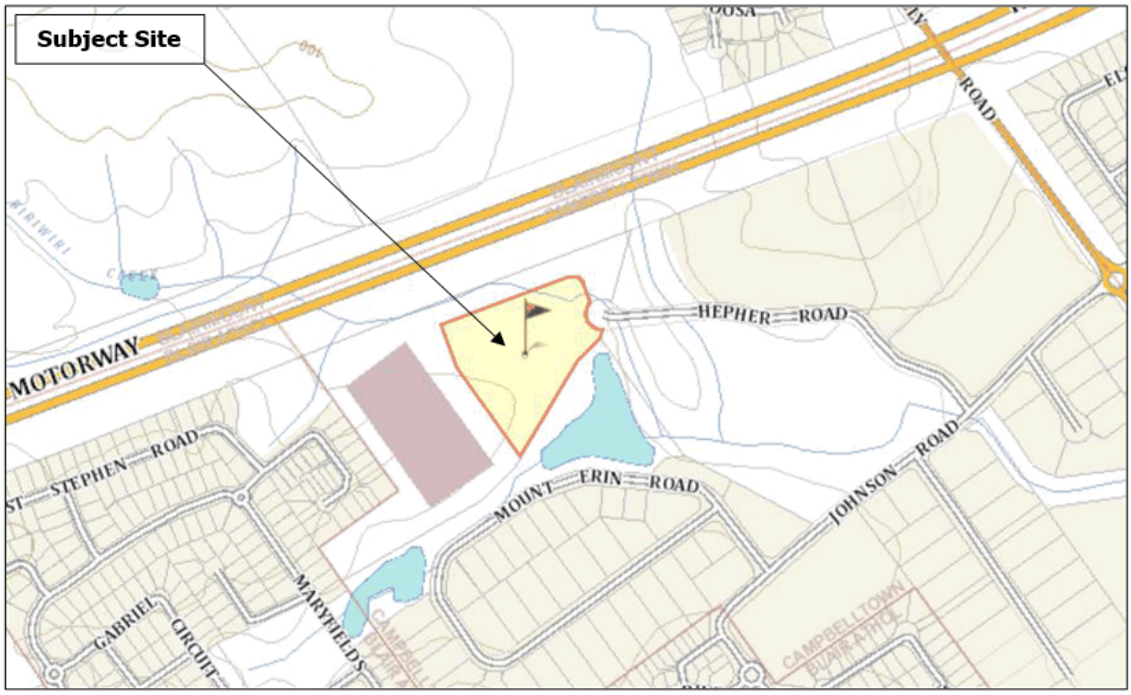


Figure 5. 6 Hepher Rd, Campbelltown (SIX Maps 2020)

2. CURRENT PLANNING FRAMEWORK

All sites are subject to *Campbelltown Local Environmental Plan 2015* (CLEP2015).

The four (4) sites located in Ingleburn and Minto are all currently zoned *IN1 General Industrial.* The site of 6 Hepher Road, Campbelltown, is zoned *IN2 Light Industrial*. The positioning of the sites in the context of all employment precincts within the LGA is shown in **Figure 6**.

Accordingly, types of uses that are currently permitted with consent on the IN1-zoned sites include general industries, light industries, warehouse and distribution centres, depots and storage premises. Within the IN2 zone, permitted uses include light industries, warehouse and distribution centres, depots, self-storage units, specialised retail premises and wholesale supplies.

The development standards consistently applicable to *all* of the subject sites, are outlined as follows:

- 4,000m² minimum lot size.
- 12m maximum building height.
- No maximum Floor Space Ratio (FSR).

On the basis of the current zoning and development standards, it is considered that any future redevelopment or change of use for the sites would generally be limited to similar industrial/warehouse-type purposes.

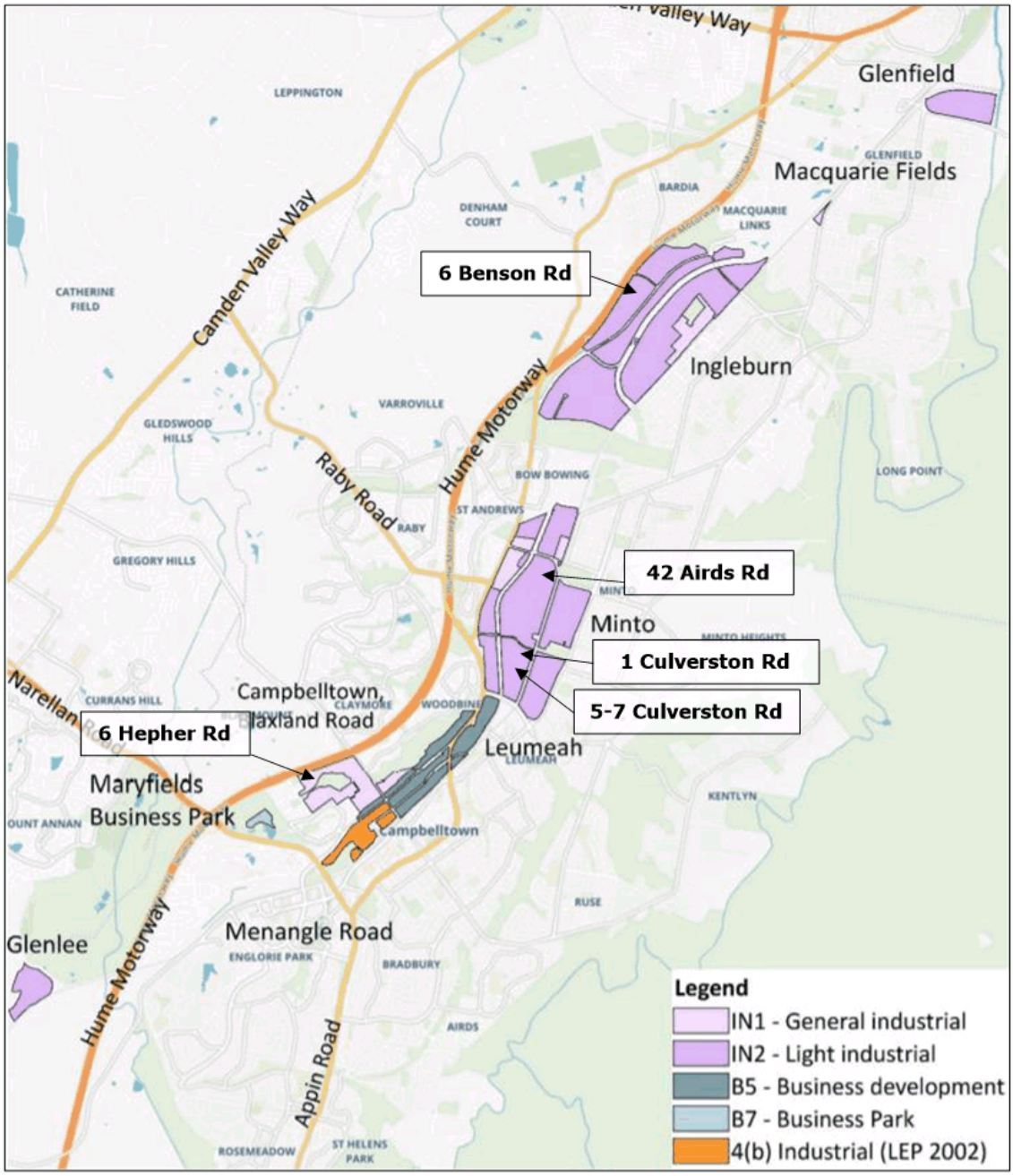


Figure 6. Employment Precincts in Campbelltown LGA (Hill PDA 2020)

3. KEY POINTS OF THE STRATEGIC REVIEW RELEVANT TO THE SUBJECT SITES

The Strategic Review seeks to position Campbelltown as an attractive place to do business, invest and work, meaning building on its competitive advantage and promoting its strengths. The Strategic Review recognises that the industrial areas are productive, however, future expansion opportunities are constrained with a need for existing areas to densify and lead by example in supporting new-age manufacturing and transport and logistics. The Strategic Review identifies key opportunities for the LGA, including to:

- Support and strengthen the established manufacturing and transport, warehouse and logistics industry.
- Support the growth of emerging industries such as agribusiness and food product manufacturing.
- Provide infrastructure and amenities to support workers and businesses.
- Plan for, and leverage off, the Western Sydney Aerotropolis, the Outer Sydney Orbital motorway and the freight rail line.
- Grow communities with employment, education and community services.

These aims are supported, however current constraints are observed which would preclude their achievement without amendment to the current Planning, land use and built form controls. It is therefore requested that Council consider not only the objectives and vision formulated by the Strategic Review, but also recognizes the legislative and policy changes that would be required to achieve the ultimate vision for employment lands and a local economy that grow stronger into the future.

To this effect, the Strategic Review outlines a number of strategic directions, including the following:

- Encourage the redevelopment and higher utilisation of existing employment land, to assist in delivering more floor space and meeting future demand.
- Secure a sustainable long-term supply of appropriate employment land, noting that forecasts indicate the current supply of zoned employment land (particularly industrial land) is insufficient to meet future needs.
- Revisit planning controls and ensure they align with future growth expectations, in order to attract investment.
- Deliver a diversity of jobs.
- Retain and improve centres and employment precincts while still facilitating development and employment opportunities.

All these strategic directions are supported. It is considered though that greater attention needs to be directed to the nexus between the unmet demand for additional employment space and jobs, and the *need* for the densification of zoned employment land and flexibility in Planning controls.

This is particularly relevant in the context of the demand modelling conducted by the Strategic Review. Floorspace demand modelling indicates that an additional 928,000 – 1.8 million square metres of floorspace would be required by 2041 to provide the 29,000 – 38,000 jobs required in employment precincts to meet future population growth. To assess the likely demand for additional lands stocks, three (3) developable FSR scenarios were applied to the 750.8ha of employment precinct zoned land currently within Campbelltown LGA. The capacity assessment found that:

- Scenario 1: Under the 0.5:1 developable FSR scenario, there would be an undersupply of employment precinct land of 112 – 284ha.
- Scenario 2: Under the 0.75:1 developable FSR scenario, there would be an undersupply of employment land of 50 – 165ha.
- Scenario 3: Under the 1:1 developable FSR scenario, there would be an undersupply of employment land of 19-105ha.

This modelling highlights the value of increased densities and justifies the relaxation of Planning controls. The Strategic Review is however considered to not adequately acknowledge the value of the 1:1 FSR

scenario (Scenario 3) despite the substantially enhanced contribution it makes to meeting the forecast demand and need.

Further to the above, the Strategic Review nominates a number of Planning responses, strategies and actions, to promote the competitive advantage of Campbelltown LGA, secure jobs, encourage investment, drive economic productivity and innovation, quickly deliver additional industrial development, and increase the capacity of existing employment precincts. Those strategies and actions of greatest relevance to the subject sites are addressed below:

- The Strategic Review recommends that permitted uses in industrial areas should be limited to those that require separation from sensitive receivers. Whilst the importance of protecting industrial-zoned land for industrial purposes is acknowledged, and whilst the need for buffering against sensitive uses is likewise recognized, it is cautioned that any further limits on permitted uses would severely undermine the other objectives of the Strategic Review including as they relate to the diversification of employment-generating activities, attraction of investment, and strength of the local economy.

- Elsewhere, the Strategic Review considers amending the approach to the LEP Land Use Tables for the IN2 and B5 zones, to be open rather than closed i.e. listing prohibited uses and then enabling other uses to be permitted with consent. This approach is supported as it would promote greater flexibility of employment uses.

- The Strategic Review recognizes that increased automation may enable the opportunity for greater site utilisation with reduced parking demand and opportunity for multi-storey and high bay industrial types. This is agreed, and accordingly the need for Planning controls to be adapted is emphasized.

- Accordingly, we support the Strategic Plan's 'Action' of amending the DCP to add greater flexibility around parking rates by applying a merit-based assessment rather than hypothetical future uses assessment. Strict numerical controls should be set aside in favour of an assessment of average staff and visitor requirements of similar types of development. This information could be provided as part of a development specific traffic impact assessment.

- It is also agreed that strict numerical controls relating to setbacks should be reviewed to encourage small setbacks that provide meaningful landscaping, pedestrian access and pedestrian amenity.

- Similarly, the Strategic Review asserts that 'upward redevelopment' would enhance the efficiency and opportunity of the existing industrial precincts. Therefore, it is recommended that Council consider removing height controls in industrial precincts to enable greater development opportunity and adaptability as industry needs change. The Strategic Review suggests that merit assessment of building height could instead be conducted with consideration of visual and other amenity impacts. Whilst the potential merits of this approach are upheld, it is requested that the 'merit' criteria are publicly-exhibited with opportunity for comment.

- Alternatively, the Strategic Review contemplates a 19m height limit. This is not however supported, as it may still unjustifiably impede development for multi-storey or high-bay warehouses, which would otherwise have no unacceptable impacts.

For Ingleburn, Minto and Campbelltown, specifically, the Strategic Review promotes the 'protection' of the existing employment lands. As summarized in **Table 2** below (as well as throughout the entirety of this Submission), the Strategic Review however promotes the growth, densification, intensification and strengthening of employment lands. It is therefore considered more appropriate to quote the approach of 'promoting' the role and function of employment lands.

Table 2. Role and Function of Employment Precincts (Hill PDA 2020)					
Total Land Area	**Vacant Land**	**Total Floor Space**	**Vacant Floor Space**	**Future Role**	**Future Function**
Campbelltown Blaxland Road (IN2 & B5 Zone)					
113.6ha	4.2ha	446,754m²	7,899m²	District	Continue functioning as a specialise retail, industrial and urban service precinct serving both a local and broader district role.
Ingleburn (IN1 Zone)					
316.4ha	7.2ha	1,448,004m²	26,999m²	Regional	A strategic employment precinct providing high value transport and logistics and manufacturing services to the broader region. Protect for industrial use. Enable some transition to higher-order industrial and business close to the rail station in the longer term and where buffers are proposed.
Minto (IN1 Zone)					
256.4ha	10.5ha	935,713m²	17,447m²	Regional	A strategic employment precinct providing high value transport and logistics and manufacturing services to the broader region. Protect for longer-term industrial uses. Enable 24/7 business operation. Enable some longer-term transition to higher-order industrial and business uses close to the rail station around Lincoln Street.

It is considered that, in order to achieve these future roles and functions, it would be essential to adopt the flexible bult form and land use provisions recommended in this Submission. The importance of 24/7 operations, in both Minto and Ingleburn, is upheld.

Noting the 'future function' outlined for the employment lands in both Ingleburn and Minto, it is requested that further clarification is provided regarding the types of 'higher-order industrial and business uses' that are envisaged. Opportunity to comment on these details is also requested.

The Strategic review further provides that, while higher-order uses (such as residential and business) may be desirable around the rail stations in the longer term, beyond 2041, the demand modelling suggests that the current centres, primarily to the east of the railway, offer sufficient residential supply and expansion opportunity to accommodate projected growth without encroaching on the industrial land. Therefore, the Strategic Review recommends postponing any rezoning of these employment precincts until the renewal of the eastern centres has come to fruition, and there is adequate demand to support the rezoning to align with the *Glenfield to Macarthur Land Use and Infrastructure Implementation Plan*. A future review of these areas can be undertaken once residential supply on the eastern side of the railway has been established, and a future employment land review is conducted.

Further to this 'Action' of the Strategic Review, the need for ongoing review is emphasised, particularly as residential land supply is exhausted and centres are developed to capacity. The importance of avoiding a static or rigid approach to Planning for employment lands is advocated. Instead, flexibility is required to adapt to shifting trends in land use, the economy and population forces.

4. SUMARY OF RECOMMENDATIONS TO OPTIMISE OUTCOMES FOR CAMPBELLTOWN LGA AND THE SITES

Overall, the Strategic Review recognises the key attributes of Campbelltown LGA which make it ideal for intensified economic use of its zoned employment lands. These attributes include, but are not limited to, established road and freight rail links, committed infrastructure investment, existing buffering from sensitive uses and environments, large land parcels and unfragmented precincts. Combined, these attributes are considered to support a case for the intensified use of employment lands and diversification of employment-generating activities, as promoted by the Strategic Review.

To achieve these objectives, which we support, it is recommended that greater flexibility is introduced into the Planning framework guiding and shaping, but currently unreasonably and unjustifiably restricting, the development and use of the employment lands. Specifically, we make the following recommendations:

- Removal of height controls from industrial-zoned land to support an increased density of employment-generating development and/or a wider variety of industrial uses.
- No FSR control for industrial-zoned land. It is noted this reflects the existing CLEP2015 controls.
- More flexible land use permissibility within the industrial zones to support the diversity of emerging employment-generating uses recognized by the Strategic Review in the context of shifting trends across the industrial sectors.
- Comprehensive review of the DCP as current controls, for example setbacks and car parking controls, are outdated and unreasonably restrict built form development.
- 24/7 operations within the employment lands precincts of Minto and Ingleburn.
- Ongoing review of the highest and best use for the LGA's employment precincts, including in light of residential and commercial capacities.

These recommendations would support the highest and best use of industrial-zoned employment lands and optimize their contribution to Campbelltown LGA.

Accordingly, it is requested that the recommendations presented within this Submission are duly considered by Council.

Should you wish to discuss the matter further, please do not hesitate to contact Willowtree Planning.

Yours Faithfully,

Director
Willowtree Planning Pty Ltd

Level 2, Brotherson House
Gate B103, Penrhyn Road
Port Botany, NSW 2036 Australia
T 1300 922 524
F 1300 440 198
E enquiries@nswports.com.au
W nswports.com.au

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

28 October 2020

Dear Ms Deitz,

Re: Draft Campbelltown Strategic Review of Employment Land Strategy

Thank you for providing the opportunity for NSW Ports to review the Draft Campbelltown Strategic Review of Employment Land Strategy (the Strategy). NSW Ports is responsible for managing the port and freight assets of Port Botany, Port Kembla, the Cooks River Intermodal Terminal and the Enfield Intermodal Logistics Centre (ILC). These assets, along with the efficient movement of freight to and from these assets, are critical to the future economic growth, liveability, productivity and sustainability of New South Wales. Campbelltown is geographically positioned to meet the growing trade throughputs of Port Botany and Port Kembla and is at the crossroads of these two assets and the future growth of the Western Parkland City.

NSW Ports supports the strategies and actions identified within the Strategy as being necessary to support the growing freight task in NSW and specifically in Western Sydney. Further, detailed comments are provided below.

Meeting the Growing Container Freight Task

Port Botany currently handles 2.5M TEUs (twenty-foot equivalent units) and has capacity for over 7 million TEUs. Given NSW Government forecasts estimated that Port Botany could be handling over 7.3 million TEUs by 2056, Port Botany will be handling the state's growing container freight requirements for many years.

The Campbelltown Local Government Area (LGA) plays a strong role in the existing container freight task in Sydney and is home to the Macarthur Intermodal Shipping Terminal (MIST) at Minto, which had an annual throughput of 112,000 TEU in 2018. The Campbelltown LGA will continue to play an important role within the Western Parkland City as container volumes grow to meet the needs of a growing population.

NSW Ports is strongly supportive of a 24/7 supply chain to enable efficient and timely delivery of goods to their destinations. To this end, NSW Ports supports the below Action identified in the Strategy, and believes it will act to promote the competitive advantage of the Campbelltown LGA into the future:

> *Seek to reinforce a competitive advantage and the economic significance of Ingleburn and Minto industrial precincts by enabling the opportunity for 24/7 operation, where unlikely to affect the amenity of sensitive receivers.*

As identified within the Strategy, there is currently insufficient land available to accommodate future employment precinct demand. As such, NSW Ports supports the proposed Strategies to "deliver a sustainable pipeline of land for employment precincts" and to "increase the capacity of existing employment precincts".

Port Kembla

As noted in the Strategy, Port Kembla has approval to expand container handling capacity once Port Botany nears capacity. There will be a need to enhance and develop new road and rail connections from Port Kembla to freight networks, specifically intermodal facilities in the Western Parkland City. This creates long term land use opportunities for Mount Gilead and Campbelltown-Macarthur.

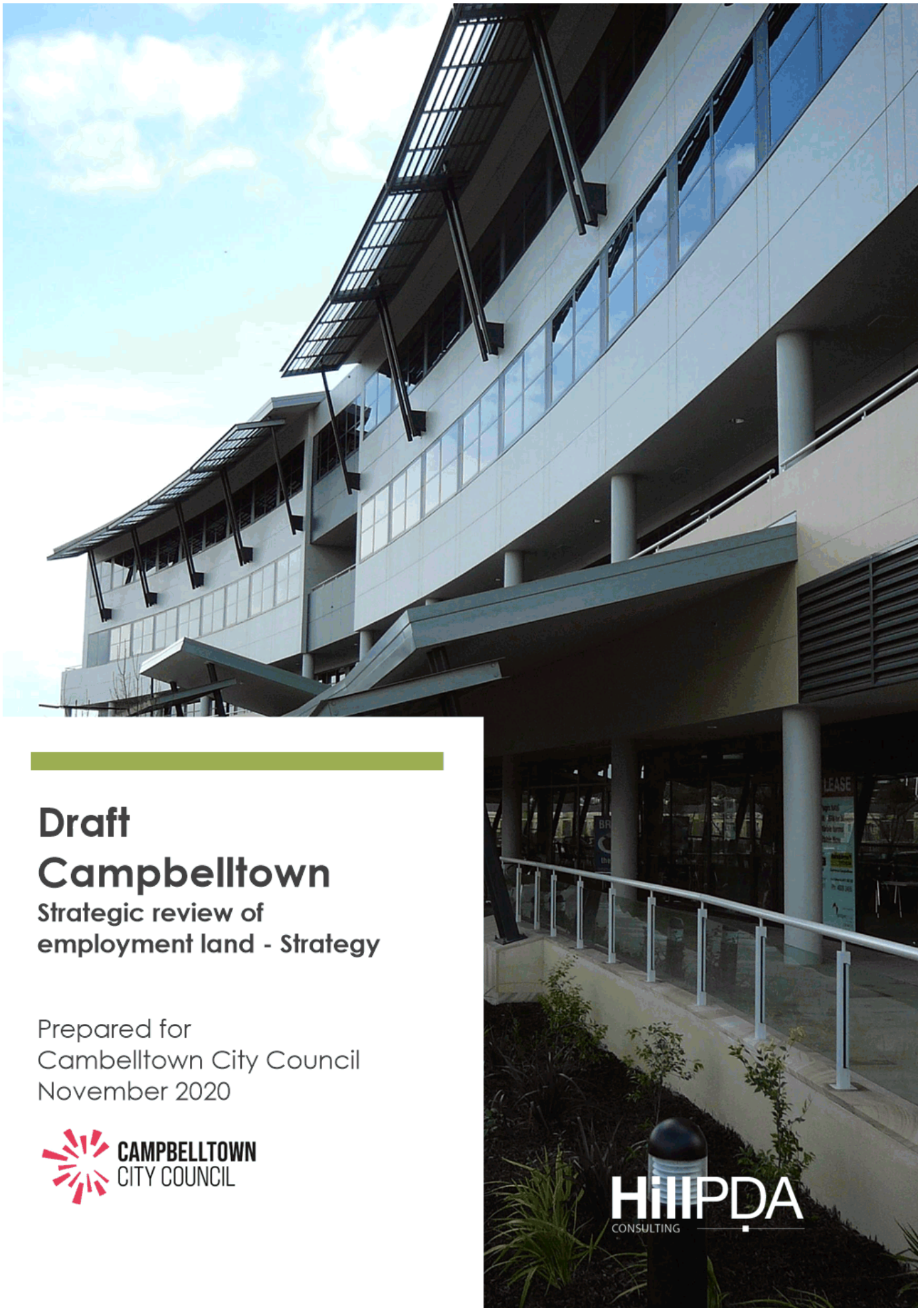
Until such time as a container terminal is needed and developed, Port Kembla will play a significant role in meeting the demand for construction materials within the Western Parkland City. Port Kembla is home to a large cement clinker import and processing facility (importing almost 1 million tonnes last financial year) and has potential to facilitate the demand for other construction materials, such as sand and gypsum.

There is an opportunity for a bulk receival facility to be located in South-Western Sydney. As such, Campbelltown Council has an opportunity to facilitate such a rail terminal through appropriate land zoning in proximity to the rail corridor in the south or east of the LGA in consultation with Transport for NSW and bulk commodity importers. This facility could then be used to handle container imports through Port Kembla in the long-term, making the Campbelltown LGA a key freight gateway. This presents shorter term land use opportunities for Mount Gilead and Campbelltown-Macarthur in the interim, until such time as a facility for containers from Port Kembla is required.

NSW Ports looks forward to continued engagement with Campbelltown Council. If you would like to discuss this submission further, please do not hesitate to contact me on or at

Yours sincerely,

Planning Manager



Draft Campbelltown

Strategic review of employment land - Strategy

Prepared for
Cambelltown City Council
November 2020

CAMPBELLTOWN CITY COUNCIL

HillPDA CONSULTING

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Quality assurance

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Quality Control

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Reviewer

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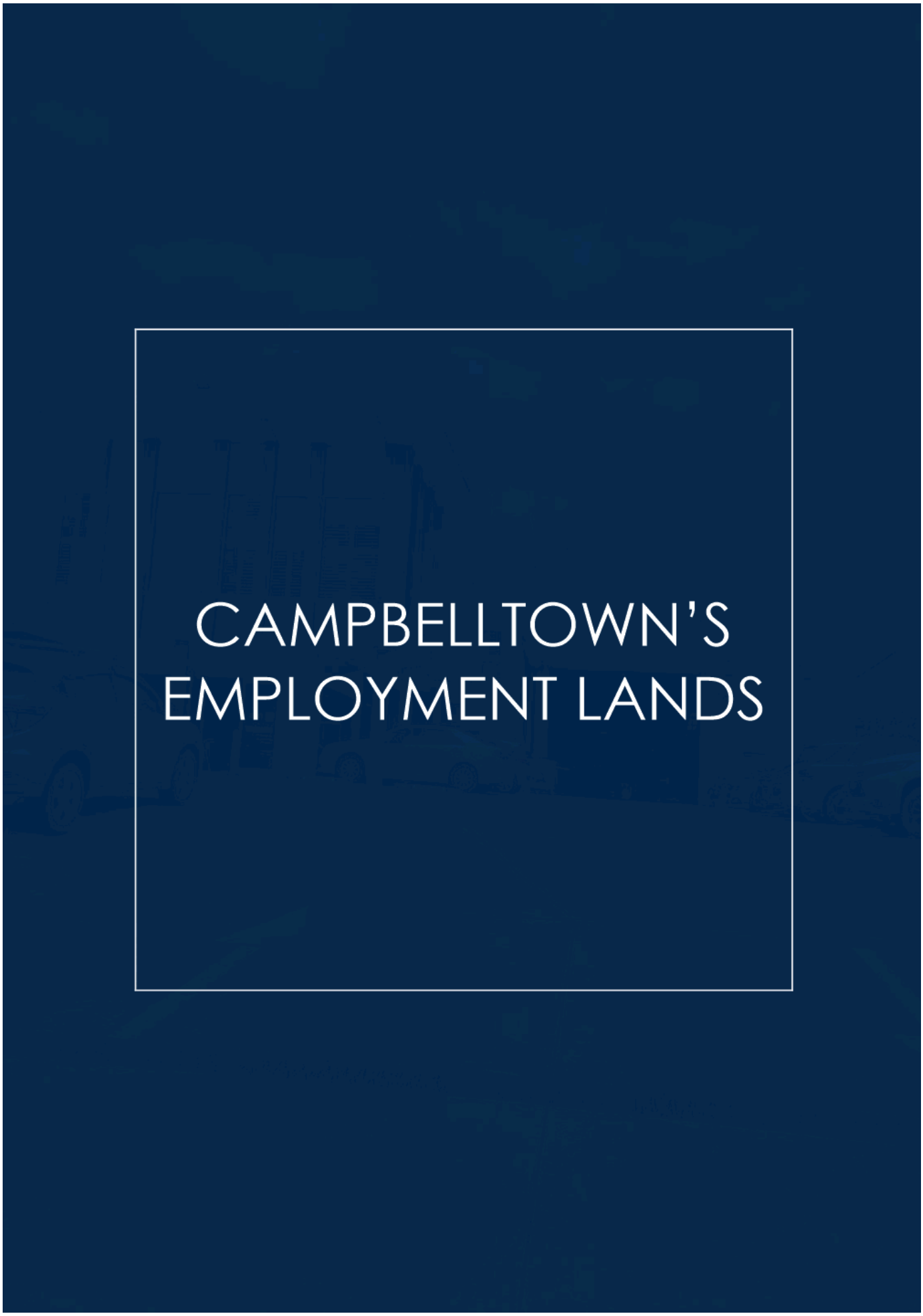

CAMPBELLTOWN'S
EMPLOYMENT LANDS

1.0 CAMPBELLTOWN'S EMPLOYMENT LANDS

To position Campbelltown as an attractive place to do business, invest and work, means building on its competitive advantage and promoting its strengths.

Campbelltown's employment lands contain diverse retail, business and industrial opportunities accommodated within employment precincts and centres. They are supported by a growing population and have strong infrastructure connections. They benefit from the strategic assets of tertiary education institutes, major regional hospitals, passenger and freight rail and motorway access and a Metropolitan Cluster designation.

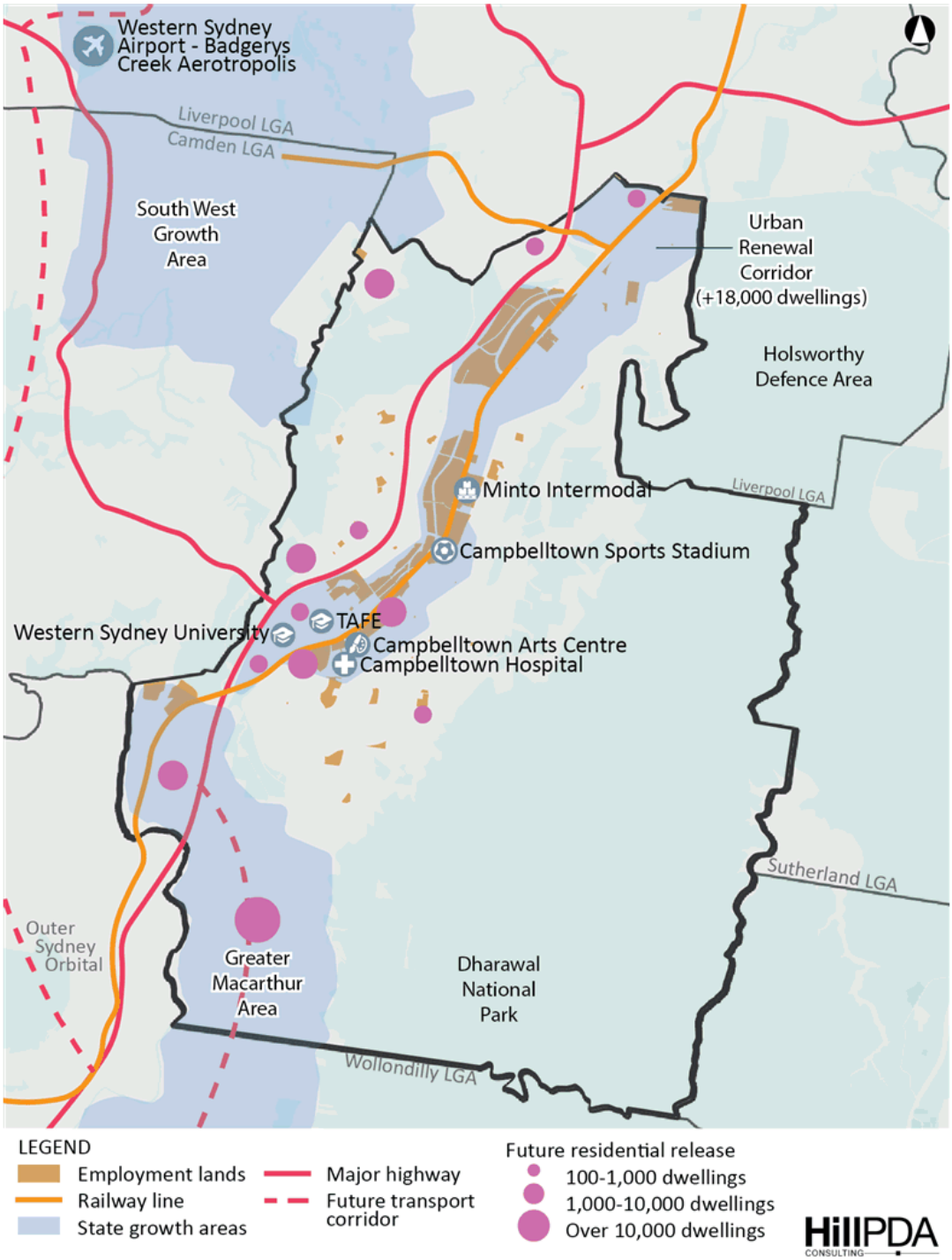
Campbelltown City is Sydney's lifestyle capital...

People choose to live, work, play and visit because quality of life is second to none. (Campbelltown 2040 – LSPS 20 year vision)

The network of local and neighbourhood centres is growing with new residential release areas needing to be supported by thriving and walkable centres. Urban renewal opportunities exist along the rail corridor as more demand arises for mixed use development, higher density housing and vibrant and dynamic precincts. The industrial areas are productive, however, future expansion opportunities are constrained with a need for existing areas to densify and lead by example in supporting new-age manufacturing and transport and logistics.

Located 53 kilometres southwest of the Sydney CBD. The LGA is characterised by its historically low-density living lifestyle, regionally significant rail and road infrastructure and large tracts of protected environmental land. Covering an area of 312 square kilometres the LGA extends from Glenfield in the north, Menangle Park and Gilead in the south, the scenic hills in the west and the Holsworthy Military Reserve to the east.

Figure 1: Campbelltown LGA in the broader context



Source: HillPDA 2020

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THE LOCAL PROFILE

POPULATION

Campbelltown population in 2016 was **156,713**

forecast to grow to **275,778** by 2036

DEMOGRAPHICS

Median age
34 (slight increase since 2011)
Greater Sydney 36

Couples with children
38% (stable between 2011 and 2016)
Greater Sydney 35%

Lone person households
17% (stable between 2011 and 2016)
Greater Sydney 20%

Language at home other than English
30%
Greater Sydney 36%

Aboriginal and Torres Strait Islander Population
3.8% (slight increase since 2011)
Greater Sydney 1.5%

Older couples without children
7%
Greater Sydney 8%

Overseas born
31%
Greater Sydney 37%

Homeless persons estimated 2016
928

EDUCATION

University attendance
4%
Greater Sydney 6%

University qualification
15%
Greater Sydney 28%

Trade qualification (certificate)
21%
(slight increase since 2011)
Greater Sydney 15%

THE WORKFORCE

Local workers

48.7% of Campbelltown's local workers are residents (2016)

11,292 people (23.2%) of Campbelltown's local workers have tertiary qualification.

49.9% of the local workforce are male 50.1% are female

Campbelltown's Gross Regional Product was $7.27B for year ending June 2019 growing 2.5% since the previous year.

Jobs to workers ratio for Campbelltown in 2018/19 was 0.75 (less jobs than resident workers).

Resident worker location

34% of Campbelltown's resident workers were employed locally (2016)

42,489 or 61.8% of Campbelltown's resident workers travel outside the LGA to work.

18% of Campbelltown's resident workers catch public transport to work

Unemployment rate

7.9% (resident workforce 2016)
Greater Sydney 6.0%

Largest employer
Campbelltown's largest employer was health care and social assistance, generating 9,287 local jobs (2016)

Participation rate
(population in labour force)
61% (slight decrease since 2011)
Greater Sydney 62%

Increasing trend Decreasing trend

Source: HillPDA, Infographic adapted from Campbelltown 2040 LSPS, Numerical figures sources from id. Consultants (Census 2016 stats)

Strengths

Strategic context	• Located along and within close proximity to major arterial roads including the Hume Motorway, M5, M7, Appin Road, Narellan Road and The Northern Road which provide convenient access to major employment centres including Sydney CBD, Parramatta CBD and the future Western Sydney Aerotropolis as well as more regionally to Wollongong, Southern Highlands and the ACT. • Well connected by heavy rail and roads supporting industrial uses as a hub in the network of industrial lands, including the intermodal terminal at Minto. Located on the main southern railway line with connections to the South West Rail Link. • Retail destination for the wider region attracting shoppers from surrounding LGAs including Camden, Wollondilly and the southern highlands area. • Established regional facilities including hospital, retail services, university, specialised retail premises, industrial precincts and administration services. • Reimagining Campbelltown is creating a new vision for Campbelltown City Centre as a cultural, employment, commercial and health and education hub for Macarthur region. • The Australian Botanic Garden, Holsworthy Military base and the 2,000 ha of National Parks across the LGA provide open space benefits to the community and contribute to the landscape character of the area. • Ingleburn and Minto are major industrial areas serving the broader regional catchment.
Site characteristics	• Large industrial lots in Campbelltown LGA attract large manufacturers and other large-scale businesses over areas such as Wetherill Park and Milperra.
Planning	• Government investment across the wider Western City District is significant with infrastructure upgrades including the new airport, proposed road and rail corridors, hospitals and public housing renewal creating growth opportunities. • The Local Strategic Planning Statement vision for 2040 includes retaining the natural and historic cultural landscape whilst building local economic activity and employment. This is achieved by maximising urban growth opportunities and limiting urban sprawl.

Unique local convenience centres

Opportunities

Strategic context	• Differentiate from centres like Liverpool and Camden. • Support and strengthen the established manufacturing and transport, warehouse and logistics industry • Revitalise the area, particularly Queen Street, to attract professional service industries, research institutes and office based industries that can support retail trade and attract allied investment • Support the growth of emerging industries such as agribusiness and food product manufacturing • Grow communities with employment, education and community services leveraging from the Campbelltown Hospitals and Western Sydney University campus.
Built form	• Provide the appropriate and adequate scale infrastructure and amenities to support workers and businesses in professional services • Compete with centres in surrounding LGAs (i.e. Camden, Liverpool and Narellan) • Improve connectivity between Queen Street and the railway station.
Planning	• Support an anchor/flagship attractor to bring in businesses and professional services, eg university, stadium upgrade, business park or expanded justice precinct • Upgrade of the Campbelltown Stadium is an opportunity to attract additional business and industry to the area while building community spirit with the introduction of the Macarthur FC A-League football team • Glenfield rail junction could have a business hub to support the updated high school and new residential development • The Western Sydney Aerotropolis and growth across the Western Sydney District will provide new homes and population adjacent to the LGA leveraging off the centres at Leppington, Campbelltown-Macarthur and Liverpool • Early planning, at a State Government level, for the Outer Sydney Orbital motorway and the freight rail line is currently underway. Planning for the impact of this on the economic character of the LGA and its future role will be necessary.

The policy and literature context

Theme	Insights
Land use	• Industrial and urban service land in Campbelltown is identified under the 'retain and manage' category in the Greater Sydney Region Plan, which suggests that all existing industrial and urban services land should be safeguarded from competing pressures such as mixed-use zones or residential development (Region Plan, p134, Figure 42). • Increasing the level of residential development within walking distance of a supermarket is a desirable liveability outcome (Region Plan, 2018, p120 and Reimagining Campbelltown 2020) • Campbelltown-Macarthur, as a Metropolitan Cluster, should provide higher order jobs and a wide range of goods and services (Region Plan, 2018, p119). • Buffer areas should be provided to nearby activities, such as residential uses, that are sensitive to emissions from 24-hour port and freight functions (District Plan, 2018, Action 28) • Retain industrial lands for a port, intermodal and logistics uses from the encroachment of commercial, residential and other non-compatible uses which would adversely affect industry viability to facilitate ongoing operation and long-term growth (District Plan, 2018, Action 28). • Land is proposed to be rezoned for industrial and urban services in South West Growth Area and Greater Macarthur Growth Area (District Plan, p89). • The Glenfield-Macarthur Urban Renewal Corridor Strategy proposes more jobs and homes closer to the station precincts. • Recognise the significance of existing employment lands along the major rail and road corridors and ensure that larger sites remain available to meet the long term demands of the logistics industry (Employment Lands Review, 2011). • Planning and investing in the revitalisation of Campbelltown-Macarthur CBD, Ingleburn and other town centres (Campbelltown 2027). • Prepare masterplans for the town centres identified within the Glenfield to Macarthur Urban Renewal Corridor that incorporate opportunities for in-centre living (Campbelltown LSPS, 2019).

Theme	Insights
Leveraging anchors	• Campbelltown City has been identified as a ring university town with an opportunity to build on the existing tertiary facilities. The Greater Sydney Region Plan envisions a minimum of 10,000 students in each city, co-located with TAFE facilities (Region Plan, 2018, p109). • Intent to anchor university presence at Campbelltown-Macarthur around the NSW Government's investment in the hospital and facilitate the emergence of the health and education precincts (Region Plan, 2018, p109). Reimagining Campbelltown proposes a vertical university in the CBD. • $632 million has been committed for the Campbelltown Hospital Redevelopment Stage 2, mental health services and paediatric services (District Plan, 2018, p84). • The new NSW Government– University funded Macarthur Clinical School at Campbelltown Hospital (District Plan, 2018, p84). • The construction of the Campbelltown Sports and Health Centre of Excellence at Western Sydney University (District Plan, 2018, p84). • Advocate the NSW Government for the decentralisation of administrative functions to Campbelltown CBD potentially including a Legal Justice Precinct and/or significant augmentation to the existing District Court facilities and services (Campbelltown LSPS, 2019). • Western Sydney University's commitment to develop a CBD campus (Reimagining Campbelltown 2020). • Development of a new Macarthur Medical Research Centre integrated with the hospital campus (Reimagining Campbelltown 2020).
Built form	• The adaptation of buildings to accommodate high-bay automation requires building heights greater than existing buildings and current planning limits. Increased building heights are needed for the evolution of industrial buildings (Region Plan, 2018, p131). • 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 (Region Plan, 2018, p130). • Some older industrial sites contain low buildings or constraints such as smaller lots that are unable to meet emerging freight and logistics needs. Review older sites to identify opportunities for new industrial uses with higher job densities (District Plan, 2018, p93). • Create a framework for future development that encourages increased amenity, aesthetics, public domain and open space (Campbelltown LSPS, 2019).

Theme	Insights
Target industries	• Promote and enable appropriate development of the Campbelltown Health and Education precinct to respond to local and broader health needs and promote employment and education opportunities (Campbelltown LSPS, 2019). • The Jobs for the Future report, by Jobs for NSW, identifies 11 segments that NSW should target. Segments relevant to Campbelltown City include international education; regional headquarters of multinationals; start-ups and digital innovation; advanced manufacturing; life sciences and environmental technologies (Region Plan 2018). • Investigate the growth of allied health and medical related businesses, research, science and advanced manufacturing (Campbelltown Economic Development Strategy, 2020). • Opportunity target sectors are health and education, industrial and agribusiness (Campbelltown Economic Development Strategy, 2020). • Increasing online ordering and home delivery is driving demand for 'dark retail' stores. These stores are most suited to industrial areas located with strong access to the road freight network (Region Plan 2018). • Specialise in mental health, indigenous health and endocrinology (Campbelltown Macarthur Place Strategy, 2020). • Investigate opportunities for the growth of allied health and medical related businesses, research, science and advanced manufacturing (District Plan, 2018, p84). • Increase opportunities for creative, digital and technology businesses and employees (District Plan, 2018, p84). • Developing tourism opportunities and promoting Campbelltown as a destination (Campbelltown 2027). • Support the development of the local economy through business innovation and growth, attracting professional organisations that provide a range of employment opportunities (Campbelltown 2027). • Labour-intensive sectors of health, aged care and social assistance, education and training, and personal services are important for the economy. • Growth in the home-based businesses and start-up sectors is highlighted as important to consider as supporting these industries would need to include consideration of the need for commercial space as businesses grow. • Create a diversity of arts related businesses including the development of a Creative Industry Hub that can grow in line with the city and add vibrancy across the region (Campbelltown LSPS, 2019).
Housing	• Housing target of 6,800 to 2021 identified in the South West Growth Area and Greater Macarthur Growth Area comprising: — Glenfield to Macarthur Corridor – including Precincts at Macquarie Fields, Ingleburn, Minto, Leumeah, Campbelltown and Macarthur, as well as the: — Glenfield Planned Precinct — Menangle Park, Gilead and Appin (District Plan 2018, p41). • By 2036, Campbelltown will be home to a population of 275,778 residents, a growth of 31,690 from 2016. This will generate a demand for between 26,000 and 40,000 new dwellings (Campbelltown LSPS, 2019).

Theme	Insights
Transport	• Port Kembla has approval to expand container handling capacity. There will be a need to enhance and develop new road and rail connections from Port Kembla to freight networks, specifically intermodal facilities in the Western Parkland City. This creates long term land use opportunities for Gilead and Campbelltown-Macarthur. • Greater Sydney's freight task is forecast to more than double in the next 40 years. Campbelltown City is located on the Southern City Freight Link, Main South Link and Hume Motorway – the northern sector of the LGA is identified as a Freight activity precinct that runs down from Liverpool (NSW Freight and Ports Plan, 2018). Planning for the alignment of the Outer Sydney Orbital, including integrating land use activities with these intra and inter-regional transport connector. • Potential north-south passenger train corridor to the health and education assets at Campbelltown-Macarthur. • Investigate extension of rail connection from Glenfield to Western Sydney Airport (Western Sydney City Deal, 2018). • The Western Sydney Infrastructure Plan includes the new M12 Motorway and The Northern Road and Bringelly Road upgrades. The Western Sydney Growth Roads Program includes upgrades to Narellan Road, Campbelltown Road, Jane Street and Mulgoa Road and Appin Road with intersection upgrades at Menangle Park (District Plan, 2018, p66). • The city-serving network will provide high frequency, rapid bus connections between Western Sydney Airport – Badgerys Creek Aerotropolis and Campbelltown-Macarthur (District Plan, 2018, p66). • Investigation of integrated transport and delivery options for a full North South Rail Link from Schofields to Macarthur. This would connect Campbelltown to Western Sydney Airport and the Badgerys Creek Aerotropolis (Western Sydney City Deal, 2018) • Prioritise sustainable transport connections, particularly walking and cycling infrastructure within the city.

Strategic directions

Improve the utilisation and appeal of existing employment land

Campbelltown LGA has around 107.5 hectares of vacant land zoned for employment uses. This is distributed between employment precincts (90.9 hectares) and business centres (16.6 hectares). While this land is vacant, in some instances it is being used for purposes such as car parking or storage.

Encouraging the redevelopment and higher utilisation of vacant land and underutilised commercial and industrial land can assist in delivering more floor space and meeting future demand.

Secure a sustainable long term supply of appropriate employment land

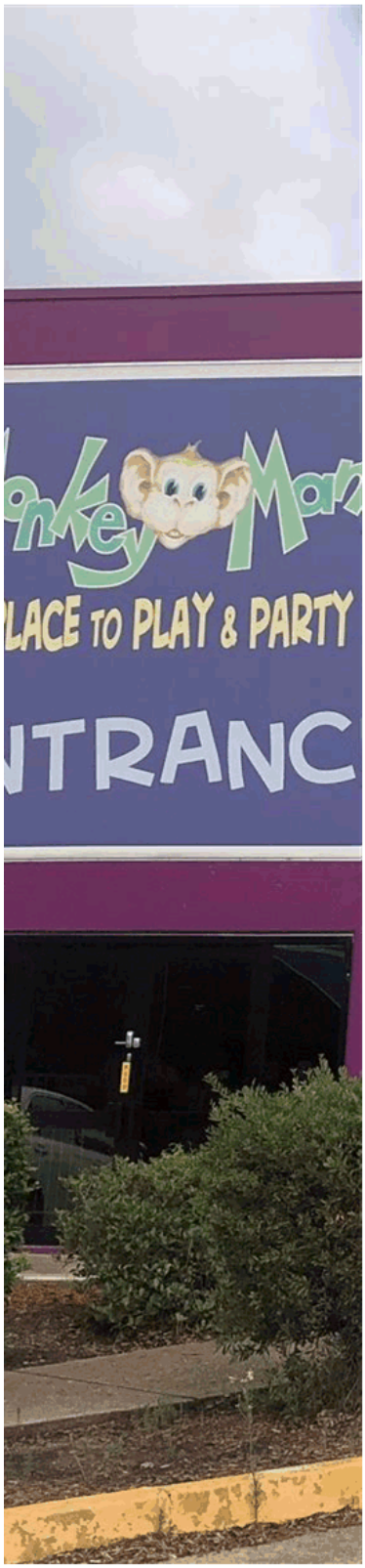
Forecasts indicate that the current supply of zoned employment land is insufficient to meet the needs of future residents and workers. The shortage is particularly critical for industrial land. Timely delivery of additional land is contingent on commencing the process in advance of expected demand factors to accommodate for the lead-in period and to ensure land prices and rents do not escalate to unsustainable levels. The lead-in period includes time for the planning and rezoning of land, subdivision, servicing and development approvals, in addition to the land being serviced with key infrastructure.

The Greater Macarthur Growth Area does not plan for substantial employment land within the LGA boundaries. That which it does include, at Menangle Park, is subject to significant infrastructure investment. While there is a desire for an additional business park in the LGA, this will not necessarily meet the demand for industrial space or specialised retail services. New centres will also need to be planned in locations that can be supported by a strong residential catchment, without undermining the existing centre hierarchy. There is an immediate need to plan for new employment land, particularly industrial land, in the Greater Macarthur Growth Area.

Promote an attractive investment environment

Positioning Campbelltown LGA as an attractive investment environment, will contribute to a sustainable enterprise base and build business and job opportunities. Revisiting planning controls and ensuring they align with future growth expectations is key to supporting investment attraction.

Western Sydney is a rapidly growing district with a lot of council's vying for infrastructure and business investment. There is a need to establish and promote Campbelltown as 'open for business' and as a reliable investment location.



Deliver a diversity of jobs that provide options for employment within the local area

Over 60 per cent of Campbelltown's resident workforce leave the LGA for work. Furthermore, the number of jobs available in the LGA is less than the number of working residents, suggesting that even if all working residents in the LGA wanted to remain in the LGA for work, there would not be enough jobs available. As identified in Chapter 3 of the Background Report, there is also a mismatch between the jobs that residents work in and those that are available in the LGA.

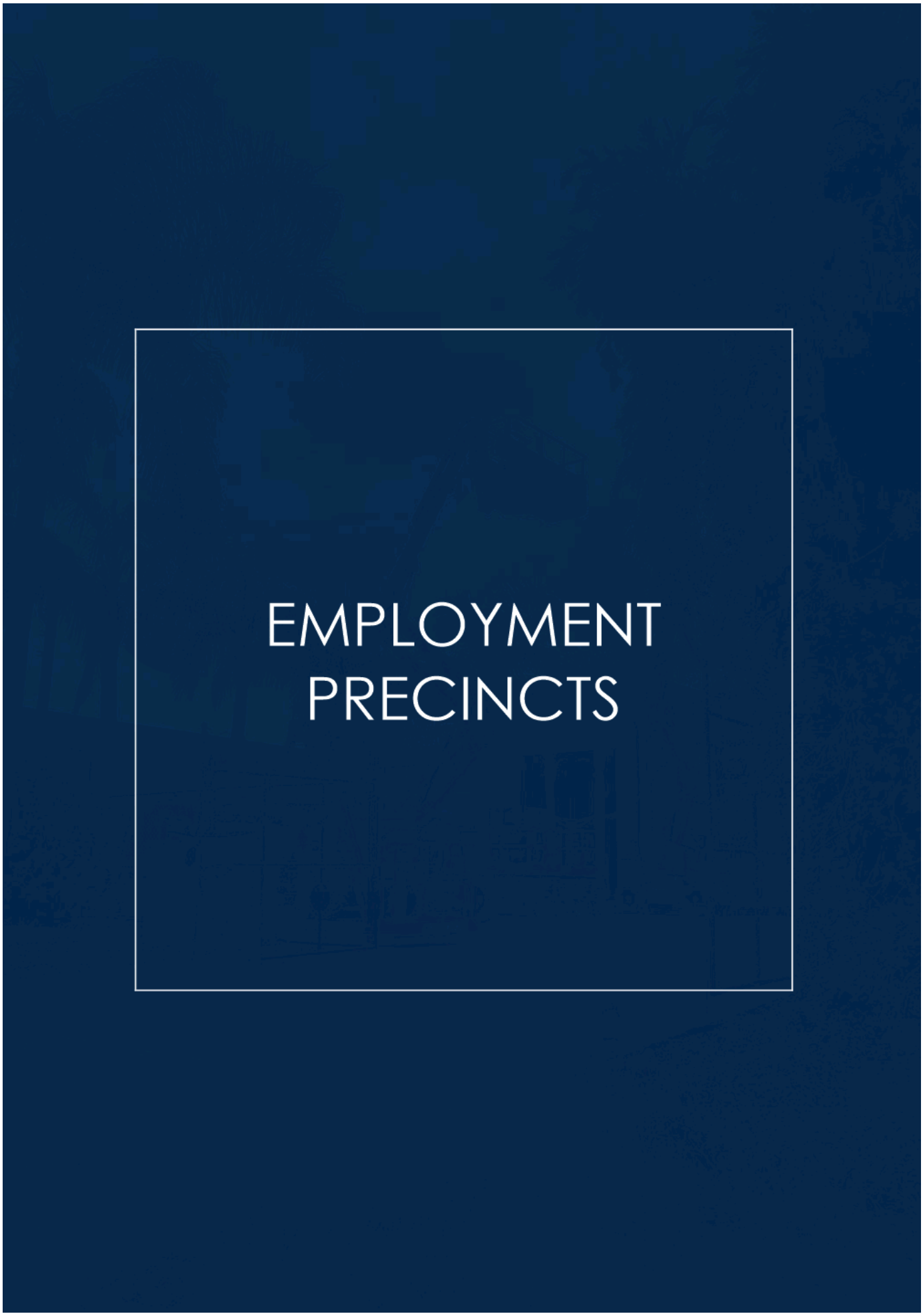
Attracting a greater diversity of employment and learning opportunities can assist in unlocking jobs for residents and boosting the self-containment rate of the LGA. Tailoring education courses and formulating pathways into local industries can boost the job containment rate of the LGA. Fostering an environment of learning and collaborating can be attractive to businesses and encourage greater investment and business establishment.

Manage development to respect the function and role of centres and employment precincts

Business centres and employment precincts across Campbelltown LGA have a unique identity and distinct purpose that should be protected and enhanced. It is important to retain and improve the character and intended purpose of centres and employment precincts while still facilitating development and employment opportunity.

At present, Campbelltown has eight employment zones with an intent to facilitate jobs and economic productivity. As discussed in Chapter 7 of the Background Report, there is limited distinction between the B3 Commercial Core and B4 Mixed Use Precinct. The B7 Business Park precinct, while distinct, can undermine the viability of office space in the B3 Commercial Core.

The IN2 Light Industrial and B5 Business Development zones can act as buffers between residential zones and IN1 General Industrial zones. This would enable disruptive uses (i.e. industry that is loud and odorous) to be screened from sensitive receivers (such as dwellings, childcare), protecting the long-term role and function of IN1 General Industrial.


EMPLOYMENT
PRECINCTS

2.0 EMPLOYMENT PRECINCTS

2.1 Defining employment precincts

As defined by the Department of Planning, Infrastructure and Environment's (NSW DPIE) Employment Lands Development Monitor (ELDM), employment precincts are defined as:

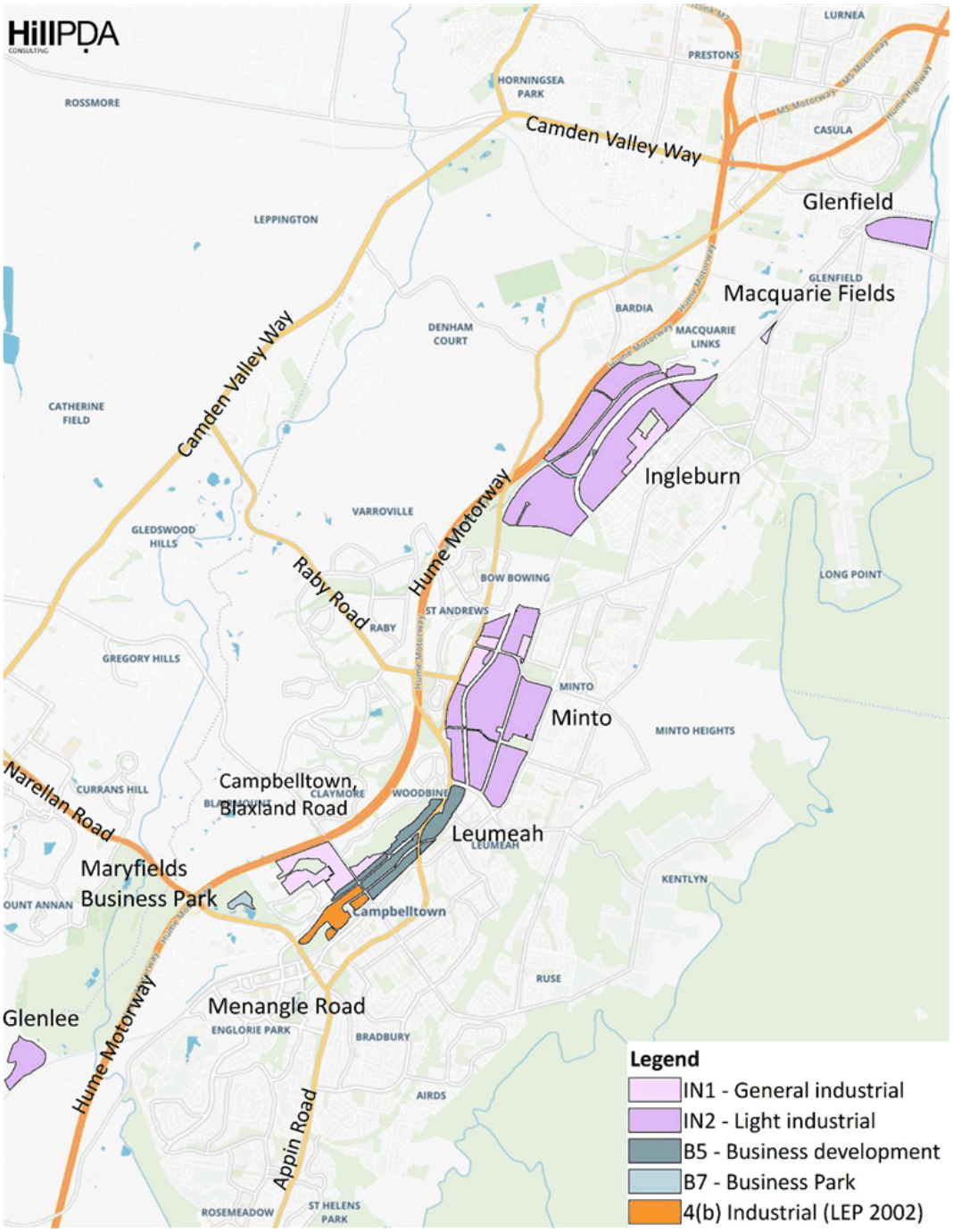
"land zoned for industrial or similar purposes in planning instruments. They are generally lower density employment areas containing concentrations of businesses involved in manufacturing; transport and warehousing; service and repair trades and industries; integrated enterprises with a mix of administration, production, warehousing, research and development; and urban services and utilities.

They are vital to the functioning of our urban areas, providing space for:

- Essential services such as waste and water management, repair trades and construction services
- Warehousing, logistics and distribution centres
- Areas for businesses that design, manufacture and produce goods and services".

The Campbelltown employment precincts are identified in Figure 2. Employment precincts primarily encompass land zoned as IN1 General Industrial, IN2 Light Industrial, B5 Business Development, and B7 Business Park. The Deferred Matter area is zoned a 4(b) – Industrial under Campbelltown (Urban Area) LEP 2002 and as such is operating as an employment precinct.

Figure 2: Employment precincts



Source: HillPDA 2020

2.2 Existing land and floor space

NINE	772 hectares	2.9 million sqm
employment precincts	of land within employment precincts	of floor space within employment precincts

In 2019, there were nine employment precincts located within Campbelltown LGA. Combined these precincts provided around 772 hectares of appropriately zoned employment land, of which, around 680 hectares or 88 per cent was developed while around 90 hectares or 12 per cent was undeveloped.

Across the Western City District, Campbelltown accounted for around 13 per cent of employment precinct zoned land and contained 5 per cent of identified undeveloped employment precinct zoned land. With the population and employment growth projection forecast to occur in the LGA over the next few decades, this amount of undeveloped land would be insufficient for the LGA's needs. Consequently, greater development densities will need to be achieved in the existing employment precincts and new land will need to be made available.

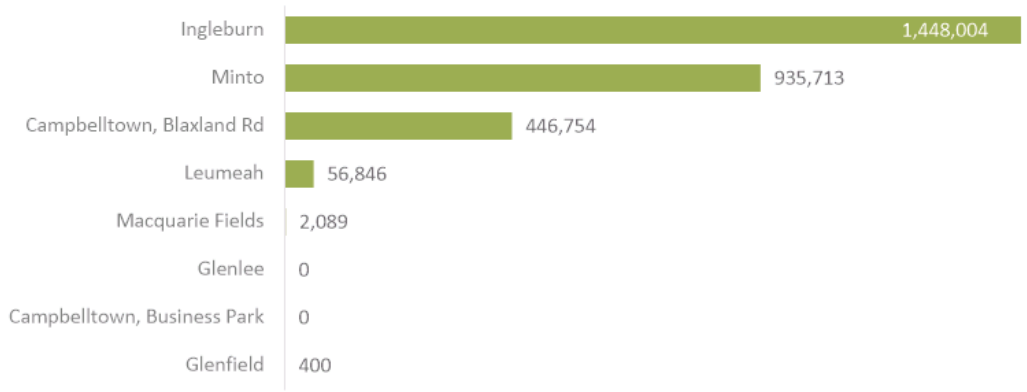
Table 1: Employment precinct by land zoning (hectares)

Precinct	B5	B7	IN1	IN2	DM*	Total
Campbelltown Blaxland Road	47.9			53.2	12.4	113.6
Maryfields Business Park		6.0				6.0
Glenfield			28.7			28.7
Glenlee			28.1			28.1
Ingleburn			298.5	17.9		316.4
Leumeah	19.5					19.5
Macquarie Fields				1.2		1.2
Menangle Road	1.7					1.7
Minto			233.4	23.0		256.4
Total	**69.1**	**6.0**	**588.6**	**95.4**	**12.4**	**771.5**

Source: HillPDA* Campbelltown Blaxland Road inclusion area

It is estimated that around 2.9 million square metres of employment space is provided across the nine employment precincts. The largest employment precinct, by total employment floorspace, was Ingleburn with around 1.5 million square metres representing 50 per cent of the combined floorspace in the LGA's employment precincts.

Figure 3: Total employment space by employment precinct (sqm)



Source: HillPDA, excludes residential space and Menangle Road (0sqm)

Of the total employment space across all the nine precincts, the largest amount was attributed to the industry of manufacturing with around 1.4 million square metres or 48 per cent of all employment space. This was followed by transport, postal and warehousing with 509,610sqm or 18 per cent, wholesale trade with 180,880sqm or 6 per cent, construction with 173,370sqm or 6 per cent and retail trade occupying 162,345sqm or 6 per cent of the total employment floorspace. As can be seen in Table 2, the precincts are generally operating in line with their intended role and function.

Table 2: Precinct estimate employment floorspace by broad industry category*

	Blaxland Road	Glenfield	Ingleburn	Leumeah	Macq. Fields	Minto	Total
Health and education	13,797	0	11,508	1,543	0	4,338	31,186
Industrial	247,411	400	1,159,312	12,468	1,609	812,011	2,233,212
Knowledge intensive	16,844	0	45,882	1,232	0	20,496	84,453
Population serving	160,802	0	204,304	40,543	480	81,420	487,549
Vacant space	7,899	0	26,999	1,060	0	17,447	53,405
Total	**446,754**	**400**	**1,448,004**	**56,846**	**2,089**	**935,713**	**2,889,806**

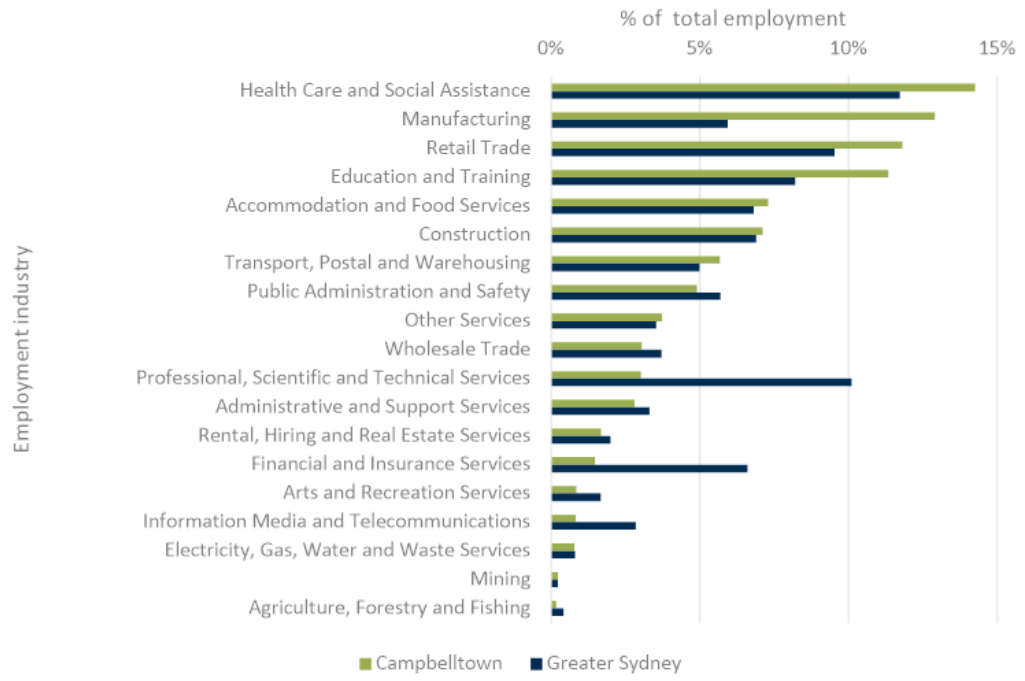
*Excludes Glenlee, Menangle Road and Maryfields Business Park as they contained no floorspace.

Source: HillPDA 2019

2.3 Job distribution

Campbelltown has a strong industrial market, with the manufacturing industry identified as a major specialisation in the LGA, when compared to Greater Sydney (see Table 3, Background Report). As can be seen in Figure 4, manufacturing is the second largest job generator, closely behind retail trade.

Figure 4: Industry configuration (portion of jobs, 2016)



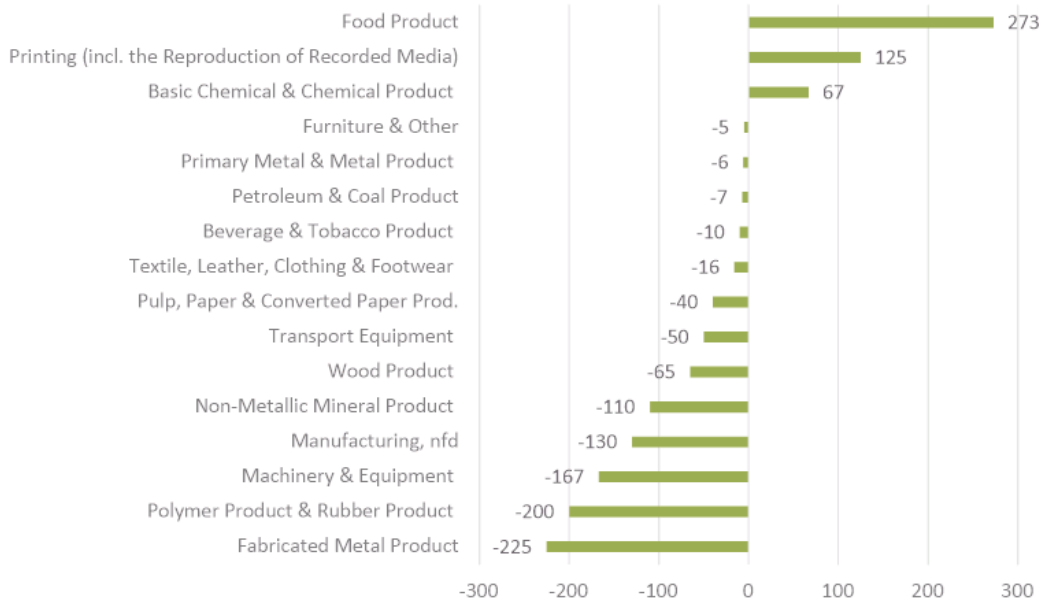
Source: id, Campbelltown City Economic Profile (2019)

While the manufacturing sector experienced a large overall decline in jobs, with a loss of 562 jobs, 45 sub-manufacturing sectors experienced an increase in employment over the same period. The trends are demonstrated in Figure 5 and indicate that:

- The growth was in food product manufacturing, printing and basic chemical and chemical product manufacturing
- The sectors with the greatest loss in employment in this time were fabricated metal product manufacturing, polymer product and rubber product manufacturing and machinery and equipment.

Despite the decline, manufacturing remains a key industry of employment for both locals and those travelling to Campbelltown for employment. The shift in types of manufacturing employment within the industry indicate changes in demand for the style and location of commercial and industrial spaces, particularly those near to major transport routes. Food product manufacturing is a niche industry that should be further explored and encouraged.

Figure 5: Manufacturing industry change 2006 -2016



Source: (Australian Bureau of Statistics, 2016)

Between 2016 and 2018 the number of businesses in Campbelltown grew by 1,320. The largest sector of growth with 548 new businesses was transport, postal and warehousing, a 45 per cent increase over the two-year period. Both the manufacturing and transport, postal and warehousing industries are primarily operating out of Ingleburn and Minto employment precincts.

It is estimated that in 2017/18, industries within Campbelltown contributed around $5.5 billion to its GDP. Manufacturing was the largest contribution to this, with an estimated $1 billion value added.

2.4 Employment precinct market trends

The demand for industrial floorspace is influenced by trends such as globalisation and the use of information technology. Table 3 explores some of the broader market trends being seen across the industrial sector and associated implications for Campbelltown.

Table 3: Employment precinct market trends

Broad market trends	Implications for Campbelltown
Non-traditional uses within industrial areas Industrial precincts (IN1 and IN2) are increasingly being occupied by other non-traditional uses such as knowledge intensive businesses, large format retailers and factory outlets and education/health services. The presence of these uses, however, can increase market rents and land values in industrial precincts	Permitted uses in industrial areas should be limited to those that require separation from sensitive receivers. Delivering an appropriate supply of B5 Business Development and B7 Business Park zoned land can reduce the pressure on IN1 and IN2 zoned industrial land. This then preserves the industrial areas for uses that require greater separation from sensitive receivers. Self-storage is a use that has greater flexibility in where it can be locate. Considering the critical shortage of land in IN1 General Industrial areas, investigate, in consultation with the industry, removing the use from the permissible with consent land use table. Consider permitting vehicle body repair workshop and plant nurseries in the IN2 Light Industrial zoned land.
The proximity of employment precincts to key transport routes has emerged as a key priority for industrial occupiers. The reasons for this locational preference stems from transport costs, typically comprising a large share of an industrial businesses' operational cost base, compared to its rental cost. As such, an industrial business makes costs savings by locating themselves nearer to key infrastructure.	Any new industrial land should be planned in locations that have strong access to motorway connections and, if possible, rail freight connections. These connections should have multi-directional access intersections. Industrial land to the south of Macarthur would be preferable to more equitably distributed employment precincts across the LGA.
Industries associated with manufacturing and transport, warehousing and distribution are at the forefront of **automation and technology advancements**. This is forecast to cause a reduction in overall employment generated, however, not necessarily translate into a reduction in the amount of floor space or land required. As such, although these industries require fewer people for their operation needs, they still would require appropriate space and land.	The changing landscape of the manufacturing sector will unlikely reduce the floorspace requirements of an industry as the machinery still takes up the same or more space. It is therefore prudent to appropriately plan for the future land based needs of these industries even as their employment densities shift. Increased automation may enable the opportunity for greater site utilisation with reduced parking demand and opportunity for multi-storey and high bay industrial types.
The rise of e-commerce has seen significant growth in the demand for freight and logistics industrial space in close proximity to customers, often referred to as "last mile" customer logistics.	Campbelltown's employment precincts provide ideal locations for last mile logistics services as they are close to population centres and have good access to major highways and motorways.
Historically, industrial developments typically have been single level, on large lots, with at grade parking and on relatively level ground. As land stocks become more constrained, scarce and as land values increase, multi-storey and high bay industrial development will become commonplace.	In a location like Campbelltown, which has a strong industrial market but constrained expansion opportunities, "upward redevelopment", subject to viability would enhance the efficiency and opportunity of the existing industrial precinct. Current planning controls in the CLEP 2015, limit industrial building height to 12m. A recent amendment seeks to increase this to 19m. Consider removing height controls in industrial precincts completely to enable greater development opportunity and adaptability as industry needs change. A merit assessment of building height could instead be conducted with consideration of visual and other amenity impacts and where located in Campbelltown City Centre by the height guidance in Reimagining Campbelltown 2020.

2.5 Guiding principles

Several principles contribute to the suitability of land that should be considered when analysing and determining future employment land use requirements. These are overviewed below.

People – diverse opportunities for employment and learning	Land – adequate, appropriate and long term supply of land	Built form – appropriate space that meets current and future needs
• The proximity of a skilled and available local workforce • Provides for a diversity of employment opportunity including part-time, full time or casual work • Opportunities for further education and up-skilling including the availability and accessibility of suitable educational institutions, training courses and apprenticeship programs in the LGA.	• The quantum of land or space available for rent/purchase on the market at any given time • A suitable pipeline of appropriately zoned land to meet current and future requirements • Land constraints can be feasibly addressed • Affordability of land from a sale and rent perspective • The scale of sites is suitable for the needs of a given industry.	• Flexibility and adaptability in planning controls • Incentives for new industrial development to meet current and future needs • Appropriateness of zoning and planning controls to facilitate the business requirements.
Infrastructure –is aligned with current need and future growth	**Economic – a sustainable and productive long-term economy**	**Place – attractive place of employment**
• Appropriate and available water and wastewater services, sewerage and electricity • Appropriate road classification for vehicle movement • Efficient connections to motorway and (preferably) freight rail service	• Opportunity to cluster and agglomerate • Opportunity to leverage available infrastructure and industries • Number and types of competing businesses and centres either to support clustering opportunity or influence demand.	• The appeal of social infrastructure and networking services to attract and retain employees to the LGA • An attractive and safe urban environment • Affordability and suitability of residential accommodation within reasonable proximity of employment • Proximity and access to support services such as local shops, entertainment, childcare, schools, doctors etc. • Efficient access to public transport

2.6 Future demand and capacity

The floorspace demand modelling indicated that between 29,000 and 38,000 jobs would be required in employment precincts to meet future population growth. Using employment densities allocated to industries, this would generate a need for an additional 928,000 to 1.8 million square metres of floorspace to 2041 (see Table 4).

Table 4: Floorspace projections by precinct (sqm) to 2041

Precinct	Current space 2019	Total demand 2041			Total net change		
		Scenario 1	Scenario 2	Scenario 3	Scenario 1	Scenario 2	Scenario 3
Campbelltown Blaxland Road	446,754	722,604	817,747	903,450	275,850	370,993	456,697
Maryfields Business Park	0	8,571	9,700	11,900	8,571	9,700	11,900
Glenfield	400	1,122	1,270	1,638	722	870	1,238
Glenlee	0	6,464	7,315	8,855	6,464	7,315	8,855
Ingleburn	1,448,004	1,832,054	2,073,275	2,238,777	384,050	625,271	790,773
Leumeah	56,846	72,231	81,741	95,325	15,384	24,895	38,479
Macquarie Fields	2,089	4,410	4,991	5,397	2,321	2,902	3,308
Menangle Road	0	0	0	0	0	0	0
Minto	935,713	1,171,221	1,325,432	1,414,193	235,509	389,720	478,480
Total	**2,889,806**	**3,818,677**	**4,321,471**	**4,679,536**	**928,872**	**1,431,665**	**1,789,730**

Source: HillPDA 2020

Demand is translated into land requirements by applying average Floor Space Ratios (FSRs) to the net increase in floorspace between 2019 and 2041. Of the around 780.8 hectares of employment precinct zoned land currently within Campbelltown LGA, it is estimated that around 680.6 hectares is developed. On this land, just over 2.9 million square metres of employment floorspace is provided, equating to an average developable FSR of around 0.42:1 across the precincts. To accurately assess the likely demand for additional lands stocks, three developable FSR scenarios were applied, including 0.5:1, 0.75:1 and 1:1. The vacant land stock was also taken into consideration. At the LGA level, after factoring in vacant land, the capacity assessment found that:

- Scenario 1: Under the 0.5:1 developable FSR scenario: there would be an undersupply of employment precinct land of between 112 to 284 hectares
- Scenario 2: Under the 0.75:1 developable FSR scenario: there would be an undersupply of employment land of between 50 to 165 hectares
- Scenario 3: Under the 1:1 developable FSR scenario: there would be an undersupply of employment land of between 19 to 105 hectares.

Taking a conservative approach of the highest scenario (scenario 1) results and allowing for 20% of any new employment precinct to be taken up by other non-employment uses (i.e. roads) between an additional **206 and 355 hectares** would be appropriate to be planned for to accommodate the projected demand. The current provision of zoned employment land is not adequate to meet future demand requirements. Furthermore, any employment land converted to residential uses would add to this overall shortage in employment land.

Increasing the developable densities within existing employment precincts would assist in meeting some of this demand, however it is unlikely that all demand will be able to be met in the existing zoned employment land. The supply deficit of employment land in the LGA would reach critical levels if land along the Glenfield to Macarthur Corridor was rezoned for other uses. Identifying and protecting new employment precincts in the LGA would be encouraged to help retain the LGA's competitive advantage. Land in the Greater Macarthur area is a logical investigation area for accommodating some of the future demand. Where there is a shortage, surrounding LGA's, such as Wollondilly and Camden, may need to take up some of the demand.

2.7 Strategies and actions

The following strategies and actions are drafted in response to the planning, supply and demand analysis. It is acknowledged that markets are dynamic and strategies should be regularly reviewed in order to adapt to shifting trends in land use, the economy and population requirements.

2.7.1 Strategy: Promote the competitive advantage of Campbelltown LGA

Western Sydney is a competitive environment with new industrial land and development continually entering the market. There is a need to promote Campbelltown as the place to invest, to secure jobs in the LGA closer to homes. Campbelltown LGA is already well-positioned to leverage its strong transport infrastructure connections and existing primary and growth industries of manufacturing and transport, postal and warehousing. Unlike other business forms, industrial and specialised retail development is generally purpose-built and requires fast turnaround times to secure tenancies.

- **Action:** Implement the actions identified in the Campbelltown Economic Development Strategy that promote investment and employment opportunities in the LGA.
- **Action:** Work closely with large industrial proponents to identify and address expectations and potential development issues early and then fast-track industrial development applications to bring supply online quickly and enhance development interest.
- **Action:** Seek to reinforce a competitive advantage and the economic significance of Ingleburn and Minto industrial precincts by enabling the opportunity for 24/7 operation, where unlikely to affect the amenity of sensitive receivers.

2.7.2 Strategy: Deliver a sustainable pipeline of land for employment precincts.

Section 2.6 found that there is a need for between 206ha and 355ha of employment land to serve the future population requirements. This would be distributed across industrial and business development zones with the greatest demand for industrial zoning.

As identified in 2.6, there is currently insufficient land available to accommodate future employment precinct demand. While enhanced utilisation of employment precincts can occur (see Strategy 2.7.3), delivering a pipeline of greenfield employment precincts is required to reduce the risk of inflating rents and land values, and to be able to continue providing jobs and economic productivity within the LGA.

A review of the Greater Macarthur Structure Plan 2040 (land release areas) does not highlight any additional opportunities for future employment land, despite significant residential development proposed to occur in this area. Ideally, to encourage jobs close to homes, some provision of B5 Business Development Land, IN2 Light Industry and IN1 General Industry should be accommodated within future growth areas south of Campbelltown.

- **Action:** Advise State Government of the findings of this study and the anticipated shortage of land for employment precincts. Request that they consider opportunities for employment precincts during any future Greater Macarthur Structure Plan amendments.
- **Action:** Explore opportunities to enter into public-private partnerships, for early infrastructure delivery, with developers that are seeking to deliver new employment lands (particularly IN1 General Industrial, IN2 Light Industrial or B5 Business Development). Upfront infrastructure delivery may bring more employment land on to the market quickly.
- **Action:** Consider working with the State Government to develop and publish a priority infrastructure delivery program that identifies the locations that will be the focus of infrastructure planning and delivery and the anticipated timeframes. Locations that can deliver a greater number of jobs and economic contribution should be prioritised first.

- **Action:** Review contribution plans to capture the costs of infrastructure improvement works and community facilities in employment precincts.
- **Action:** As a priority, investigate 'urban capable' land (see Figure 6) in South Campbelltown to accommodate a diversity of industrial, urban service and specialised retail land. Locations closer to the Hume Highway are the most appropriate for employment precincts.

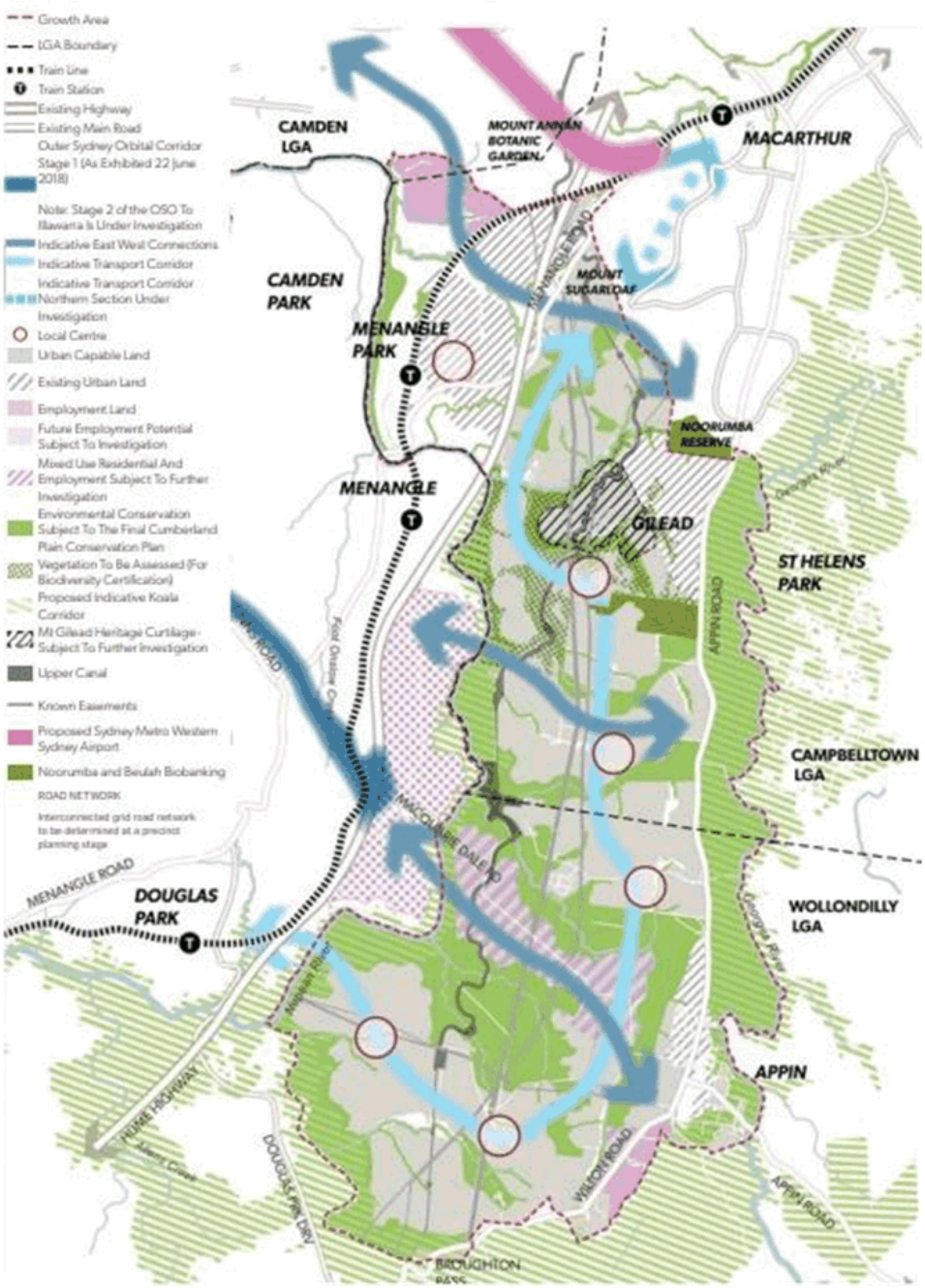


Figure 6: Greater Macarthur Structure Plan (land release area)

Source: NSW Government 2018

2.7.3 Strategy: Increase the capacity of existing employment precincts

To respond to changing industry requirements and to reduce non-compliance issues associated with planning controls, more flexible planning controls could be considered to increase density and allow greater floorspace and redevelopment outcomes. A review of surrounding industrial areas at Prestons, Moorebank/Chipping Norton and Wetherill Park have shown higher height limits between 15 m and 30 m, or no height limit. FSRs are generally not imposed. This puts Campbelltown industrial lands at a disadvantage, limiting the ability for businesses with larger built form requirements to locate in Campbelltown. Industry consultation identified several controls that could be revisited to enhance the utilisation of employment precincts. This included amending the current building height (currently 12m), reviewing the setbacks and reviewing car parking controls.

- **Action**: Consider removing building height controls from the industrial precinct and protecting the character and sightlines through specific provisions in the DCP, if required. This would enable new forms of industrial development, such as multi-storey and high-bay warehousing, and design solutions to be achieved.
- **Action:** Consider amending the DCP to add greater flexibility around parking rates by applying a merit-based assessment rather than hypothetical future uses assessment. Strict numerical controls (eg 1 space per 300sqm of warehouse) should be set aside in favour of an assessment of average staff and visitor requirements of similar types of development. Information could be provided within a development specific traffic impact assessment.
- **Action:** Undertake a holistic review of employment land use permissibility under the LEP. This should include investigating introducing 'Storage premises' in the IN2 Light Industrial zone as permitted with consent.
- **Action:** To provide more flexibility for employment uses in the IN2 Light Industrial and B5 Business Development zone, consider amending the approach to the Local Environmental Plan Land Use Tables to be open rather than closed i.e. listing prohibited uses and then enabling other uses to be permitted with consent.
- **Action:** To provide flexibility in use of land existing residential properties in IN2 Light Industrial zone, investigate introducing Home Industry as permitted with consent whether as an amendment to the zone table or as a schedule 1 use of relevant land.
- **Action:** Strict numerical controls relating to setbacks should be reviewed to encourage:
  - Small setbacks that provide meaningful landscaping that contributes to the urban canopy
  - Pedestrian access and amenity, particularly in areas close to train stations such as Minto, Campbelltown, Leumeah and Ingleburn.

2.7.4 Strategy: Retain employment precincts along the Glenfield to Macarthur Renewal Corridor at Ingleburn, Minto and Campbelltown

The employment precincts around Campbelltown's electrified train stations are identified in the Glenfield to Macarthur Land Use and Infrastructure Implementation Plan for higher-order business, and in some instances, residential uses. At present, the employment precincts are high functioning industrial areas with increasing demand. While higher-order uses (such as residential and business) may be desirable around the rail stations in the longer term, beyond 2041, the demand modelling suggests that the current centres, primarily to the east of the railway, offer sufficient residential supply and expansion opportunity to accommodate projected growth without encroaching on the industrial land. Retaining the current industrial zoned land would enable the continued utilisation and economic productivity of the employment precincts. Therefore, it is recommended that:

- **Action:** Noting the sufficient residential capacity identified in the Campbelltown Local Housing Strategy 2020, existing employment zones at Minto, Ingleburn and Campbelltown should be protected from residential development.
- **Action:** Postpone rezoning of employment precincts until the renewal of eastern centres has come to fruition, and there is adequate demand to support the rezoning to align with the Glenfield to Macarthur Land Use and Infrastructure Implementation Plan. In particular, industrial areas around Ingleburn and Minto should be protected. A future review of these areas can be undertaken once residential supply on the eastern side of the railway has been established, and a future employment land review is conducted.

Industrial use – Aero Road Ingleburn

2.7.5 Strategy: Define a clear future role and function of Maryfields

The B7 Business Park zone was introduced to the CLEP2015 in mid 2018, anticipated to deliver 50,000 to 60,000 sqm of office space and supporting uses at Maryfields. While there is a benefit in delivering some large floorplate office opportunities in the business park, it would be desirable for most office development to be located in the CBD to enhance the viability of the centre and support revitalisation. It is noted that the fragmented nature of the CBD at present does limit this opportunity, however, in line with the Reimagining Campbelltown City Centre Masterplan, there may be future opportunities for large format office floorspace.

The Campbelltown LSPS seeks to investigate opportunities for creative industries, indigenous business hub, smart work hubs and an agribusiness science cluster. The B7 Business Park zone could create capacity for such a space in a high amenity, integrated precinct.

There is evidence across NSW, that live-work establishments can provide affordable options for new businesses and creative industries. While acknowledging the different setting, there is an example in Byron LGA that produces a successful live-work and office environment that has been successfully received by the market (see https://www.habitatbyronbay.com/). Considering the scenic amenity of the surroundings, and the strong transport connections, a similar style product could be delivered in Campbelltown.

Option 1: Incentivise development for employment uses

- **Action**: Consider potentially investigating and attracting a developer to deliver a similar product outcome to that achieved at Habitat Byron. This would be a 'point of difference' product type that could appeal to new businesses and encourage home-based businesses to move to an employment precinct. It would provide a low rise – workshop/office and SOHO living product. The intent of the product is not to incorporate retail uses, rather a mix of creative and business uses that do not compete with the nearby centres. An employment component must be attached to each dwelling.
- **Action:** Investigate a partnership and potentially seek a grant to develop a state-of-the-art innovation and research centre within the B7 Business Park precinct.

Option 2: Retain the site for long term prospects

- **Action:** Retain the current planning controls on the site to preserve the capacity of the site to accommodate larger format office space.

2.7.6 Strategy: Define a clear future role and function for the Deferred Matter Land at Campbelltown

Land immediately to the west of Campbelltown CBD (see Figure 7) is a Deferred Matter, zoned 4(b) Industrial under the Campbelltown (Urban Area) LEP 2002. Council currently owns a proportion of this land is interested in establishing a clear planning framework for the location. Reimagining Campbelltown City Centre Masterplan suggests that this land could serve as a Tech and City Innovation precinct centred on the Bow Bowing Creek amenity spine. The property is well located in proximity to the Campbelltown rail station and the health and education precinct and could provide a high amenity commercial outcome for businesses or a mixed zone outcome that enables both a business park and an extension of the existing Blaxland Road large format retail precinct. The underlying objective for the area would be to provide an outcome that enables the delivery of uses that would not detract from the renewal and enhancement of Campbelltown CBD to the east of the rail line. Option 1 aligns best with the vision established in Reimagining Campbelltown 2020 for the area to transition to a Tech and City Innovation precinct.

Action: Investigate, in consultation with landowners, the three land use options for the land at Campbelltown as follows:

Option 1: High Amenity Business Tech Park

A B7 Business Park precinct zone would enable the site to be transitioned and deliver commercial employment uses in a high amenity environment.This zone would be complementary to the CBD and would enable a mix of uses including business and office premises, light industries and small bars and pubs. Specialised retail and residential would not be permissible within the area. There is a risk that a B7 Business Park zone would detract from potential office space being delivered in the city centre, as there is insufficient demand in the shorter term for both sides to deliver offices. A mix of uses including light industries would however be an appropriate outcome.

Option 2: Extension of Large Format Retail

Blaxland Road is immediately to the north-east of the identified land and is zoned B5 Business Development. Considering the substantial population growth anticipated in the LGA, there is demand for additional large format retail. The land would become a natural extension of Blaxland Road and could provide a mix of warehouse uses, specialised large format retail and light industries. This zone would prevent office premises and residential development being delivered.

Option 3: Light industrial function

As part of the 2020 Campbelltown LEP Review, the land has been rezoned for light industrial uses in line with LEP 2002 4(b) Industrial zone. While there is considerable demand for industrial land in the LGA, an industrial use for the site would not be consistent with the long-term direction set out in Reimagining Campbelltown 2020. The proposed zone would assist in addressing the current shortage of industrial land in the LGA.

Figure 7: Deferred Matter land

Source: Mecone Mosaic 2020

2.7.7 Strategy: Explore synergies with the local TAFE and Universities to develop training and education programs targeted to local industries.

There is an opportunity to facilitate training to equip the workforce with appropriate skills to contribute to industry effectively. Training courses operated by a University or TAFE, aimed at local businesses, can help local businesses improve and grow. The Campbelltown Economic Development Strategy 2020 (EDS 2020) identifies a number of initiatives to "*build on education, health and industry strengths to upkill the local resident workforce*". The following actions are to complement those established in the EDS 2020.

- **Action:** Encourage more universities or university outposts to establish in Campbelltown, either in a cluster with WSU or in the Campbelltown CBD.
- **Action**: Review Council's community assets to determine the opportunity to provide training spaces for utilisation by businesses, universities and TAFE to run training courses.
- **Action**: Work with TAFE and Universities to undertake meaningful engagement with local industries to determine the gap in employment skill sets and tailor training courses to suit.

2.7.8 Strategy: Encourage agglomeration and clustering

Campbelltown LGA already has several precincts that are attracting business agglomeration and clustering, Ingleburn precinct is one such example which has attracted several large transport and logistics industries. Supporting clusters can drive innovation and economic productivity but can also lead to investment attraction from other similar industries if branded correctly. The Campbelltown Economic Development Strategy 2020 (EDS 2020) identifies a number of initiatives to "*better cluster and connect business to achieve economic benefits*". The following actions are to complement those established in the EDS 2020.

- **Action:** Actively support and market, through Council's website and collateral, the food processing and distribution cluster opportunity, including provision for large dark stores that are well positioned to distribute to the Greater Sydney, Canberra and the south coast.
- **Action:** Undertake research, explore and invest in opportunities for industrial symbiosis - where the waste or by-products from one business is used as a raw material for another to alleviate costs and encourage more sustainable production.

2.7.9 Strategy: Facilitate greater collaboration and alliances between industry and businesses

Businesses are seeking to form greater partnerships and alliances to establish competitive advantage and agglomeration opportunities. Councils can play an active role in supporting the establishment of alliance and networking opportunities for industry and businesses. The Campbelltown Economic Development Strategy 2020 (EDS 2020) identifies an initiative to "*work with local industry and education institutions to establish an entrepreneurial ecosystem that facilitates and encourages increase local enrepreurship and business establishment*". The following actions are to complement those established in the EDS 2020.

- **Action:** Seek to facilitate and encourage a business support program that aims to foster collaboration and connection between industry and business including identifying and providing education pathways and job placements.
- **Action:** Explore opportunities to establish an alliance for the transport and logistics and manufacturing industries to strengthen supply chain synergies and collaboration opportunities.

2.7.10 Strategy: Deliver better places of employment

An increasing number of companies are keen to provide a pleasant working environment for their employees as it helps them to attract and retain talent. Employees like to eat out during meal breaks and have access to basic services such as a childcare, bank or gym, and convenience retail services. Businesses benefit from having services nearby. For example, major corporations prefer to have a hotel or function centre nearby while medium-sized business benefit from services such as printers. The LGA offers a diversity of employment locations. Improving the amenity of employment locations will attract businesses and employers to the LGA. It will also support businesses to attract and retain talent.

- **Action**: Support businesses and workers by ensuring the planning framework encourages:
  - The retention of convenience retail uses (for example shop, kiosk, take-away food and drink) as permissible and limit the size of these uses as detailed in Clause 5.4 of CLEP 2015
  - A pleasant location for people to rest or interact with others during the working day
  - Improved connectivity to surrounding open space (relax during breaks).

Kindergarten adjoining industrial precinct in Blair Athol

2.7.11 Strategy: Protect the role and function of employment lands

The following table provides an overview of the potential future role, function and strategic positioning of employment land within the LGA (refer to Figure 2 for location context).

Table 5: Role and function of employment precincts

Centre name	Zoning	Total land area (ha)	Vacant available land(ha)	Total floorspace (sqm)	Vacant floorspace (sqm)	Future role	Future function and strategic positioning
Campbelltown Blaxland Road	IN2/B5	113.6	4.2	446,754	7,899	District	Continue functioning as a specialise retail, industrial and urban service precinct serving both a local and broader district role.
Maryfields Business Park	B7	6	6.0	-	-	Local	Potential to serve as a research and innovation business park with the opportunity to incorporate live/work arraBngements.
Glenfield	IN1	28.7	13.7	400	-	Local	Expansion area for waste service facility or other Council requirements
Glenlee	IN1	28.1	28.7	-	-	Local	Support the rezoning of former coal emplacement site to IN1 General Industry. The function will be to provide industrial and urban service uses to support the growing residential area.
Ingleburn	IN1	316.4	7.2	1,448,004	26,999	Regional	A strategic employment precinct providing high value transport and logistics and manufacturing services to the broader region. Protect for industrial use. Enable some transition to higher-order industrial and business close to the rail station in the longer term and where buffers are proposed.
Leumeah	B5	19.5	3.6	56,846	1,060	Local	Continue to function as a specialised retail and urban service precinct serving the local catchment.
Macquarie Fields	IN2	1.2	0	2,089	-	Local	Continue to operate as a small urban service precinct serving the local catchment.
Menangle Road	B5	1.7	0	-	-	n/a	No buildings and limited future opportunity; recently predominantly rezoned to SP2 – infrastructure by a SEPP.
Minto	IN1	256.4	10.5	935,713	17,447	Regional	A strategic employment precinct providing high value transport and logistics and manufacturing services to the broader region. Protect for longer-term industrial uses. Enable 24/7 business operation. Enable some longer-term transition to higher-order industrial and business uses close to the rail station around Lincoln Street.

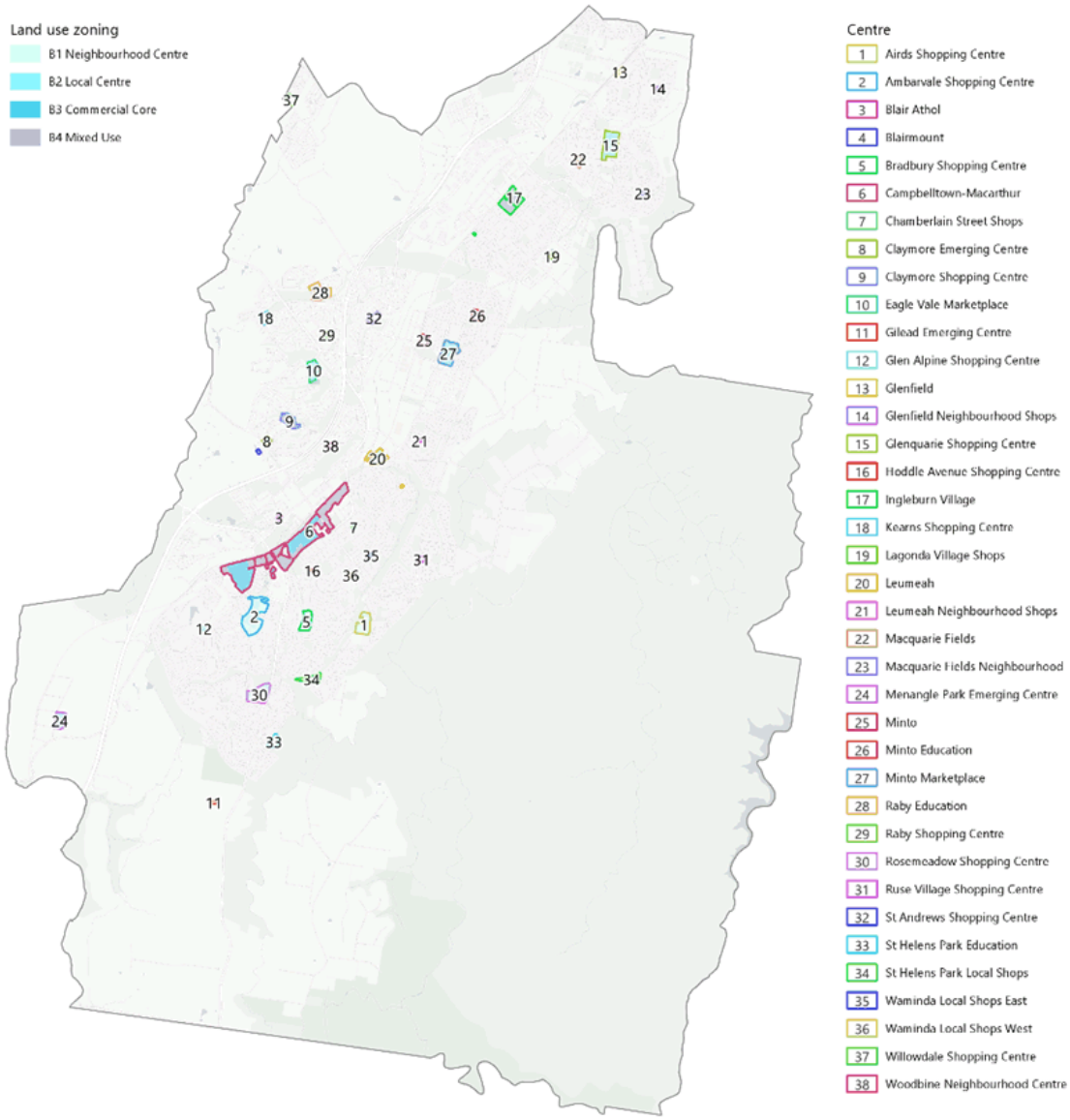
BUSINESS
CENTRES

3.0 BUSINESS CENTRES

3.1 Defining business centres

The Campbelltown business centres are identified in Figure 8 and primarily encompass land zoned as B1 Neighbourhood Centre, B2 Local Centre, B2 Commercial Core and B4 Mixed Use. Where there is a reference to 'education', it is due to a school being located in the business zone. The centre of Glenfield (no.13 on map) is a Deferred Matter under CLEP 2015 and operates as a 3(c) Neighbourhood Business zone under the Campbelltown (Urban Area) Local Environmental Plan 2002. The LEP review planning proposal, which is nearing finalisation, seeks to convert this to a B2 Local Centre zone under CLEP 2015.

Figure 8: Commercial precincts and zones within Campbelltown LGA



Source: HillPDA 2019 *Note: Bradfield Street Leumeah and Leaumeah have been identified as 20.

3.2 Existing land and floor space

39	260 hectares	874,900 sqm
business centres	of land within business centres	of floor space within business centres

In 2019, there were 39 business centres located within the Campbelltown LGA. Combined, these centres contained approximately 260 hectares of appropriately zoned land. An overview of land area by centre is provided in Table 6. These land zonings and the amount of land zoned/classified included:

- B1 - Neighbourhood Centre with 97 hectares or 37% of total centres land stock
- B2 - Local Centre with 51.4 hectares or 20% of total centres land stock
- B3 - Commercial Core with 47.7 hectares or 18% of total centres land stock
- B4 - Mixed Use with 59.1 hectares or 23% of total centres land stock
- 3 (c) (subject Campbelltown (Urban Area) LEP 2002) with 4.2 hectares or 2% of total centres land stock.

Of the 39 business centres, 18 centres contained vacant land, equating to around 16 hectares of vacant land in total. The Menangle Park emerging centre, Claymore emerging centre and Gilead emerging centre contained the greatest proportion of vacant land, however viability of these centres is subject to new residential developments occurring in close proximity.

Table 6: Centre zoned land area

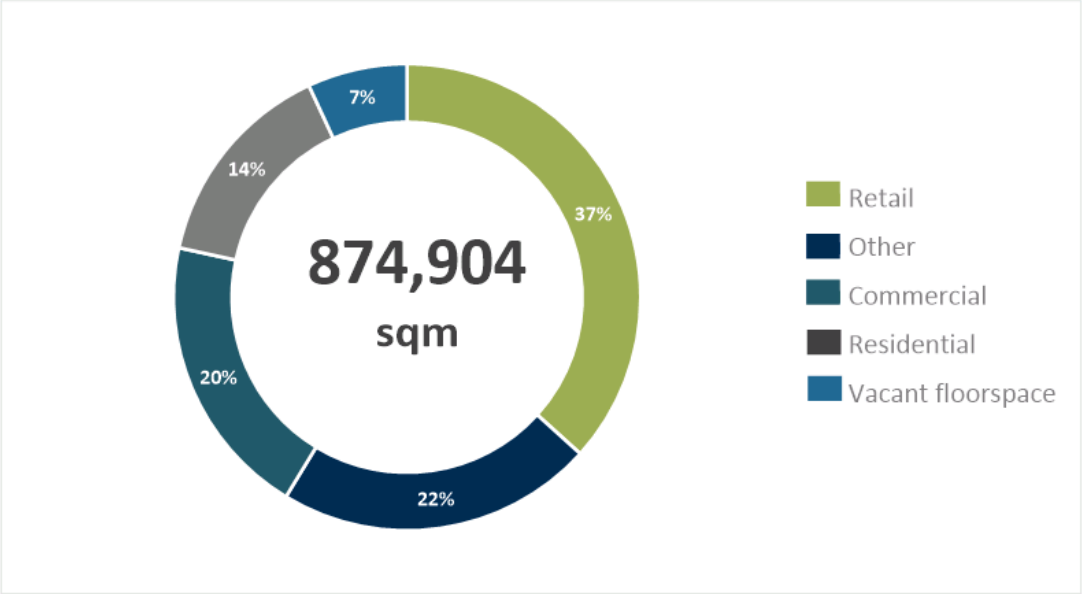
Centre	Zoning	Land area (ha)	Vacant land area (ha)
Airds Shopping Centre	B1	10.0	0.63
Ambarvale Shopping Centre	B1	26.0	1.26*
Blair Athol	B2	0.8	0.00
Blairmount	B1	0.3	0.34
Bradbury Shopping Centre	B1	7.5	0.00
Bradfield Street, Leumeah	B1	0.1	0.00
Campbelltown-Macarthur	B1, B3, B4	88.4	0.99
Chamberlain Street Shops	B1	0.2	0.00
Claymore Shopping Centre	B4	6.1	0.14
Claymore Emerging Centre	B2	2.1	1.80
Eagle Vale Marketplace	B2	7.1	0.14
Gilead Emerging Centre	B1	0.3	0.32
Glen Alpine Shopping Centre	B1	0.2	0.00
Glenfield	DM (3c)	1.0	0.08
Glenfield Neighbourhood Shops	B1	0.2	0.00
Glenquarie Shopping Centre	B2	16.1	0.33
Hoddle Avenue Shopping Centre	B1	0.1	0.00
Ingleburn Village	B1, B4	12.4	0.00
Kearns Shopping Centre	B1	3.7	0.00
Lagonda Village Shops	B1	0.4	0.00
Leumeah Neighbourhood Shops	B1	0.1	0.00
Leumeah (O'Sullivan Road)	B2	7.5	0.74
Macquarie Fields	B1	1.2	0.01
Macquarie Fields Neighbourhood	B1	0.2	0.06
Menangle Park Emerging Centre	B2	6.3	6.31
Minto	B1	2.5	0.00
Minto Education	B1	4.4	0.00
Minto Marketplace	B2	12.3	0.00
Raby Education	B1	10.2	0.35
Raby Shopping Centre	B1	0.8	0.00
Rosemeadow Shopping Centre	B1	13.5	0.00
Ruse Village Shopping Centre	B1	0.9	0.00

Centre	Zoning	Land area (ha)	Vacant land area (ha)
St Andrews Shopping Centre	B1	3.6	0.00
St Helens Park Local Shops	B1	4.6	0.00
St Helens Park Education	B1	4.1	0.78
Waminda Local Shops East	B1	0.2	0.00
Waminda Local Shops West	B1	0.2	0.07
Willowdale Shopping Centre	B2	3.2	2.27
Woodbine Neighbourhood Centre	B1	0.7	0.00
		259.4	16.61

Source: HillPDA, City of Campbelltown *occupied by sporting fields

The 39 commercial centres accommodated around 874,900 square metres of floor space. As can be seen in Figure 9, around 685,960 square metres or 57% was occupied retail and commercial space, 128,508 square metres or 14% was residential related, and 60,432 square metres or 7% was vacant/storage.

Figure 9: Total floorspace by broad land use category



Source: HillPDA land use audit

The following centres contained supermarket space in this category:

- Campbelltown-Macarthur: 23,605 square metres of supermarket space
- Glenquarie Shopping Centre: 8,743 square metres of supermarket space
- Ingleburn Village: 8,393 square metres of supermarket space
- Minto Marketplace: 5,539 square metres of supermarket space
- Eagle Vale Marketplace: 4,306 square metres of supermarket space
- Willowdale Shopping Centre: 4,200 square metres of supermarket space
- Rosemeadow Shopping Centre: 3,669 square metres of supermarket space
- Ambarvale Shopping Centre: 1,729 square metres of supermarket space
- Blair Athol: 1,645 square metres of supermarket space
- Raby Tavern: 1,000 square metres of supermarket space.

3.3 Job distribution

The Campbelltown LGA centres generate employment opportunities for around 24,770 people across various industries. Around 60 per cent of these jobs are concentrated in the Campbelltown-Macarthur centre. Ingleburn (9%), Glenquarie (5%) and Minto Marketplace contain the next highest proportion of jobs. The estimated breakdown of jobs across the centres is identified in Table 7 below:

Table 7: Estimated breakdown of existing jobs across business centres

Centre	Estimate jobs
Airds Shopping Centre	329
Ambarvale Shopping Centre	443
Blair Athol	66
Blairmount	0
Bradbury Shopping Centre	479
Bradfield Street, Leumeah	25
Campbelltown-Macarthur	14,574
Chamberlain Street Shops	38
Claymore Shopping Centre	182
Claymore Emerging Centre	11
Eagle Vale Marketplace	402
Gilead Emerging Centre	0
Glen Alpine Shopping Centre	39
Glenfield	163
Glenquarie Shopping Centre	1,220
Glenfield Neighbourhood Shops	21
Hoddle Avenue Shopping Centre	18
Ingleburn Village	2,347
Kearns Shopping Centre	137
Lagonda Village Shops	35
Leumeah Neighbourhood Shops	12
Leumeah (O'Sullivan Road)	391
Macquarie Fields Neighbourhood	6
Macquarie Fields	283
Menangle Park Emerging Centre	0
Minto	407
Minto Education	208
Minto Marketplace	1,193
Raby Education	227
Raby Shopping Centre	141
Rosemeadow Shopping Centre	537
Ruse Village Shopping Centre,	91
St Andrews Shopping Centre	247
St Helens Park Local Shops	112
St Helens Park Education	74
Waminda Local Shops East	47
Waminda Local Shops West	20
Willowdale Shopping Centre	229
Woodbine Neighbourhood Centre	13
TOTAL	**24,767**

Source: HillPDA 2020

The largest contributing sectors include:

- Commercial – government (12%)
- Retail – supermarket / grocery store (11%)
- Retail – Café, restaurant, takeaway (11%)
- Commercial – medical (10%)
- Other – education (9%)

Public art in Campbelltown Macarthur

3.4 Centre market trends

The demand for retail and business floorspace is influenced by trends such as globalisation and the use of information technology. Table 8 explores some of the broader market trends being seen across the retail, business and office sector and associated implications for Campbelltown.

Table 8: Centre precinct market trends

Broad market trends	Implications for Campbelltown
Demand for supermarket and grocery stores will continue to experience strong growth in the coming years, with the possible provision of neighbourhood supermarkets in smaller centres around Campbelltown LGA. This is consistent with the Regional Plan intent to improve access to supermarkets and services to enhance liveability for residents.	Emerging centres in growing residential areas such as Menangle Park and Gilead would be appropriate to accommodate new supermarkets. Out-of-centre, standalone supermarkets should generally be discouraged to prevent undermining the viability of existing centres.
The **growth in the café and entertainment culture** will emerge with demand for new cafés, restaurants, bars and entertainment activities. As residential communities continue to grow, residents will demand more lifestyle and social opportunities.	Improving the amenity in business centres can assist in encouraging an improved day and night time economy, providing residents and workers with greater options for socialising and connecting.
Department stores have been retracting as they compete with online retailing. There may be an emergence of smaller department stores that provide specific products tailored to the surrounding demographic. Existing department stores will continue to consolidate, evolving and innovating to reflect the changing trends in shopper preferences and habits.	The traditional local centres, underpinned by supermarkets and department stores, may need to transition and adapt to remain viable. This may introduce new and emerging retail opportunities, tailored to the residential market, into the LGA.
The **growth of online retail** is expanding the opportunity for smaller boutique or home-based retailers and manufacturers to produce and distribute product to a wider, more viable market. Start-ups have great disruptive potential because of the ease with which they can reach global audiences through the use of technology. **Co-working spaces and technology incubators are also emerging** across all regions. This is generating less demand for large floor plate office, with more flexible options preferred.	Opportunity to support start-up businesses through small business and manufacturing hubs within business and employment precincts. Small business support programs and events facilitated by the Council can also assist start-up businesses to grow.
Remote working will drive up demand for shared facilities and co-working spaces as people choose to remain local rather than travelling to Sydney CBD or other major employment centres.	Creating an opportunity for more business hubs and co-working spaces in centres may support the viability of other uses, including boosting trade and expenditure.
Increasing demand for residential uses in centres due to affordability and changing lifestyle preferences. While it is important to protect commercial floor space provision, introducing residential uses can help support the viability of centres and boost business vibrancy and revenue. Centres in close proximity to good public transport services are more likely to experience the benefits of this change.	Consider increasing residential development within walkable catchments of local centres where it can be done so without reducing the net amount of commercial floorspace. Centres along the Glenfield to Macarthur rail corridor would be most appropriate for increased residential density through mixed-use or standalone residential developments.

3.5 Future centres demand

3.5.1 Retail and business

The forecast demand for retail space by centre was derived using resident and worker expenditure modelling. Two scenarios were undertaken: one based on the Forecast Id. population projections and the other based on the TPA/DPIE projections and distribution. The two scenarios indicated demand for between 146,200sqm to 228,700sqm by 2041. The estimated net increase in floor space across the centres under the Forecast Id scenario is outlined in Table 9.

Table 9: Forecast Id scenario demand and supply of retail floor space by centre (sqm)

Centre	Supply in 2019	Demand in 2019	Current over/under-supply	Additional demand in 2031	Additional demand in 2041
Campbelltown	165,120	159,623	-5,497	73,566	106,742
Ingleburn	22,515	16,428	-6,087	0	0
Macquarie Fields	15,606	16,149	543	5,995	9,355
Glenfield	2,277	5,758	3,481	11,160	16,025
Minto	27,261	23,109	-4,152	0	284
Claymore & Eagle Vale	6,527	10,591	4,064	8,238	10,170
Rosemeadow	6,193	11,912	5,719	7,800	8,955
Denham Court	5,045	635	-4,410	5,988	6,963
Menangle Park	0	207	207	9,474	9,719
Gilead	0	2,115	2,115	18,911	48,482
Leumeah	1,658	3,200	1,542	2,029	2,460
OTHER	29,129	19,671	-9,458	1,204	9,572
TOTAL	**281,331**	**269,398**	**-11,933**	**144,365**	**228,728**

Source: HillPDA 2020

As shown in the above table, under the Forecast Id scenario a significant increase in supply should be planned for in the centres of Campbelltown CBD (107,000sqm more), Claymore and Eagle Vale (10,000sqm) and Glenfield (16,000sqm). New centres should be planned for in Menangle Park and Gilead. Gilead, in particular, could justify having 3 or 4 new centres to service its population of 55,000 or more. Conversely, under the TPA Scenario (see Table 10), the amount of retail space required across the LGA reduces, however, the general principles in terms of where growth and new centres should be directed, generally remains consistent.

Table 10: TPA scenario forecast demand and supply of retail floorspace by 2041 by centre (sqm)

Centre	Supply in 2019	Demand in 2019	Current under-supply	Additional demand in 2031	Additional demand in 2041
Campbelltown	165,120	159,623	-5,497	50,821	77,548
Ingleburn	22,515	16,428	-6,087	-574	3,176
Macquarie Fields	15,606	16,149	543	4,010	7,000
Glenfield	2,277	5,758	3,481	6,917	10,169
Minto	27,261	23,109	-4,152	-255	4,080
Claymore & Eagle Vale	6,527	10,591	4,064	6,873	9,791
Rosemeadow	6,193	11,912	5,719	7,752	10,625
Denham Court	5,045	635	-4,410	-1,705	-1,119
Menangle Park	0	207	207	4,583	6,352
Gilead	0	2,115	2,115	6,518	11,259
Leumeah	1,658	3,200	1,542	2,171	2,944
OTHER	29,129	19,671	-9,458	-2,233	4,340
TOTAL	**281,331**	**269,398**	**-11,933**	**84,878**	**146,165**

Source: HillPDA 2020

To note, some of the demand could shift between centres. The construction of a new centre could shift demand away from an existing centre, and so the above tables should only be used as a guide to gauge approximately where retail space should be planned.

3.5.2 Office

The forecast for office floorspace was derived using the TPA and Forecast Id. population projections, assuming an average of 25m² per worker (GFA) and a target of 5 per cent vacancy in the commercial centres. The three scenarios tested, and their results are as follows:

1. TPA scenario: The TPA scenario adopts Transport for NSW 2016 employment forecasts. This is considered a low projection because the rate of growth (37% more workers from 2016 to 2041) is lower than the rate of population growth forecast by Transport for NSW (55% more residents). Transport for NSW is forecasting the ratio of jobs to the population to decline from 35% to 31% over that period

   Results: An additional 5,180 office jobs would be provided in the commercial centres. This would require a further 136,000m² of additional office space to keep up with demand.

2. TPA 35 scenario forecast: The TPA 35 scenario adopts the same forecast from Transport for NSW but pro-ratas the job numbers across all industry types upwards to maintain the ratio of jobs to the population at 35%.

   Results: An additional 7,340 office jobs would be provided in the commercial centres. This would result in the need for an additional 193,000sqm of office space by 2041.

3. Forecast Id scenario: The forecast id scenario maintains the 35% ratio but adopts the higher Forecast.ID population projection.

   Results: An additional 10,840 jobs would be provided in the commercial centres resulting in the need for a further 285,000sqm of office space by 2041.

The distribution of office space to the centres was assessed having regard to the following:

- The existing distribution and relative sizes of the existing centres[1]
- Likely new centres and the level of retail space required in them as determined above
- The relative current and likely future market appetite to provide future office space between the competing centres.

Having regard to the above a suggested distribution of office space under each of the three scenarios is provided in Table 11.

Table 11: Forecast demand for additional office space by centre to 2041 (sqm)

Centre	TPA forecast	TPA35 forecast	Forecast id forecast
Campbelltown	93,500	138,000	204,000
Ingleburn	0	0	0
Macquarie Fields	5,000	7,000	11,000
Glenfield	7,000	10,500	16,000
Minto	0	0	0
Eagle Vale	2,500	3,500	5,500
Rosemeadow	2,500	3,500	5,500
Denham Court	0	0	0
Menangle Park	2,500	3,500	5,500
Gilead	3,500	5,500	13,500
Leumeah	2,500	3,500	5,500
Other	1,000	2,000	2,500
TOTAL	**120,000**	**177,000**	**269,000**

[1] Generally, office space is more attracted to larger centres. In smaller retail centres of say 30,000sqm or less the component of non-retail businesses generally comprises around 20% to 30% of total commercial floor space. The percentage is lower in stand alone shopping centres (generally 5% to 10%). However, in large commercial centres with multiple office buildings the percentage may be 70% or more.

3.6 Centre capacity

An assessment has been undertaken to determine the theoretical capacity of centres to accommodate future demand. This then determines the centres that may need further planning intervention to accommodate growth.

The capacity for each centre to achieve its projected demand has been calculated by firstly estimating the amount of floorspace that a centre can achieve within its business zoned land, under its current planning controls (referred to a centres' maximum theoretical capacity). This maximum theoretical capacity is then subtracted from the projected demand identified in Section 3.5.

Usually, the maximum theoretical capacity of a centre is calculated by applying a lot or parcel of lands identified Floor Space Raito (FSR) by it land area. For example, a 1,000sqm site with an FSR of 1:1 can yield 1,000sqm of floorspace (1,000sqm X 1 = 1,000sqm) while the same size site with an FSR of 0.5:1 could theoretically yield 500sqm (1,000sqm X 0.5 = 500qm).

Currently, Campbelltown LEP 2015 does not identify FSRs for its commercial centres, however, for the purpose of this strategy, we have assessed the capacity of each centre to accommodate its projected demand under two capacity scenarios, these being:

- **Ground floor scenario |** assumes that a centres ground floor is occupied by non-residential uses, that is commercial, and retail uses. As such, this scenario applies an FSR of 0.5:1 to each business zoned lot/parcel of land within a centres business zoned land. Open space lots/parcels of land, like parks and playgrounds land, are excluded from capacity calculations.
- **Ground and first floor scenario|** assume that a centres ground and first floors are occupied by non-residential uses, that is commercial, and retail uses. As such this scenario applies an FSR of 1:1 to each business zoned lot/parcel of land within a centres business zoned land. Open space lots/parcels of land, like parks and playgrounds land, are excluded from capacity calculations.

Regarding Campbelltown CBD, in addition to open space and playgrounds, heritage, Macarthur Square, Campbelltown Mall and residential flat buildings have also been excluded from Campbelltown's capacity calculations under each capacity scenario.

As the capacity scenarios assume total redevelopment of a centre, these estimates are considered high. They do not consider the feasibility of redevelopment or take-up by the market. As such, further analysis of a centre by centre or site by site case should be undertaken to take these considerations into account.

Table 12 outlines the findings from the centre capacity assessment. What the high level analysis identifies is that the centres of Campbelltown, Ingleburn, Macquarie Fields, Glenfield, Minto and Leumeah will need to consider incorporating a non-residential planning mechanism in order to meet future demand. In the case of Ingleburn, Minto and Leumeah, it is unlikely that a ground floor only solution will be appropriate, however a centre wide ground and first floor outcome is not required. This is consistent with the planning proposals for Minto and Ingleburn CBD.

In the case of Campbelltown CBD, a ground and first floor outcome would not be sufficient. Instead, a 'commercial core' that established a higher minimum non-residential component is recommended.

The current provision of zoned land at Macquarie Fields and Glenfield is unlikely to be sufficient to accommodate future demand. The exact size of these precincts would need to be further investigated through demand, design and feasibility testing. Gilead is likely to require a number of new centres to be released to meet future demand. If this occurs, ground floor only provision of space is expected to be sufficient.

Table 12: Centre capacity assessment by demand and capacity scenario

Centre	Non-residential capacity by capacity scenario		Total demand by scenario*		Over/undersupply - Ground floor capacity scenario		Over/undersupply - Ground & first floor capacity scenario	
	Ground (a)	Ground and first floor (b)	TPA (c)	Forecast id (d)	TPA (e=a-c)	Forecast id (f=a-d)	TPA (g=b-d)	Forecast id (h=b-d)
Campbelltown-Macarthur	252,708	505,416	571,504	676,218	-318,796	-423,510	-66,088	-170,802
Ingleburn	60,848	121,697	73,109	69,615	-12,260	-8,767	48,588	52,082
Macquarie Fields	5,863	11,726	21,819	28,809	-15,956	-22,946	-10,093	-17,084
Glenfield	4,973	9,945	27,931	40,423	-22,958	-35,450	-17,986	-30,477
Minto	12,700	25,401	19,687	15,511	-6,987	-2,811	5,714	9,889
Claymore & Eagle Vale	66,284	132,567	39,465	42,082	26,819	24,202	93,103	90,486
Rosemeadow	64,049	128,098	34,816	35,179	29,233	28,870	93,283	92,920
Denham Court	16,203	32,406	4,214	13,104	11,989	3,098	28,191	19,301
Menangle Park	31,556	63,113	10,837	16,741	20,719	14,815	52,276	46,372
Gilead	1,594	3,188	18,435	68,180	-16,841	-66,586	-15,247	-64,992
Leumeah	37,376	74,752	48,759	50,427	-11,383	-13,050	25,994	24,326
Other	390,182	780,365	201,368	207,673	188,814	182,509	578,997	572,691
Total	**944,337**	**1,888,674**	**1,071,944**	**1,263,962**	**-127,607**	**-319,625**	**816,730**	**624,712**

Source: HillPDA, *includes an additional 10% to the projected demand to translate NSA into GFA

Macquarie Fields Neighbourhood Shops

3.7 Additional guiding principles

In addition to the guiding principles identified in section 2.5, there are some specific principles to centres that should be considered when planning for future supply. The following principles should be considered when revitalising existing centres or planning for new centres.

Principle	Rationale
Secure a long term supply of commercial floorspace	Protecting commercial floorspace for future use is essential for securing jobs close to homes, maintaining the viability of the centre and stimulating the daytime retail economy.
Seek diversity in the type of uses and size of floorplates	The quality and diversity of the tenancy mix can define the identity and desirability of a centre, creating an attractive place to do business and visit. The variety of floorplates can assist in enabling a stronger use mix. A centre should cater to the daily and weekly needs of residents and workers, specialise in a dining and/or boutique retailing element and should provide social gathering opportunities. This encourages workers, residents and visitors to stay and spend in the centre longer.
Support activity clusters to foster unique identity	Supporting the growth of both day and night time activity level creates a more vibrant and safe environment. Extending trading hours past the standard '9-5' concept enhances consumer access to goods and services and the trading opportunity for businesses.
Encourage active street frontages	Active street frontages can increase the perceived vibrancy of a centre and optimise surveillance. When commercial floorspace is over-delivered, however, tenancies can be left vacant, having the opposite effect. Exploring innovative use-mix and design options can produce a safer and more desirable public domain.
Reduce vacancy rates in centres	Centre trading performance can be measured by the extent of vacancy, turnover and the quality of the use mix. High vacancy rates or high turnover of tenants can indicate that a centre is underperforming. A rise in vacancy rates indicates an increase in available floorspace with supply outstripping demand. Rents become more competitive to attract new businesses. Low vacancy rates generally indicate floorspace in the centre is in demand, with rents generally increasing the lower the vacancy rate falls. Vacancy rates can also be influenced by the strength and supply of similar stock in other markets.
Increase density within a walkable catchment	Centre performance is intrinsically linked to the density within the trade catchment. Increasing the residential and commercial density of the walkable catchment can enhance the vitality of retail and reduces the reliance on private vehicle trips. A balance of both commercial and residential can extend centre activation both during the day and in the evening.

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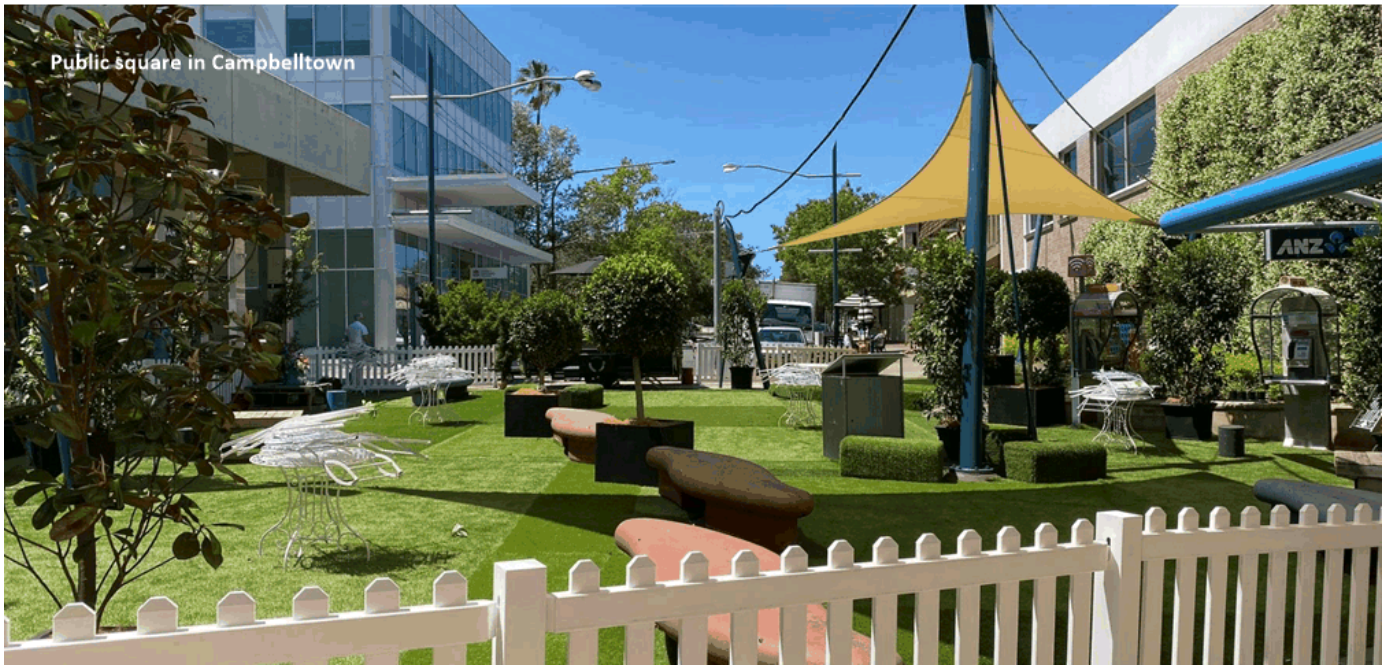
Principle	Rationale
Pedestrian-friendly and oriented spaces	Walkable main streets and a pedestrian prioritised traffic environment can be more conducive to passing pedestrian trade and correlate with increased sales. Restructure the urban environment to prioritise pedestrian movement, and activity spines along key desire lines, such as to major anchors and transport nodes can also improve the viability of centres.
Available and convenient parking	On-street and convenient parking is imperative to the function of businesses that have a higher dependency on passing trade. The presence of easy to see and accessible parking spaces enables customers to conveniently and efficiently arrive, use and depart the centre. On-street parking also assists in traffic calming as it forces other vehicles to slow down and creates a positive barrier between the street and pedestrian uses.
Provide safe through block linkages	Enhancing the legibility and pedestrian movement capacity within a centre improves convenience for patrons and enhances the pedestrian experience. Creating pedestrian connections that respond to consumer desire lines and reduce the bulk of blocks can increase patronage and the appeal of the centre.
Efficient servicing and deliveries	Servicing and delivery are imperative to the daily operation of some businesses. Ensuring the efficiency of services and deliveries is retained and is in a location that reduces impacts to the public realm is important.
Integrate passive open space and recreation options	Useful and attractive green and public spaces enhance the public domain and create break out areas for workers, residents and visitors to the centre. These passive spaces enhance the amenity of the environment and can be used for other purposes, such as public markets and events. Tenancies fronting the public spaces also receive extra benefits in terms of enhanced foot traffic and potential passing trade.
Integrate community facilities	The adequate provision of community facilities can contribute significantly to improving the lives of residents, workers and visitors to a centre. Community facilities are uniquely placed to play a strong role in a centre, acting as intergenerational facilities to encourage interaction and enhanced community cohesion or providing for the day to day needs of a local community.
Desirable centre amenity	The local character and amenity of a place can affect the enjoyment and desirability of the environment, visitation numbers and trends, and consequently the economic activity of a commercial centre and the businesses located there. Amenity is generally associated with the pleasantness of an area or business environment but also has a physical (or tangible) component. This includes the character and appearance of buildings, proximity to commercial or recreational facilities, quality infrastructure and absence of noise, unsightliness or offensive odours. It also has a psychological or social component. Improving pedestrian experience can increase centre visitation and attract further investment. Pleasant amenity creates more memorable experiences and repeat visitation.



Public square in Campbelltown

3.8 Strategies and actions

The following strategies and actions are drafted in response to the planning, supply and demand analysis. It is acknowledged that markets are dynamic and strategies should be regularly reviewed in order to adapt to shifting trends in land use, the economy and population requirements.

3.8.1 Strategy: Establish and reinforce a clear centre hierarchy across the LGA

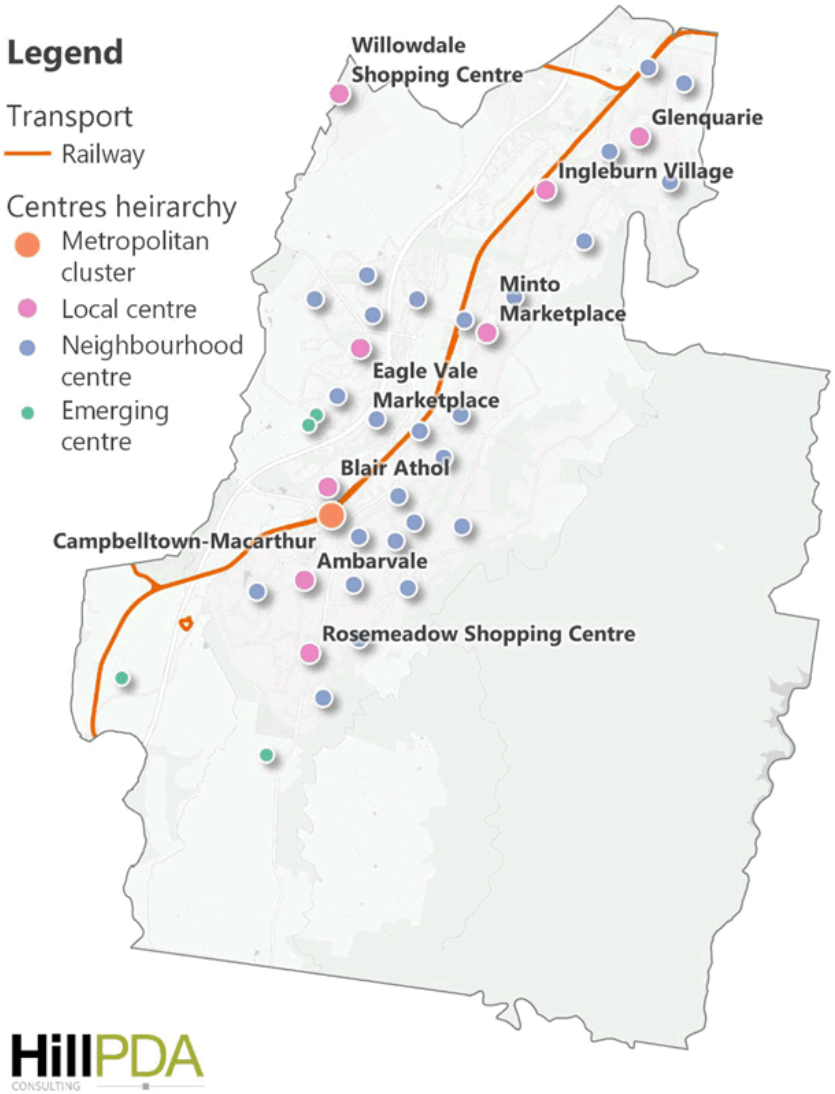
Establish a clear centre hierarchy that provides clarity to the market around growth expectations and the desired role and function of centres. The hierarchy will serve to reinforce the commercial significance of the Campbelltown-Macarthur metropolitan cluster, including major anchor retailers, in providing significant and diverse employment, services and economic contribution to the LGA and broader region. It has regard to the position of centres in the context of the broader district and regional centres hierarchy. The role of other centres is to support, rather than compete with, the primary role of the metropolitan cluster, providing local job opportunities and services to support the weekly and daily needs of residents.

- **Action:** Based on the findings in the Background Report, and to better conform to the Greater Sydney Commission's commercial centre classifications, consider adopting the proposed hierarchy outlined below and in Table 11 and Figure 10.
  - **Metropolitan Cluster** –is the highest order centre in Campbelltown LGA, containing major health, education, retail, community and civic services for the broader region. A metropolitan cluster is a significant employment and economic generator with a wide catchment.
    Relevant centres: Campbelltown-Macarthur
  - **Local centres** –provide essential access to day to day goods and services close to where people live. They typically are located in proximity to public transport and transport interchanges increasing their access to for the surrounding community. Local centres provide a mix of retail, commercial and community space with retail space typically being anchored by one or two supermarkets over 1,000sqm.
    Relevant centres: Ambarvale Shopping Centre, Blair Athol, Eagle Vale Marketplace, Glenfield, Glenquarie Shopping Centre, Ingleburn Village, Minto Marketplace, Raby Shopping Centre, Rosemeadow Shopping Centre and Willowdale Shopping Centre
  - **Neighbourhood centres** –provide retail, community facilities, and other population supportive services to meet the day-to-day shopping needs of the surrounding population and workforce. Typically, these centres offer a mix of speciality retail floorspace, may contain a small neighbourhood supermarket (1,000sqm or less) and serves a local residential catchment within a five to ten-minute walking radius.
    Relevant centres: Airds Shopping Centre, Bradbury Shopping Centre, Bradfield Street Shops, Chamberlain Street Shops, Claymore Shopping Centre, Macquarie Fields Neighbourhood, Glen Alpine Shopping Centre, Glenfield Neighbourhood Shops, Hoddle Avenue Shopping Centre, Lagonda Village shops, Kearns Shopping Centre, Leumeah, Macquarie Fields, Minto, Leumeah Neighbourhood Shops, Raby Education, Ruse Village Shopping Centre, St Andrews Shopping Centre, St Helens Park Local Shops, St Helens Park Education, Minto Education, Waminda Local Shops East and West and Woodbine Neighbourhood Centre
  - **Emerging centre** –is land that has been identified and protected for future employment use. They are generally in locations that have been identified for residential growth. Development of emerging centres should be in line with residential growth, with commercial floorspace released in a manner that does not have an adverse consequence on existing centres.
    Relevant centres: Blairmount (Neighbourhood Centre), Claymore Emerging Centre (Local Centre), Gilead Emerging Centre (north and south) (Local Centre), Menangle Park Emerging Centre (Local Centre)
- **Action:** Council should consider the economic impacts of planning proposals and development applications on the proposed commercial hierarchy.
- **Action:** Undertake a holistic review of land use permissibility within the business zones of the LEP.

Table 13: Proposed retail hierarchy

Centre	Future role	Existing / proposed zoning
Airds Shopping Centre	Neighbourhood centre	B1
Ambarvale Shopping Centre	Local centre	B2
Blair Athol	Local centre	B2
Blairmount	Emerging centre (Neighbourhood centre)	B1
Bradbury Shopping Centre	Neighbourhood centre	B1
Bradfield Street Shops	Neighbourhood centre	B1
Campbelltown-Macarthur	Metropolitan cluster	Part B1, B3, B4
Chamberlain Street Shops	Neighbourhood centre	B1
Claymore Shopping Centre	Neighbourhood centre	B4
Claymore Emerging Centre	Emerging centre (Local centre)	B2
Eagle Vale Marketplace	Local centre	B2
Macquarie Fields Neighbourhood	Neighbourhood centre	B1
Gilead Emerging Centre	Emerging centre (Local centre)	B2 (proposed)
Glen Alpine Shopping Centre	Neighbourhood centre	B1
Glenfield	Local centre (TOD)	B4 (proposed)
Glenquarie Shopping Centre	Local centre	B2
Glenfield Neighbourhood Shops	Neighbourhood centre	B1
Hoddle Avenue Shopping Centre	Neighbourhood centre	B1
Ingleburn Village	Local centre (TOD)	B2, B4
Lagonda Village Shops	Neighbourhood centre	B1
Kearns Shopping Centre	Neighbourhood centre	B1
Leumeah (TOD)	Neighbourhood centre	B4 (proposed)
Macquarie Fields	Neighbourhood centre	B1
Menangle Park Emerging Centre	Emerging centre (Local centre)	B2
Minto	Neighbourhood centre (TOD)	B4 (proposed)
Minto Marketplace	Local centre	B2
Leumeah Neighbourhood Shops	Neighbourhood centre	B1
Raby Education	Neighbourhood centre	B1
Raby Shopping Centre	Neighbourhood centre	B1
Rosemeadow Shopping Centre	Local centre	B1
Ruse Village Shopping Centre	Neighbourhood centre	B1
St Andrews Shopping Centre	Neighbourhood centre	B1
St Helens Park Local Shops	Neighbourhood centre	B1
St Helens Park Education	Neighbourhood centre	B1
Minto Education	Neighbourhood centre	B1
Waminda Local Shops East	Neighbourhood centre	B1
Waminda Local Shops West	Neighbourhood centre	B1
Willowdale Shopping Centre	Local centre	B2
Woodbine Neighbourhood Centre	Neighbourhood centre	B1

Figure 10: Proposed commercial centre retail hierarchy



3.8.2 Strategy: Prioritise the growth and renewal of Campbelltown-Macarthur metropolitan cluster

Campbelltown-Macarthur is identified in the Greater Sydney Region Plan as a Metropolitan Cluster with the capacity to become an internationally competitive, knowledge intensive, health, education, research and innovation precinct.

The Reimagining Campbelltown project (which includes Leumeah) aims to transition the metropolitan cluster to achieve this intent, establishing a clear vision and direction for the longer term transition of the area. This strategy identifies priority projects and key actions to support this longer term transition.

The area around the Macarthur Station has been the subject of significant development interest over the past couple of decades, whereas Campbelltown CBD has lacked the same level of interest. The two areas play somewhat different roles, and there is opportunity to springboard off one to support the revitalisation of the other.

The following actions are aimed to be shorter term interventions to support the revitalisation of the area.

- **Action**: Prioritise and incentivise shorter term development in Campbelltown City Centre (eastern side) particularly when it is associated with additional residential, retail or office space.
- **Action:** Consider amending the existing Campbelltown LEP standards (i.e. minimum non-residential FSR or number of commercial storeys) to increase the number of non-residential floors in the Campbelltown CBD in line with Reimagining Campbelltown City Centre Masterplan.
- **Action:** Implement the priorities and directions outlined in the Reimagining Campbelltown City Centre Masterplan and the Campbelltown Macarthur Place Strategy including actions to improve connectivity, rationalise landspace taken for car parking and build on the centres anchors.
- **Action:** Trial temporarily re-purposing the Campbelltown Council Hurley Street car park to become a market square or park that can be utilised for:
  - Nighttime market installations similar to what is achieved during the Sydney Night Noodle Markets or the 'Eat Street Northshore' markets in Brisbane that initially utilised temporary shipping containers to create pop-up restaurants, band spaces and informal parklets. This has now become a permanent installation that is highly frequented by tourists and residents from across South-east Queensland
  - Public domain (park) to introduce more passive spaces and trees into the centre
  - Entertainment spaces such as music performances or outdoor cinemas
  - Weekend markets to promote local artists and agribusinesses
  - Public art, street furniture and wayfinding outcomes to create a more pleasant arrival point for the civic and justice precinct.

Longer term, an integrated car park and public domain space could be achieved on part of the site (**see Case Study 2 - below**).

Campbelltown Private Hospital

Case Study 2 – Cato Square Melbourne

The City of Stonington in Melbourne has embarked on transforming a 9,000sqm car park into a new public plaza, dubbed Cato Square. Prior to the dedication of the project, the City of Stonington had the second-lowest amount of open space per capita of all Victorian Councils and embarked on transforming the car park into a versatile facility incorporating multi-storey car parking capped by an inviting and safe public plaza. Stonnington mayor Steve Stefanopoulos said, "*Our vision is for this site to be recognized as a world-class public space that can be enjoyed by everyone. We will achieve this by transforming the existing car park into an active, vibrant, safe and exciting public open space*." The square is currently under construction and is proposed to incorporate retail/hospitality opportunity spaces, free public WiFi, environmentally friendly design features, safe and improved pedestrian movement paths and capacity for events such as outdoor cinemas, markets, and live performances. The project was designed by Lyons Architecture and Aspect Studios.

Figure 11: Artist impressions - Cato Square, Prahan Melbourne

Source: Hunn, P 2018 'Work begins on burying 9,000m² Melbourne carpark under public plaza', viewed at: https://landscapeaustralia.com/articles/lyons-and-aspect-studios-to-transform-melbourne-carpark-into-public-park-1/

Images source: City of Stonnington, 2018

- **Action:** Attract new businesses to the city centre in accordance with use and activity clusters identified in Reimagining Campbelltown City Centre Masterplan and the Economic Development Strategy. These clusters may include the
  - Commercial Core
  - Justice Precinct
  - City Centre living
  - Health, knowledge and innovation precinct
  - Cultural precinct.
- **Action:** Improve the appeal and identity of the centre to become a destination:
  - Consider opportunities for street and public art in the main street and at entrance locations to create a sense of arrival
  - Encourage public events and activities that bring families and friends into the centre such as 'Art in the city', 'street fairs', markets etc
  - Explore opportunities for pop-up activations in vacant tenancies to enhance activation and provide affordable space for new businesses
  - Investigate a building improvement project that encourages shop front renewal (see **Case Study 3**).

Case Study 3 - Gosford Business Improvement District

The concept of Business Improvement District (BIDs) first emerged in Canada in the 1960s and has become an increasingly international movement - particularly in North America and the UK[1]. As defined in a recent briefing paper drafted by House of Commons Library - *A Business Improvement Districts (BIDs) are partnerships between local authorities and local businesses which are intended to provide additional services or improvements to a specified area*[2]. Local businesses within the defined area pay a set levy to fund a business improvement manager and local programs that improve the quality of the visitor experience. Well managed BIDs can contribute to increased property values, improved sales for local retailers and decreased commercial vacancy rates[3].

An example in Australia is the Gosford Business Improvement District (GBID), which is a not-for-profit organisation seeking to improve local conditions of businesses, including attracting more people into the city centre and improving the quality of visitor experiences[4]. Gosford Business Improvement District was established in 2008 "to make Gosford a safer, cleaner, more commercially vibrant, attractive city"[5]. In 2010, the Gosford BID was case-studied by NSW Industry and Investment as an example of a Business Improvement District working in NSW. GBID collects and manages the funds raised by the Gosford City Centre Improvement Special Rate Levy, which all commercial property owners in Gosford are required to pay. During the 2008/2009 financial year, this levy generated an income of around $400,000[6]. There are also numerous other examples of successful business improvement districts operating around the world that can also be drawn upon for guidance.

[1] Empty Spaces 2010, 'Gosford Business Improvement District', Arts NSW, viewed at: http://emptyspaces.culturemap.org.au/node/1482.html
[2] Sandford, M 2018, 'Business Improvement Districts – Briefing Paper Number 04591', House of Commons Library, viewed at: researchbriefings.files.parliament.uk/documents/SN04591/SN04591.pdf
[3] The World Bank 2018, 'Business Improvement Districts' viewed at: https://urban-regeneration.worldbank.org/node/16
[4] Empty Spaces 2010, 'Gosford Business Improvement District', Arts NSW, viewed at: http://emptyspaces.culturemap.org.au/node/1482.html
[5] Gosford Business Improvement District, 2010
[6] Empty Spaces 2010, 'Gosford Business Improvement District', Arts NSW, viewed at: http://emptyspaces.culturemap.org.au/node/1482.html

- **Action:** To support centre vitality, explore opportunities to increase residential and worker density within the walkable catchment:
  - Consider allowing a greater density of residential and office space within the walkable catchment to support centre activation
  - Provision for a mix of housing to cater to a diversity of age groups and incomes
  - Consider investigating incentives to achieve affordable, key worker and student housing in the centre
  - As an option, investigate rezoning northern end of Campbelltown to R4 High Density to assist in consolidating the centre or alternatively, in the B4 Mixed Use zone enable a greater diversity of ground floor uses such as light industry and specialised retail, which currently do not qualify under the 'shop top housing' use
  - Explore the potential to continue the R3 zone between Apex Park and Campbelltown Public School, north of Lindesay Street to provide more opportunity for infill residential development
  - Consider undertaking feasibility testing to determine if the current building height controls are feasible to incentivise development or if they are instead encouraging land banking. Land banking occurs when the planning controls are at a scale where demand insufficient to meet the controls and there is a hesitation to deliver an outcome less than what the controls enable as it would not be viable to redevelop in the future. Developers instead hold on to the property until the market has caught up.

Ingleburn Village Community Facility

3.8.3 Strategy: Support the renewal of the transit-oriented local centres to work towards achieving the vision of the Glenfield to Macarthur Urban Renewal Corridor Strategy

The Glenfield to Macarthur Urban Renewal Corridor Strategy provides a plan to guide the future growth of homes and jobs in accordance with the '30-minute city' concept. As identified in the Strategy, the centres to the east of the rail line provide considerable opportunity for urban renewal and higher density development. These centres have the capacity to deliver more jobs and homes closer to public transport, enhancing accessibility, liveability and viability for businesses.

At present, the employment precincts to the west of the rail corridor are high functioning industrial areas with increasing demand. While the land may be appropriate for higher-order uses in the longer term, the demand modelling to 2041 identifies that there is little demand to rezone this land in the shorter term. Instead, priority should be given to enhancing the existing centres to the east and then re-evaluating the need for land to the west when demand is evident (see Strategy 2.7.4).

The following actions consider the strategy and the transitioning of local centres along the corridor.

- **Action:** To reiterate the commercial hierarchy and support the revitalisation of Campbelltown-Macarthur and Leumeah, consider prioritising the renewal of existing centres on the eastern side of the rail line before transitioning industrial land to higher-order residential and business uses. This will enable the ongoing use of the western precincts for industrial purposes in the short to medium term. It would also support more sustainable take-up and viability rather than over expanding the centres too quickly.

- **Action:** Consider rezoning the centres at the Minto and Leumeah rail stations to B4 Mixed Use to enhance the viability of the centres and increase residential density within their walkable catchment.

- **Action:** Consider undertaking design and feasibility testing to prioritise increasing the density of existing centres rather than rezoning and expanding the centres. This should consider the possibility of incorporating a minimum non-residential FSR provision to secure longer term commercial floorspace. Controls could include investigating:
  - At least two storeys of commercial floorspace for properties fronting the main street and/or rail line interface
  - A minimum non-residential FSR of 0.5:1 for properties in the centre frame areas.
- **Action:** Investigate a potential main street connection with cycleway and street trees along Redfern Road to improve the connection from the rail station. In the longer term, consider the opportunity of extending commercial uses along the main street interface to connect the Minto station centre to Minto Marketplace and enhance passive surveillance over the street and public recreation facilities.
- **Action**: To support the forecast growth at Macquarie Fields, investigate a new mixed use centre at the rail station to support local convenience uses.
- **Action:** Continue to be actively involved in the master planning process associated with the Glenfield Urban Renewal area.

3.8.4 Strategy: Enhance the vibrancy and integration of local centres

There are a number of other local centres distributed across the LGA. These centres play an important role in providing employment opportunities and day to day goods and services close to where people live.

Some of the local centres across the LGA lack the identity and character that promote social cohesion and a sense of community ownership. They would benefit from a place-based approach to improve integration with the surrounding community, create a sense of place and promote greater business and employment opportunities through revitalisation. The following actions aim to support enhancing the vibrancy and appeal of local centres.

- **Action:** Consider developing a place-based strategy for local centres that aims to partner with the shopping centre owners with a vision to incentivise restructuring centres rather than only implementing design treatments. This could include:
  - Incorporating higher density shop-top housing
  - Encouraging the restructuring of standalone centres to incorporate a 'main/eat street concept' that acts as a more active interface for uses such as outdoor dining. This would require reconfiguring existing car parking and opening up the side interface of the existing shopping centre.
- **Action:** Subject to design and feasibility testing as part of the place-based approach, consider increasing the building height in local centres to incentivise redevelopment.
- **Action:** Where possible, new developments within centres should aim, to provide appropriate commercial floorspace, designed with flexibility in mind so that a variety of commercial uses can occupy the space.
- **Action:** Where possible, community facilities should be integrated in centres rather than on standalone sites, this can increase passing trade and visitation numbers for local businesses.
- **Action:** Consider the opportunity to integrate higher density residential in and around local centres. This could include the opportunity for residential development to be delivered above car parking for the centre.
- **Action:** Consider undertaking a pedestrian and cycle study that explores opportunities and priorities to:
  - Identify safe connections within the walkable catchment of centres
  - Enhance the walkability of catchments through cosmetic treatments
  - Incorporate wayfinding elements for strategic connections.
- **Action:** Encourage new local centres to be designed as 'main street' concepts that have more desirable interfaces and sense of place. Creating informal spaces for people to meet and chat can enhance community vitality and belonging. New shopping centres should be encouraged to be delivered in a way that integrates with the street.
- **Action**: Consider the role and function of the new centre in relation to the existing centre at Claymore. While there is additional demand for around 12,000sqm, this could either be distributed evenly across both centres or consolidated in one centre to enable larger supermarket and specialty retail provision. A specific economic impact assessment should be undertaken to determine the implications of these options.

3.8.5 Strategy: Seek to provide clearer direction for B1 Neighbourhood centres adjoining education uses

There are a number of centres in the LGA that contain school sites with a B1 Local Centre zoning, which gives the impression that the amount of land available to accommodate the future commercial need, is greater than the actual amount, as school sites are unlikely to be developed for commercial purposes.

- **Action:** In consultation with the State Government, consider exploring the possibility of rezoning school sites to a more appropriate zone that reflects the use, as part of the LEP review process.
- **Action**: For centres that adjoin school sites seek to:
  - Locate community facilities, such as libraries and halls, in or adjoining centres to keep people in the centres longer and enhance passing trade
  - Enhance the connection or interface with the school to create safe environments and enhance passing trade opportunity.
- **Action:** To enhance the economic viability of centres, consider increasing residential density within a walkable catchment.

3.8.6 Strategy: Neighbourhood centres

Campbelltown's neighbourhood centres provide retail, community facilities, and other population supportive services to meet the day-to-day convenience needs of the surrounding population and workforce. Some of the centres in the LGA need renewal to attract new business, improve safety and enhance the sense of place.

- **Action:** Investigate opportunities to locate smart business hubs in neighbourhood centres to support home-based businesses and encourage greater visitation of centres.
- **Action:** Explore opportunities for pop-up activations in vacant tenancies to enhance activation and provide affordable space for new businesses.
- **Action**: As part of the structure planning process for the Greater Macarthur area, opportunities have been identified for three new larger local centres at Menangle Park, North Gilead and South Gilead. Demand modelling indicates that additional smaller neighbourhood centres should also be considered to provide convenience services within a walkable catchment of new residents. Investigate the opportunity for additional smaller neighbourhood centres in this area.
- **Action:** Investigate a building improvement project that encourages shop front renewal (see Case Study 3).
- **Action:** Consider investigating alterations to building height controls to encourage the revitalisation of neighbourhood centres and the opportunity to deliver greater residential density through shop-top housing outcomes.
- **Action:** Explore the opportunity for a new B1 Neighbourhood Centre to provide convenience retail uses for the St Helens Park community.
- **Action:** Consider enabling home occupation and home business and permissible uses within the zone.

Woodbine Neighbourhood Store

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8.4 Outcome of Public Exhibition - Planning Proposal to Increase Height Limit and Site Specific Development Control Plan: 22-32 Queen Street, Campbelltown

Reporting Officer

Executive Manager Urban Centres
City Development

Community Strategic Plan

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

Officer's Recommendation

1. That Council forward the Planning Proposal at attachment 2 to this report which seeks to amend the Campbelltown Local Environmental Plan 2015 by increasing the maximum height of buildings map for 22-32 Queen Street, Campbelltown, from the current 26m limit to a range of heights for this site including 1.5m, 7m, 42m, 45m, 49m and 52m, to the Minister for Planning and Public Spaces and request that the amendment to Campbelltown Local Environmental Plan, 2015 be made.

2. That Council adopt and notify Amendment No. 10 to the Campbelltown (Sustainable City) Development Control Plan 2015 being the addition of Part 14, which is attachment 3 to this report and contains the site specific requirements for 22-32 Queen Street, Campbelltown.

3. That the land owners be advised of Council's decision.

Purpose

The purpose of this report is to advise Council of the outcome of the concurrent public exhibition of the Planning Proposal (PP) for 22-32 Queen St, Campbelltown to increase the maximum permissible building height and the site specific controls which will form Part 14 of Volume 3 of the Campbelltown Sustainable City Development Control Plan 2015 (SCDCP).

The purpose of the report is also to seek Council's approval to forward the subject PP to the Minister for Planning and Public Spaces and request the amendment to Campbelltown Local Environmental Plan 2015 (CLEP 2015) be made. Further, the purpose of the report is to seek the adoption and notification of the amendment of the SCDCP by the addition of Part 14 of Volume 3.

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

Applicant: Pacific Planning Pty. Ltd.

Owner: Campbelltown 88 Pty. Ltd and Supa 88 Pty. Ltd.

Executive Summary

- Council originally considered a report relating to a PP for 22-32 Queen Street, Campbelltown, at its meeting on 11 June, 2019. The PP was supported by Council and a Gateway determination sought.

- The Gateway Determination was issued on 17 January, 2020 and in response to comments from Council, included requirements to explore the increase of open space within the site and to prepare a draft site specific development control plan to accompany and be exhibited with the PP. The proponent responded by preparing studies and by altering their plans to include an increased amount of open space by the removal of one of the proposed towers and changes to the heights of the other towers.

- Council considered the revised proposal at its meeting on 14 July, 2020 and resolved to seek an alteration to the Gateway determination. The revised proposal seeks to alter the maximum permissible height of buildings from the current 26m to a range of heights being 1.5m, 3.6m, 7m, 42.5m, 45.6m, 49m and 52m. The altered Gateway determination was received on 31 August, 2020.

- At its meeting on 14 July, 2020 Council also considered a draft site specific development control plan (DCP). Council resolved to place the draft DCP on public exhibition. It is a condition of the Gateway Determination that the PP and the draft DCP be exhibited concurrently.

- The PP and draft DCP were placed on public exhibition from 30 September 2020 until 30 October 2020.

- Two submissions were received during the public exhibition and both were from State Government Agencies. Both submissions requested changes to the PP.

- Minor amendments have been made to the proposal in response to the submission from Sydney South West Local Health District and applicant's traffic study which both identified the need for end of trip facilities on the site to support the use of active transport. This requirement has been added to the draft DCP.

- It is recommended that Council support the finalisation of the PP and forward it to the Minister for Planning and Public Spaces for making. Due to an unresolved government agency objection Council is not able to make the plan under delegated authority.

- It is also recommended that Council adopt the site specific controls to be included in Part 14 of Volume 3 of the SCDCP, including the minor amendments identified in this report in regards to end of trip facilities, and notify the amendment of the DCP in accordance with legislative requirements.

History

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

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

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

At its meeting of 11 June 2019, the elected Council's resolved to support the PP and sought a Gateway Determination. A Gateway determination for the proposal was issued by Department of Planning, Industry and Environment (DPIE) on 17 January 2020 and is attachment 1 to this report. One of the requirements of the Gateway determination was the preparation of a site specific DCP which is required by the Gateway Determination conditions to be exhibited concurrently with the PP.

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

The applicant responded to these issues raised by Council, and included in the Gateway Determination, by significantly increasing the provision of open space at ground level, in the eastern corner of the site adjacent to both the adjoining heritage item and the Campbelltown Performing Arts High School. The proponent also provided studies, and updates to studies previously provided, in response to the Gateway Determination.

A revised PP was then prepared which sought different building heights to those originally agreed to by Council and detailed in the Gateway Determination. One of the residential towers was removed from the proposal and largely replaced with open space along with a much lower structure suitable for an ancillary commercial use. The revised PP proposed to increase the height of the other five buildings relative to those previously supported by Council. The maximum height of buildings sought was 3.6m, 7m, 42.5m, 45.6m, 49m and 52m. This did not alter the proposed floor space ratio of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use development.

The draft DCP was considered by the Campbelltown Design Excellence Panel (DEP) on 26 March 2020. The DEP requested several amendments to the draft site specific development control plan which were subsequently made by the proponent's planning consultant and incorporated into the draft DCP.

At its meeting on 14 July, 2020 Council considered the revised PP and resolved to seek an alteration to the Gateway determination so that the PP was now for an alteration to the maximum permissible height of buildings from the current 26m to a range of heights being 1.5m, 3.6m, 7m, 42.5m, 45.6m, 49m and 52m and a floor space ratio of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use development. The altered Gateway determination was received on 31 August, 2020.

At its meeting on 14 July, 2020 Council also considered a draft site specific DCP. Council resolved to place the draft DCP on public exhibition. It is a condition of the Gateway Determination that the PP and the draft DCP be exhibited concurrently.

Report

The PP and draft DCP for 22-32 Queen Street, Campbelltown, were publically exhibited concurrently from 30 September 2020 until 30 October 2020.

Land owners affected by the PP and draft DCP were individually notified in writing. Exhibition materials were made available on Council's website and on the Department of Planning, Industry and Environment's Planning Portal website.

Several public authorities were also notified in writing of the public exhibition in accordance with the requirements of the Gateway determination.

Due to the recent events relating to COVID-19, an amendment to the *Environmental Planning and Assessment Act 1979* (EP&A Act), specifically the inclusion of Clauses 10.7 and 10.8, allowed Councils to satisfy the requirements for public exhibition by having the documentation on Council's website.

No submissions were received from the general public during the public exhibition of the PP and draft DCP. The Department of Communities and Justice (DCJ) were notified of the proposal as a potentially affected land owner, and not as a requirement of the Gateway determination. Their submission is referred to below under 'Government Agency Submissions'.

Government Agency Submissions

Letters were sent to a number of state government agencies in accordance with the requirements of the Gateway Determination. The only response received was from the Department of Health through the South West Sydney Local Health District. The DCJ were notified as a potentially affected land owner and have made a submission on the PP and draft DCP. Their submission is also referred to below.

South West Sydney Local Health District (SWSLHD)

The submission from the SWSLHD recommends that a stronger link be created between the PP, site specific DCP, 'Reimagining Campbelltown' and the Campbelltown Collaboration Area Place Plan. The SWSLHD considers Queen Street to be a key active transport spine for Campbelltown and that these strategies will highlight the importance of prioritising people who choose to walk, cycle and use public transport over other forms of transport.

It was also recommended that the PP and draft DCP give "much greater consideration" to people walking or cycling in addition to meeting the relevant objectives specified in the 'Healthy Streets principles'.

In response to this issue, the DCP has been amended by the inclusion of a requirement to provide end of trip facilities within the future development of the site. The provision of showers and change room increases the likelihood of the use of active transport (walking and cycling) to get to and from work, their use for work transport requirements throughout the day and provides an increased likelihood of lunch/break time activities promoting a healthier workforce and lifestyle.

The SWSLHD submission requested that Council give consideration to lowering the speed limit in Queen Street to encourage walking and cycling and that Council give consideration to 'concessions for increases in height restrictions including the provision of high quality walking and cycling facilities along Queen St to Broughton Street'. They also requested that these streets be designed as healthy streets.

The quality of the public domain in Queen Street is able to be suitably designed and constructed as part of future works completed on the site and managed through the Development Application process. The lowering of the speed limit is not directly a matter for consideration as part of the planning proposal. The request to lower the speed limit has been forwarded to the City Delivery team for comment.

In regards to the enhancement of pedestrian and cycling facilities beyond the frontage to the site, including healthy streets, are these are best managed by Council. Further design work on the pedestrian and cycling network has been identified as projects 6.2 and 6.3 in the delivery framework for the Reimagining Campbelltown City Centre Master Plan. Funding for these projects has been identified in the Campbelltown Local Infrastructure Contributions Plan 2018 (CLICP). The payment of development contributions in accordance with the CLICP will be imposed as a condition of consent on all future development applications for the site.

The SWSLHD submission included a comment that the height of the proposed towers will impact negatively on the views across the valley. This comment was made as a statement and not a request for a change to the proposal. It is considered that Council has already thoroughly considered the impact of this proposal on these views in its consideration of previous reports to Council on this proposal.

The SWSLHD submission recommended that Council investigate opportunities to allocate a percentage of the development to affordable housing. Council itself has already identified the need to investigate this through both the Local Strategic Planning Statement and the Local Housing Strategy. As part of the Planning Partnership Council is participating in further research into the opportunities and feasibility of a variety of approaches to providing additional affordable rental housing. Should a framework be determined and in place by the time that development applications for residential building works are submitted for this site, then they will apply to this site in the same manner that they apply to any other site within the CBD.

The submission from SWSLHD was supportive of the proposed inclusion of a supermarket within the development.

It is considered that the matters raised by the SWSLHD have been, or will be, adequately addressed by the PP, draft DCP and future development applications for the site.

Department of Communities and Justice (DCJ)

The DCJ raised concerns with the proposal and its impact. The submission raises concern with the potential impact of the facility on their site. They have requested that the nature of the impact remain confidential and therefore a copy of the submission has been provided to Councillors under separate cover and a briefing has also been provided to Councillors.

It is noted that the PP does not change the zone of the land and that there is already a current height limit of 26m applying to the land that would allow it to be used for a similar type of development, albeit at the current height.

It is not proposed to alter the PP as a result of this submission. This submission remains as an unresolved public agency submission and the PP will be forwarded to the Minister for Planning and Public Spaces in this context.

Gateway Determination Conditions

No.	Condition/Requirement	Response
1	Prior to public exhibition, the PP is to be amended as follows:	Amendments were made prior to the public exhibition as detailed below.
	(a) under the Introduction section of the proposal, identify the number of additional dwellings, jobs and commercial floor space, and car parking spaces generated by the proposal;	The Introduction section of the PP was updated to identify the number of additional dwellings, jobs commercial floor space, and car parking spaces generated, as follows:- • 779 additional dwellings; • 20,792.3sqm of commercial/retail/social infrastructure space; • 809 construction jobs, and 526 full-time equivalent jobs when operational; • 1,323 car parking spaces.
	(b) under 'Part 2 — Explanation of Provisions', include the following:	
	i. where applicable, amend the proposed floor space ratio controls and building height(s) for the site based on Council's consideration of any additional findings;	The principle development controls were updated as a consequence of the additional studies. An increase in open space was facilitated by the removal of (former) 'Building C' which resulted in a slight increase in building heights. The proposed 15 storeys for the building fronting Queen Street has not been changed, however, the storeys heights were refined to accommodate accurate floor-to-

		ceiling heights for each of the building levels proposed. The amended building heights are: • Part 1.5 metres; • Part 7 metres (two storeys) • Part 42 metres (12 storeys) • Part 45 metres (13 storeys) • Part 49 metres (14 storeys) • Part 52 metres (15 storeys) The floor space ratio control has remained as 2.5:1 for residential apartment buildings and 1.7:1 for mixed-use components. The proposed controls are described under 'Part 2 - Explanation of Provisions'.
	i. expand the description of the proposed clauses to explain in detail the intent of the controls.	A description was included under 'Part 2 - Explanation of Provisions' to illustrate how the amendment of the controls will provide for future development and realise the vision for the site, including two key buildings, five tower forms, open space, a main street and social infrastructure.
	iii. include a local clause, and plain English explanation, to permit structures higher than 1.5 metres to be erected on the open space areas within the subject site, provided such structures: • are open • do not constitute a building and • are erected for shading and/or recreation purposes and • do not exceed three metres in height, measured from the existing ground level of the adjacent heritage item.	'Part 2 - Explanation of Provisions' was updated to address this requirement.
	iv. include a note that the proposed clauses may be subject to change following legal drafting;	A note was included in the 'Part 2 - Explanation of Provisions' section to address this requirement.

	v. indicate that satisfactory arrangements for the site may apply to ensure contributions for State infrastructure is provided as the site is located within the Glenfield to Macarthur Urban Renewal Precinct; and in terms of Greater Macarthur 2040;	A note was included in the 'Part 2 - Explanation of Provisions' section to address this requirement.
	(c) update the following studies supporting the PP to reflect the proposed development controls: i. urban design report, including the shadow diagrams ii. traffic and parking impact assessment iii. heritage impact statement iv. economic analysis, including the validation of the proposed commercial and retail floor space and an assessment of any impacts upon the core CBD v. landscape design report; and vi. visual report to address the impacts on the internal public areas and surrounding area, in both the current low-scale environment and the transition to a high-density centre;	The studies associated with this PP were updated.
	(d) prepare a social impact assessment is address the impacts of the proposal on the existing services;	A Social Impact Assessment, prepared by Judith Stubbs & Associates, was submitted.
	(d) prepare a flood assessment to ensure that flooding impacts can be adequately mitigated and appropriate measures are proposed;	A Flood Assessment, prepared by SGC Engineering, was submitted.
	(f) explore options to increase the size of the proposed local open space, together with opportunities for increased solar access, and where found necessary, introduce amendments into the planning proposal;	Additional open space was provided by the removal of one of the proposed residential towers and the area of public open space expanded to nearly 4,000sqm, with the inclusion of a small signature building that integrates and compliments the open space. This was considered and supported by Council at its meeting on 14 July, 2020. The vision and provision of additional open space is discussed in detail in the PP.

	(g) update the consistency of the PP with section 9.1 - Directions 4.3 - Flood Prone Land and 6.3 - Site Specific Provisions;	Table 8, under Section A, Part 3 of the PP was updated to address the Section 9.1 Directions, 4.3 - Flood Prone Land and 6.3 - Site Specific Provisions.
	(h) prepare a draft site-specific development control plan and concurrently exhibit this plan with the PP addressing, but not limited to, the following matters: i. green connections linking the adjacent school's open space with the adjoining heritage item; ii. public pedestrian connectivity through the site and to the surrounding land; iii. building separations and setbacks to the surrounding properties; iv. interface with the adjacent State heritage item and school; v. active street frontages and increased setbacks to Queen Street; vi. deep soil landscaping and tree planting to enhance the public domain; vii. adequate solar access to the plaza/open space and surrounding properties through building orientation and layout; and viii. street pattern and orientation of the central access street and intersection arrangement with Queen Street.	A site specific DCP was prepared which addressed each of the items listed. This DCP was submitted to Council for consideration in March 2020 before being reported to Council's Design Excellence Panel on 27 March 2020. The Panel was satisfied that the DCP achieved the objectives listed in the Gateway Determination but suggested a number of changes. The DCP was modified and then endorsed by Council on 14 July 2020 and publically exhibited concurrently with the subject PP between 30 September 2020 and 30 October 2020.
2.	The revised PP is to be updated in accordance with condition 1 and forwarded to the Department for review and approval prior to exhibition.	The PP was revised and forwarded to the DPIE on 19 August 2020 and an "Alteration of Gateway Determination" was issued on 31 August 2020. The DPIE was advised of the dates of public exhibition.
3.	Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:	The PP and site specific DCP were placed on public exhibition between 30 September 2020 and 30 October 2020. Due to the events relating to COVID-19, an amendment to the EP&A Act, specifically the inclusion of Clauses 10.7 and 10.8, allowed

		Council to satisfy the requirements for public exhibition by placing the documentation for this PP on Council's website.
	(a) the PP must be made publicly available for a minimum of 28 days; and	The PP was publically exhibited on Council's website for 30 days from 30 September 2020 to 30 October 2020.
	(c) the PP authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 – 'A guide to preparing local environmental plans (Department of Planning, Industry and Environment 2016).	The PP was consistent with the notice requirements as identified in the DPIE's 'A Guide to Preparing Local Environmental Plans'.
4.	Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the EP&A Act and/or to comply with the requirements of relevant section 9.1 Directions: • Roads and Maritime Services • Transport for NSW • Environment, Energy and Science Group • Heritage Division at the Department of Premier and Cabinet • State Emergency Services • Department of Education and Communities • Department of Health • NSW Emergency Services • NSW Police • Sydney Water • Telstra • Jemena Gas • Endeavour Energy. Each public authority/organisation is to be provided with a copy of the PP and supporting material and given at least 21 days to comment on the proposal.	Letters were sent to all the public authorities/agencies outlined in the table who were given 30 days to comment on the proposal. All of them have individually been contacted since the end of the submission period. From this list, only the Department of Health has provided comments through the South West Sydney Local Health District. Transport for NSW has commented on the concept development application for the same site and were satisfied that the traffic impacts of the proposal could be managed through subsequent development applications.

5.	A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).	N/A

Conclusion

A Planning Proposal and draft Development Control Plan for 22-32 Queen Street, Campbelltown were publicly exhibited from 30 September to 30 October 2020. There were no public submissions received. Two submissions were received from State Government Agencies.

The submission from South West Sydney Local Health District raised an issue relating to encouraging increased active transport. In response to this the draft Development Control Plan has been amended to require the provision of end of trip facilities for those using active transport. This issue was also raised in the applicant's traffic report. The South West Sydney Local Health District submission also raised other issues relating to pedestrian and cycling, healthy streets, affordable housing and enhancing the public domain. It is considered that these issues are able to be adequately addressed as part of future development applications for the site and through the payment of development contributions in accordance with the Campbelltown Local Infrastructure Contributions Plan 2018. The South West Sydney Local Health District raised concerns with view impacts. These have previously been considered by Council. The South West Sydney Local Health District raised an issue relating to speed limits which has been forwarded to the Council's City Delivery team.

The Department of Communities and Justice have raised a concern with the Planning Proposal. This concern has been considered and no changes are recommended. This will be treated as an unresolved public agency submission, the final outcome of which will need to be determined by the Minister for Planning and Public Spaces.

It is recommended that Council forward the Planning Proposal at attachment 1 to this report to the Minister for Planning and Public Spaces and request that the Planning Proposal be made.

It is also recommended that the Draft Development Control Plan at attachment 2, which includes the change discussed above in regards to end of trip facilities, be adopted and commence once it has been notified in accordance with the legislative requirements.

Attachments

1. Planning Proposal - 22-32 Queen Street Campbelltown (contained within this report)
2. Amendment No 10 to Campbelltown Sustainable City Development Control Plan 2015 (contained within this report)
3. Gateway Determination - 22-32 Queen Street Campbelltown (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Planning Proposal No. 22 – 32 Queen Street, Campbelltown

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Planning Proposal	Revised date
Public exhibition version	22 September 2020

History

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

  The Planning Proposal was considered by Council on 11 June 2019. At that meeting Council resolved as follows:

  That Council endorse option two within the report and the draft planning proposal at attachment 3 to increase the height limit at 22 - 32 Queen St, Campbelltown and introduce other planning controls as detailed in this report and submit it to the Department of Planning and Environment seeking a Gateway Determination.

  That subject to the Gateway Determination and prior to public exhibition, a further report be presented to Council with a draft development control plan for the site.

Option 2 resolved by Council included the following:

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

- The Planning Proposal was subsequently forwarded to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.

- A conditional Gateway determination was issued on 17 January 2020 in support of the progression of the Planning Proposal. Condition 1 of the Gateway required that prior to public exhibition the planning proposal be updated.

In response to the Gateway determination and issues raised by Council and following the completion of studies the planning proposal was amended by the deletion of the building closest to the heritage item and the increase of open space on this part of the site. It is also proposed to increase the height of the 5 residential towers. These changes to the Planning Proposal were reported to Council on 14 July 2020, where Council resolved:

1. *That Council support the proposed amendments to the planning proposal outlined in this report and the planning proposal be amended to reflect the expanded area of open space and changes to the height of buildings map as detailed in this report.*

2. *That the amended planning proposal be forwarded to the Department of Planning, Industry and Environment with a request that the Gateway Determination be altered to reflect the revised proposal.*

3. *That Council endorse the future public exhibition of the draft amendment No 10 to the Campbelltown (Sustainable City) Development Control Plan 2015 which seeks to add Part 14, 22-32 Queen Street Campbelltown, as shown at attachment 1 to this report, subject to the tower setback to Queen Street being increased from 8m to 10m.*

Accordingly, the planning proposal was amended to reflect the increased area of open space and incorporate revised maximum building heights of 1.5m, 7m, 42m, 45m, 49m and 52m.

The revised planning proposal was forwarded to the Department of Planning, Industry and Environment (the Department) in accordance with condition (2) of the issued Gateway Determination. The Department issued an altered Gateway determination on 31 August 2020, endorsing the progression of the Planning Proposal to public exhibition as follows:

> *"I, the Executive Director, Central River City and Western Parkland City, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the Environmental Planning and Assessment Act 1979 (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) 2015 to amend the development controls for land at 22-32 Queen Street, Campbelltown including applying a maximum building height for the land to 1.5m, 7m, 42m, 45m, 49m and 52m; apply a floor space ratio (FSR) of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use developments; insert a new local clause; and insert a requirement for a site-specific development control plan (DCP) that requires the site to be master planned should proceed subject to the following conditions"*

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

The Site

The subject site consists of street nos. 22, 24 and 32 Queen Street, Campbelltown, and has an area of 20,465.7m2 (see Figure 1.1 – 'Location Map'). The site consists of the following Lots and DPs:

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

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

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

Figure 1.1 Arial Photo of the Site

No 32 Queen Street is currently occupied by a DFO Outlet Store which is a large bulky retail building that, with the exception of an existing medical centre, remains predominately vacant unsightly and underutilised. No 22 Queen Street is currently vacant and No 24 Queen Street is occupied by the old bowling club.

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

Existing Zoning and Building Height

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

Figure 1.2 Exiting Zoning Map

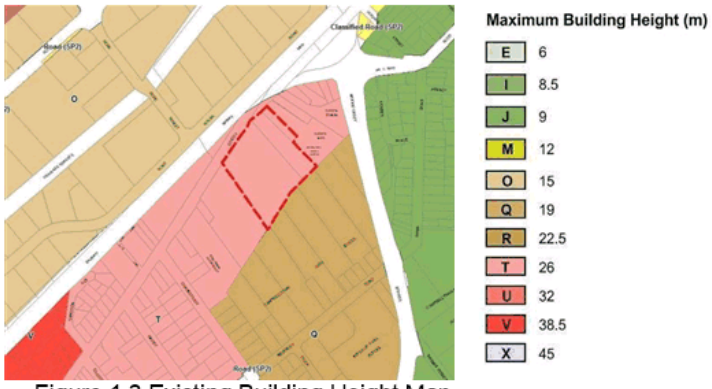


Figure 1.3 Existing Building Height Map

Part 1 – Objectives or intended outcomes

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

In summary, the planning proposal will facilitate the redevelopment of the site and support the following outcomes (based on the latest economic report prepared by PPM Consulting dated 21 /09/2020):

- 779 additional dwellings;
- 20,000sq.m of commercial/retail/social infrastructure space;
- 809 new construction jobs, and 558 full-time equivalent jobs when operational; and
- 4000sqm of publicly accessible open space.

The planning proposal aims to:

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

Part 2 – Explanation of provisions

Proposed amendments to CLEP 2015

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

a) Amending the CLEP 2015 Height of Building Map in accordance with the proposed building height Map shown at Appendix 1 – Proposed Height of Building as follows:

   - Decrease the height from 26 metres to 1.5 metres and 7 metres for the part of the site that is adjacent to the heritage building

- Increase the building height from 26 metres to:

  - 42 metres for the part of the site on the northern boundary forward of the open plaza
  - 45 metres for the southern part of the site adjacent to the high school;
  - 49 metres for the central part of the site adjacent to the southern boundary; and
  - 52 metres for the western part of the site where it fronts Queen Street.

- Include an FSR of 4.2:1 with a local clause that applies an FSR of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use developments.

- Include a local clause that will permit structures greater than 1.5 metres to be erected within the open space area of the subject site, provided such structures:

  - are open; and,
  - do not constitute a building; and,
  - are erected for shading and/or recreation purposes; and,
  - do not exceed three metres in height, measured from the existing ground level of the adjacent heritage item.

- Include a requirement for a site specific DCP that requires the site to be master planned

Part 3 – Justification

Section A – Need for the planning proposal

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

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

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

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

Section B – Relationship to strategic planning framework

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

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

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

A Plan for Growing Sydney

'A Plan for Growing Sydney' sets a strategy for accommodating Sydney's future population growth and

identifies the need to deliver 689,000 new jobs and 664,000 new homes by 2031. The Plan identifies that the most suitable areas for new housing are in locations close to jobs, public transport community facilities and services.

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

Greater Sydney Region Plan

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

- Infrastructure and collaboration – The proposal is located in very close proximity to existing infrastructure such as Campbelltown Train Station, Campbelltown Hospital, Campbelltown Public School and Western Sydney University. Additionally, the site would also be located 30km to the proposed Western Sydney Airport.

- Liveability – The concept design supplied with the Planning Proposal outline a variety of enhancements to the surrounding character such as landscaped frontage, shared open space and opportunities for pedestrian links which would create a more liveable space.

- Productivity – The proposal has the potential to provide further productivity within the commercial core of Campbelltown. The proposed hotel would support job creation and housing options in conjunction with pedestrian links and the opportunity for thoroughfares and bike tracks.

- Sustainability – The opportunity for green walls, rooftop gardens and the design of apartments would promote a sustainable development. Sustainability of the developments would be considered at the development application stage.

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

Western City District Plan

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

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

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

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

Glenfield to Macarthur Urban Renewal Corridor Strategy

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

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

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

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

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

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

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

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

- Provide a range of building heights, with high rise buildings close to the station to maximise pedestrian activity and increase trade for local businesses.
- Retain the character of areas east of Lindesay Street, with a mixture of detached dwellings, townhouses and terraces.
- Plan for a large floor plate, campus-style office park west of the station.

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

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

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

Campbelltown Community Strategic Plan – Campbelltown 2027

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

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

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

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

Campbelltown Local Planning Strategy 2013

The strategy identifies the importance of Queen Street as an existing commercial and retail core of Campbelltown.

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

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

Campbelltown Residential Development Strategy 2014

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

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

The proposal is consistent with the Campbelltown Residential Development Strategy 2014.

- Re-imagining Campbelltown CBD – Phase 1

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

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

1. No Grey to be Seen – Environment

   - Deliver high quality and diverse open space experiences.
   - Lead the delivery of affordable low resource, low carbon solutions for Campbelltown.
   - Be visionary and tactical in the greening of the urban fabric.

2. City and Bush – Heritage

- Regenerate, restore and maintain natural ecosystems.
- Respect and give life to existing natural, historic and cultural features.
- Contribute to measurable improvements to local air and water quality.
- Acknowledge, include and value the Aboriginal history of an area.
- Heritage items and their settings are conserved, retained and celebrated.
- Appropriate curtilages for heritage items are maintained.
- Sensitive and adaptive reuse of heritage items is encouraged.

3. Connected Places and Community – Mobility

- Pioneer the development of human scale urban environments that are de- coupled from car dependence and support health and wellbeing.
- Develop the infrastructure and connectivity for Campbelltown to be an accessible southern gateway to the Western City and Sydney as a whole.
- Increase accessibility to local amenities and services.

4. Confident and Self Driven – Culture

- Ensure adaptability and diversity of built form for innovators, disrupters and entrepreneurs.
- Drive solutions for climate resilient communities, public space and urban infrastructure.
- Deliver design-led excellence for both public and private spaces, including assurance for design outcomes.

5. Centre of Opportunity- Economy

- Create and connect clusters of agglomeration and activity that increase and diversify Campbelltown's productivity.
- Leverage industry opportunities from, and expedite connectivity with, Western Sydney Airport and Badgery's Creek Aerotropolis.
- Plan and manage industrial and urban services land's retention and evolution.

6. The Good Life – Living

- Create inspirational places for all, showcasing culture and the arts especially reflecting our high and diverse population including our Aboriginal and Torres Strait Islander community within Campbelltown.
- Engage with our communities and other stakeholders to deliver lively, healthy, safe and welcoming places that support diverse and inclusive communities.
- Delivery of connected places and healthy communities through a range of active recreational spaces for playing sport.
- Create inclusive communities through housing The Planning Proposal is consistent with the above principles.

Council has now prepared and exhibited the Reimagining Campbelltown City Centre Master Plan. The exhibited master plan does not assign building heights. The revised planning proposal is considered generally consistent with the Reimagining Campbelltown City Centre Master Plan.

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

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

State Environmental Planning Policies	Comment
SEPP No. 1 Development Standards	Not applicable as Clause 4.6 of the CLEP 2015 negates the need for SEPP 1.
SEPP 14 – Coastal Wetlands	Not applicable.
SEPP 19 – Bushland in Urban Areas	The site does not contain any significant vegetation.
SEPP 21 – Caravan Parks	Not relevant to the proposal.
SEPP 26 – Littoral Rainforests	Not relevant to the proposal.
SEPP 30 – Intensive Agriculture	Not relevant to the proposal.
SEPP 33 – Hazardous or Offensive Development	Not relevant to the proposal.
SEPP 36 – Manufactured Home Estates	Not relevant to the proposal.
SEPP 44 – Koala Habitat Protection	This site does not contain any koala habitat.
SEPP 47 – Moore Park Showground	Does not apply to land within Campbelltown.
SEPP 50 – Canal Estate Development	Not relevant to the proposal.
SEPP 52 – Farm Dams	Not relevant to the proposal.
SEPP 55 – Remediation of Lands	The existing urban use of the land is unlikely to result in land contamination. Future development of the site will need to address the requirements of this SEPP (55).
SEPP 62 – Sustainable Aquaculture	Not relevant to the proposal.
SEPP 64 – Advertising and Signage	The planning proposal is consistent with the SEPP. Future development of the site would need to take this SEPP (64) into consideration.
SEPP 65 – Design Quality of Residential Apartment Development	The PPR seeks to facilitate high rise development in the form of shop top housing (i.e. residential above commercial). The concept designs submitted with the PPR consider potential design options which address the provisions of this SEPP (65).
SEPP 70 – Affordable Housing Schemes	Not relevant to this proposal.
SEPP 71 – Coastal Protection	Not relevant to this proposal.
SEPP (Building Sustainability Index: BASIX) 2004	Future development of the site would take into consideration the requirements of the SEPP.
SEPP (Educational Establishments and Child Care Facilities) 2017	The PPR appears to be consistent with the SEPP. Any future child care centre, or the like, would take into consideration the requirements and provisions of this SEPP.
SEPP (Affordable Rental Housing) 2009	The PPR is consistent with the SEPP. Any future development on the site may incorporate affordable housing which would be considered in conjunction with the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Not relevant to the Proposal.

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

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

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

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

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

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

4.3 Flood Prone Land	While the site is not identified as being flood prone a Flood Impact Assessment has been prepared by S&G Consulting in support of the planning proposal, as per Condition 1(e) of the Gateway determination issued 17 January 2020, which required: "prepare a flood assessment to ensure that flooding impacts can be adequately mitigated and appropriate measures are proposed". The Flood Impact assessment identifies the overland flow path capacity for the future development of the site facilitated by the revised controls in the planning proposal. A Hec-Res model was developed in order to determine the capacity of the overland flow path and whether the overland flow path system can cater overland flow from 90 Beverley Road to the south. A Stormwater Design Plan has also been prepared by S&G Consulting. The 1D Hec-Ras model indicates that within the overland flow path there is no overflow that occurs under the 1% AEP flooding condition. The Reports finds that "the overland flow path shown on the stormwater drainage plan provided by S&G Consultants will be able to cater the overland flow due to 1% AEP flooding". In summary, the Report concludes: "*Based on the results collected from Hec-Ras model, there is no overflow from the overland flow channel under 1% AEP flooding condition. The system shown on the stormwater drainage plan Ref:20180268 RevA by S&G Consultants Pty Ltd is able to cater the overland flow.* *It is our opinion that the proposed development 22-32 Queen Street, Campbelltown will minimise the impact of upstream runoff by constructing the overland flow path around the development as proposed.*
	The development meets the requirements of Section 9.1 Direction which states that A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas)."

4.4 Planning for Bushfire Protection	Not applicable.
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not applicable.
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3FarmlandofStateandRegional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5 – 5.7	Repealed
5.8 Second Sydney Airport	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	The proposal is consistent with a Plan for Growing Sydney and the Greater Sydney Region Plan and therefore consistent with this direction.
6. Local Plan Making	
6.1 Approval and Referral Requirements	The planning proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.
6.2 Reserving Land for Public Purposes	The Proposal does not impact on land reserved for public purposes.
6.3 Site Specific Provisions	The objective of the Section 9.1 Direction is to "discourage unnecessarily restrictive site specific planning controls" and applies where a planning proposal has been prepared that will allow a particular development proposal to be carried out, in this case a development facilitated by the amendment to the principle development controls. The planning proposal is consistent with the terms of the direction as follows: The site specific planning controls the subject of the planning proposal will facilitate the orderly and economic redevelopment of a large underutilised key site in the Campbelltown City Centre.

	The planning proposal does not seek to amend the existing B4 Mixed Use land use zone. The proposed development is permissible with consent in the zone the land is situated on. It is proposed to provide additional flexibility through a site-specific clause that seeks to support the provision of structures and open space infrastructure up to approximately 3 metres and support the open space vision for the site, to create an attractive, safe and vibrant hub for the existing and future community. The local site-specific clause seeks to permit structures greater than 1.5 metres erected within the open space area of the subject site, provided such structures: ○ are open; and, ○ do not constitute a building; and, ○ are erected for shading and/or recreation purposes; and, ○ do not exceed three metres in height, measured from the existing ground level of the adjacent heritage item. Further, satisfactory arrangements for the site may apply to ensure contributions for State infrastructure is provided as the site is located within the Glenfield to Macarthur Urban Renewal Precinct; and in terms of Greater Macarthur 2040. In particular, as Campbelltown grows, the state contribution will support necessary upgrades to the local and district transport infrastructure. The traffic report has analysed the impact the development will have on the road network in the context of Campbelltown's future growth and the percentage impact is provided in this analysis as a consideration for future development applications and the basis for state infrastructure. Further, in accordance with the amended Gateway Determination, dated 31 August 2020, a local clause is also proposed to apply a maximum FSR 2.5:1 for residential apartment buildings and 1.7:1 for mixed use developments.
7. Metropolitan Planning	
7.1 Implementation of a Plan for Growing Sydney	The proposal is consistent with the requirements of the strategy as discussed in Part 3 of this Planning Proposal.

7.2 Implementation of Greater Macarthur Land Release Investigation	Consistent.
7.3ParramattaRoadCorridorUrban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	The PP is consistent with this Direction as the Proposal will allow for a revitalised and activated Queen Street which will deliver a significant number of retail and commercial jobs.

Section C – Environmental, Social and Economic Impact

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

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

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

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

Urban Design

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

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

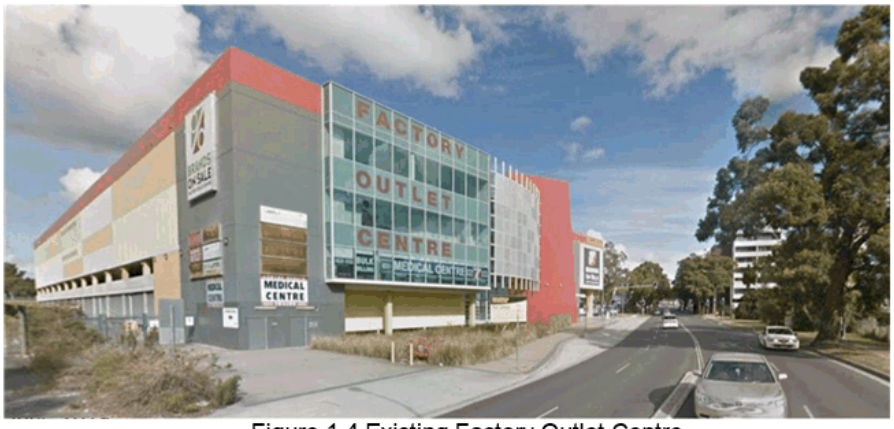


Figure 1.4 Existing Factory Outlet Centre

Council has received a Concept development application for the site that proposes five tower buildings and a large (4,000 sqm) civic plaza in line with Figure 1.5 below. Although the development concept submitted with the proposal is indicative only, the proposed development would have to meet the current requirements of Council's DCP and LEP as well as the requirements of the Apartment Design Guide. This development application is currently being assessed.

Figure 1.5 Indicative development on site prepared by the applicant

Visual Analysis

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

The applicant's visual analysis has demonstrated that the development on this site would be visible from various locations within Campbelltown, however the impacts would be detrimental when viewed from areas within close proximity to the site, such as the bridge on Campbelltown Road and Moore-Oxley ByPass (Figures 1.7 and 1.8 below). The building heights proposed (compared to the applicant's original planning proposal request) result in a development that is less intrusive into the CBD skyline and more compatible with the streetscape.

Figure 1.7 - Proposed building heights as viewed from Campbelltown Road at Morgans Gate Bridge

Figure 1.8 Proposed building heights as viewed from Campbelltown North Public School

Traffic and Parking

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

The Report considered the following:

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

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

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

- due to sight distance it would be unlikely to be possible to have a right turn entry to the site from Queen St, and as such the entry would have to be' left in' only. To facilitate this design, a use of a central median would be required. However, this may not be possible given the width of queen corridor. As such, the proposed design would need to be revised and consideration should be given for better utilisation of the existing traffic signals for all vehicle movements.

- Traffic generation for the residential component appears low.

- Combined loading facilities for retail/commercial/residential use would need to be incorporated in the

parking design.

- In the future, there is a possibility that Queen Street may be converted to a one way traffic flow. Flexibility in the design should consider this future condition.

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

A revised Traffic Report has now been prepared to address the impacts on the surrounding network. The report considers potential traffic generation against both the Council DCP parking rates and the RMS rates, and recommends that the RMS rates be adopted given the proximity of the site to an extensive network of public transport and the reduced impacts of future development. In this regard the proposed development requires 554 residential and 769 commercial parking spaces for a total of 1,323 car parking spaces as required by the RMS Guide to Traffic Generating Developments.

With respect to the existing DFO and associated retail tenancies, there is approximately 12,800m2 of GLFA. Based upon the RMS Guide's trip generation rates, 635 peak hour trips during the PM could have reasonably been expected. During the morning period, this would be some 317 peak hour vehicle trips. As a result of the proposed development, during the AM period there would be a net increase of some 283 vehicle trips whilst the PM peak will most likely result in an increase of 253 peak hour vehicle trips.

The intersection performances are analysed in the report when the traffic generation is distributed to the network. Most of the surrounding intersections remain unaltered under the future scenario when compared to the likely performances under the full operation of the existing DFO site. However, the Queen Street / Campbelltown Road intersection are shown to operate at Level of Service "F" respectively during all future scenarios, including a "do nothing" scenario, where there is no influence from any development.

The full scale of the proposed development cannot be accommodated within the current geometry of the surrounding road network. As such, improvements to the intersections surrounding the site will be required in order to accommodate the traffic generated by the proposed development, as well as background growth.

The Queen Street / Campbelltown Road intersection currently operates at an overall LoS "D" in the AM peak and "E" in the PM Peak. The intersection is theoretically approved to operate at an overall LoS "F", as this is the operation of the intersection with a fully operational DFO, and/or with 10 years of background growth. It is important to note that the onus is not on the developer to improve intersections which are already operating at LoS "F". The onus is on Transport for NSW to provide solutions to alleviate congestion on RMS classified roads. As such, the intersection will need to be upgraded in the event that the operation of the intersection worsens. In order to improve this intersection, MTE have developed a concept to upgrade this intersection which requires geometric changes to the layout of the intersection. SIDRA Intersection 8 has been utilised to compare the intersection's future performance in three (3) scenarios;

• Existing Conditions;
• Existing Conditions + 10-year growth;
• Future Conditions (Post-development, including intersection upgrade).

As shown, the recommended design change improves the operation of the Queen Street/Campbelltown Road intersection. The Level of Service improves from Level of Service "D" to Level of Service "C" in the AM peak and "E" to "D" in the PM peak hour when compared to the existing conditions. The recommended improvements to the Queen Street / Campbelltown Road intersection can fully accommodate 10-year traffic growth as well as the development's traffic generation. The traffic impacts of the proposed development are therefore supported, subject to the improvements to the Queen Street/Campbelltown Road intersection as described in Section 5.1.1 of the attached Traffic Report.

The Traffic Report also provides recommendations for additional traffic impact mitigation, including a Green Travel Plan, end of trip facilities, and target uses that are generally outside the commuter peak such as restaurants and cafes.

Flooding

The following comments were provided by Council's engineers:

- The site is affected by overland flow from the upstream lands in Campbelltown Performing Arts High School. Sufficient provision must be to convey these flows through the site. This can be achieved in a number of ways (pipes, swales, etc) and Infrastructure is happy to assist with any discussions in this regard.
- The site is also affected by flooding in Queen Street and control levels will be required. These can be provided prior to DA.

Control levels

- The existing development on the Brands on Sale site contains provision for both overland flow (via two swales through the ground floor level of the carpark) and flooding Queen Street (the development floor levels have been raised to the required levels).
- The proposal appears to provide opportunity to accommodate the above requirements. There appear to be open areas which could be used to convey overland flow. Floor level controls can be set to address flooding in Queen Street. Care would be required to ensure the underground carpark openings were located such that flood waters could not enter.

A Flood Impact Assessment has been prepared by S&G Consulting in support of the planning proposal, as per Condition 1(e) of the Gateway determination issued 17 January 2020, which required: "prepare a flood assessment to ensure that flooding impacts can be adequately mitigated and appropriate measures are proposed".

The Flood Impact assessment identifies the overland flow path capacity for the future development of the site facilitated by the revised controls in the planning proposal. A Hec-Res model was developed in order to determine the capacity of the overland flow path and whether the overland flow path system can cater overland flow from 90 Beverley Road to the south.

A Stormwater Design Plan has also been prepared by S&G Consulting. The 1D Hec-Ras model indicates that within the overland flow path there is no overflow that occurs under the 1% AEP flooding condition. The Reports finds that "the overland flow path shown on the stormwater drainage plan provided by S&G Consultants will be able to cater the overland flow due to 1% AEP flooding".

In summary, the Report concludes:

"Based on the results collected from Hec-Ras model, there is no overflow from the overland flow channel under 1% AEP flooding condition. The system shown on the stormwater drainage plan Ref:20180268 RevA by S&G Consultants Pty Ltd is able to cater the overland flow.

It is our opinion that the proposed development 22-32 Queen Street, Campbelltown will minimise the impact of upstream runoff by constructing the overland flow path around the development as proposed.

The development meets the requirements of Section 9.1 Direction which states that a planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood RiskAreas)."

Heritage

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

Figure 1.10 - LEP 2015 Heritage Map

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

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

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

It also recommended that any future development which adjoins the heritage building be limited to 26 metres (the current height limit) and to limit any development on the remaining part of the north eastern boundary to a maximum height of 42 metres.

Former Building C, which was included in the original Planning Proposal, has now been removed to improve the heritage interface with the Warby site and increase the quantum of useable open space to approximately 4,000 sqm.

The heritage study will be referred to Office of Environment and Heritage for comments.

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

Social Impacts

The Planning Proposal will facilitate a development that will provide approximately 779 additional dwellings which will contribute to housing supply in the area, and include a variety of dwelling types and sizes. This will respond to the needs of the local community through housing choice for a variety of age groups, demographics and families. In doing so, it also provides access for workers to the Campbelltown town centre supporting growth, vibrancy and vitality of Campbelltown as a destination.

In accordance with Condition 1(d) of the Gateway determination, a social impact assessment has been prepared by Judith Stubbs & Associates

The main findings of the assessment include as follows:

Approval of the Planning Proposal is likely to lead to the following positive social impacts:

- An increase in the supply of affordable and diverse housing in the locality;
- Provision of additional open space within Campbelltown Suburb; and
- Provision of a child care centre on the site.

The most likely negative impact of the Planning Proposal is an increase in demand for open space due to an increased population facilitated by the Planning Proposal, noting that this deficit is partially mitigated by the provision of open space as part of the proposal.

Further, this open space appears to be well-located with regard to adjoining open space, has an interface with the retail/commercial uses, and is located away from Queen St and the rail line. Surveillance from overlooking apartments and possible retail will also enhance safety with regard to CPTED principles. Connectivity to Queen St is also provided by a roadway.

The enhancement of this open space will be important in providing for improved amenity on the site, give the density, and it would also be preferable to provide for family-friendly spaces, including all weather seating and a children's playground, noting that existing are not within easy walking distance of a parent with small children.

In addition, the amenity of the immediate locality of the site is relatively poor due to both streetscape, condition of existing uses, lack of services and poor connectivity to Campbelltown North Public School. This would be expected to occur as the locality undergoes progressive urban renewal. The site is also not within easy walking distance of shops for a person with limited mobility or small children. However, there will be benefits associated with proposal with regard to improvements in the amenity of the subject site, landscape enhancements, provision of enhanced open space and potential to provide better services to meet the daily or weekly needs in the proposed retail/commercial uses.

Economic Impacts

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

A revised Economic Impact Assessment has been prepared by PPM Consulting (Appendix F), dated 21 September 2020, which now reflects the Gateway Determination issued in January 2020. The study proposes the following 'preferred option' to provide the optimum economic benefit:

- The development is viable with 779 dwellings and approximately 20,000sq.m of commercial/retail space
- S7.11 contributions are payable
- The development is estimated to create 809 jobs during construction
- The development is estimated to facilitate 558 full-time equivalent ongoing jobs
- The development would create a Civic Plaza with an estimated economic benefit of $55 million over its assumed 50 year lifespan.

Competition

The Economic Analysis Report considers the impacts of the project on the trade area and ascertain whether or not there is likely to be a net community benefit or disbenefit from any proposed development. In particular, if there is a real possibility of some existing facilities potentially being impacted to such a degree that they may be lost to the community and if the service or services provided by those facilities are not at the very least replaced by the proposed new facilities, then a community disbenefit could result.

In order to understand whether any particular centre may be impacted to the extent that its' continued viability may be in question, a scenario for the expected retail impacts on the surrounding competitive network if the proposed development were to proceed as planned was modelled.

The report notes that there is a significant market gap for supermarket facilities in the Main Trade Area. The impact of the proposed development will only partially offset this gap, with scope for more supermarkets in the Main Trade Area to 2031. The report concluded that:

> *"There are likely to be impacts on Macarthur Square, Campbelltown Mall, Market Fair, Minto Plaza and Eaglevale Marketplace in the short term. This includes a 24.9 per cent reduction in trade at Market Fair and 18.1 per cent at Minto Marketplace in 2026 versus the "no development" scenario. However, if compared with 2019 sales, the impact of the development is far smaller. It should also be noted that compared with 2019, retail sales at all of the major centres in the area are projected to grow over the period from 2019 to 2031, including Market Fair with growth of 8.0 per cent and Minto Marketplace at 16.8 per cent."*

In summary, the impact analysis shows that there is no prospect that any existing centre will suffer any impact which will threaten its ability to provide a level of service at least equivalent to that which each is providing at present.

Indeed, by 2031, it is estimated that all centres within the Main Trade Area will be trading well above 2019 levels.

Sales in the five centres only represent 63.8per cent of sales of the total $1.8 billion of retail expenditure made by residents of the Main Trade Area in 2026. Therefore, there is a large amount of sales that are still to be captured by the centres operating within the Main Trade Area.

It should also be noted that the population of Campbelltown is likely an underestimate because of the new residents of the proposed development and surrounding new developments. To the extent that the population increases are underestimated, the amount of retail expenditure in total, and therefore the amount of retail space demanded, will increase.

Section D – State and Commonwealth Interests

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

Public open space

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

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

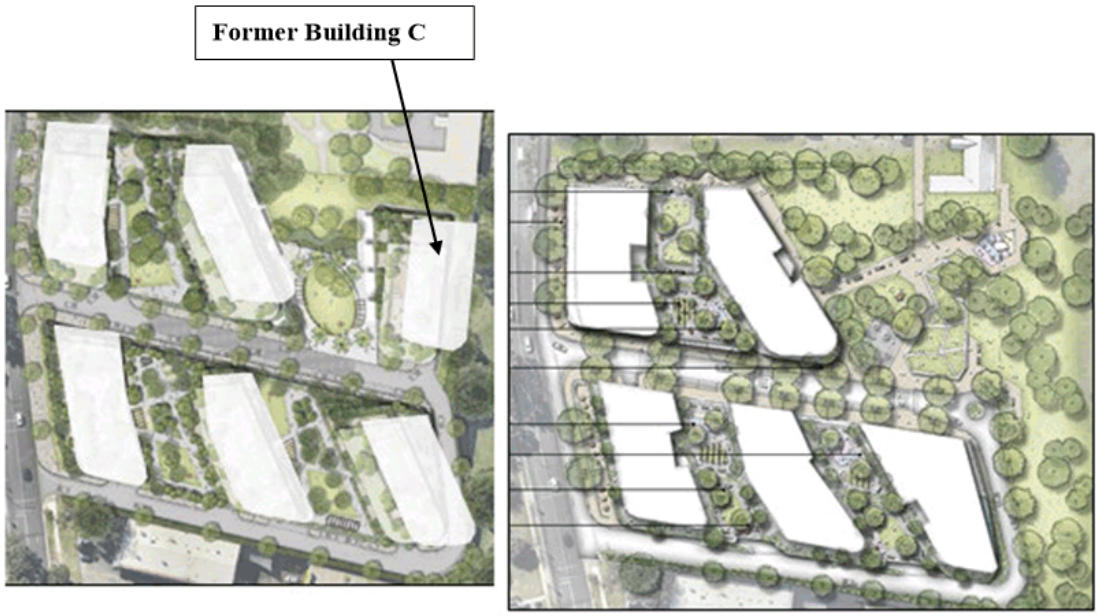
Council's Open Space Section has provided the following main comments in relation to open space requirements for the site:

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

Condition 1 of the Gateway required that prior to public exhibition the planning proposal be updated. Condition 1(f) required that options be explored to increase the size of the proposed local open space and that amendments be introduced to the planning proposal if necessary.

Following Gateway determination, Building C has been removed and the area of public open space expanded to nearly 4,000sq.m, with the inclusion of a small signature building that integrates and complements the open space.

A comparison is included below of the scheme prior to Gateway and the scheme following the study to achieve additional open space. As can be seen, building C has been removed to expand the area of open space to nearly 4,000sq.m with a small signature community/social infrastructure building.



Revised Proposal

Additional Studies

The Gateway determination required that a comprehensive investigation be undertaken and that the following studies would need to be completed prior to public exhibition:

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

The above mentioned studies have been updated and are included as part the public exhibition of this Planning Proposal.
A site specific DCP has also been prepared and adopted by Council for public exhibition purposes.

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

It is proposed to consult with the following:

- Transport for NSW
- Roads and Maritime Services
- NSW Police
- Environment, Energy and Science Group
- Department of Education and Communities

- Department of Health
- NSW Emergency Services
- Telstra
- Sydney Water
- Endeavour Energy

Part 4 – Mapping

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

Part 5 – Community consultation

Public consultation is to take place in accordance with the Gateway Determination made by the Minister for Planning and Infrastructure in accordance with Sections 3.34 & 3.35 of the Environmental Planning & Assessment Act 1979.

A letter has been sent to landowners who adjoin or are in close proximity to the site, advising them of the exhibition of the Proposal and inviting submissions.

The planning proposal has been also made available at Council's website and all residents and interested parties are able to make a submission during the public exhibition period.

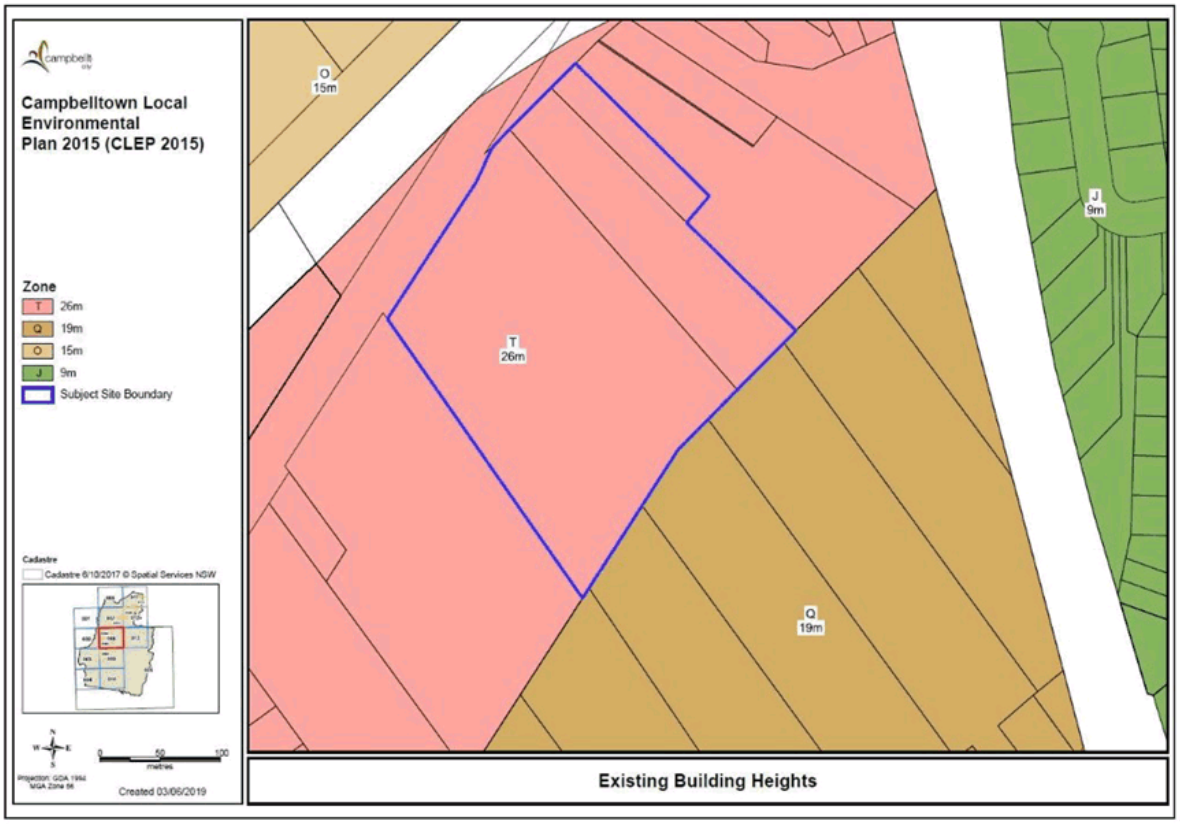
Part 6 – Project Timeline

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

Appendix 1

Proposed Amendment to Campbelltown Local Environmental Plan 2015

PLANNING PROPOSAL – 22-32 QUEEN



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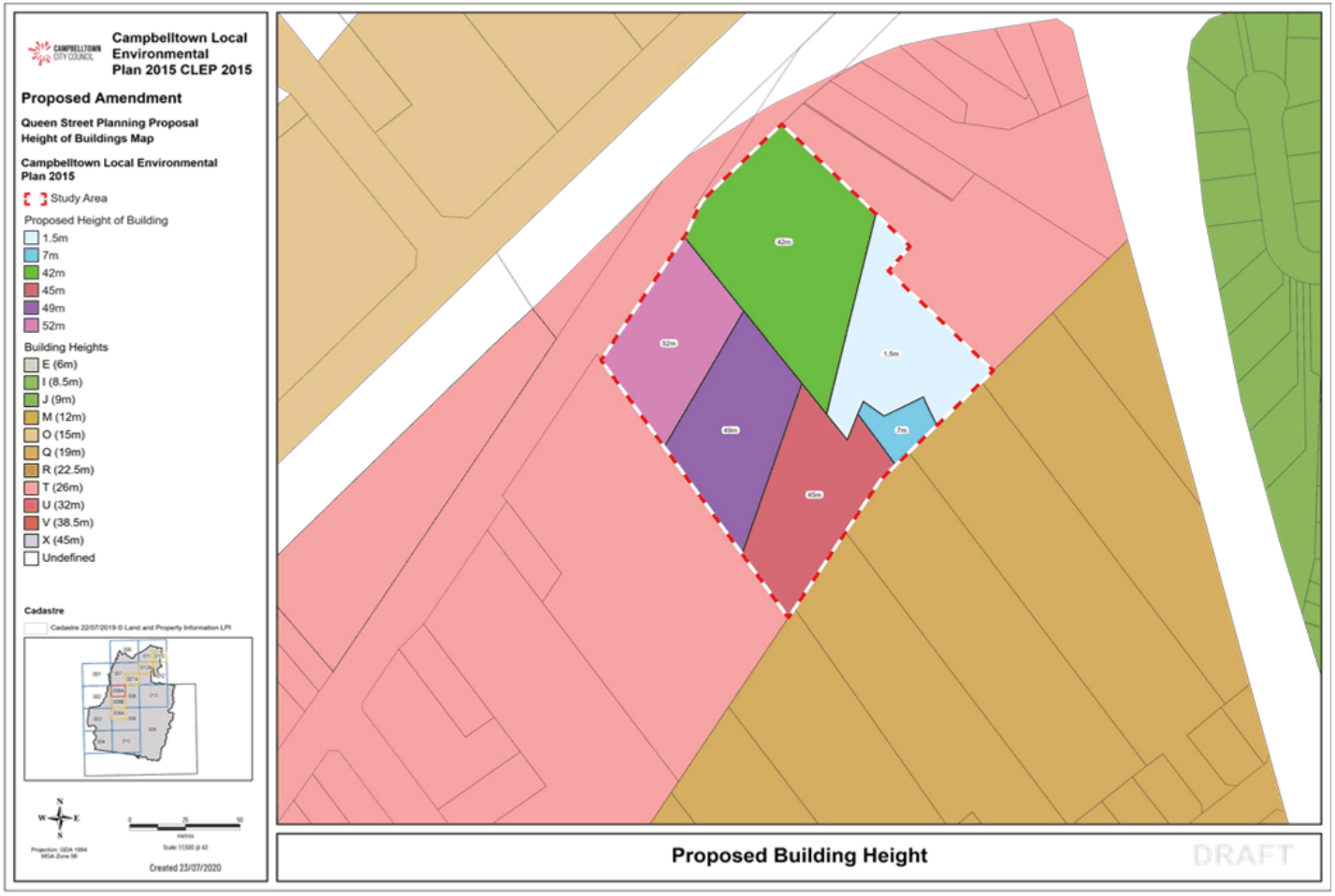
Appendix 2


Campbelltown Local Environmental Plan 2015 CLEP 2015
Proposed Amendment
Queen Street Planning Proposal
Height of Buildings Map
Campbelltown Local Environmental Plan 2015
Study Area
Proposed Height of Building
1.5m
7m
42m
45m
49m
52m
Building Heights
E (6m)
I (8.5m)
J (9m)
M (12m)
O (15m)
Q (19m)
R (22.5m)
T (26m)
U (32m)
V (38.5m)
X (45m)
Undefined
Cadastre
Created 23/07/2020
Proposed Building Height
DRAFT

Appendix 3

Proposed Floor Space Ratio

CAMPBELLTOWN (SUSTAINABLE CITY) DEVELOPMENT CONTROL PLAN 2015

Volume 2

Site Specific DCPs

Part 14: 22-32 Queen Street, Campbelltown

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14.3.9 Crime Prevention Through Environmental Design

14.1 Application

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

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

The site at 20,465.7m2 currently contains the Direct Factory Outlet (DFO) retail centre. This is a large bulky retail building which is now largely defunct. This is a 3-4 storey building of significant massing. The site is generally flat and has a large frontage to Queen Street. Queen Street is the main entry road to the Campbelltown CBD. The site is within 850m from the entrance to the railway station. Queen Street is a main bus route, and the site is well served by public transport.

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

14.1.2 Purpose of this Part

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

14.1.3 Relationship with Campbelltown (Sustainable City) DCP

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

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

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

14.2 Vision and Development Objectives

Objectives

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

Controls

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

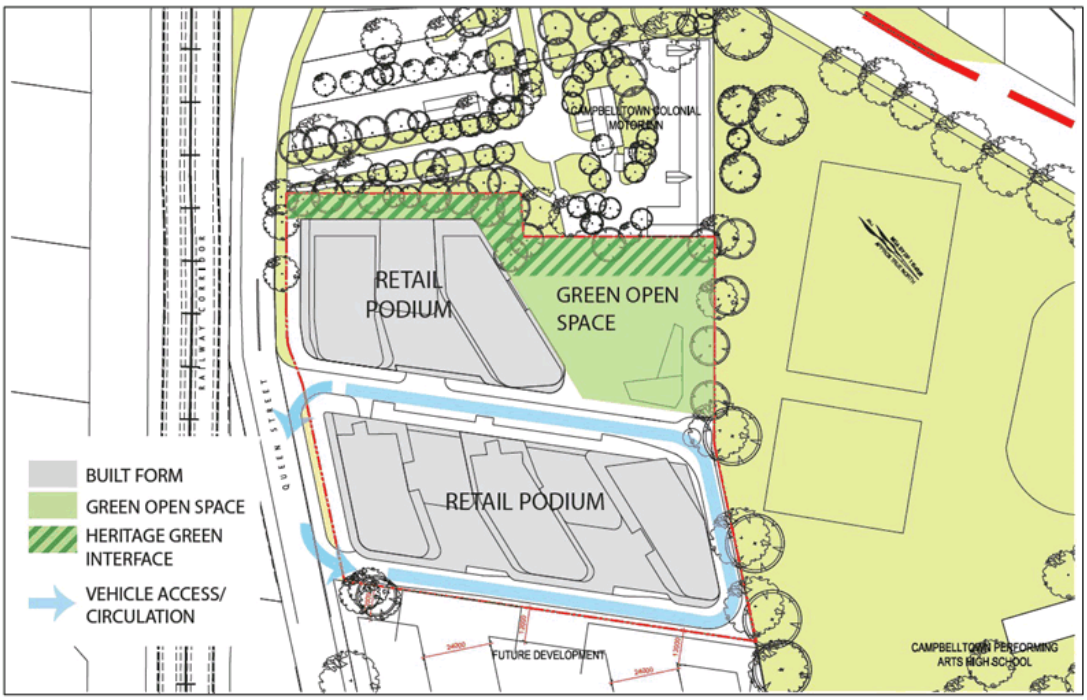

Figure 14.2 – 22-32 Queen Street Masterplan

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

The masterplan consists of the following characteristics and outcomes:

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

14.3 Development Objectives and Controls

14.3.1 Building Orientation and Layout

Objectives

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

Controls

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

Figure 14.3 – Building orientation and layout

14.3.2 Building Separation and setbacks

Objectives

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

Controls

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

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

Table 14.1 – Setbacks

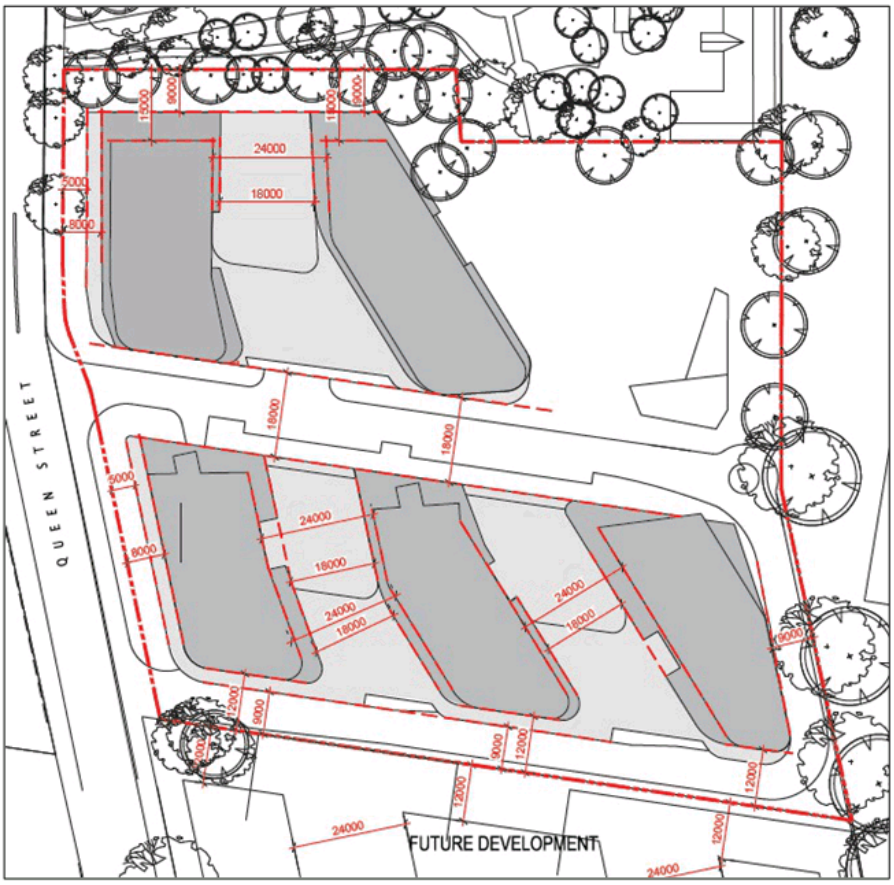

Figure 14.3 – Building separation and setbacks

6

14.3.3 Maximum building heights

Objectives

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

Controls

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

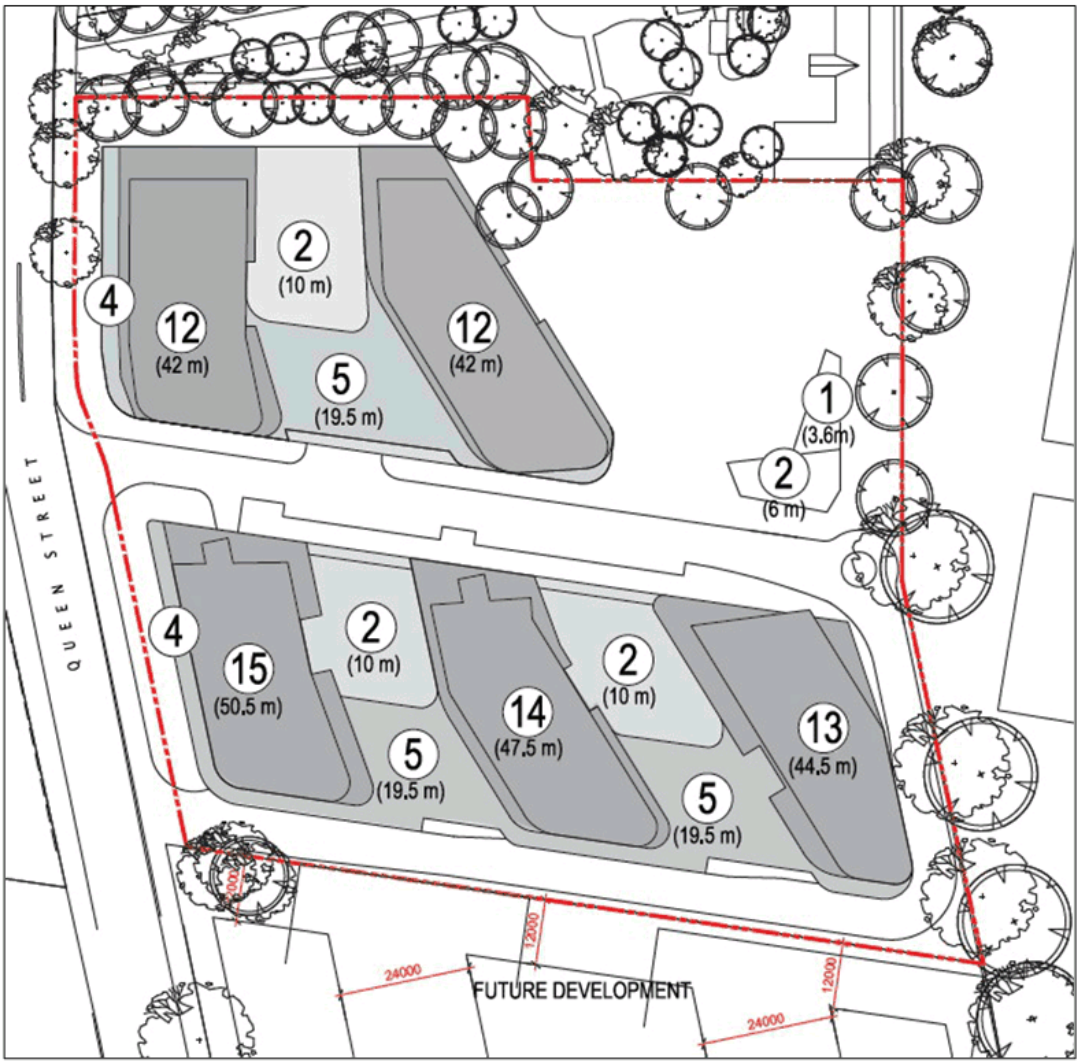

Figure 14.4 – Maximum Building Heights

7

14.3.4 Queen Street interface

Objectives

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

Controls

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

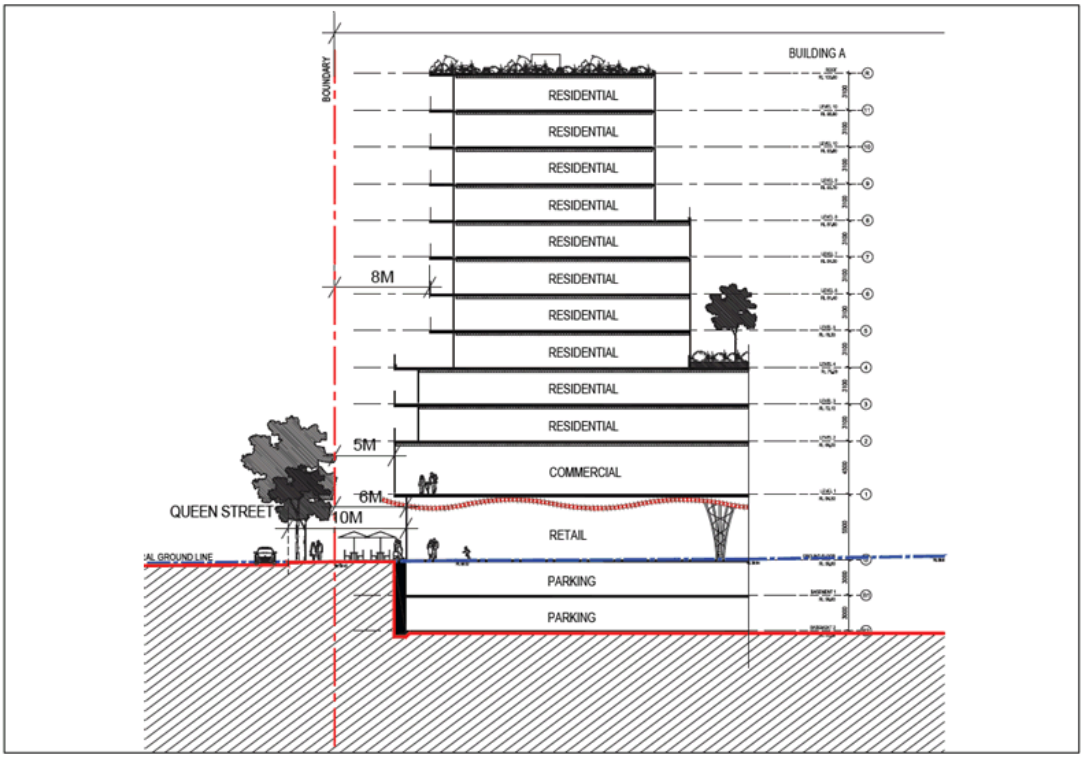

Figure 14.5 – Queen Street interface

14.3.5 Streetscape and Site Connectivity

Objectives

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

Controls

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

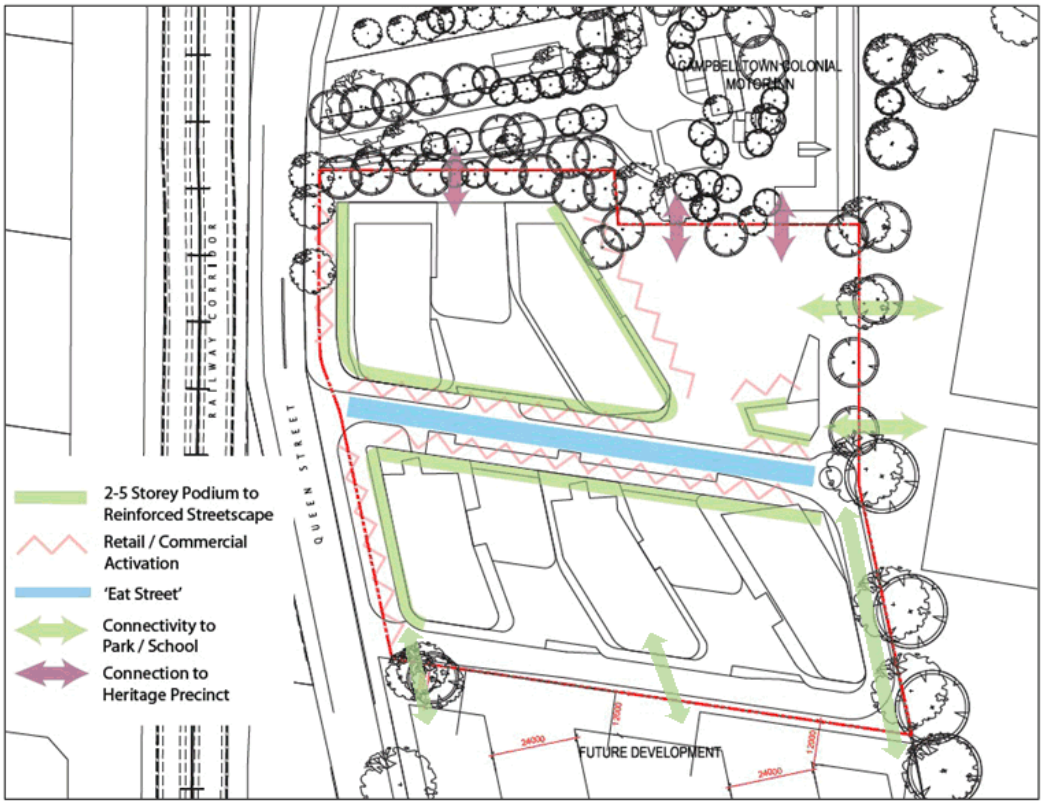

Figure 14.6 – Streetscape and Site connectivity

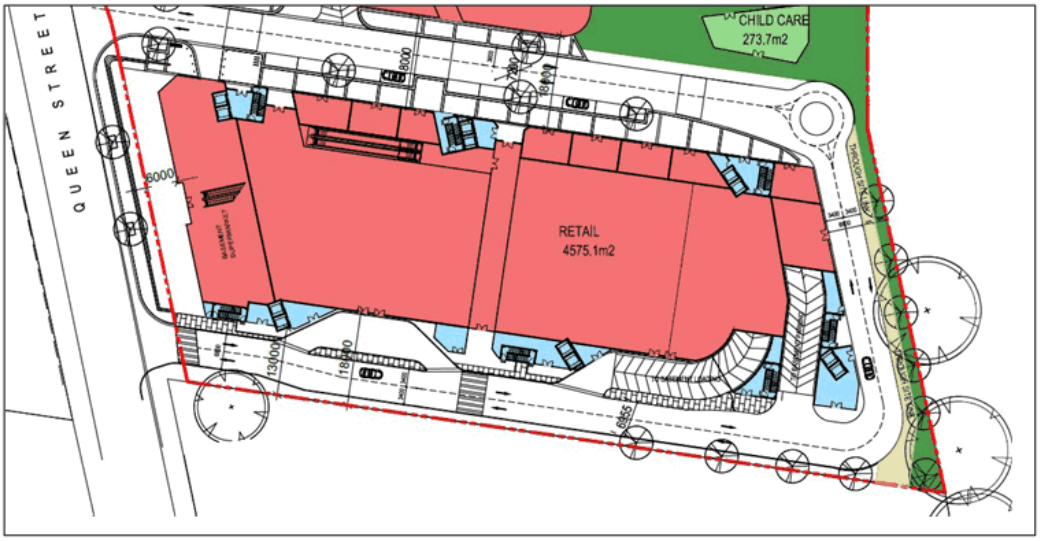

Figure 14.7 – Possible site connections to the south

14.3.6 Heritage Interface

Objectives

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

Controls

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

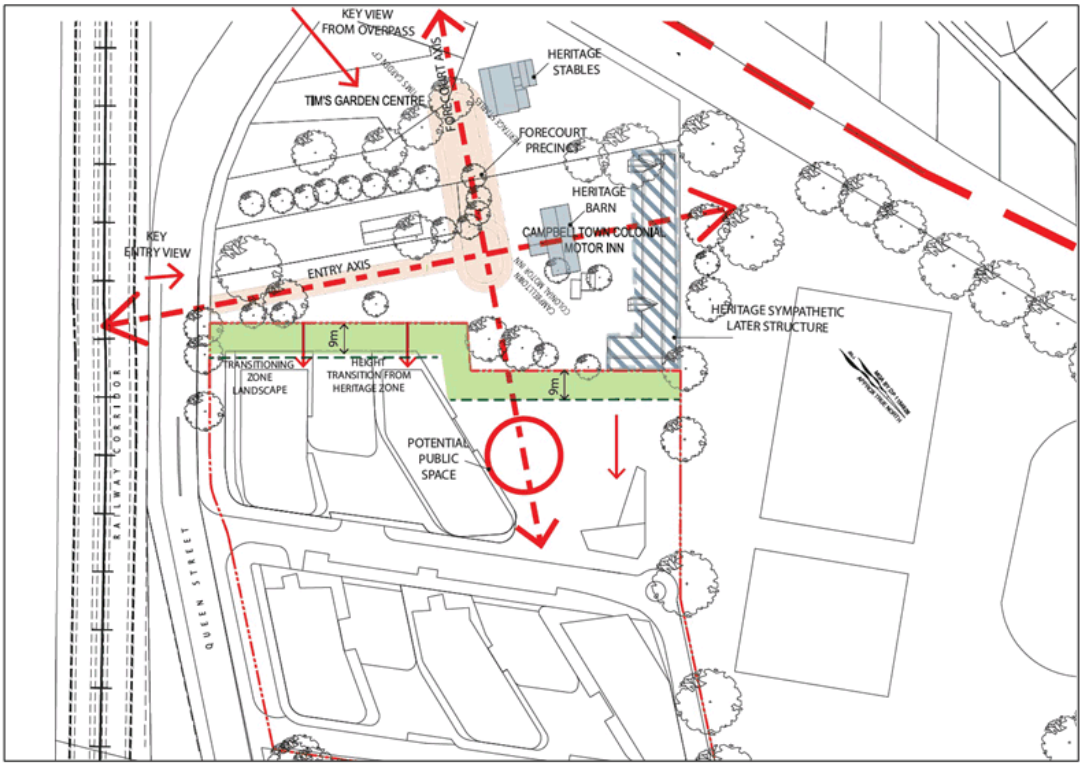

Figure 14.8 – Heritage Interface

14.3.7 Landscaping and Public Open Space

Objectives

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

Controls

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

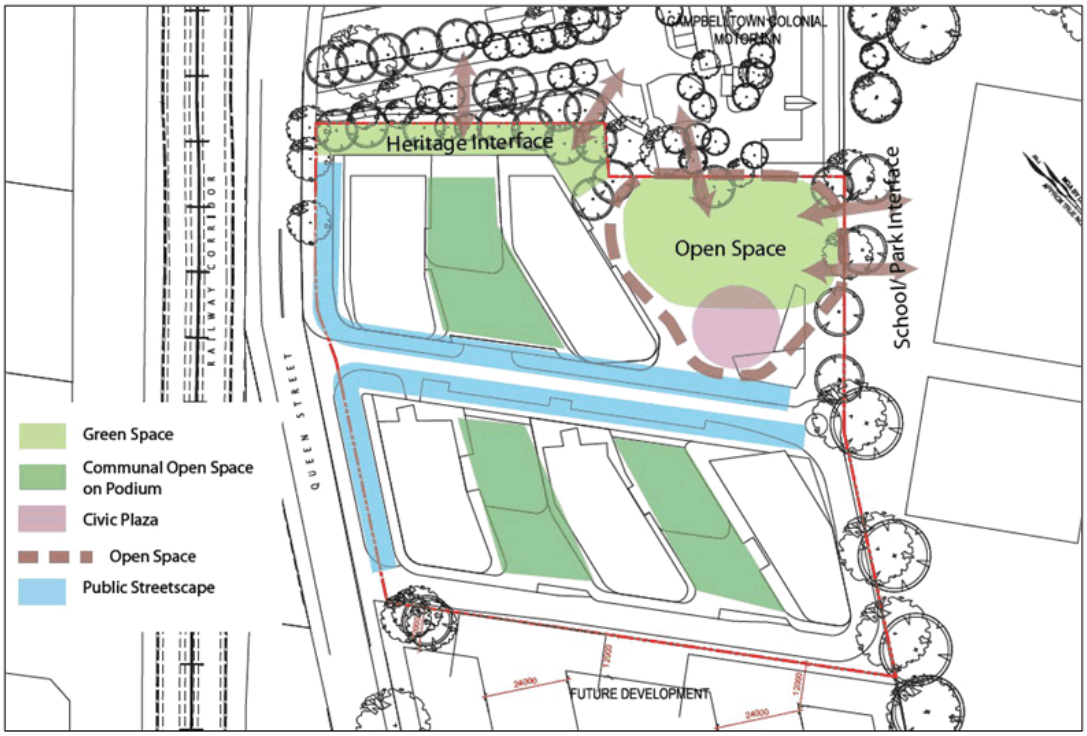

Figure 14.9 – Open Space

13

14.3.8 Circulation and Access

Objectives

1. To prioritise pedestrian and public amenity throughout the development.
2. To establish a safe balance between pedestrian, cycling and vehicle movement.
3. Provide convenient, efficient, safe access and parking for vehicles, services (including deliveries and waste), pedestrians and cyclists.
4. To minimise the visual impact of vehicle accessways from the public domain.
5. To ensure a safe and convenient vehicular arrangement from Queen Street and throughout the site.
6. To minimise vehicular crossover of the public realm.
7. Provide adequate 'end-of-trip' facilities, including a change room with showers, to encourage walking and cycling to work by retail and commercial staff.

Controls

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

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

Restaurants	1.5 spaces per 10m2 GFA
Business Premises	1 space per 35m2 GFA
Childcare centre	1 space per 4 children

Table 14.2 – Parking rates

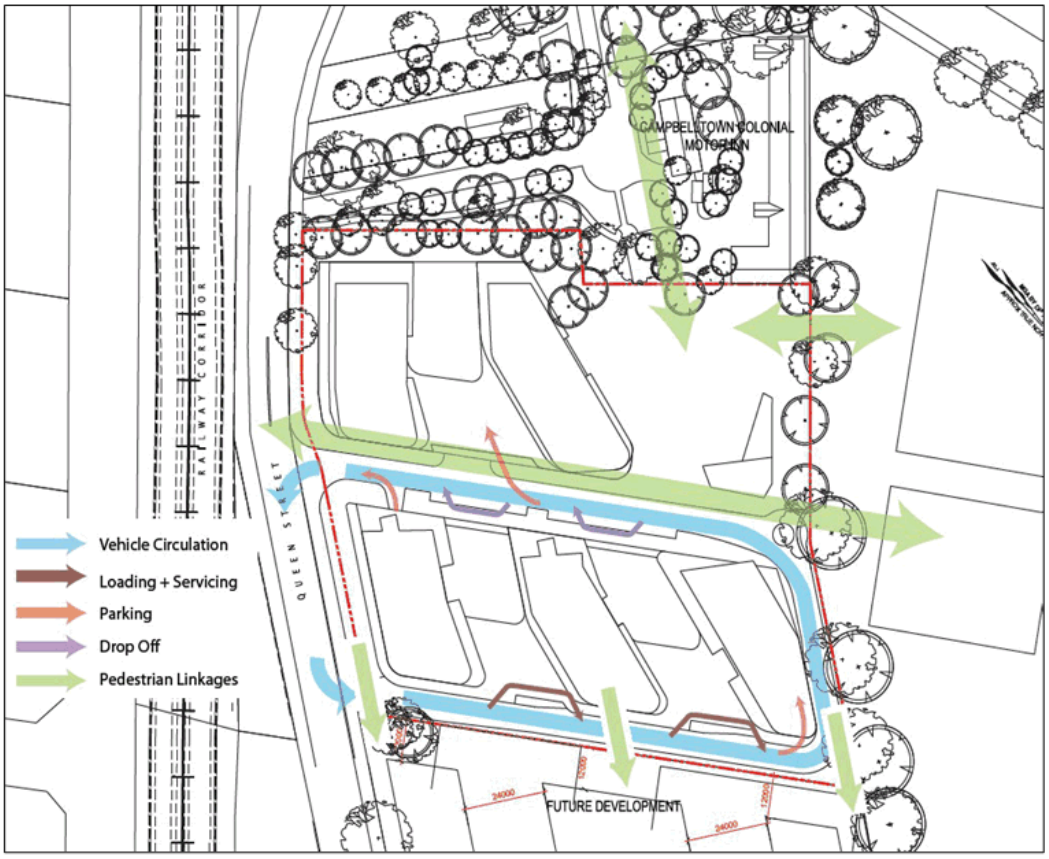

Figure 14.10 – Circulation and Access

Crime Prevention Through Environmental Design (CPTED)

Objectives

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

CPTED Design Concepts

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

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

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

Controls

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

Gateway Determination

***Planning proposal (Department Ref: PP_2019_CAMPB_003_00)**: to amend the development controls for land at 22-32 Queen Street, Campbelltown including applying a maximum building height for the land to 1.5m, 26m, 32m, 38.5m and 45m.*

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

1. Prior to public exhibition, the planning proposal is to be amended as follows:
   (a) under the Introduction section of the proposal, identify the number of additional dwellings, jobs and commercial floor space, and carparking spaces generated by the proposal;
   (b) under Part 2 – Explanation of Provisions, include the following:
      i. where applicable, amend the proposed floor space ratio controls and building height(s) for the site based on Council's consideration of any additional findings;
      ii. expand the description of the proposed clauses to explain in detail the intent of the controls;
      iii. include a local clause, and plain English explanation, to permit structures higher than 1.5 metres to be erected on the open space areas within the subject site, provided such structures:
         - are open; and,
         - do not constitute a building; and,
         - are erected for shading and/or recreation purposes; and,
         - do not exceed three metres in height, measured from the existing ground level of the adjacent heritage item;

      and, clarify within the proposal whether development consent is proposed;
      iv. include a note that the proposed clauses may be subject to change following legal drafting;
      v. indicate that satisfactory arrangements for the site may apply to ensure contributions for State infrastructure is provided as the site is located within the Glenfield to Macarthur Urban Renewal Precinct; and in terms of Greater Macarthur 2040;

(c) update the following studies supporting the planning proposal to reflect the proposed development controls:
   i. urban design report, including the shadow diagrams;
   ii. traffic and parking impact assessment;
   iii. heritage impact statement;
   iv. economic analysis, including the validation of the proposed commercial and retail floor space and an assessment of any impacts upon the core CBD;
   v. landscape design report; and
   vi. visual report to address the impacts on the internal public areas and surrounding area, in both the current low-scale environment and the transition to a high-density centre;

(d) prepare a social impact assessment is address the impacts of the proposal on the existing services;

(e) prepare a flood assessment to ensure that flooding impacts can be adequately mitigated and appropriate measures are proposed;

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

(g) update the consistency of the planning proposal with section 9.1 Directions 4.3 Flood Prone Land and 6.3 Site Specific Provisions;

(h) prepare a draft site-specific development control plan and concurrently exhibit this plan with the planning proposal addressing, but not limited to, the following matters:
   i. green connections linking the adjacent school's open space with the adjoining heritage item;
   ii. public pedestrian connectivity through the site and to the surrounding land;
   iii. building separations and setbacks to the surrounding properties;
   iv. interface with the adjacent State heritage item and school;
   v. active street frontages and increased setbacks to Queen Street;
   vi. deep soil landscaping and tree planting to enhance the public domain;
   vii. adequate solar access to the plaza/open space and surrounding properties through building orientation and layout; and
   viii. street pattern and orientation of the central access street and intersection arrangement with Queen Street.

2. The revised planning proposal is to be updated in accordance with condition 1 and forwarded to the Department for review and approval prior to exhibition.

3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
   (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
   (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment 2016).

PP_2019_CAMPB_003_00 (IRF19/5060)

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

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

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

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 17th day of January 2020.

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

Delegate of the Minister for Planning and Public Spaces

PP_2019_CAMPB_003_00 (IRF19/5060)

Planning, Industry & Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2019_CAMPB_003_00)

I, Executive Director, Central River City & Western Parkland City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 17 January 2020 for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Change the description of the planning proposal

   from

Planning proposal (Department Ref: PP_2019_CAMPB_003_00)*: to amend the development controls for land at 22-32 Queen Street, Campbelltown including applying a maximum building height for the land to 1.5m, 26m, 32m, 38.5m and 45m.*

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

   to

Planning proposal (Department Ref: PP_2019_CAMPB_003_00)*: to amend the development controls for land at 22-32 Queen Street, Campbelltown including applying a maximum building height for the land to 1.5m, 7m, 42m, 45m, 49m and 52m.*

I, the Executive Director, Central River City and Western Parkland City, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) 2015 to amend the development controls for land at 22-32 Queen Street, Campbelltown including applying a maximum building height for the land to 1.5m, 7m, 42m, 45m, 49m and 52m; apply a floor space ratio (FSR) of 2.5:1 for residential apartment buildings and 1.7:1 for mixed use developments; insert a new local clause; and insert a requirement for a

site-specific development control plan (DCP) that requires the site to be master planned should proceed subject to the following conditions:

Dated 31st day of August 2020

Catherine Van Laeren
Executive Director, Central River City & Western Parkland City
Greater Sydney, Place and Infrastructure
Department of Planning, Industry and Environment

Delegate of the Minister for Planning and Public Spaces

[PP_2019_CAMPB_003_00] (IRF 20/4020)

8.5 Draft Voluntary Planning Agreement - Menangle Park (Stages 1, 2A and 2B)

Reporting Officer

Executive Manager Urban Release and Engagement
City Development

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.2 - Support and advocate for infrastructure solutions that meet the needs of our city and which pay an economic and liveability dividend

Officer's Recommendation

That Council authorise the General Manager to execute the draft Voluntary Planning Agreement with Dahua Group Sydney Project 2 Pty Ltd and Dahua Group Sydney Project 3 Pty Ltd on behalf of Council.

Purpose

The purpose of this report is to summarise the public exhibition of a draft Voluntary Planning Agreement (VPA) for land within the Menangle Park Urban Release Area, and to recommend that Council execute the Agreement.

History

Dahua, in a letter dated 18 May 2018, offered to enter into a VPA with Council with regard to the Stage 1, 2A and 2B development applications for subdivision. The offer ensures Council is able to receive development contributions as required to deliver the infrastructure in accordance with the “IPART reviewed contributions plan” which came into effect on 24 April 2020.

The applicable development applications and status is outlined below:

Application Number	Description	Status
Stage 1 (3885/2017/DA-SW)	Civil works and subdivision of land to create 255 residential lots and seven superlots	Determined for approval by Local Planning Panel on 25 June 2020
Stage 2A (292/2018/DA-SW)	Civil works and subdivision of land into 67 Torrens title allotments, including one residue allotment	Determined for approval by Local Planning Panel on 28 September 2020

Stage 2B (681/2018/DA-SW)	Civil works and subdivision of land into 87 Torrens title allotments, including three residue allotments	Under Assessment

The following development contributions are to be provided under the offer:

a) construction of a local park of approximately 5000sqm adjacent to the southern entry road

b) dedication of the land comprising the local park referred to at A above

c) construction of a local park of approximately 6870sqm adjacent to the southern entry road

d) dedication of the land comprising the local park referred to at C above

e) construction of a linear park of approximately 3834sqm and shared cycle and pathway adjacent to Menangle Road and the Hume Motorway

f) dedication of the land comprising the linear park and shared cycleway and pathway referred to at E above

g) construction of bioretention facilities on approximately 3956qm of land

h) dedication of the land referred to at G above

i) dedication of approximately 4900sqm of land in the vicinity of the land referred to at G above

j) Dedication of approximately 4829sqm of land in the vicinity of the land referred to at F) above;

k) construction of a roundabout at the intersection of Menangle and Cummins Road and

l) payment of a monetary contribution of $18,851.21 per Final Lot up to a maximum of $7,710,145 for 409 Final Lots.

The total contribution value to be delivered, including land, is $17,427,254.

Councillors were briefed on the offer in July 2020, followed by drafting of the VPA by Council's solicitor under a funding agreement with the proponent.

Report

The draft VPA and Explanatory Note (attachments 1 and 2) were publicly exhibited as required in accordance with the *Environmental Planning and Assessment Act 1979* and Environmental Planning and Assessment Regulation 2000 as follows:

- Public exhibition of documents from 22 October 2020 until 20 November 2020
- Have Your Say – Campbelltown City Council website
- Letter to all landowners within the Menangle Park Urban Release area

No submissions were received, however, various phone enquiries were received from residents within the village area.

Conclusion

The proposed Voluntary Planning Agreement ensures that land, works and monetary contributions will be delivered by Dahua to meet the need of future residents. Contributions to be provided are equal to that required by the IPART approved Menangle Park Contributions Plan 2020, and would relieve Council from the obligation (and financial risk) of delivering part of the public open space and associated infrastructure for the Menangle Park Urban Release Area.

Accordingly, it is recommended that Council support the execution of the Voluntary Planning Agreement and its publication on Council's website.

Attachments

1. Draft Voluntary Planning Agreement (contained within this report)
2. Explanatory Note (contained within this report)

Planning Agreement
Menangle Park (Stages 1, 2A and 2B)

Campbelltown City Council (ABN 31 459 914 087) (**Council**)

Dahua Group Sydney Project 2 Pty Ltd (ACN 606 391 235)
and
Dahua Group Sydney Project 3 Pty Ltd (ACN 606 391 922) (**Developer**)

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Planning Agreement
Menangle Park (Stages 1, 2A and 2B)

Parties

Council	**Name**	Campbelltown City Council
	Address	Civic Centre Cnr Queen and Broughton Streets Campbelltown NSW 2560
	ABN	31 459 914 087
Developer	**Name**	Dahua Group Sydney Project 2 Pty Limited
	Address	Suite 2, Level 20, 201 217 Elizabeth Street, Sydney, NSW 2000
	ACN	606 391 235
	Name	Dahua Group Sydney Project 3 Pty Limited
	Address	Suite 2, Level 20, 201 217 Elizabeth Street, Sydney, NSW 2000
	ACN	606 391 922

Background

A The Developer owns the Land.

B The Developer wishes to carry out the Development.

C The Developer has applied, or proposes to apply, for the Development Consents with respect to the Development.

D The Developer has offered to enter into a planning agreement and make Development Contributions in connection with the carrying out of the Development, on and subject to the terms of this document.

Operative provisions

1 Agreement

The agreement of the parties is set out in the Operative Provisions of this document, in consideration of, among other things, the mutual promises contained in this document.

2 Definitions

2.1 Defined Terms

In this document, words beginning with a capital letter that are defined in Part 1 of **Schedule 2** have the meaning ascribed to them in that schedule.

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2.2 Interpretation

The interpretational rules contained in Part 2 of **Schedule 2** apply in the interpretation of this document.

3 Application and operation of document

3.1 Planning Agreement

This document is a planning agreement:

(1) within the meaning set out in section 7.4 of the Act; and

(2) governed by Subdivision 2 of Division 7.1 of Part 7 of the Act.

3.2 Application

(1) This document applies to both the Land and the Development.

(2) The parties acknowledge that the Development Contributions required to be made under this document are to meet the expected demand for public facilities arising from the Development.

3.3 Operation

(1) This document operates from the date it is executed by both parties.

(2) The party who executes this document last is to insert the date that they executed this document on the Execution Page, and provide a copy of the fully executed and dated document to any other person who is a party.

3.4 Part-performance of this document

Council is not to raise any objection, requisition or Claim, or impose any requirements beyond that provided for in this document in relation to any obligation imposed on the Developer under this document that had been performed, whether in whole or in part, on the date this document commenced.

3.5 Further agreements relating to this document

The Developer and Council, at any time and from time to time, may enter into agreements relating to the subject matter of this document that are not inconsistent with this document for the purpose of implementing this document.

4 Application of s7.11, s7.12 and s7.24

4.1 Application

(1) This document:

(a) excludes the application of section 7.11 of the Act to the Development; and

(b) excludes the application of section 7.12 of the Act to the Development

(2) For the avoidance of doubt:

(a) sections 7.11 and 7.12 are only excluded in relation to the original subdivision of the Land to create a Final Lot, and the construction of up to one (1) Dwelling on each of those Final Lots; and

(b) if any additional Dwellings are constructed on those Final Lots, or if a Final Lot is further subdivided in the future, section 7.11 and 7.12 will not be excluded for such additional Dwellings or further subdivision.

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4.2 Consideration of Benefits

Section 7.11(6) of the Act does not apply to the Development Contributions that are to be carried out or provided pursuant to this document, except to the extent necessary to enable any Excess Contributions Credit to be recognised and applied, as contemplated by clause 5.9.

4.3 Section 7.24

This document does not exclude the application of section 7.24 of the Act to the Development.

5 Provision of Development Contributions generally

5.1 Developer must make Development Contributions

(1) The Developer must make Development Contributions to Council in accordance with this document, and in particular in accordance with **Schedule 3**.

(2) **Schedule 3** has effect in relation to Development Contributions to be made by the Developer under this document and in particular the Developer must, subject to the terms of this document:

(a) deliver each Item comprising Works or Land for dedication by the corresponding 'due date or development trigger' identified for that Item in Schedule 3; and

(b) pay the Monetary Contribution for each Final Lot by the 'due date or development trigger' identified for the Monetary Contribution in Schedule 3.

5.2 No limit created by Contribution Value

(1) A Contribution Value specified in relation to a Development Contribution other than a Monetary Contribution does not define or limit the extent of the Developer's obligation in that regard.

(2) Further to paragraph (1), the Developer is not entitled to any payment, credit or off-set to the extent that any costs incurred by it in making a Development Contribution exceed the relevant Contribution Value.

(3) If the cost incurred by the Developer to properly perform an obligation to carry out Work or dedicate land is less than a Contribution Value specified in relation to the obligation, the Developer is not required to carry out further Work, dedicate further land or pay money to Council to make up the difference between the Contribution Value and the cost incurred by the Developer in performing the obligation.

5.3 Council's obligation to apply Development Contributions

Council will use its best endeavours to apply each Development Contribution made by the Developer under this document towards the public purpose for which it is made.

5.4 Alternative method of providing items of Work by paying Monetary Contribution

(1) If Council gives its prior written consent (which may be withheld at its discretion), the Developer may satisfy its obligation under this document to provide any or all of the Works by paying to Council the specified Contribution Value for any or all of the Works.

(2) If the Developer pays a monetary amount under paragraph (1), the relevant amount must be paid to Council by the time that the relevant item of Work was required to have been Completed under this document.

(3) Council will spend the Monetary Contribution paid by the Developer under this clause 5.4 on services, infrastructure or facilities to be delivered, in order of precedence:

(a) on the Land; or

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(b) at a location outside the boundary of the Land, but within Council's Local Government Area.

(4) The Developer must give, or procure, reasonable access to Council to that part of the Land upon which the Works are to be carried out by Council for the purposes of carrying out the works contemplated by this clause 5.4.

5.5 Alternative method of providing items of Work

If Council gives its prior written consent (which may be withheld at its discretion), the Developer may vary or replace any item of Work provided that:

(1) the Contribution Value of the varied or new item of Work is the same or greater than the Contribution Value of the original item of Work;

(2) the varied or new item of Work contains the core elements for that item of the Works as identified in the Contributions Plan.

(3) the varied or new item of Work serves the same, or a similar, public purpose as the original item of Work;

(4) the varied or new item of Work is provided at the same time as the original item of Work was required to have been provided under this document; and

(5) the varied or new item of Work complies with the requirements of any relevant Authority.

5.6 Alternative method of providing Monetary Contributions

(1) If Council gives its prior written consent (which may be withheld at its discretion), the Developer may make any of the Monetary Contributions by the carrying out of works or the provision of services.

(2) If the Developer carries out works or provides services under paragraph (1):

(a) the Contribution Value of the works on services provided must be equal to or greater than the amount of the relevant Monetary Contribution; and

(b) the works on services must be Completed no later than the time by which the Monetary Contribution was required to have been made under this document.

5.7 Rise or Fall - New Contributions Plan

(1) This clause 5.7 applies if a New Contributions Plan is made before the issue of a Subdivision Certificate for the 409th Final Lot within the Development and the New Contributions Plan identifies (either alone, or together with any other contributions plan) a method or rate for determining contributions which, if applied to the Development, would have resulted in an overall contribution value for the Development (**New Contribution Plan Value**) which is different from the Adjusted VPA Contribution Value.

(2) Effective from the date on which the New Contributions Plan takes effect, the Notional Values assigned to each Item in **Schedule 3** are replaced:

(a) in the case of an Item comprising Land for dedication - by the value ascribed to that Item in the New Contributions Plan or, if that Item is not ascribed a value in the New Contributions Plan, by the value of an item which most closely resembles that Item, adjusted proportionately for any difference in land area; and

(b) in the case of an Item of Work - by the value ascribed to that Item in the New Contributions Plan or, if that Item is not ascribed a value in the New Contributions Plan, by the value of an item which most closely resembles that Item, adjusted proportionately for any difference in the nature or scale of works

(**Adjusted Notional Values**).

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(3) Either party may refer a dispute as to the Adjusted Notional Values for expert determination pursuant to clause 19.1.

(4) If the New Contribution Plan Value is more than the Adjusted VPA Contribution Value, then the Monetary Contribution to be payable for any Final Lot for which a Subdivision Certificate has not yet been issued is to be increased by the amount represented by IMC in the following formula:

$$IMC = (\text{New Contribution Plan Value} - \text{Adjusted VPA Contribution Value}) \div 409$$

(5) If the New Contribution Plan Value is less than the Adjusted VPA Contribution Value, then the Monetary Contribution to be payable for any Final Lot for which a Subdivision Certificate has not yet been issued, is to be reduced by the amount represented by RMC in the following formula:

$$RMC = (\text{Adjusted VPA Contribution Value} - \text{New Contribution Plan Value}) \div 409$$

(6) Nothing in this clause 5.7 operates so as to require:

(a) the Developer to make additional Monetary Contributions; or

(b) the Council to refund Monetary Contributions,

in respect of Final Lots for which a Subdivision Certificate had already been issued before the New Contributions Plan takes effect.

5.8 Excess Contributions Credit for Additional Park Lands and Works

(1) This clause 5.8 applies if the LEP is amended generally or substantially as proposed by the Menangle Park Planning Proposal.

(2) Once the Developer has Completed the Additional Park Works, the Developer will be entitled to an Excess Contributions Credit in the indexed amount of the Contribution Value specified in **Schedule 3** for Works Items 1c and 2a.

(3) Once the Developer has dedicated the Additional Park Lands comprising Items 1d and 2b in **Schedule 3**, the Developer will be entitled to an Excess Contributions Credit in the indexed amount of the Contribution Value specified in **Schedule 3** for Items 1d and 2b.

5.9 Application of Excess Contributions Credit

(1) An Excess Contributions Credit which has been generated under this document may be applied by the Developer to discharge:

(a) any obligation to pay a Monetary Contribution under this document; or

(b) any other obligation to pay a monetary contribution to Council at any land within the Menangle Park Urban Release Area.

(2) Nothing in this clause 5.9, clause 5.7 or clause 5.8 entitles the Developer to a cash refund from the Council for any Development Contributions provided under this document by the Developer.

5.10 Indexation

(1) The Contribution Value for each Item of Work specified in **Schedule 3** is to be adjusted quarterly in accordance with the 'Works and Construction' formula at clause 2.10 of the Contributions Plan.

(2) The Contribution Value for each Item comprising Land for dedication specified in **Schedule 3** is to be adjusted quarterly in accordance with the 'Land Acquisition' formula at clause 2.10 of the Contributions Plan.

(3) Any Excess Contributions Credit which has been generated under this document, and which has not been applied, will be adjusted quarterly in accordance with the 'Land Acquisition' formula at clause 2.10 of the Contributions Plan.

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6 The provision of Monetary Contributions

6.1 Payment of Monetary Contributions

A Monetary Contribution is made for the purposes of this document when Council receives the full amount of the contribution payable under this document:

(1) in cash or by unendorsed bank cheque; or

(2) by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by Council.

6.2 Council to issue invoices and receipts for Monetary Contributions

(1) Within five (5) Business Days of a request from the Developer identifying the number of Final Lots to be created upon the issue of a Subdivision Certificate, the Council must provide a Tax Invoice to the Developer in the amount of the Monetary Contribution payable for those Final Lots in accordance with Schedule 3.

(2) The Council is to provide the Developer with a receipt acknowledging payment of a Tax Invoice, within five (5) Business Days of receiving confirmation that the relevant Monetary Contribution has been paid, or that the Developer elects to have Excess Contributions Credits applied in satisfaction of the amount payable under the Tax Invoice.

(3) In this clause 6.2, **Tax Invoice** has the same meaning given to that term in clause 26.11.

7 Variation of scope or timing for provision of Works

7.1 Variation to the scope of a Work

(1) The Developer may request that Council approve in writing a variation to the scope any item of Work.

(2) For the purposes of determining whether to approve a variation under paragraph (1), Council may consider the content of the Contributions Plan and whether the variation prejudices the provision of public services or public amenities for the Development.

(3) The scope of an item of Work is not to be varied unless Council and the Developer, acting reasonably, agree in writing to the variation.

7.2 Deferral of the timing of Completion of an item of the Works

(1) Notwithstanding any other provision of this document, if the Developer forms the view at any time, that:

(a) it is unable to Complete any item of Work by the time specified in **Schedule 3**; or

(b) it believes that there is a risk of damage to any item of Work if they are delivered by the time required in **Schedule 3**.

(**Deferred Works**), then the Developer may seek Council's approval to defer the Completion of the relevant item of Work by providing written notice to Council:

(c) identifying the relevant item of Work that the Developer proposes to defer;

(d) specifying the reason for the request to defer the Completion of that item of Work; and

(e) identifying the anticipated or proposed time for Completion of the relevant item of Work.

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(2) Council, acting reasonably, must give the Developer a written notice within thirty (30) business days of the date upon which the Developer serves written notice upon Council in accordance with paragraph (1) stating:

(a) whether or not it consents to the deferral of the Deferred Works;

(b) the revised date for Completion required by Council; and

(c) any reasonable conditions Council requires with respect to the deferral (including any requirement for additional Security on account of that deferral, but only to the extent necessary to ensure that Council holds adequate security based on the then estimated cost to complete the relevant item of the Works).

(3) If Council consents to the deferral of the Deferred Works, then the following applies:

(a) The Developer must comply with any conditions required by Council under paragraph (2) above.

(b) Provided the Developer satisfies those conditions, the Developer will not be considered to be in breach of this document as a result of a failure to achieve Completion of the relevant Deferred Works by the time for Completion specified in this document.

(c) The time for completion of the Deferred Works under this document is the revised date for Completion specified by Council under paragraph (2)(b) above.

8 Procedures relating to the dedication of Land

8.1 Plan of Management

(1) The Developer must:

(a) as a Development Contribution, fund and prepare a draft Plan of Management for any part of the Land on which an Open Space Work is to be constructed; and

(b) provide the draft Plan of Management to Council for Council's consideration not less than six (6) months prior to the time the Land the subject of the draft Plan of Management is required to be dedicated.

(2) For the purposes of paragraph (1)(a), Council is to promptly provide the Developer with a template of a Plan of Management if requested by the Developer in writing.

8.2 Works to be Completed prior to dedication

Unless Council gives its prior written consent or unless otherwise set out in this document to the contrary, the Developer must not dedicate any part of the Land in accordance with this document unless:

(1) if required under this document, a Plan of Management prepared under clause 8.1 has been accepted by Council; and

(2) any Works required to be carried out on that part of the Land have either been:

(a) Completed; or

(b) deferred in accordance with clause 7.2 to a date after the date that the relevant Land is required to be dedicated under this document.

8.3 Dedication process

(1) A Development Contribution comprising the dedication of any part of the Land is made for the purposes of this document when:

(a) a deposited plan is registered in the register of plans held with the Registrar General that:

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(i) dedicates the relevant part of the Land as a public road (including a temporary public road) under the *Roads Act 1993* (NSW), or

(ii) creates a public reserve or drainage reserve under the *Local Government Act 1993* (NSW), or

(b) Council is otherwise registered as the proprietor of the relevant Land.

(2) The Developer is to give Council, for execution by Council as transferee, an instrument of transfer under the *Real Property Act 1900* (NSW) in registrable form relating to the Land to be dedicated under this document. Within 15 Business Days of receiving it from the Developer, Council is to execute it and return it to the Developer.

(3) Council agrees that it will accept the dedication of any part of the Land subject to the Permitted Encumbrances.

8.4 Remediation of Land to be dedicated to Council

(1) All Land to be dedicated to Council under the document must be:

(a) remediated to Residential "A" land use criteria as defined in National Environment Protection Measures (NEPMs) as amended in 2013; and

(b) free from any on-site containment or capping of contaminated soil.

(2) The remediation activities needed to achieve the requirements of paragraph (1) must be defined in a Remedial Action Plan including remedial methodology, validation criteria and validation procedures.

(3) The Remedial Action Plan referred to in paragraph (2) must be prepared, or reviewed and approved, by a consultant engaged by the Developer at its cost who is certified under a contaminated land consultant certification scheme as recognised by the New South Wales Environment Protection Authority.

9 Procedures relating to Works

9.1 Design and Specification

(1) At any time prior to the receipt of the Detailed Design of a Work under paragraph (2), Council may provide the Developer with a direction to vary that item of Work, subject to any such variation:

(a) not unreasonably or substantially increasing the cost and timeframe to Complete the Work;

(b) not resulting in a change to the matters identified as core elements for that Work in the Contributions Plan; or

(c) not being inconsistent with this document or any Development Consent for the Development;

(2) Before commencing construction of any item of Work, the Developer must submit to Council for its approval the Detailed Design for the Work.

(3) If, within thirty (30) days of the date of submission referred to in paragraph (1):

(a) Council notifies the Developer in writing of its approval of the Detailed Design, the Developer must carry out and Complete the relevant item of Work in accordance with that Detailed Design;

(b) Council fails to notify the Developer in writing that it:

(i) approves or does not approve of the Detailed Design; or

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(ii) does not require the Developer to make modifications to be made to that Detailed Design,

Council is taken to have approved the Detailed Design of the item of Work and the Developer may carry out and Complete the Work in accordance with that Detailed Design; or

(c) Council notifies the Developer in writing that it does not approve of the Detailed Design or requires the Developer to make modifications identified in that notice, the Developer may:

(i) amend the Detailed Design and submit to Council the amended Detailed Design, in which case the Developer must submit any such amended Detailed Design to Council under paragraph (1); or

(ii) if the Developer does not agree with the modifications requested by Council, refer the matter for expert determination or mediation under this document.

(4) For the purpose of clarity, paragraph (3) applies to any amended Detailed Design submitted by the Developer.

9.2 Standard of construction of Work

Any Work that the Developer is required to carry out under this document must be carried out in accordance with:

(1) this document;

(2) any further agreement entered into under clause 3.5;

(3) the Detailed Design for the Work approved under clause 9.1;

(4) the requirements of any approval, consent, permission or licence issued by a relevant Authority;

(5) any Australian standards and other laws applicable to the Work; and

(6) in a proper and workmanlike manner, complying with current industry practice and standards relating to the Work.

9.3 Access for Works

(1) The Developer must permit Council, its officers, employees, agents and contractors to enter the Land or any other land at any time, upon giving reasonable prior notice, to:

(i) inspect, examine or test any Work; or

(ii) remedy any breach by the Developer in carrying out a Work.

(2) Where Council, its officers, employees, agents and contractors enter the Land for the purposes outlined within this clause 9.3, Council must abide by all reasonable work, health and safety requirements of the Developer.

(3) Council may at its absolute discretion and in accordance with Council policies from time to time permit the Developer to enter and occupy any land owned or controlled by Council for the purposes of enabling the Developer to comply with their obligations under clauses 11 and 13 of this document.

9.4 Protection of people and property

The Developer must ensure to the extent reasonably practicable in carrying out any Work that:

(1) all necessary measures are taken to protect people and property;

(2) unnecessary interference with the passage of people and vehicles is avoided; and

(3) nuisances and unreasonable noise and disturbances are prevented.

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10 Provisions with respect to the Completion of the Works

10.1 Developer must notify

The Developer must provide a Completion Notice to the Council within ten (10) business days of the Developer believing it has achieved Completion of any item of Work.

10.2 Inspection

The Council must inspect the item of Work set out in a Completion Notice within ten (10) Business Days of the receipt of that Completion Notice.

10.3 Council to notify

(1) Within the earlier of:

(a) ten (10) business days of inspecting the item of Work identified in a Completion Notice; and

(b) twenty (20) business days from the receipt of the relevant Completion Notice,

Council must provide notice in writing to the Developer that:

(c) Council is satisfied that the item of Work has been Completed; or

(d) Council is not satisfied that the item of Work has been Completed, in which case the notice must also detail Council's reasons for that decision.

(2) If Council provides a notice to the Developer under paragraph (1)(c) or does not provide the Developer with notice in accordance with paragraph (1), then the item of Work set out in the Completion Notice will be deemed to have been Completed, and the Development Contribution comprising that item of Work will be recognised as having been provided for the purpose of this document, on the date nominated in the Completion Notice.

(3) Where Council serves notice on the Developer pursuant to paragraph (1)(d) the Developer must:

(a) carry out such works as are required to address the matters set out in the notice within three (3) months from the date it is issued by the Council unless otherwise agreed by the Council; or

(b) serve a notice on the Council that it disputes the matters set out in the notice. If the Developer serves notice on the Council in accordance with paragraph (a) the expert determination process at clause 19 will apply.

10.4 Developer's further notification

(1) Where the Developer rectifies the Works in accordance with clause 10.3(3)(a) it must serve upon the Council a new Completion Notice for the item of Work it has rectified (**New Completion Notice**).

(2) The provisions of clauses 10.1 to 10.4 (inclusive) apply to any New Completion Notice issued by the Developer.

10.5 Works-as-executed-plan

No later than sixty (60) days after an item of Work is Completed in accordance with this document, the Developer must submit to Council:

(1) a full works-as-executed-plan for the relevant item of Work; and

(2) the technical or operation manual, specifications and warranties (if any) for any product that forms part of the relevant item of Work.

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10.6 Hand-over of Works

(1) Subject to anything to the contrary in this document, Council accepts responsibility for an item of Work on the later of:

(a) the date when the item of Work is Completed for the purposes of this document; or

(b) if the Work is carried out on land which is to be dedicated to Council under this document, the date of dedication of that land.

(2) The Developer, at its own cost, must repair and make good to the satisfaction of Council (acting reasonably) any loss or damage to a Work from any cause whatsoever which occurs before the Work is Completed for the purposes of this document.

11 Procedures relating to the rectification of defects

11.1 Definition of Defects Liability Period

In this clause 11 the following definitions apply:

(1) **Building Works** has the same meaning as in the Act.

(2) **Defects Liability Period** means:

(a) for an Open Space Work (other than a Building Work), or any Work in **Schedule 3** specified under "Transport Infrastructure" or "Water Quality and Treatment Basin Work" - twelve (12) months from the date the Work is Completed for the purposes of this document; and

(b) for Building Work – twelve (12) months from the date the Work is Completed for the purposes of this document.

11.2 Council may issue Rectification Notice

During the Defects Liability Period, Council may give to the Developer a Rectification Notice.

11.3 Developer must comply with Rectification Notice

The Developer must comply with a Rectification Notice at its own cost, according to the terms of that notice and to the satisfaction of Council, acting reasonably.

11.4 If the Developer fails to comply with a Rectification Notice

(1) Council may enter upon the Land for the purpose of satisfying a Rectification Notice where the Developer has failed to comply with, the Rectification Notice, but only after giving the Developer not less than ten (10) business days written notice of its intention to do so.

(2) If Council elects to exercise the step-in rights granted to it under paragraph (1) then:

(a) Council may:

(i) enter upon any part of the Land to which it requires access in order to satisfy the obligations of the Developer in accordance with the Rectification Notice; and

(ii) rectify the relevant Defects in accordance with the Rectification Notice; and

(b) the Developer must not impede or interfere with Council in undertaking that work.

(3) Where Council exercises its step-in rights in accordance with this clause 11.4, all costs incurred by Council in rectifying the relevant Defects may be claimed by Council as a liquidated debt immediately due and owing by the Developer.

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11.5 End of the Defects Liability Period

(1) By no later than ten (10) business days prior to the end of the Defects Liability Period:

(a) Council will undertake a final inspection of the relevant item of Work; and

(b) Council may either:

(i) by way of written notice to the Developer, confirm that the item of Work is acceptable to Council, acting reasonably; or

(ii) issue a Rectification Notice to the Developer if it identifies any part of the item of Work which is not acceptable to Council, acting reasonably.

(2) If Council issues a Rectification Notice under paragraph (1)(b)(ii), the Developer must comply with the Rectification Notice at its own cost, according to the terms of that notice and to the satisfaction of Council, acting reasonably (and for the purpose of clarity, clause 11.4 applies with respect to any such Rectification Notice).

(3) Council may not issue a further Rectification Notice under paragraph (1) for any additional unacceptable parts of the item of Work that were not identified in the Rectification Notice issued under paragraph (1)(b)(ii).

(4) If Council does not issue a Rectification Notice withinten (10) business days after undertaking a final inspection of the Works under paragraph (1)(a), the Works will be deemed to be acceptable to Council.

(5) If Council issues a Rectification Notice under paragraph (1), the Defects Liability Period for the item of Work the subject of that Rectification Notice does not end for the purpose of this document until the relevant matters set out in that Rectification Notice have been addressed in accordance with this document.

12 Failure to carry out Work

12.1 Council may issue notice

(1) If Council considers that the Developer is in breach of any obligation under this document relating to the carrying out of any Work, including Work the subject of a Rectification Notice, Council may give the Developer a notice under this clause 12.

(2) The notice may require the Developer to:

(a) rectify the breach to Council's satisfaction; and

(b) immediately cease carrying out further work relating to the Work except to rectify the breach.

(3) A notice given under paragraph (1) must allow the Developer not less than twenty eight (28) Business Days (or such further period as Council considers reasonable in the circumstances) to rectify the breach.

12.2 Developer must comply

The Developer must comply with any notice issued by Council under clause 12.1

12.3 If Developer fails to comply

(1) Without limiting any other rights Council has to enforce this document, if the Developer does not comply with a notice given under clause 12.1 then Council may:

(a) call upon the Security;

(b) carry out and complete the Work the subject of the Developer's breach; and

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(c) in the event the costs reasonably incurred by Council in carrying out the Works cannot be met by the Security, the Developer must pay the difference to Council within twenty eight (28) days of receiving a written demand for such payment by Council.

(2) Clauses 19 and 20 do not prevent a notice being given under clause 12.1, nor do they apply to such a notice or the circumstances relating to the giving of the notice. Any procedure commenced under clause 19 or clause 20 ceases to apply when such a notice is given.

(3) For the purposes of paragraph (1), the costs which Council can recover include fees and charges incurred by Council, Council's employees, agents and contractors, and legal costs and expenses.

13 Maintenance and management of Works

13.1 Definitions

(1) In this clause the following definitions apply:

(a) **Hard Landscaping Work** means items such as paving, seating, buildings, signage, lighting, playground equipment, and any other landscaping work that is not a Soft Landscaping Work.

(b) **Maintenance Period** means:

(i) in respect of Hard Landscaping Work, a period of twelve (12) months commencing on the date the Work is Completed for the purpose of this document;

(ii) in respect of Soft Landscaping Work, a period of twelve (12) months commencing on the date the Work is Completed for the purpose of this document; and

(iii) in respect of Water Quality and Treatment Basin Work, a period of twelve (12) months commencing on the date the Work is Completed for the purpose of this document.

(c) **Maintenance Compliance Certificate** means a written notice issued by Council in accordance with clause 13.3(4)(b)(i) or an Independent Verifier in accordance with clause 13.3(9)(b)(i).

(d) **Maintenance Standards** means the maintenance standards and performance criteria of what constitutes fair wear and tear for the Works during the Maintenance Period set out in any Plan of Management or draft Plan of Management relating to the Work or the land on which the Work is or is to be located.

(e) **Plan of Management** means a plan of management within the meaning of s36 of the *Local Government Act 1993* (NSW).

(f) **Soft Landscaping Work** means any Work comprising the planting of vegetation and associated preparation of planting beds or growing medium, such as shrubs, groundcovers, mulch and grass.

(g) **Water Quality and Treatment Basin Work** means any work comprising landscaping of grasses, shrubs and/or trees with an underlying filter media installed as bio-retention basins, wetlands and/or swales.

(i) Stage 1 Works means any Water Quality and Treatment Basin Work excluding:

(A) the upper 100mm of filter media; and

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(B) any work comprising landscaping of grasses, shrubs and/or trees; but

(C) including the installation of geotextile fabric to the upper surface of the works.

(ii) Stage 2 Works means any works comprising landscaping of grasses, shrubs and/or trees with an underlying filter media installed as bio-retention basins, wetlands and/or swales not installed as part of Stage 1 Works including to removal of geotextile fabrics installed as part of Stage 1 works.

13.2 Developer must maintain

Subject to clause 13.5(1) and 13.5(2), the Developer must maintain each Hard Landscaping Work, Soft Landscaping Work and Water Quality and Treatment Basin Work during the Maintenance Period in accordance with:

(1) any matters set out in clause 9.2;

(2) any Plan of Management or draft Plan of Management relating to the Work or the land on which the Work is or is to be located; and

(3) the Maintenance Standards.

13.3 Maintenance Compliance Certificate

(1) The Developer may seek a Maintenance Compliance Certificate for a Work from either Council or an Independent Verifier.

(2) If the Developer elects to appoint Council to issue the Maintenance Compliance Certificate:

(a) Council is to undertake an inspection of the Work the subject of the Maintenance Period;

(i) in respect of Hard Landscaping Work every three (3) months commencing on the date that the Work is completed for the purpose of this document;

(ii) in respect of Soft Landscaping Work, every six (6) months commencing on the date that the Work is completed for the purpose of the document; and.

(iii) in respect of Water Quality and Treatment Basin Works, every six (6) months commencing on the date that the Work is completed for the purpose of the document.

(3) After each inspection, Council is to provide written notice to the Developer advising whether the Work has been maintained and managed in accordance with clause 13.2.

(4) By no later than ten (10) Business Days prior to the end of the Maintenance Period:

(a) Council will undertake a final inspection of the Work; and

(b) Council may either:

(i) by way of written notice to the Developer, confirm that the Work has been maintained by the Developer in accordance with this clause 13; or

(ii) issue a notice to the Developer if it identifies any part of the Work which has not been maintained by the Developer in accordance with this clause 13.

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(5) If Council issues a notice under clause 13(4)(b)(ii) the Developer must comply with that notice at its own cost.

(6) Council may not issue a further notice under clause 13.3(4)(b)(ii) for any additional unacceptable parts of the Work that were not identified in the original notice issued under 13.3(4)(b)(ii).

(7) If the Developer elects to appoint an Independent Verifier to issue the Maintenance Compliance Certificate:

(a) prior to the provision of an Occupation Certificate, the Developer is to give Council written notice of the details of the nominated Independent Verifier;

(b) within twenty (20) Business Days' of notice provided in clause 13.3(7)(a) the parties are to agree on the appointment of an Independent Verifier and in the event that the parties cannot agree, then the Independent Verifier to be nominated by the Ecological Consultants Association of NSW for Water Quality and Treatment Basin Works and Australian Institute of Landscape Architects for Hard Landscaping Works and Soft Landscaping Works; and

(c) the Independent Verifier is to undertake an inspection of the Work the subject of the Maintenance Period;

(i) in respect of Hard Landscaping Work every three (3) months commencing on the date that the Work is completed for the purpose of this document; and

(ii) in respect of Soft Landscaping Work, every six (6) months commencing on the date that the Work is completed for the purpose of the document.

(iii) in respect of Water Quality and Treatment Basin Works, every six (6) months commencing on the date that the Work is completed for the purpose of the document.

(8) After each inspection, the Independent Verifier is to provide written notice to each of the parties advising whether the Work has been maintained and managed in accordance with clause 13.2.

(9) By no later than ten (10) Business Days prior to the end of the Maintenance Period:

(a) the Independent Verifier will undertake a final inspection of the Work; and

(b) the Independent Verifier may either:

(i) by way of written notice to the Developer, confirm that the Work has been maintained by the Developer in accordance with this clause 13; or

(ii) issue a notice to the Developer if it identifies any part of the Work which has not been maintained by the Developer in accordance with this clause 13.

(10) If the Independent Verifier issues a notice under clause 13.3(9)(b)(ii) the Developer must comply with that notice at its own cost.

(11) The Independent Verifier may not issue a further notice under clause 13.3(9)(b)(ii) for any additional unacceptable parts of the Work that were not identified in the original notice issued under 13.3(9)(b)(ii).

(12) If Council does not agree with the decision of the Independent Verifier referred to in clause 13.3(9)(b)(i), then clause 19 applies.

(13) For the purposes of this clause, maintenance includes repairing damage caused by vandalism to the Work (including replacement of plants due to vandalism) but does not include deterioration as a result solely of fair wear and tear.

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13.4 No further claim against Developer

If the Developer has complied with its obligations under this clause 13, Council cannot make any Claim (other than a Claim arising from the negligence of the Developer or a breach of this document by the Developer), objection or demand about the state or condition of a Work after the end the Maintenance Period for that Work, other than with respect to defects notified to Council in accordance with clause 10.5.

13.5 Developer may elect to pay Monetary Contribution

(1) At the request of the Developer and provided that Council agrees, the Developer may satisfy any of its obligations in relation to the maintenance and management of the Works by paying the Notional Value assigned to the respective maintenance and management of the Work as a Monetary Contribution.

(2) Council agrees that if the Developer performs its obligations under this document in relation to maintenance and management of a Work in accordance with paragraph (1), Council will hold the monetary Development Contribution for the purpose of the maintenance and management of the Work and apply the money towards that purpose.

(3) The Developer must give, or procure, reasonable access to Council to that part of the Land upon which management and maintenance of the Work are to be carried out by Council in accordance with paragraph (2).

(4) For the avoidance of doubt, if the Developer pays the Notional Value for the maintenance and management of the Work in lieu of carrying out the maintenance and management pursuant to paragraph (1), the Developer is not required to carry out the maintenance and management of the Work.

14 Council may withhold Subdivision Certificate

14.1 Final Subdivision Certificate

(1) The Developer may only make, or cause, suffer or permit the making of, an application for a Subdivision Certificate that creates a Final Lot in the Development if, at the date of the application, the Developer is not in breach of its obligation to make Development Contributions under this document.

(2) If an application for a Subdivision Certificate that creates a Final Lot in the Development is made in spite of paragraph (1), Council may withhold the issue of that Subdivision Certificate until the Developer has made all Development Contributions under this document required to be made prior to that Subdivision Certificate being issued.

14.2 Council may withhold Subdivision Certificates

(1) The Developer acknowledges and agrees that the issue of a Subdivision Certificate may be withheld if, at the relevant time, the Developer is in breach of any obligation to make Development Contributions under this document until such time as:

(a) the breach is rectified; or

(b) Council calls upon the Security provided by the Developer in respect of the Development Contributions to which the breach relates and any amount required to be paid by the Developer under this document on account of that breach over and above the amount of the Security is paid in full.

(2) For the purpose of clarity, Council may not withhold the issue of a Subdivision Certificate if the Developer has not met its obligations to maintain and manage Works.

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15 Security for the dedication of land

15.1 Council may acquire

If the Developer does not dedicate any part of the Land required to be dedicated under this document by the time by which it is required to be dedicated, the Developer agrees that Council may compulsorily acquire that land:

(1) for compensation in the amount of $1.00 without having to follow the pre-acquisition procedures under the Just Terms Act; and

(2) at any time determined by Council.

15.2 Agreement to acquire

The parties acknowledge and agree that clause 15.1 constitutes an agreement for the purpose of section 30 of the Just Terms Act.

15.3 Additional comfort for Council

(1) If, as a result of an acquisition referred to in clause 15.1, Council is required to pay compensation to any person other than the Developer, the Developer must reimburse Council, as a Development Contribution, for that amount upon a written request being made by Council.

(2) The Developer indemnifies and keeps indemnified Council against all Claims made against Council as a result of any acquisition by Council of the whole or any part of the Land that is required to be dedicated under this document.

(3) The Developer must promptly do all things necessary, and consent to Council doing all things necessary, to give effect to this clause 15, including without limitation:

(a) signing any documents or forms;

(b) giving land owner's consent for the lodgement of any Development Application;

(c) producing certificates of title to the Registrar-General under the *Real Property Act 1900* (NSW); and

(d) paying Council's costs arising from this clause 15.

16 Security for carrying out of Work

16.1 Provision of Security

Subject to paragraph 16.2, prior to the issue of a Construction Certificate for any stage of the Development where an item of Work must be Completed prior to the issue of a Subdivision Certificate with respect to that stage, Council must be given separate Bank Guarantees:

(1) for the amount equivalent to the Contribution Value for the relevant item of Works (**Primary Security**); and

(2) for an amount equivalent to ten (10%) of the Contribution Value for the relevant item of Works (**Defects Security**),

(collectively referred to as the **Security**).

16.2 Floating Security

The Developer may satisfy clause 16.1 by allowing Council to retain any Security previously provided under this document, provided that Council holds Security in an amount no less than the aggregate required to be provided by the Developer under this clause 16 at the relevant time.

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16.3 Council may call on Security

If the Developer is indebted to Council under this document, without limiting any other remedies available to it, Council may call on any Security held by Council at that time.

16.4 Top up of Security

If Council calls on the Security, Council, by notice in writing to the Developer, may require the Developer to provide a further or replacement Security in an amount that, when added to any unused portion of any Security then held by Council, does not exceed the amount of the Security which Council is entitled to hold at that time under this document.

16.5 Release of Primary Security

Unless:

(1) Council has made a demand against the Primary Security provided to it;

(2) if applicable, the Development Contributions on account of which that Security was provided have not been provided;

(3) at the relevant time the relevant item of Works to which the Primary Security relates has not been Completed; or

(4) at the relevant time the Developer has not remedied a breach of this document of which it has been given notice by Council,

Council, upon a written request being made by the Developer, must return the Primary Security within ten (10) Business Days of such a request being made.

16.6 Release of Defects Security

Unless:

(1) Council has made a demand against the Defects Security provided to it;

(2) the relevant Defects Liability Period has not expired; or

(3) at the relevant time the Developer has not remedied a breach of this document of which it has been given notice by Council,

Council, upon a written request being made by the Developer, must return the Defects Security within ten (10) Business Days of such a request being made.

16.7 Indexation of value of Security value

The Developer must ensure that, on an annual basis from the date of commencement of this document, that the Security then held by Council equals the indexed amount of the Contribution Values for the relevant Works for which Security is required to be held at that time.

17 Registration of this planning agreement

17.1 Obligation to register

(1) This document must be registered on the title of the Land pursuant to section 7.6 of the Act.

(2) The Developer must:

(a) do all things necessary to allow the registration of this document to occur under paragraph (1) on the title of the Land; and

(b) pay any reasonable costs incurred by Council in undertaking that registration.

17.2 Removal of this document from title of the Land

(1) After the Developer has satisfied its obligations in accordance with this document, Council will do all things necessary to remove this document from the title to the Land as quickly as practicable.

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(2) From time to time, the Developer, by notice in writing, may request that Council facilitate the removal of this document from the title to any part of the Land.

(3) This document is to be removed from the title to any part of the Land if the Developer gives Council a written notice requesting such removal and:

(a) the Developer satisfies Council that the Developer has fulfilled its Development Contribution obligations under this document with respect to that part of the Land from which a removal is being sought; and

(b) the Developer is not otherwise in default of any of its material obligations under this document.

(4) Without limiting paragraph (3), this document will be removed from the title to a Super Lot if the Developer gives Council a written notice requesting such removal and:

(a) the Developer has provided Security under this document with respect to any:

(i) items of Work required to be provided prior to the release of any Subdivision Certificate for the creation of Final Lots from that Super Lot; and

(ii) Monetary Contribution determined by Council, acting reasonably, that will be required to be paid upon any subdivision of that Super Lot, or

(b) the Developer has complied with its obligations under this document with respect to that part of the Land to which such notice relates.

(5) Upon receipt of a notice under this clause 17.2, Council will do all things necessary to remove this document from the title to the Land specified in the notice as quickly as practicable if the party giving the notice has complied with its obligations under this clause 17.2.

18 Enforcement

(1) Either party may enforce this document in any court of competent jurisdiction.

(2) For the avoidance of doubt, nothing in this document prevents:

(a) a party from bringing proceedings in the Court to enforce any aspect of this document or any matter to which this document relates; and/or

(b) Council from exercising any function under the Act or any other Act or Law relating to the enforcement of any aspect of this document or any matter to which this document relates.

19 Dispute resolution - expert determination

19.1 Application of this clause

(1) This clause applies to a dispute under this document about a matter that can be determined by an appropriately qualified expert (**Expert Determination Dispute**).

(2) An Expert Determination Dispute is taken to arise if a party gives the other party a notice in writing specifying particulars of the dispute and requiring it to be determined by an appropriately qualified expert (**EDD Notice**).

(3) If the parties disagree over whether a dispute is properly an Expert Determination Dispute, then either party may refer that issue to the Chief Executive Officer (**CEO**) of the professional body that represents persons with the relevant expertise, for a determination of that issue. The CEO's determination is final and binds the parties.

19.2 Selection and engagement of Expert

(1) If an EDD Notice has been given under clause 19.1, the parties must use all reasonable endeavours to agree on a person who is independent of the parties,

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and is qualified in fields which are relevant to the issues comprising the Expert Determination Dispute, as the expert to determine the issues.

(2) If the parties have not reached agreement on an expert within ten (10) business days of the giving of the relevant EDD Notice, either party may refer the dispute to the President of the NSW Law Society to nominate an expert to determine the dispute.

(3) The parties must use their best endeavours to finalise the terms of the expert's retainer and appoint the expert as soon as possible and, in any event, within ten (10) Business Days after the expert has been agreed or nominated in accordance with this clause 19, and which must include directions to the expert to undertake the determination of the Expert Determination Dispute in accordance with this clause 19.

(4) If the expert appointed under paragraph (3) dies or resigns, or the parties agree to replace the expert, then paragraphs (1), (2) and (3) re-apply as if a notice was given under clause 19.1 in respect of the same issues on the day on which all parties became aware that the expert has died or resigned or they agree to replace the expert.

19.3 Expert no longer independent

If the expert becomes aware at any stage of any circumstance that might reasonably be considered to adversely affect the expert's capacity to act independently or impartially:

(1) the expert must inform the parties immediately;

(2) the appointment of the expert will terminate unless the parties agree otherwise; and

(3) if they agree to replace the expert, the parties must promptly do all things necessary to do so.

19.4 Role of the expert

(1) The parties acknowledge and agree that the expert should, and they will use their best endeavours to ensure that expert will:

(a) issue his or her determination with respect to the Expert Determination Dispute as soon as possible;

(b) treat all information provided to him or her in relation to the Expert Determination Dispute as confidential;

(c) act as an expert and not as an arbitrator;

(d) act independently of the parties, and act fairly and impartially as between the parties;

(e) give each party a reasonable opportunity of presenting its case by way of written submissions (which must be provided in full to the other party) and countering any arguments of any opposing party by way of written submissions in reply;

(f) proceed in any matter he or she thinks fit;

(g) determine whether it is appropriate to co-opt legal or other technical expertise to assist his or her coordination of the dispute;

(h) conduct any investigation which he or she considers necessary to resolve the dispute;

(i) examine such documents, and interview such persons, as he or she may require; and

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(j) make such directions for the conduct of the expert determination as he or she considers necessary.

19.5 Determination of the expert

(1) The parties acknowledge and agree that the determination of the expert binds the parties, except in the case of the expert's fraud or misfeasance.

(2) If the determination of the expert contains a clerical mistake, an error arising from an accidental inclusion or omission, a material miscalculation of figures, a material mistake in the description of any person, matter or thing, or a defect of form, then:

(a) the party which noticed the relevant matter must notify the other party in writing promptly,

(b) the parties must use their best endeavours to ensure that the expert corrects the determination within ten (10) business days after they receive notice; or

(c) if the expert does not correct the determination within that time, the parties may agree to appoint a substitute expert.

(3) Each party must bear its own costs arising from or in connection with the appointment of the expert and the expert determination and must pay one-half of the expert's costs and any incidental costs of facilitating the expert determination.

20 Dispute resolution – mediation

20.1 Application

This clause applies to any dispute under this document other than a dispute to which clause 19 applies (**Mediation Dispute**).

20.2 Notice

A Mediation Dispute is taken to arise if one party gives the other party a notice in writing specifying particulars of the dispute (**MD Notice**).

20.3 Procedure

(1) The parties must meet within fourteen (14) days of the service of an MD Notice to try to resolve the Mediation Dispute.

(2) If the Mediation Dispute is not resolved within a further twenty eight (28) days, the parties must mediate the dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time, and must request the President of the Law Society, or the President's nominee, to select a mediator.

(3) If the Mediation Dispute is not resolved by mediation within a further twenty eight (28) days, or any longer period that may be needed to complete any mediation process which has been started, then the parties may exercise their legal rights in relation to the matter the subject of the Mediation Dispute, including by taking legal proceedings in a court of competent jurisdiction in New South Wales.

21 Assignment, sale of Land, etc

(1) Unless the precondition specified in paragraph (2) is satisfied, the Developer must not:

(a) transfer the Land or any part of it, other than a Final Lot, to any person other than Council, the Minister or RMS; or

(b) assign its rights or obligations under this document, or novate this document, to any person.

(2) The precondition to be satisfied under paragraph (1) is that the Developer has, at no cost to Council, procured the execution by the person to whom the Developer proposes to assign the Land, or to whom the Developer's rights or obligations

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under this document are to be assigned or novated (**Third Party**), of an agreement in favour of Council to the effect that the Third Party is bound as if a party to this document.

22 Position of Council

22.1 Consent authority

The parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the terms of the Legislation.

22.2 Agreement does not fetter discretion

This document is not intended to operate to fetter, in any unlawful manner:

(1) the power of Council to make any Law; or

(2) the exercise by Council of any statutory power or discretion,

(**Discretion**).

22.3 Severance of provisions

(1) No provision of this document is intended to, or does, constitute any unlawful fetter on any Discretion. If, contrary to the operation of this clause, any provision of this document is held by a court of competent jurisdiction to constitute an unlawful fetter on any Discretion, the parties agree:

(a) they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause 22 is substantially satisfied; and

(b) in the event that paragraph (a) cannot be achieved without giving rise to an unlawful fetter on a Discretion, the relevant provision is to be severed and the remainder of this document has full force and effect.

(2) Where the Law permits Council to contract out of a provision of that Law or gives Council power to exercise a Discretion, then if Council has in this document contracted out of a provision or exercised a Discretion under this document, then to that extent this document is not to be taken to be inconsistent with the Law.

22.4 No obligations

Nothing in this document will be deemed to impose any obligation on Council to exercise any of its functions under the Act in relation to the Land or the Development.

23 Indemnity & Insurance

23.1 Indemnity

Each party indemnifies the other party from and against all Claims that may be sustained, suffered, recovered or made against each other party arising in connection with the performance of that party's obligations under this document except if, and to the extent that, the Claim arises because of the another party's negligence or default.

23.2 Insurance

(1) The Developer must take out and keep current to the satisfaction of Council the following insurances in relation to Work required to be carried out by the Developer under this document, up until the time that the Work is taken to have been Completed in accordance with this document:

(a) contract works insurance, noting Council as an interested party, for the full replacement value of the Works (including the cost of demolition and removal

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of debris, consultants' fees and authorities' fees), to cover the Developer's liability in respect of damage to or destruction of the Works,

(b) public liability insurance for at least $20,000,000.00 for a single occurrence which covers Council, the Developer and any subcontractor of the Developer, for liability to any third party,

(c) workers compensation insurance as required by law, and

(d) any other insurance required by law.

(2) If the Developer fails to comply with clause 23.2(1), Council may effect and keep in force such insurances and pay such premiums as may be necessary for that purpose and the amount so paid shall be a debt due from the Developer to Council and may be recovered by Council as it deems appropriate, including:

(a) by calling upon any Security provided by the Developer to Council pursuant to clause 16; or

(b) recovery as a debt due in a court of competent jurisdiction.

(3) The Developer must not commence to carry out any Work unless it has first provided to Council satisfactory written evidence of all of the insurances specified in clause 23.2(1).

(4) Council acknowledges and agrees that the insurances required to be taken out and kept current by the Developer in accordance with this clause 23.2 may be novated to the Third Party.

24 Review of this document

24.1 Developer to report

(1) The Developer must provide Council with a report every three (3) years detailing the performance of the Developer's obligations under this document.

(2) The report is to be:

(a) given no later than every three (3) years from the dateon which this document is entered into; and

(b) in the form and addressing the matters Council notifies to the Developer from time to time.

24.2 Parties to review

(1) The parties are to review this document every three (3) years, and otherwise if either party considers that any change of circumstance has occurred, or is imminent, that materially affects the operation of this document.

(2) For the purposes of paragraph (1), the relevant changes include any change to a Law that restricts or prohibits, or enables Council or any other planning authority to restrict or prohibit, any aspect of the Development.

(3) For the purposes of addressing any matter arising from a review of this document referred to in paragraph (1), the parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this document.

(4) If this document becomes illegal, unenforceable or invalid as a result of any change to a law, the parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this document is entered into.

(5) A party's failure to agree to take action requested by the other party as a consequence of a review referred to in paragraph (1) is not a dispute for the purposes of clauses 19 and 20, and is not a breach of this document.

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25 Confidentiality

25.1 Agreement not confidential

The parties acknowledge and agree that the terms of this document are not confidential and this document may be treated as a public document and exhibited or reported without restriction by any party.

25.2 Acknowledgement

(1) The parties acknowledge that:

(a) confidential information may have been supplied to some or all of the parties in the negotiations leading up to the making of this document;

(b) the parties may disclose to each other further confidential information in connection with the subject matter of this document, and

(c) subject to paragraphs (2) and (3), each party agrees:

(i) not to disclose any confidential information received before or after the making of this document to any person without the prior written consent of the party who supplied the confidential information; or

(ii) to take all reasonable steps to ensure all confidential information received before or after the making of this document is kept confidential and protected against unauthorised use and access.

(2) A party may disclose confidential information in the following circumstances:

(a) in order to comply with the law, or the requirements of any Authority; or

(b) to any of their employees, consultants, advisers, financiers or contractors to whom it is considered necessary to disclose the information, if the employees, consultants, advisers, financiers or contractors undertake to keep the information confidential.

(3) The obligations of confidentiality under this clause do not extend to information which is public knowledge other than as a result of a breach of this clause.

26 Miscellaneous provisions

26.1 Notices

(1) A notice, consent, information, application or request (**Notification**) that must or may be given or made to:

(a) any other party under this document, must only be given or made if it is in writing and sent in one of the following ways:

(b) delivered or posted to that party at its address set out in this document; or

(c) emailed to that party at its email address set out in this document.

(2) A party may change its address or email address by giving the other party three (3) business days' notice of the change, in which case the new address or email address is treated as the address or number in this document.

(3) A Notification is to be treated as given or made under paragraph (1)(a) if it is:

(a) delivered, when it is left at the relevant address;

(b) sent by post, two (2) business days after it is posted; or

(c) sent by email, and the sender does not receive a delivery failure message from the sender's internet service provider within a period of twenty-four (24) hours of the email being sent.

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(4) If a Notification is delivered, or an error-free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

26.2 Approvals and consent

(1) In this clause 26.2, a reference to an approval or consent does not include a reference to a Development Consent.

(2) Except as otherwise set out in this document, and subject to any statutory obligations,

(a) each party must act in good faith towards each other party; and

(b) a party must act reasonably and in a timely way in giving or withholding an approval or consent to be given under this document.

(3) A party must give its reasons for giving or withholding consent or for giving consent subject to conditions.

26.3 Costs

The Developer is to pay Council's reasonable costs of preparing, negotiating, executing and stamping this document and any document related to this document.

26.4 Entire Agreement

(1) This document contains everything to which the parties have agreed in relation to the matters it deals with.

(2) No party can rely on an earlier document, or anything said or done by another party, or by a director, officer, agent or employee of that party, before this document was executed, except as permitted by law.

26.5 Further acts

Each party must promptly execute all documents and do all things that another party from time to time reasonably requests to effect, perfect or complete this document and all transactions incidental to it.

26.6 Governing law and jurisdiction

(1) This document is governed by the Law of New South Wales.

(2) The parties submit to the non-exclusive jurisdiction of its courts, and are not to object to the exercise of jurisdiction by those courts on any basis.

26.7 Representations and warranties

The parties represent and warrant that they have power to enter into this document and to comply with their obligations under the document, and that entry into this document will not result in the breach of any law.

26.8 Severability

(1) If a clause or part of a clause can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.

(2) If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part of it is to be treated as removed from this document, but the rest of this document is not affected.

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26.9 Modification

No modification of this document has any effect unless it is in writing and signed by the parties and otherwise in accordance with the Act.

26.10 Waiver

(1) A party does not waive any of the other party's obligation or breach of obligation merely by failing to do, or delaying in doing, something under this document.

(2) A waiver by a party is effective only if it is in writing.

(3) A written waiver by a party is effective only in relation to the particular obligation or breach for which it is given. It is not to be taken as an implied waiver of any other obligation or breach, or as an implied waiver of that obligation or breach in relation to any other occasion.

26.11 GST

(1) In this clause 26.11 the following definitions apply:

Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and **Tax Invoice** have the meaning given by the GST Law.

GST Amount means in relation to a Taxable Supply the amount of GST payable for the Taxable Supply.

GST Law has the same meaning as in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

Input Tax Credit has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a Party includes an Input Tax Credit for an acquisition made by that Party but to which another member of the same GST Group is entitled under the GST Law.

Taxable Supply has the meaning given by the GST Law, excluding (except where expressly agreed otherwise) a supply for which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

(2) Subject to paragraph (4), if GST is payable on a Taxable Supply made under, by reference to or in connection with this document, the party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.

(3) Paragraph (2) does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this document to be GST inclusive.

(4) No additional amount is payable by Council under paragraph (2) unless, and only to the extent that, Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.

(5) If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this document by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999* (Cth), the parties agree:

(a) to negotiate in good faith to agree the GST inclusive market value of those Supplies before issuing Tax Invoices for those Supplies; and

(b) that any amounts payable by the parties in accordance with clause (as limited by paragraph (2) (as limited by clause 47(d)) to each other for those Supplies will be set off against each other to the extent that they are equivalent in amount.

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(6) No payment of any amount under this clause 26.11, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided the recipient with a Tax Invoice or Adjustment Note as the case may be.

(7) Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that partyin relation to the relevant cost, expense or other liability.

(8) This clause continues to apply after expiration or termination of this document.

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Schedule 1
Requirements under the Act

REQUIREMENT UNDER THE ACT	THIS PLANNING AGREEMENT
Planning instrument and/or development application – (Section 7.4(1)) The Developer has: (1) sought a change to an environmental planning instrument. (2) made, or proposes to make, a Development Application. (3) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.	(1) No (2) Yes (3) Not applicable
Description of land to which this agreement applies – (Section 7.4(3)(a))	Refer to the definition of 'Land' in Schedule 2
Description of change to the environmental planning instrument to which this agreement applies – (Section 7.4(3)(b))	Not applicable
Application of section 7.11 of the Act – (Section 7.4(3)(d))	Does not apply to the Development
Applicability of section 7.12 of the Act – (Section 7.4(3)(d))	Does not apply to the Development
Consideration of benefits under this agreement if section 7.11 applies – (Section 7.4(3)(e))	Refer to clause 4.2 of the Planning Agreement.
Mechanism for Dispute resolution – (Section 7.4(3)(f))	See clauses 19 and 20.
Enforcement of this agreement (Section 7.4(3)(g))	See clause 18.
No obligation to grant consent or exercise functions – (Section 7.4(3)(9))	See clause 22.

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Schedule 2
Defined terms and interpretation

Part 1 – Defined terms

The following definitions apply unless the context requires otherwise.

Act	means the *Environmental Planning and Assessment Act 1979* (NSW).
Additional Park Lands	means: (1) that area of land to be dedicated as local park as part of Contribution Item 1d in **Schedule 3** having an area of approximately 6,870 square metres; and (2) that area of land to be dedicated as part of ContributionItem 2b in **Schedule 3** having an area of approximately 3,834 square metres, which areas are in addition to the 5,000 square metres of park land referred to in Contribution Item 1a and contemplated by the Contributions Plan.
Additional Park Works	means the Works to be carried out as part of Contribution Items 1c and 2a in **Schedule 3**.
Adjusted Notional Values	has the meaning given to that expression in clause 5.7 of this document, being those values which, pursuant to clause 5.7, replace the Notional Values assigned to each Item in **Schedule 3**.
Adjusted VPA Contribution Value	means the total value of the Development Contributions, applying the Adjusted Notional Values in place of the corresponding Notional Values in **Schedule 3**, and disregarding the Additional Park Lands and Additional Park Works.
Approval	includes approval, consent, licence, permission or the like.
Authority	means the Commonwealth of Australia, the State of New South Wales, or any department or agency of the Commonwealth of Australia or the State of New South Wales, any public authority within the meaning of the Act, and any court or tribunal.
Bank Guarantee	means an irrevocable and unconditional undertaking without any expiry or end date by one of the following trading banks: (1) Australia and New Zealand Banking Group Limited. (2) Commonwealth Bank of Australia. (3) Macquarie Bank. (4) National Australia Bank Limited. (5) St George Bank Limited. (6) Westpac Banking Corporation. (7) Any other financial institution approved by Council, in its absolute discretion, in response to a request from the Developer.

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Building Work	has the same meaning as in the Act.
Claim	against any person means any allegation, action, demand, cause of action, suit, proceeding, judgement, debt, damage, loss, cost, expense, or liability howsoever arising and whether present or future, fixed or unascertained, actual or contingent whether at law, in equity, under statute or otherwise.
Complete	means the point in time at which an item of Work is fit for use and occupation, and is capable of being used and occupied for its intended purposes, except for minor omissions and minor defects which the Developer has reasonable grounds for not rectifying before public use and occupation of the item of Work, and which will not prejudice the convenient and safe use of the item of Work.
Completion Notice	means a notice issued under this document by the Developer to Council specifying an item of Work that the Developer believes is Complete.
Construction Certificate	has the same meaning as in the Act.
Contributions Plan	means the Menangle Park Contributions Plan 2020.
Contribution Value	means: (1) in relation to an item of Work, the amount specified in **Schedule 3** as the "*Notional Value of Works*" for that item of Work; and (2) in relation to an Item (or any part) comprising Land to be dedicated, the amount specified in **Schedule 3** as the "*Notional Value of Land*" for that Land.
Court	means the Land and Environment Court of New South Wales.
Defect	means a material defect that adversely affects the structural integrity, functionality or use or enjoyment of a Work or part of a Work.
Defects Liability Period	has the meaning ascribed to it in clause 11.1.
Detailed Design	means plans and specifications which are sufficiently advanced so as to be suitable to enable the issue of a Construction Certificate for the relevant Work.
Development	the development of the Land: (1) so as to create Final Lots; (2) so as to construct the first single Dwelling on any Final Lot created by the Developer; and (3) for associated purposes including subdivision, community and commercial facilities, parks, open space and infrastructure, generally as contemplated by the Stage 1 Development Application, the Stage 2A Development Application, the Stage 2B Development

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	Application, the Hilltop and Linear Park Development Application and any Development Consent for those Development Applications.
Development Application	has the same meaning as in the Act.
Development Area	means the area described as 'Land to which this VPA Applies' as shown on the Development Area Plan.
Development Area Plan	means the plan attached as **Annexure 1**.
Development Consent	means a development consent or project approval within the meaning of the Act with respect to the Development.
Development Contribution	means any of the following, or any combination of them, to be used for, or applied towards, a public purpose: (1) a monetary contribution; (2) the dedication of land free of cost; (3) the carrying out of work; and (4) the provision of any other material public benefit.
Dwelling	means a room, or suite of rooms, occupied or used, or so constructed or adapted, as to be capable of being occupied or used, as a separate domicile to be erected on the Land.
Encumbrance	means: (1) an interest or power reserved in or over an interest in any asset; (2) an interest or power created or otherwise arising in or over any interest in any asset under any mortgage, charge (whether fixed or floating), pledge, lien, hypothecation, title retention, conditional sale agreement, hire or hire purchase agreement, option, restriction as to transfer, use or possession, easement restriction on the use of land or positive covenant, subordination to any right of any other person and any other encumbrance or security interest, trust or bill of sale; or (3) an interest or power by way of security for the payment of a debt or other monetary obligation or the performance of any obligation. However, the parties agree that Encumbrance does not include a Biobanking agreement or similar instrument relating to the conservation of biodiversity or as otherwise agreed between the parties during approval of the Detailed Design under clause 9.
Excess Contributions Credit	means a credit in recognition for the surplus Development Contributions which have been provided by the Developer under this document.
Final Lot	means a lot created as part of the Development, not including a strata lot, intended for separate occupation and disposition, not being:

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	(1) a lot created by a subdivision of the Land that is to be dedicated or otherwise transferred to Council, the Minister or the RMS; (2) a Super Lot; (a) for community use, ecological restoration, drainage, open space, or infrastructure; (b) that is to be dedicated or otherwise transferred for public use.
GST law	has the same meaning as in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.
Hilltop and Linear Park Development Application	means the Development Application with reference number 2393/2018/DA-CW.
Independent Verifier	means the independent verifier nominated under clause 21, substantially qualified and experienced to certify the maintenance of the Work.
Item	means each separate Development Contribution specified in Column 1 of **Schedule 3**.
Just Terms Act	means the *Land Acquisition (Just Terms Compensation) Act 1991* (NSW).
Land	means land that is, or was prior to its subdivision, contained in Certificates of Title Folio Identifiers: (1) Lot 1 in DP 598067; (2) Lot 1002 DP 1234642; (3) Lot 1 in DP 1091474; (4) Lot 31 in DP 1101983; (5) Lot 32 in DP 1101983; (6) Lot 1001 in DP 1219028; (7) Lot 641 in DP 600334; and (8) Lot 2 in DP 554242.
Law	means all legislation, regulations, by-laws, common law and other binding order made by any Authority.
Legislation	means the Act, the *Local Government Act 1993* (NSW) and the *Roads Act 1993* (NSW).
LEP	means the Campbelltown Local Environmental Plan 2015.
Maintenance Period	has the meaning ascribed to it in clause 13.1(1)(b).
Menangle Park Planning Proposal	means the planning proposal with that name dated November 2018.

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Menangle Park Urban Release Area	means that area of land identified as the 'Menangle Park Urban Release Area' by the LEP.
Minister	means the Minister administering the Act.
Monetary Contribution	means the amount specified as the "*Monetary Contribution*" in **Schedule 3** or otherwise required to be paid by the Developer under this document.
New Contribution Plan Value	has the meaning given to that expression in clause 5.7 of this document.
New Contributions Plan	means a contributions plan that is made after the date of the Contributions Plan under Part 7, Division 7.1, Subdivision 3 of the Act, or an amendment to or replacement of the Contributions Plan, which applies to any part of the Menangle Park Urban Release Area.
Notional Value	means the value identified in **Schedule 3** or if a plan of management has been prepared which assigns a value to the maintenance and management of a Work to be prepared for each item in **Schedule 3**, the amount specified in the plan of management.

Occupation Certificate has the same meaning as in the Act.

Permitted Encumbrances	means any encumbrance agreed by Council as a Permitted Encumbrance.
Rectification Notice	means a notice in writing that identifies a Defect in Work and requires rectification of the Defect within a specified period of time.
Registrar General	means the Registrar General within the meaning of the *Real Property Act 1900* (NSW).
Remedial Action Plan	means the report specified under the *NSW Guidelines for Consultants Reporting on Contaminated Sites 2011*.
RMS	means Road and Maritime Services.
Security	means a Bank Guarantee provided by a financial institution acceptable to Council or other form of security to the satisfaction of Council provided in accordance with clause 16.
Stage 1 Development Application	means the Development Application with reference number 3885/2017/DA-SW.
Stage 2A Development Application	means the Development Application with reference number 292/2018/DA-SW.
Stage 2B Development Application	means the Development Application with reference number 681/2018/DA-SW.
Subdivision Certificate	has the same meaning as in the Act.

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Super Lot	means a lot that forms part of the Development which, following the registration of a plan of subdivision, is intended for further subdivision to create Final Lots.
Tax	means a tax, duty (including stamp duty and any other transaction duty), levy, impost, charge, fee (including a registration fee) together with all interest, penalties, fines and costs concerning them.
Work	means the physical result of any building, engineering or construction work in, on, over or under land, required to be carried out by the Developer under this document.

Part 2 – Interpretational rules

clauses, annexures and schedules	a clause, annexure or schedule is a reference to a clause in or annexure or schedule to this document.
reference to statutes	a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.
singular includes plural	the singular includes the plural and vice versa.
person	the word "person" includes an individual, a firm, a body corporate, a partnership, joint venture, an unincorporated body or association or any government agency.
executors, administrators, successors	a particular person includes a reference to the person's executors, administrators, successors, substitutes (including persons taking by novation) and assigns.
dollars	Australian dollars, dollars, $ or A$ is a reference to the lawful currency of Australia.
calculation of time	if a period of time dates from a given day or the day of an act or event, it is to be calculated exclusive of that day.
reference to a day	a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.
accounting terms	an accounting term is a reference to that term as it is used in accounting standards under the Corporations Act or, if not inconsistent with those standards, in accounting principles and practices generally accepted in Australia.
reference to a group of persons	a group of persons or things is a reference to any two or more of them jointly and to each of them individually.
meaning not limited	the words "include", "including", "for example" or "such as" are not used as, nor are they to be interpreted as, words of limitation, and, when introducing an example, do not limit the meaning of the words to which the example relates to that example or examples of a similar kind.

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next day	if an act under this document to be done by a party on or by a given day is done after 4.30pm on that day, it is taken to be done on the next day.
next Business Day	if an event must occur on a stipulated day which is not a Business Day then the stipulated day will be taken to be the next Business Day.
time of day	time is a reference to Sydney time.
headings	headings (including those in brackets at the beginning of paragraphs) are for convenience only and do not affect the interpretation of this document.
Agreement, document or instrument	a reference to any agreement, document or instrument includes the same as varied, modified, supplemented, novated or replaced from time to time.
Gender	a reference to one gender extends and applies to the other and neuter gender.

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Schedule 3
Development Contributions

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Completion of Works and dedication of Land

Item	Nature and extent of Contribution Item	Reference in Contributions Plan	Due date or development trigger	Notional Value of Land	Notional Value of Works	Item type
1a	Construction of a local park of approximately 5,000 square metres adjacent to the southern entry road	O1.4(a), Table B	16 months following the Subdivision Certificate for the 255th Final Lot	NA	$531,306	Contribution Plan
1b	Dedication of the land comprising Item 1a	As above	No later than 12 months after the Completion of Item 1a	$642,818	NA	Contribution Plan
1c	Construction of a local park of approximately 6,870 square metres adjacent to the southern entry road and Item 1a	NA	16 months following the Subdivision Certificate for the 255th Final Lot	NA	$729,959	Planning Proposal
1d	Dedication of the land comprising Item 1c	As above	No later than 12 months after the Completion of Item 1c	$1,870,056	NA	Planning Proposal
2a	Construction of a linear park of approximately 3,834 square metres and shared cycle and pathway adjacent to Menangle Road and the Hume Motorway	NA	16 months following the Subdivision Certificate for the 255th Final Lot	NA	$408,141	Planning Proposal
2b	Dedication of the land comprising Item 2a	NA	No later than 12 months after the Completion of Item 2a	$1,043,638	NA	Planning Proposal

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3a	Construction of bioretention facilities on 3,956 square metres of land, being land adjacent to the north east of Stage 1 lots and above the 1 in 100 year flood line	D1.6 and D1.16, Table D; Map references 15 and 21 in Figure 5	Prior to the release of the Subdivision Certificate for any Final Lot	NA	$923,000	Contributions Plan
3b	Dedication of the land comprising Item 3a	As above	No later than 12 months after the Completion of Item 3a	$414,485	NA	Contribution Plan
3c	Dedication of approximately 4,900 square metres of land in the vicinity of Item 3a, being land below the 1 in 100 year flood line	Figure 6	No later than 24 months after the Completion of Item 3a	$178,935	NA	Contribution Plan
3d	Dedication of approximately 4,829 square metres of land in the vicinity of Item 2a, being above the 1 in 100 year flood line	Map reference 17 in Figure 4 (part only)	No later than 24 months after the Completion of Item 3a	$505,952	NA	Contribution Plan
4	Construction of a roundabout at the intersection of Menangle and Cummins Road in accordance with RMS design requirements	Map reference 4 in Figure 7	Prior to the release of the Subdivision Certificate for any Final Lot	NA	$2,468,819	Contribution Plan

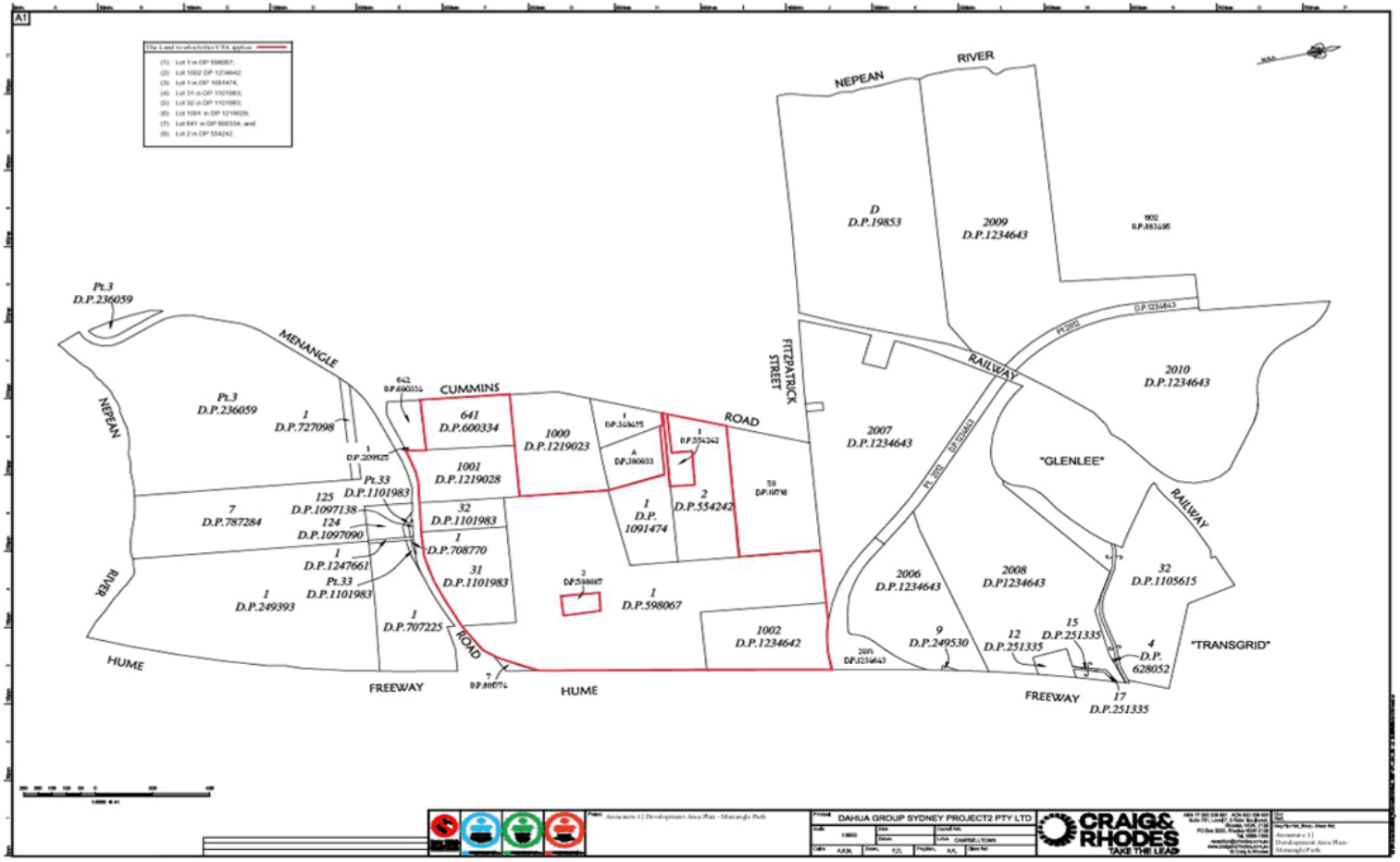
DRAFT

Monetary Contributions

Item	Nature and extent of contribution	Development trigger type	Monetary Contribution	Due date or development trigger
5	Payment of a monetary contribution for public amenities and public services listed in the Menangle Park Contributions Plan	Creation of Final Lots	$18,851.21 per Final Lot up to a maximum of $7,710,145 for 409 Final Lots	Prior to the issue of a Subdivision Certificate for a Final Lot

DRAFT

Annexure 1
Development Area Plan



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Execution page

Executed as a deed.

Dated:

Executed by **Campbelltown City Council** by its General Manager and Mayor by the affixing of the Common Seal of Council in accordance with resolution dated

General Manager (Signature)	Mayor (Signature)
Name of General Manager (Print Name)	Name of Mayor (Print Name)

Executed by **Dahua Group Sydney Project 2 Pty Ltd (ACN 606 391 235)** in accordance with section 127(1) of the *Corporations Act 2001* (Cth) by authority of its directors.

Director/Secretary (Signature)	Director (Signature)
Name of Director/ Secretary (Print Name)	Name of Director (Print Name)

Executed by **Dahua Group Sydney Project 3 Pty Ltd (ACN 606 391 922)** in accordance with section 127(1) of the *Corporations Act 2001* (Cth) by authority of its directors.

Director/Secretary (Signature)	Director (Signature)
Name of Director/ Secretary (Print Name)	Name of Director (Print Name)

DRAFT

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Environmental Planning and Assessment Regulation 2000

(Clause 25E)

Explanatory Note

Planning Agreement: Menangle Park (Stages 1, 2A and 2B)

1. Introduction

The purpose of this Explanatory Note is to provide a plain English summary to support the notification of the proposed planning agreement (**Planning Agreement**) under section 7.4 of the *Environmental Planning and Assessment Act 1979* (NSW) (**EP&A Act**).

This Explanatory Note has been prepared jointly by the parties as required by clause 25E of the *Environmental Planning and Assessment Regulation 2000* (NSW) (**EP&A Regulation**).

Words appearing with initial capital letters in this Explanatory Note have the meanings given to them in this Explanatory Note or (if not defined in this Explanatory Note) in the Planning Agreement.

This Explanatory Note is not to be used to assist in construing the Planning Agreement.

2. Parties

The parties to the Planning Agreement are:

1. Campbelltown City Council (ABN 31 459 914 087) (**Council**); and

2. Dahua Group Sydney Project 2 Pty Ltd (ACN 606 391 235) and Dahua Group Sydney Project 3 Pty Ltd (ACN 606 391 922) (**Developer**).

3. Land

The Planning Agreement applies to the following land, being within Council's local government area (**Land**):

- Lot 1 in DP 598067;
- Lot 1002 DP 1234642;
- Lot 1 in DP 1091474;
- Lot 31 in DP 1101983;
- Lot 32 in DP 1101983;
- Lot 1001 in DP 1219028;
- Lot 641 in DP 600334; and
- Lot 2 in DP 554242.

4. Description of proposed development

The subdivision and other development of the Land by the Developer:

- so as to create Final Lots, for residential purposes;

- so as to construct the first single Dwelling on any Final Lot created by the Developer; and
- for associated purposes including subdivision, community and commercial facilities, parks, open space and infrastructure,

generally as contemplated by the Stage 1 Development Application 3885/2017/DA-SW, the Stage 2A Development Application 292/2018/DA-SW, the Stage 2B Development Application 681/2018/DA-SW, the Hilltop Park Development Application (2393/2018/DA-CW) and any Development Consent for those Development Applications (**Development**).

5. Objectives of the Planning Agreement

The objectives of the Planning Agreement are as follows:

- to provide development contributions towards local infrastructure required in order to facilitate the development of land within the Menangle Park Urban Release Area, including the Land; and
- to ensure that local infrastructure is delivered in a timely and efficient manner.

6. Nature and effect of the planning agreement

6.1 Nature

The Planning Agreement constitutes a planning agreement under section 7.4 of the EP&A Act.

The Planning Agreement will be registered on the title to the Land.

Development Contributions to be provided by the Developer under the Planning Agreement comprise:

A. construction of a local park of approximately 5,000 square metres adjacent to the southern entry road;

B. dedication of the land comprising the local park referred to at A above;

C. construction of a local park of approximately 6,870 square metres adjacent to the southern entry road;

D. dedication of the land comprising the local park referred to at C above;

E. construction of a linear park of approximately 3,834 square metres and shared cycle and pathway adjacent to Menangle Road and the Hume Motorway;

F. dedication of the land comprising the linear park and shared cycleway and pathway referred to at E above;

G. construction of bioretention facilities on approximately 3,956 square metres of land;

H. dedication of the land referred to at G above;

I. dedication of approximately 4,900 square metres of land in the vicinity of the land referred to at G above;

J. Dedication of approximately 4,829 square metres of land in the vicinity of the land referred to at F above;

K. construction of a roundabout at the intersection of Menangle and Cummins Road; and

L. payment of a monetary contribution of $18,851.21 per Final Lot up to a maximum of $7,710,145 for 409 Final Lots.

A considerable portion of the Development Contributions are provided in excess of what is necessary to enable the Development of the Land. The Planning Agreement provides for an Excess Contributions Credit for certain surplus Development Contributions, but only if the Campbelltown Local Environmental Plan 2015 is amended generally or substantially as proposed by the Menangle Park Planning Proposal. In essence, the provision of an Excess Contributions Credit is intended to avoid duplicate contributions being made by the Developer towards surplus local infrastructure which has already been delivered by the Developer under this Planning Agreement.

6.2 Effect

The Planning Agreement:

- wholly excludes the application of section 7.11 and section 7.12 of the Act to the Development. Subsequent development that increases yield from a single lot or single dwelling may be subject to the application of s7.11 and s7.12 of the EP&A Act;
- does not exclude the application of section 7.24 of the Act to the Development;
- requires dedication of the Land and carrying out of Works;
- is required to be registered on the title to the Land for the purposes of section 7.6 of the Act;
- imposes restrictions on the Developer transferring the Land or part of the Land or assigning an interest under the Planning Agreement;
- provides dispute resolution methods for a dispute which arises under the Planning Agreement, including expert determination and mediation;
- provides that the Planning Agreement is governed by the law of New South Wales; and
- provides that the A New Tax System (Goods and Services Tax) Act 1999 (Cth) applies to the Planning Agreement.

7. Merits of the Planning Agreement

7.1 Promotion of the public interest (and impact on the public)

The public benefits to be secured by the Planning Agreement will flow from the achievement of the Planning Agreement's objectives (refer to part 5 of the Explanatory Note).

Significant efficiencies will be achieved through the Planning Agreement by allowing the Developer:

- greater involvement in the timing and scope of the infrastructure items that affect, and are required by, the Development; and

- the ability to coordinate the concurrent roll-out of residential lots and local infrastructure in the most efficient way.

The expected efficiencies, together with anticipated public benefits of the Planning Agreement, are described below:

- The Planning Agreement relieves Council of the obligation of delivering part of the public open space and other infrastructure required for the Menangle Park Release Area (which is more ably delivered by the Developer).

There are various provisions in the Planning Agreement relating to the implementation of the Planning Agreement which protect and uphold the public interest. These include the following:

- provisions requiring the Developer to rectify defects in works provided under the Planning Agreement;
- various provisions relating to security including:
  - (i) a requirement to provide Bank Guarantees for 110% of the Contribution Value for an item of Works, prior to the issue of certain Construction Certificates;
  - (ii) registration of the Planning Agreement on the title of the Land; and
  - (iii) compulsory acquisition of land by Council for $1.00 in the event the land is not dedicated at the time required under the Planning Agreement.

7.2 Promotion of the Council's Charter

A Planning Agreement is to promote elements of the Council's charter, which is established under section 8 of the *Local Government Act 1993* (**LG Act**).

It is considered that the Planning Agreement would further a number of elements of the charter, as shown below:

Element of the Council's charter (section 8 of the LG Act)	**How does the Planning Agreement promote the element?**
to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively	This element is embedded in the purposes and objectives of the Planning Agreement. That is: • the an opportunity will be given for community input prior to consideration of the Planning Agreement by the Council; • the services and facilities to be provided under the Planning Agreement will benefit land within the Menangle Park Urban Release Area; and • the Planning Agreement includes arrangements for the handover of completed facilities, adequate security and a defects liability period.
to exercise community leadership	The Planning Agreement: • secures the means of providing local infrastructure to meet the needs of a major development in one of Campbelltown's key release areas; and

	• taps into and applies the expertise offered by land developers towards providing substantial public benefits for the future community within the Menangle Park Urban Release Area.
to promote and to provide and plan for the needs of children	The Planning Agreement provides for the delivery of various facilities focused on the needs of the community.

to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development	Public open space land is proposed to become public assets under the Planning Agreement.
	Response to ESD principles:
	• The precautionary principle, inter-generational equity and conservation of biological diversity and ecological integrity: The Planning Agreement supports natural areas being retained, protected and integrated into the development scheme.
	• Improved valuation, pricing and incentive mechanisms: The Planning Agreement:
	  • provides for the timely provision of public open space by the Developer; and
	  • allows the most efficient means of delivering that public open space (i.e. by the Developer).

to have regard to the long term and cumulative effects of its decisions	The Planning Agreement sets out a framework for the efficient delivery and sustainable ongoing management of a substantial amount of public infrastructure on the Land. The Planning Agreement would relieve Council of the project risk associated with the provision of local infrastructure on the Land.
to bear in mind that it is the custodian and trustee of public assets and to effectively plan for, account for and manage the assets for which it is responsible	The Planning Agreement includes provisions placing defects liability obligations on the Developer for a 12 month period after Works are completed. The Planning Agreement also includes appropriate asset handover provisions.
to engage in long-term strategic planning on behalf of the local community	The Planning Agreement assures the long-term provision and management of public assets and infrastructure.
to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights	The Planning Agreement creates spaces and places for public interaction and provides facilities for the delivery of public services to the local community.

7.3 Planning purposes and the objects of the EPA&A Act

The planning purposes served by the Planning Agreement can best be addressed by reference to the objects of the EPA&A Act.

It is considered that the Planning Agreement is consistent generally with the objectives of the EP&A Act and would further the following specific objectives:

Objective of the EP&A Act (section 1.3)	How does the Planning Agreement promote the objective?
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources; and	The Planning Agreement provides a basis for the comprehensive management of the delivery of the local public open space and other infrastructure requirements within the Menangle Park Urban Release Area.
(b) to promote the orderly and economic use and development of land	Orderly development of land is encouraged by the Planning Agreement through the delivery of local public open space at or around the same time as the surrounding development which requires it.

7.4 Does the Planning Agreement conform with the planning authority's capital works program (if any).

The Council's capital works program does not apply to the Planning Agreement.

7.5 Does the Planning Agreement specify that certain requirements of the agreement must be complied with before a construction certificate, occupation certificate or subdivision certificate is issued

Yes. The Planning Agreement requires that:

- specified Developer Contributions must be delivered prior to the issue of subdivision certificates for specified quantities of Final Lots, as identified in schedule 3 to the Planning Agreement.
- Security must be provided for specified items of Work prior to the issue of specified Construction Certificates, as identified in clause 16 of the Planning Agreement.

8.6 Pedestrian Refuge - Fields Road, Macquarie Fields

Reporting Officer

Director City Delivery
City Delivery

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.1 - Advocate and plan for enhanced connectivity, accessibility and movement within, to and from our city through improved public transport, road and traffic management infrastructure, cycling and pedestrian movement

Officer's Recommendation

1. That Council maintain the existing pedestrian refuge within Fields Road between Bingara Road and Bunbury Road.

2. That Council install speed cushions in Fields and Macquarie Roads on the approaches to the existing roundabout.

Purpose

To advise Council of the investigations undertaken with regards to the installation of a pedestrian refuge or similar on Fields Road between Bingara Road and Bunbury Road, Macquarie Fields.

History

Council at its meeting held 13 October 2020 resolved:

> 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.

Following concerns being raised by residents, in November 1994, Council endorsed the recommendations of the Traffic Committee to install a pedestrian refuge island (extended) on Fields Road, between Bingara Road and Bunbury Road, Macquarie Fields. The extended pedestrian refuge is in the form of a painted island (as seen in the attachment) with concrete blisters and the start and finish of the extended refuges.

Report

Notwithstanding that the original investigation and resolution was more than twenty years ago, after a recent request Council staff with the use of CCTV cameras undertook a traffic and pedestrian investigation in November 2018 and upon a further request in November 2019 investigated the area again.

Both of these investigations showed that despite an increase in traffic volume since 1994, pedestrian numbers remain low and movements have not changed. The number of pedestrians does not meet the RMS requirements that warrant a pedestrian crossing.

If Council was to create one distinctive pedestrian refuge point investigations indicate that pedestrians would continue to cross the road at various locations along Fields Road and it would be impractical to install fencing along both sides of Fields Road to channel pedestrians to the single refuge point.

From the CCTV footage, it should also be noted that a parent or adult carer accompanies the majority of primary school students when crossing the road.

Based on current pedestrian numbers and movements, the existing pedestrian refuge remains the best treatment for pedestrians to cross the street at various points between Bingara Road and Bunbury Road.

Earlier in 2020, Council received a further enquiry regarding pedestrian movements at the roundabout at the corner of Fields and Macquarie Fields Roads. At the roundabout there are pedestrian crossing points on all legs of the roundabout as well as a children's flagged crossing in Wattle Avenue and a pedestrian crossing in Fields Road adjacent to the school pedestrian gates.

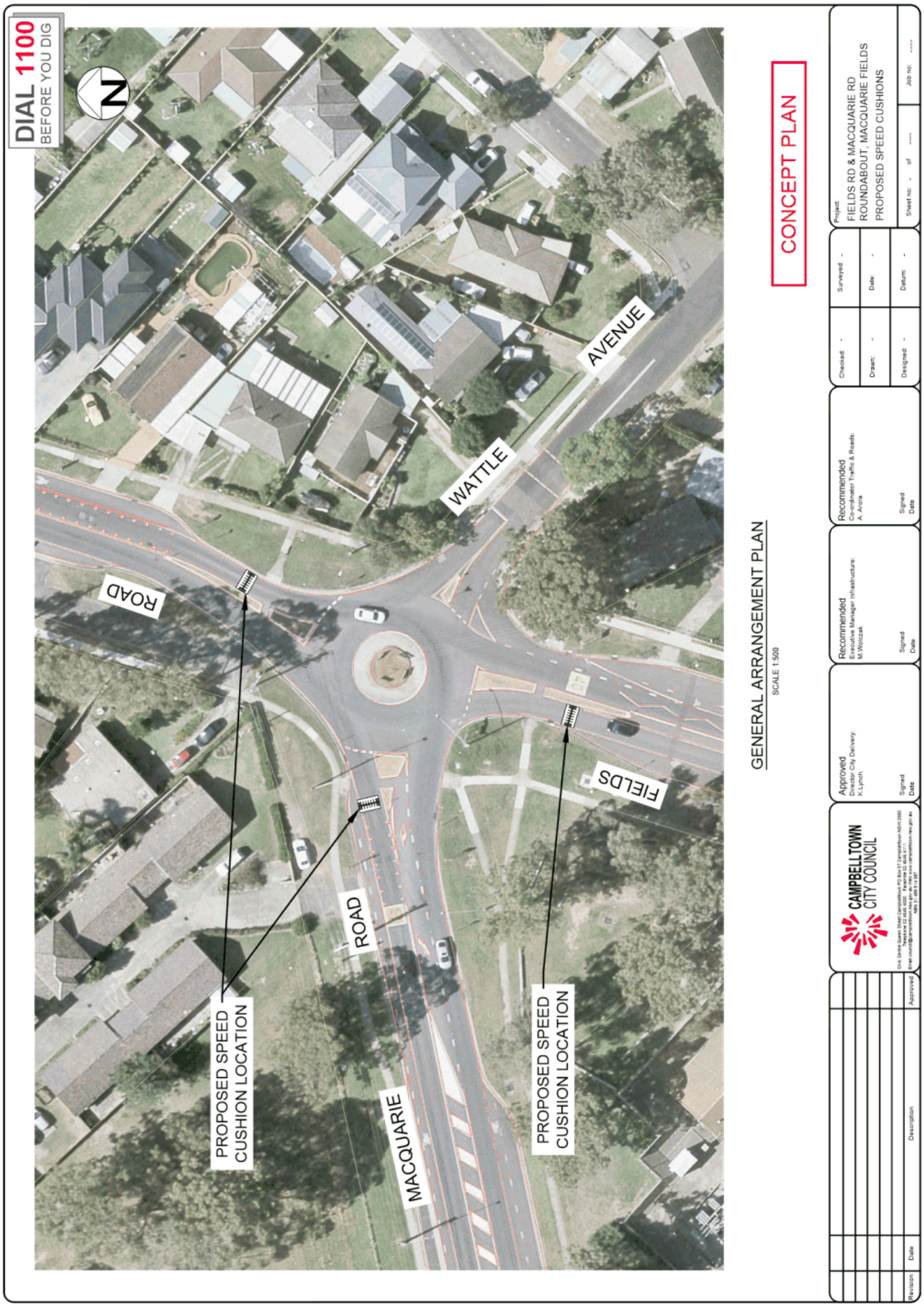
After an investigation into the intersection, Council Officers have proposed to improve pedestrian safety at the intersection by installing speed cushions on the approaches to the roundabout (see attachment). The speed cushions will slow vehicles down approaching the intersection providing a more controlled environment for the people road the road at the roundabout.

These improvements may also encourage students to use this point to cross onto the Bingara and Bunbury Road side of Fields Road.

Attachments

1. Map showing concrete painted island location (contained within this report)
2. Concept Plan - Speed Cushions - Fields Road, Macquarie Fields (contained within this report)

Concrete painted islands
DP 8676
DP 8676
DP 8676
DP 803042
501
ROAD


DIAL 1100
BEFORE YOU DIG
N
ROAD
WATTLE
AVENUE
FIELDS
ROAD
MACQUARIE
PROPOSED SPEED CUSHION LOCATION
PROPOSED SPEED CUSHION LOCATION
GENERAL ARRANGEMENT PLAN
SCALE 1:500
CONCEPT PLAN
CAMPBELLTOWN CITY COUNCIL
Approved
Director City Delivery:
K.Lynch
Signed
Date
Recommended
Executive Manager Infrastructure:
M.Wolczak
Signed
Date
Recommended
Co-ordinator Traffic & Roads:
A. Arora
Signed
Date
Checked: -
Drawn: -
Designed: -
Surveyed: -
Date: -
Datum: -
Project:
FIELDS RD & MACQUARIE RD
ROUNDABOUT, MACQUARIE FIELDS
PROPOSED SPEED CUSHIONS
Sheet no: - of -----
Job no: -----
Revision
Date
Description
Approved

8.7 Campbelltown Billabong Parklands Update

Reporting Officer

Director City Delivery
City Delivery

Community Strategic Plan

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

Officer's Recommendation

That Council approves option two as outlined in the body of the report.

Purpose

To update Council on the current status of the Campbelltown Billabong Parklands Project.

History

Council nominated the Campbelltown Billabong Parklands as its preferred project in its submission to the Western Parkland City Liveability Program in October 2018. The main purpose of the project was to:

1. Add a new unprecedented and distinctive high-value open space and recreation element to the liveability of the Campbelltown- Macarthur Region,
2. Become a catalyst for the revitalisation of the CBD as a significant metropolitan destination: and
3. Attract visitors and provide amenity for a growing population.

In January 2019, it was announced that Council was successful in securing a total of $15 million in funding from the State and Federal Governments to be used for the development of the Campbelltown Billabong Parklands. Council also committed $3.75 million to the project, with a combined total of $18.75 million being committed at the time. The funding deed was executed in May 2019.

In August and September 2019, Council commenced consultation with the community on the project. Key feedback focussed on maintaining the design elements included in the concept plan such as the main Billabong pool, provision of shade, landscape features and to ensure that the facility was an all-year round facility and not just for summer use.

Council engaged a public art planner to work with the Aboriginal community to develop an art plan for the site. Consultation was undertaken and key outcomes including a meeting place artwork, bridge artwork and Welcome to Country artwork.

The Council was briefed on the project on the 28 April 2020. The briefing focused on the concept master plan for the site, outlining the feedback received from the community. At this briefing Council supported the feedback of the community and emphasised that the Campbelltown Billabong Parklands had to provide a high quality regional facility that catered for the needs of the whole broader community. This concept master plan was presented to the community and the media at a sod turning ceremony held on site on the 24 June 2020.

Report

The Campbelltown Billabong Parklands has the potential to be an important regional open space for the residents of Campbelltown and the Greater Macarthur Region as well as visitors to the region. The development of the detailed design has identified a number of design challenges and opportunities for the site.

Council has the option to develop a district facility that satisfies the needs of the local community or to develop a regional facility that is transformational in the shaping of the future City and embraces the objectives of the Reimagining Campbelltown City Centre Master Plan, and the desires and aspirations of the community.

Consultation undertaken to date has highlighted the community's desire to build a facility that encompasses good design, including public art reflecting the Dharawal People and quality landscapes and recreation that provides facilities that offer recreation opportunities that are not currently available in the Western Parkland City. During the onsite consultation process it was noted that a number of residents had been to similar facilities in Queensland and understood the benefits these facilities bring to a region. This understanding increased their expectations of what could be delivered for Campbelltown, and the opportunity this facility presents.

Economic analysis work undertaken team identified that the delivery of the parkland vision supporting the transformation of the Campbelltown Billabong Parklands from a district facility to a regional facility would have a greater long term economic benefit. In addition to the economic analysis undertaken the Reimagining Campbelltown City Centre Master Plan highlighted Campbelltown's importance as a Metropolitan Centre and the important role our City plays in servicing the rapidly increasing population of the Macarthur Region.

The original plans for the facility were to develop the site in a staged approach that matched the $18.75 million dollar funding. Further design work has noted that there are some elements of the facility that need to be upgraded upfront to ensure that the design, while delivering on the communities expectations is also functional and more efficient to maintain. One such example is the design of the pools.

The Campbelltown Billabong Parklands design is structured around three separate water experiences: the main Billabong, the children's Billabong and a splash play experience (which includes the notion of a stream). Originally, the concept design had these water bodies connected with water flowing between each element as would occur in the natural environment, and therefore operated using one filtration and water storage system. As the design developed and the expectation of the patrons as well as the operating needs were better understood, it became evident that should a sanitation incident occur in the children's pool, the entire facility would need to be shut down in order to restore the pool's water quality. With the size of the water bodies involved this would mean closing the facility for between 24 and 48 hours. To minimise this impact, it was determined that it would be best to operate the pools as three water bodies, whilst maintaining the visual effect that they flowed into each other.

To achieve this under the health regulations, the water bodies each need a completely separate filtration and water storage system, as they cannot be connected. This effectively requires the construction of three separate pools. This feature cannot be retrospectively fitted to the pools and must be incorporated at the original time of construction.

Additionally, the chance to develop a commercial building on the site has provided an opportunity to review the concept design layout and develop a building footprint adjacent to the existing carpark on The Parkway. This building could cater for the majority of facilities required for the operation of the Billabong as well as cater for a future commercial opportunity. This commercial opportunity would provide a further complementary regional offering to the parkland and additionally, a potential investment offering to the site.

It has become evident through the consultation process that the community desires a higher level of finish of materials in the Billabong Parklands that provide a safe, shaded and quality landscape. Additional input from the Aboriginal consultation on the public artworks has delivered a higher level of finish and materials that respond to place and help to provide a facility that is not only a parkland which celebrates local identity and culture, but also provides the opportunity to become an educational facility.

Another opportunity for consideration is the provision of future proofing of the site by providing servicing infrastructure such as power to meet the potential requirements of future site opportunities. These services could be brought onto the site as required but would mean multiple connections to the site. In a number of cases the service authorities would require Council to upgrade the connection rather than simply providing an additional connection. This would result in continual disturbance to the site and its patrons, and continual reinstatement of existing assets within the grounds. As a result, it would then take some time for the reinstatements to be re-incorporated into the surrounding areas. The early provision of these services during the initial delivery stage of the Billabong Parklands will increase the capital works but will avoid future higher costs involved with retrofitting and be significantly less disruptive to the operations of the facility into the future.

These examples provide an insight into the opportunities that the development of the Campbelltown Billabong Parklands provides for the community. The Billabong has the opportunity to provide greater economic and social benefits to the community however additional funding would be required to achieve this.

Council could stage the delivery of some of the works over a number of years, noting the separations of the pools could not be undertaken at a later stage. This would incur a higher overall investment of capital funds over time. More significantly, this would be disruptive to the site and would require the Billabong Parklands to be closed for months at a time. As these works would mainly occur in the winter months it would impact some users of the facility and there may be a risk of losing these patrons on a permanent basis and lose the year-round attractiveness of the Parklands.

If Council were to approve additional funding for the construction of the Billabong it will elevate the facility from a district facility to a sophisticated regional facility that provides significantly greater social and economic advantages. The improved local amenity will increase the interest of new potential residents and investors as well as attracting additional visitors to Campbelltown stimulating an even greater economic impact. The Campbelltown Billabong Parklands will be an asset that the whole community will be proud of.

In conclusion there are three distinct options to deliver the Campbelltown Billabong Parklands:

Option 1 Build the facility to the existing budget of $18.75 million

Option 2 Bring forward the enhancements outlined in the report and deliver them as part of the initial project program. These additional works include additional pool works, integrated artworks, improved landscape features and future proofing the site. The revised estimated budget of these works is $31 million. The proposed funding strategy for this option would be to utilise up to $13 million of Council's unrestricted cash holdings with a commitment to replenish the reserves over a 6 year period

Option 3 Build to the $18.75 million dollar budget then deliver enhancements over a number of years to achieve the scope of the concept plan.

Attachments

Nil

8.8 Macarthur Football Club Community Partnership Funding Report

Reporting Officer

Acting Executive Manager Community Life
City Lifestyles

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.5 - Host and promote major sporting events, showcasing our city's sporting facilities and encouraging community participation in sport and recreation

Officer's Recommendation

That the information be noted.

Purpose

The purpose of this report is to provide an update to Council following the Notice of Motion requesting a report be presented to Council on the outcome of the first year of Community Partnership with Macarthur Football Club (Macarthur FC).

History

Council at its meeting held 13 October 2020 resolved:

1. That a report be presented to Council on the outcome of the first year of our Community Partnership with Macarthur FC 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

During the 2019-2020 financial year, Macarthur FC implemented a program of community engagement and awareness initiatives for the local community. As a Community Partner of Macarthur FC, Council contributed $450,000 (excluding GST) towards the program of events. The aim of the community partnership is to provide a strong foundation for young and upcoming football players and increase player participation at grassroots level. Furthermore, the partnership was developed to provide children and young adults access to high performance programs and pathways for football.

This report outlines the community engagement and awareness programs that Macarthur FC delivered, in addition to outlining the financial breakdown of where the contribution has been attributed.

During the 2019-2020 year Macarthur FC implemented the following programs:

1. Bulls in Schools
2. Macarthur FC Healthy Kids
3. Domestic Violence Awareness Program
4. Community FC
5. Indigenous Football
6. Community Events and Engagement

Bulls in Schools

This program is a free program aimed at developing and enhancing teamwork, communication, gross motor skills and hand-eye coordination of school aged children in the Campbelltown Local Government Area. The Bulls in Schools program is operated by Macarthur FC staff and runs for two hours per session. Approximately 2000 children have participated in the program to date, with a further nine schools reaching an additional 1500 children, planned for November 2020. The program has generated positive feedback and interest from the schools and it is anticipated that the program will continue to grow with an expected 3000 students participating per semester in 2021.

Funds dedicated to this program have contributed to coaching uniforms, soccer balls, bibs, goal posts and agility poles/cones.

Macarthur FC Healthy Kids

This program is designed to provide awareness and education for school-aged children on the topic of health and wellbeing. Children learn the importance of healthy eating with an aim to reduce childhood obesity in South-Western Sydney.

Domestic Violence Awareness Program

Macarthur FC have been working with local community leaders and groups to increase awareness of domestic violence support programs. They have assisted financially and also helped with opening bank accounts and phone lines.

Community FC

Community FC is an initiative that provides playing, coaching, administrative and leadership opportunities to individuals from culturally and linguistically diverse backgrounds, indigenous people and newly arrived community members. Macarthur FC have financially supported five local charities including Kids of Macarthur, Silver Coin Project, Linking Hearts, Sheppard Centre and Mark Grundy Oesophageal Cancer Awareness Group.

Indigenous Football

Macarthur FC have developed the Macarthur FC IFP (Indigenous Football Program) to assist in bridging the gap between football and Aboriginal and Torres Strait Islander peoples in the community.

Community Events and Engagement

Council has been working in partnership with Macarthur FC in regards to their community engagement programs and activation. Macarthur FC participated in three major events in Campbelltown. An activation was set up at the Fisher's Ghost Street Fair, at the Hero Hub after the Street Parade and also at Ingleburn Alive. A total of 10,000 people attended these events providing great exposure for the club. The activations proved to be very popular at these events with steady community participation and community engagement.

Furthermore, Macarthur FC continue to meet with local sporting clubs, charities, state and federal government bodies, local businesses and major employers to promote the club and the Macarthur region.

Community Engagement Financial breakdown

Indigenous programs	$62,927
Community program staff to develop and deliver community programs	$344,375
Marketing and social media programs	$9,467
Donations to community groups	$38,727
Community events	$3,167
General administration	$2,828
Insurance	$7,805
TOTAL	**$469,296**

The above items do not include costs such as office, administration, workers compensation and public liability insurance.

Macarthur FC Food Truck

The Macarthur FC Food Truck was purchased and fitted out to include a state-of-the-art kitchen, cooktop and food preparation area. The truck is designed to promote health and wellbeing to the community of Campbelltown by visiting schools, community events, assisting underprivileged community members by providing food and education. It was intended that the food truck would be in full operation during 2020 however, the COVID-19 pandemic affected its operation. Macarthur FC have been working with local supermarkets and food providers to create partnerships that will see them providing fresh and healthy food for the truck.

Total cost of the Food Truck including fit out and signage	$225,500

In 2021, Macarthur FC will continue to deliver their community engagement and awareness programs. It is anticipated that there will be even greater community reach and engagement once COVID-19 restrictions are modified and large community events can be held.

Attachments

1. Community Partnership Notice of Motion Letter (contained within this report)
2. Macarthur Football Presentation October (distributed under separate cover)

15 October 2020

Destry Puia
Acting Director City Lifestyles
C/-destry.puia@campbelltown.nsw.gov.au

Dear Destry,

RE: Community Partnership Notice of motion

We thank you for the opportunity to update you on the Community Partnership and the money spent to date. We have presented the below in line with your questions:

a) Macarthur FC has implemented the following programs in the 2019/2020 year.

BULLS IN SCHOOLS PROGRAM

The Bulls in Schools program is a fun and educational program designed to get kids across the Macarthur region active through football.

MACARTHUR FC HEALTHY KIDS

Coupled with our community partners, this targeted program works with health and education experts to reduce childhood obesity in South-West Sydney. The program is designed for primary school age children and includes learning practical, self-sustaining, and resilience-building life skills that can be used at home and school.

DOMESTIC VIOLENCE AWARENESS PROGRAM

Macarthur FC has been working with our local community leaders to roll out the program. We have assisted financially and with assistance with opening bank accounts phones etc.

COMMUNITY FC

We have delivered social cohesion programs in partnership with Football NSW (FNSW). Our Community FC program is an initiative developed to provide playing, coaching, administrative and leadership opportunities to aspiring individuals from culturally and linguistically diverse (CALD) backgrounds, Indigenous people, and newly arrived community members. We have financially supported 5 local charities in their programs such as Kids of Macarthur, Silver Coin, Linking Hearts, Sheppard Centre & Mark Grundy Oesophageal Cancer Awareness Group.

Macarthur FC Principal Partner
WISDOM HOMES
hoot HOMES homes.com.au CAMPBELLTOWN Macarthur Square

INDIGENOUS FOOTBALL

Macarthur FC aims to contribute to reconciliation by bridging the gap between football and Aboriginal and Torres Strait Islander peoples in our community. We have the Charles Perkins Foundation but have renamed the program Macarthur FC IFP (Indigenous Football Program). The name change is all about the local indigenous community having a local input into the program.

COMMUNITY ENGAGEMENT

The directors and staff of the club have been engaging and promoting the region by meeting with local football clubs, local charities, government state & federal, local business groups and major employers promoting not just the club but why they should be invested in our region. We are selling the message that the Macarthur region is a great place to work, live and play.

b) We have had over 2,000 participants. We are targeting over 5,000 participants for the 2020/21 Financial year once Covid restrictions ease. We are counting kids only once but programs may run more then 2 or 3 sessions.

c) The Schools programs run 60 - 90 mins. These are in line with schools sports.

d) There is no cost to our community programs.

e) We have spent money in the following areas for the 2019/20 Financial year:

Indigenous	$62,927.36
Community Management & Staffing to deliver programs	$344,375.00
Marketing & Media Social Programs	$9,467.91
Donations to Community Groups	$38,727.27
Community Events	$3,167.74
General Administration	$2,828.17
Food Truck (Iveco Community Truck)	$220,000.00
Food Truck Signage	$5,500.00
Insurance	$7,805.13
Total	**$694,798.58**

This does not include costs such as office, administration, workers compensation and public liability insurance. This far exceeds the $450,000 sponsorship by Campbelltown Council. This investment would have exceeded over $1M in the 2019/2020 year if there had not been a Covid Pandemic.

f) The programs have been well received and the local schools have asked us to make them a more regular occurrence. For this term we have 6 schools booked and expect to be at 12 schools booked within the next fortnight. We hope to visit 2,000 students this term.

On behalf of the board, I would like to thank Campbelltown City Council for its sponsorship and commitment to seeing our club succeed. Some key points for Council to be aware of:

1. Macarthur FC is the only "Full time" professional team in the area. We have committed all our home games at Campbelltown Stadium. The Macarthur region has over 10,000 registered players, taking into other areas in our catchment it exceeds over 30,000. Far more than any other sport such as netball & rugby league.
2. Our Head office is in Gregory Hills with 100% of administration staff living in the Macarthur area.
3. At the time of writing this letter we sit at total staff levels of approx. 40 staff including players. This has a total wages bill more than $3M.
4. We have introduced a Macarthur engagement Policy where all contracts must be from the region. If we cant buy goods or services, then this is to go to the Macarthur Fc directors for approval.
5. To date we have invested over $5,363,789.27 without kicking a ball and anticipate investing in excess of $30M over the next 5 years.
6. 100% of our Ownership group are from the region, who employ staff and invest in the region.
7. We have launched our own charity (with government approval) called the Macarthur FC Foundation Inc. The key goals of this charity are Community Cohesion, Education, Health & Wellbeing and Indigenous, being key pillars that the Council supports as well.

We are fully committed to Macarthur and look forward to becoming part of the DNA of the region.

I look forward to meeting with Council to personally update you.

Yours sincerely

Gino Marra
Chairman – Macarthur FC

8.9 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 1 December 2020.

Attachments

1. Reports requested listing (contained within this report)
2. Letters requested listing (contained within this report)

Reports requested effective 1 December 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Delivery			
12.11.19 RM	ORD NM - 11.2 Stormwater Usage That a report be presented to Council on exploring ways and means for the public and private sectors as well as the Council itself to implement stormwater capture, storage, filtration, treatment and its subsequent use.	This item has been listed for a future briefing evening to Councillors. A report will follow the briefing.	May 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.	May 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.		May 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.	A report to be presented to Council at the December 2020 meeting as Item 8.6 on the agenda.	December 2020

Reports requested effective 1 December 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
13.11.18 GB	ORD - 8.3 Household E-Waste Drop Off Event 2. That a further report be provided to Council on the future recycling arrangements for e-waste upon confirmation of the completion timeframe for the construction of the Community Recycling Centre.	This report is subject to the time frame of the Community Recycling Centre.	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.	Development Control Plan preparation held pending study completion.	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.	To be included in the next amendment to the Campbelltown Contribution Plan 2018.	October 2021
06.08.19 GG	ORD 14.1 Campbelltown Design Excellence Panel That a report providing a review of the Panel's operation be provided to Councillors after it has been in operation for 1 year.	First meeting held 26 March 2020.	March 2021

Reports requested effective 1 December 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
10.09.19 KH	ORD 8.1 Mount Gilead Planning Proposal - Relocation of Proposed Community Hub Building and Additional Permitted Use 5. That following an exhibition, a report on submissions be presented to Council.	Extension for Gateway requested.	December 2021
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.	Gateway received October 2020. Works to be carried out by proponent.	December 2021
10.03.20 MO	ORD 8.6 Mt Gilead - Draft Planning Proposal 3. That should the Minister determine under section 3.3.4(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act) that the proposal may proceed without significant amendment, Council publicly exhibit the draft Planning Proposal in accordance with the Gateway Determination. 4. That following the public exhibition a report on any submissions received be presented to Council.	Gateway received October 2020. Works to be carried out by proponent.	June 2021
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.	Awaiting additional information from proponent to comply with Gateway conditions.	February 2021

Reports requested effective 1 December 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Development			
10.11.20 DL	ORD 8.3 Re-establishment of South Area Alcohol Free Zones 2. Any submissions received during the public exhibition period be reported back to Council. 4. Any submissions received from the organisations/groups listed in Recommendation No.3 during the notice period be reported to Council.	Currently on exhibition until 23/12/2020.	February 2021
10.11.20 MO	ORD 8.5 The Meadows, Ingleburn Gardens Planning Proposal 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.		June 2021
City Governance			
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 February 2021 meeting.	February 2021

Reports requested effective 1 December 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Governance			
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 at the February 2021 meeting.	February 2021
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.	Council has engaged the architect and commenced Stage one of the scope works. Stage one has been completed and Stage two is now in progress. Due to COVID-19 this project is on hold. The team is currently reviewing the feasibility for construction of a childcare.	March 2021

Reports requested effective 1 December 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
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.	1. The team is investigating with a report on electric car charging stations. Discussions are underway with Executive with a report anticipated to be presented to Council at the June 2021 meeting. 2. A report on energy generating footpaths was prepared and presented to Council at the November 2019 meeting.	June 2021
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 to be presented to Council at the December 2020 meeting as Item 8.16 on the agenda.	December 2020
10.03.20 BM	ORD 8.12 Latest Findings on Climate Change 1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.	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.	June 2021

Reports requested effective 1 December 2020

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
City Growth			
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. Investigations and discussion are underway with the Executive.	March 2021
City Lifestyles			
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?	A briefing will be presented in November with a report expected to be presented to Council in December 2020. A report to be presented to Council at the December 2020 meeting as Item 8.8 on the agenda.	December 2020

Letters requested effective 1 December 2020

*Date of Decision *Mover	Action Item	Comments / updates
City Development		
11.08.20 KH	NM 11.1 Protection of the Campbelltown Koala Colonies 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.	Letter sent on 18/09/2020 to the Minster for Energy and Environment, the Hon Matt Kean MP.
General Manager		
08.09.20 GB	MM 5.1 Local Government Representation of the National Cabinet 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.	Letters sent on 7/10/2020 to the Premier Gladys Berejiklian, Dr Mike Freelander MP, Greg Warren MP and Anoulack Chanthivong MP. A response was received on 30/10/2020 from the Premier Gladys Berejiklian and has been included in the December agenda as Item 7.1. Meetings were held with Dr Mike Freelander MP, Anoulack Chanthivong MP and Greg Warren MP.

8.10 Investments and Revenue Report - October 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 October 2020.

Report

This monthly report provides details of Council's investment and revenue portfolio.

Investments

Council's investment portfolio as at 31 October stood at approximately $232m. 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 to be in the vicinity of $1m and has been reflected in the September quarterly budget review.

For the month of October, 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 further adjusted in this month's Reserve Bank Board meeting held 4 November to 0.10 per cent with the RBA signalling there may be scope for more qualitative easing measures rather than further reducing the cash rate in the coming months. The ASX200 closed at 5,927.60 at the completion of October. This represents an annualised monthly performance result of positive 23.05 per cent ex dividend, the monthly change was positive 1.92 per cent and reflected a recovery of a portion of the 4 per cent decline in September.

It is important to note that councils are restricted to conservative investments only in line with the Minister's Investment Order of 17 February 2011 and other relevant legislation including the *Local Government Act 1993* and the *Trustee Act 1925*. Investments in equities are prohibited under the legislation and therefore a benchmark such as the Bank Bill Index is used in line with Council's Investment Policy and the recommendations of the Office of Local Government Guidelines.

Rates

Rates and Charges levied for the period ending 31 October 2020 totalled $124,093,617 representing 100 per cent of the current budget estimate.

The rates and charges receipts collected to the end of October totalled $44,100,321. In percentage terms 36 per cent of all rates and charges due to be paid have been collected, compared to 37.9 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. The second quarterly instalment will be due for payment on 30 November 2020.

In accordance with COVID-19 legislative changes, penalty interest charges have been set to zero per cent on all unpaid rates and charges for the period between 1 July 2020 and 31 December 2020, this rate will change on 1 January 2021 to 7 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.

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, 364 applications were made over the phone and 122 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, 107 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

Sundry Debtors

Debts outstanding to Council as at 31 October 2020 are $2,903,170 reflecting an increase of $1,056,335 since September 2020. During the month 997 invoices were raised totalling $2,401,570. 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 $697,439 as at 31 October 2020. The majority of this debt relates to Government and Other Grants totalling $452,043 the most significant portion is $400,000 relating to the Department of Planning Accelerated LEP review program. Also incorporated in this debt is $44,092 relating to the “Rates and Waste Pensioner Subsidy Claim”, payment of this grant is expected early December 2020.

Various Sundry items total $73,868. 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 $3,000 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 entered voluntary administration, Council has submitted a proof of debt to the Administrators who have established that the Company is insolvent and at their recommendation have placed the company into liquidation. Council now awaits reports advising of any dividend.

Debts categorised in Sports and Field Hire totalled $46,460, the most significant portion is $39,420 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, they have entered into an arrangement of $5,000 per month with this to be reviewed quarterly. Payments have been maintained and will be reviewed again in January 2021.

Debts categorised within Healthy Lifestyles includes $12,522 relating to bookings made in advance for the Bicycle Education Centre delivering a customer service outcome allowing booking costs to be reduced ahead of the relevant event.

Public hall hire fees of $31,964 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 it through the local court.

Due to the current pandemic no new formal recovery action is being taken, staff will be making contact with overdue debtors seeking suitable payment options and to check 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 October 2020 (contained within this report)
2. Rates and Charges Summary and Statistics October 2020 (contained within this report)
3. Debtors Summary and Ageing Report October 2020 (contained within this report)

Summary of Council's Investment Portfolio

Portfolio as at 31 October 2020

Product Type	Face Value	% of Total
At Call Deposits	13,087,239	5.6%
Notice Account	3,013,297	1.3%
Term Deposits - Fixed Rate	64,469,463	27.7%
Term Deposits - Floating Rate	79,000,000	34.0%
Fixed Rate Bond	5,000,000	2.2%
FRN	32,250,000	13.9%
Managed Funds - TCorp	35,544,641	15.3%
Grand Total	**232,364,641**	**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	3.4%
AA-	102,489,153	71.4%
A+	4,000,000	2.8%
BBB+	13,153,901	9.2%
Baa1	3,000,000	2.1%
BBB	14,016,410	9.8%
Baa2	2,000,000	1.4%
Total Term Deposits	**143,469,463**	**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	CBA	AA-	12-Jul-21	3m BBSW + 1.21%	$5,000,000
AU3FN0044269	Credit Union Aus	BBB	6-Sept-21	3m BBSW + 1.25%	$500,000
AU3FN0034021	Newcastle Perm	BBB	24-Jan-22	3m BBSW + 1.65%	$1,500,000
AU3FN0046793	Credit Union Aus	BBB	4-Mar-22	3m BBSW + 1.23%	$3,200,000
AU3FN0051165	Teachers Mutual Bank	BBB	28-Oct-22	3m BBSW + 0.90%	$2,400,000
AU3FN0053146	RACQ Bank (prev QT Bank)	BBB+	24-Feb-23	3m BBSW + 0.93%	$1,850,000
AU3FN0046777	NAB	AA-	26-Feb-24	3m BBSW + 1.04%	$4,000,000
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

Summary of Council's Investment Portfolio - October 2020 cont'd

Long-Term Credit Rating	Exposure of Entire Portfolio			
	Actual	Minimum	Maximum	Compliant
AA+, AA, AA- and above (or MTB*)	**70.9%**	40%	100%	Yes
A+, A, A- and above	**79.5%**	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	**15.3%**	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:

31 October 2020	Monthly Return	Annual Return
Campbelltown City Council – Investment Portfolio	0.09%	1.48%
Benchmark – Bloomberg Ausbond Bank Bill Index	0.01%	0.51%
Performance Relative to Benchmark	0.08%	0.96%

Rates Summary

Statement of all Outstanding Rates and Extra Charges

CAMPBELLTOWN CITY COUNCIL

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	69,310,573.81	1,458,298.39	169.32	70,986,501.97	24,073,537.40	46,912,964.57	288,769.18	47,201,733.75
Business	608,426.97	20,108,350.78		25.00	20,716,802.75	8,933,840.04	11,782,962.71		11,782,962.71
Farmland	16,104.97	556,684.46	215.39	0.00	572,574.04	177,465.88	395,108.16	268,502.39	663,610.55
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	6,822,736.86		-1.17	7,191,205.90	2,502,142.59	4,689,063.31	55,937.50	4,745,000.81
Total	$4,127,584.85	$96,826,972.99	$1,458,513.78	$193.15	$99,496,237.21	$35,715,612.99	$63,780,624.22	$613,341.51	$64,393,965.73
Garbage	956,513.47	22,995,870.13	862,036.80	-16.08	23,090,330.72	7,843,865.35	15,246,465.37		15,246,465.37
Stormwater	70,141.68	1,436,907.84		0.00	1,507,049.52	540,842.56	966,206.96		966,206.96
Grand Total	$5,154,240.00	$121,259,750.96	$2,320,550.58	$177.07	$124,093,617.45	$44,100,320.90	$79,993,296.55	$613,341.51	$80,606,638.06

Total from Rates Financial Transaction Summary	80,030,068.85
Overpayments	-576,569.21
Difference	0.00

Analysis of Recovery Action

Rate accounts greater than 6 months less than 12 months in arrears	260,000.00
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	$260,000.00

Rates Statistics

CAMPBELLTOWN CITY COUNCIL

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June		Oct-19
Rate Notices	56,941	485		57										*109*
Electronic - DoH	4,929													
Instalment Notices				49,133										*48,385*
Electronic - DoH				4,895										*5,048*
Missed Instalment Notices														
- Pensioners > $15.00														
Notice to new owner	144	133	119	107										*22*
7-day Letters - Council issued														
- Pensioners > $500.00														
7-day Letters - Agent Issued														
Statement of Claim														*143*
Judgments														*9*
Writs														*8*
Electronic - eRates & BPAYView	9,019	9,577	9,881	9,935										*6,487*
Pensioner applications	149	170	603	486										-
Arrangements	199	165	134	98										*239*

DEBTORS SUMMARY 1 October 2020 to 31 October 2020

CAMPBELLTOWN CITY COUNCIL

DEBTOR TYPE/DESCRIPTION	ARREARS AT 30/09/2020	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/10/2020	% DEBT RATIO
Corporate Administration	513,236	167,758	122,248	558,747	29.49%
Abandoned Items	1,949	842	421	2,370	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
Community Bus	89	0	0	89	0.01%
Sportsground and Field Hire	96,371	34,184	39,648	90,908	5.46%
Government and other Grants	687,776	1,632,799	641,233	1,679,341	12.87%
Public Hall Hire	48,519	20,367	29,974	38,912	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	113,589	203,626	209,380	107,835	5.63%
Healthy Lifestyles	29,296	47,254	49,815	26,735	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	58,740	45,912	27,120	77,532	1.85%
Pool Hire	6,658	5,703	5,896	6,465	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	35,927	136,864	27,144	145,647	28.17%
Shop and Office Rentals	39,812	48,407	47,395	40,823	2.17%
Various Sundry Items	194,505	34,318	136,382	92,441	6.42%
Waste Collection Services	37,373	23,537	8,579	52,331	6.17%
	1,846,835	**2,401,570**	**1,345,235**	**2,903,170**	**100%**

AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 October 2020

CAMPBELLTOWN CITY COUNCIL

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	*Previous Month 90+ days*
Corporate Administration	143,018	388,174	6,783	20,772	558,747	*16,755*
Abandoned Items	421	0	410	1,539	2,370	*1,539*
Education and Care Services	18,710	0	0	0	18,710	*0*
Community Bus	89	0	0	0	89	*0*
Sportsground and Field Hire	22,728	12,348	9,373	46,460	90,908	*53,583*
Government and other Grants	1,227,299	0	0	452,043	1,679,341	*124,093*
Public Hall Hire	3,778	2,920	251	31,964	38,912	*38,688*
Health Services	0	0	0	350	350	*350*
Land and Building Rentals	106,329	1,365	0	140	107,835	*141*
Healthy Lifestyles	3,444	2,044	1,396	19,851	26,735	*22,117*
Licence Fees	31,038	6,498	4,832	35,164	77,532	*36,152*
Pool Hire	823	260	720	4,663	6,465	*1,273*
Private Works	1,189	0	0	1,423	2,612	*1,423*
Road and Footpath Restoration	136,864	1	0	8,782	145,647	*27,006*
Shop and Office Rentals	27,533	10,388	2,481	421	40,823	*421*
Various Sundry Items	11,660	952	5,960	73,868	92,441	*72,638*
Waste Collection Services	23,207	15,338	13,786	0	52,331	*0*
	1,719,452	**440,287**	**45,991**	**697,439**	**2,903,170**	*396,178*

8.11 Revised Procurement Policy

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

1. That the revised Procurement Policy as attached to this report be adopted.

2. That the Procurement Policy review date be set at 31 December 2022.

Purpose

To advise Council that the current Procurement Policy has been reviewed.

History

Section 55 of the *Local Government Act 1993* was amended in July 2019 to increase the tender threshold from $150,000 to $250,000. Furthermore, the amendments created new provisions for Councils to access contracts established by prescribed organisations where rates are not so specified and the ability to procure from disability employment organisations without the need to go to tender.

Council's Reconciliation Action Plan required procurement policies and procedures to be reviewed and updated to identify barriers to Aboriginal and Torres Strait Islander businesses to supply our organisation with goods and services. The Disability Inclusion Action Plan deliverables also requires the development of a social procurement policy.

Council is committed to creating a city that thrives and supporting local businesses contributing back to local employment and the economy. The pandemic has meant that local businesses need support now more than ever. As such, the procurement policy has been revised to include consideration for local businesses within the Campbelltown LGA, where possible, whilst maintaining value for money.

Report

The above mentioned policy has been developed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

Local consideration

The way in which preference is given to local businesses varies from a notional reduction in price for comparison purposes to a weighted criteria in the overall evaluation for tenders.

A local supplier is a business:
- that has a branch or office physically located within the Campbelltown Local Government Area (LGA); or
- is a mobile business that has an ABN registered to an address located within the Campbelltown LGA, and operates within the Campbelltown LGA; or
- operating within the Campbelltown LGA; or
- that employs ratepayers or residents of the Campbelltown LGA.

Social Procurement

Council will encourage the purchase of goods or services from organisations that demonstrate a commitment to social justice and sustainability, enabling procurement to promote and achieve positive social outcomes. When drafting specifications for procurement of goods or services and when making procurement decisions, Council officers should take into consideration socially sustainable practices, where possible, whilst maintaining value for money.

Aboriginal and Torres Strait Islander Procurement

Council is committed to ensuring there is opportunity for Aboriginal and Torres Strait Islander employment and Aboriginal and Torres Strait Islander owned businesses supplying our organisation with goods and services. Council will give consideration to Aboriginal and Torres Strait Islander business and non-Aboriginal and Torres Strait Islander owned businesses employing Aboriginal and Torres Strait people, where possible, whilst maintaining value for money.

Communication Strategy

City Marketing and Economy in conjunction with Communications and Marketing will promote the policy in business enews, business engagement emails, website, social media and other business related networks.

Attachments

1. Current Procurement Policy (contained within this report)
2. Proposed Procurement Policy (contained within this report)

CAMPBELLTOWN CITY COUNCIL	POLICY

Policy Title	Procurement Policy
Related Documentation	General Procurement Procedure Council or Other Government Contract Procedure Procurement Less Than $1,000 Procedure Procurement Between $1,000 - $10,000 Procedure Procurement Between $10,000 - $50,000 Procedure Public Quotation (Procurement Expenditure $50,000 - $2150,000 Procedure Public Tender (Procurement Expenditure > $2150,000) Procedure
Relevant Legislation/ Corporate Plan	*Local Government Act 1993* Local Government (General) Regulation 2005 *Work Health and Safety Act 2011* Work Health and Safety Regulations 2011 Local Government Code of Accounting Practice and Financial Reporting
Responsible Officer	~~Coordinator~~ Procurement and Contracts Lead

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To ensure that procurement activities are conducted in accordance with relevant legislation and Council's various Procurement Procedures.

Policy Statement

This Policy refers to Council's procurement activities for goods, services and consultancies including, but not limited to, the following procedures:

- ~~Petty Cash purchases~~
- Purchase Card purchases
- Purchase Order purchases
- Quotation processes
- Tender processes.

This policy does not cover the purchase of land or contracts for employment.

This policy should be read in conjunction with Council's various Procurement Procedures which provides Council Officers with the procedures involved in the procurement process to enable compliance with this Policy, legislation and Australian Standards. This Policy will ensure compliance with the relevant Work Health and Safety legislation, regulations and guidelines required by Council's Work Health and Safety management system.

DATA AND DOCUMENT CONTROL		
Division: City Governance **Section:** Corporate Services and Governance **DocSet:** 1603906	**Adopted Date:** 18/03/2008 **Revised Date:** 28/11/2017 **Minute Number:** 325 **Review Date:** 30/10/2018	**Page:** 1 of 4

This Policy will enable Council to achieve the best value for money in procurement activities whilst ensuring the highest level of probity.

Scope

Council staff involved in any aspect of procurement must adhere to this policy.

Definitions

Contract: an agreement for the supply of goods or the performance of services or consultancy services.

Expression of Interest (EOI): an application from a person or organisation interested in supplying ~~or tendering to supply~~ goods or services to or for Council or in showing their capacity to do so.

Financial Delegation: the level of funds that a Council officer has the authority to expend.

Local Supplier: is a supplier that is a business

- that has a branch or office physically located within the Campbelltown Local Government Area (LGA); or
- is a mobile business that has an ABN registered to an address located within the Campbelltown LGA, and operates within the Campbelltown LGA; or
- operating within the Campbelltown LGA; or
- that employs ratepayers or residents of the Campbelltown LGA.

Quotation: written or oral response to a request to a selected or public group of providers for the provision of specific goods or services to a specification prepared by Council.

Tender: a formal written offer in response to a request to tender to provide goods, services or facilities at an agreed amount or rate and to Council's specification. Tender management is governed by the provisions of the *Local Government Act 1993* (The Act) and Local Government (General) Regulation 2005 (The Regulation) as well as by this policy.

Value for Money means the identification and inclusion of all direct and indirect costs associated with a particular product or material. This includes the initial cost of purchase, length of warranty, cost of operating the product, anticipated maintenance and repair, and the direct and indirect costs (or financial return) associated with disposal or removal of the product at the end of its useful life.

Legislative Context

Section 24 of the *Local Government Act 1993* states:

> "A council may provide goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public, subject to this Act, the regulations and any other law."

In order to carry out its functions, section 23 confers on a Council the power "to do all such things as are supplemental or incidental to, or consequential on, the exercise of its functions."

The effect of these provisions is that Council has the power to enter into contracts. This power is constrained by this policy, good practice and probity legislation, by Section 55 of the Act and by the Local Government (General) Regulation 2005.

This Policy is subject to and must be read alongside the Act and the Regulation which requires Council to tender in certain circumstances and to use particular tender procedures. If tenders are called when there is no legislative requirement to do so, it is Council's policy that the same process

be used as for situations where tenders must be called. Where quotations are used, the provisions of the Regulation do not apply.

Principles

Purchasing procedures are defined in Council's various Procurement Procedures. All procurement must be carried out in accordance with these Procedures.

Work Health and Safety

Council will determine work health and safety requirements prior to the purchase of any goods, services or consultancy, and communicate those specifications to the supplier.

Work Health and Safety requirements will be identified, evaluated and incorporated into all purchasing specifications.

~~Procedures verify that purchased goods conform to health and safety requirements, and any goods that do not conform, are addressed before the goods are put into operational use.~~

~~The ability to meet work health and safety requirements is assessed in the selection of contractors.~~

~~Competent personnel will verify goods, services and consultancies ensuring they meet specified health and safety requirements.~~

~~Contractor health and safety performance is monitored and reviewed to ensure continued adherence to health and safety specifications.~~

~~Materials and substances are disposed of in a manner that minimises risk of personal injury and illness.~~

Sustainable Procurement

Council Officers will endeavour to purchase goods and services with the most beneficial environmental outcomes ~~impact whenever they perform satisfactorily and are available at a reasonable price. When drafting specifications for procurement of goods or services and when making procurement decisions, Council officers will make the following considerations:~~whilst maintaining value for money.

~~1. Minimising greenhouse gas emissions: confirm products and materials' energy rating and efficiency features. In addition to operational energy performance, consider the energy and water requirements of a product during its production, transportation and eventual disposal.~~

~~2. Minimising habitat destruction: consider paper and wood products obtained from recycled, plantation, salvaged or renewable sources.~~

~~3. Minimising toxicity: consider materials and products that are free from toxic or polluting materials (at any stage of their lifecycle)~~

~~4. Maximising water efficiency: consideration should be given to products that have the best water rating and conserve water or use water in an efficient way.~~

~~5. Minimising soil degradation: consider the purchase of products, materials and services that will not degrade or pollute the soil, or result in erosion through their use.~~

~~6. Minimising waste: purchasing decisions should be made in the context of the waste hierarchy to avoid, reduce, reuse and recycle:~~

~~a. Avoiding the unnecessary purchase of goods and services through identifying ways to~~

carry out a function or task without using materials that generate waste and confirming the availability of excess goods in another department.

b. Selecting products that reduce the amount of materials required.
c. Seeking to re-use items where possible and extend the useful life of products and equipment through maintenance and repair or re-allocation.
d. Committing to buying recycled/part-recycled products that optimise consumption and stimulate demand for recycled products, promoting the collect and reprocessing of waste and working towards zero discharge to landfill.

Local Consideration

Council is committed to creating a city that thrives. Council is supporting local businesses and encouraging local economic growth by giving consideration to local suppliers and non-local suppliers using local content and local employment, where possible, whilst maintaining value for money.

Social Procurement

Council will encourage the purchase of goods or services from organisations that demonstrate a commitment to social justice and sustainability, enabling procurement to promote and achieve positive social outcomes. When drafting specifications for procurement of goods or services and when making procurement decisions, Council officers will take into consideration socially sustainable practices, where possible, whilst maintaining value for money.

Aboriginal and Torres Strait Islander Procurement

Council is committed to ensuring there is opportunity for Aboriginal and Torres Strait Islander employment and Aboriginal and Torres Strait Islander owned businesses supplying our organisation with goods and services. Council will give consideration to Aboriginal and Torres Strait Islander business and non-Aboriginal and Torres Strait Islander owned businesses employing Aboriginal and Torres Strait people, where possible, whilst maintaining value for money.

Responsibility and Delegation

Council Officers' financial delegations for procurement activities are defined in Council's various Procurement Procedures. It is the responsibility of all staff that are involved in procurement activities to ensure that the process is performed in a transparent and accountable way.

END OF POLICY STATEMENT

CAMPBELLTOWN CITY COUNCIL	**POLICY**
Policy Title	Procurement Policy
Related Documentation	General Procurement Procedure Council or Other Government Contract Procedure Procurement Less Than $1,000 Procedure Procurement Between $1,000 - $10,000 Procedure Procurement Between $10,000 - $50,000 Procedure Public Quotation (Procurement Expenditure $50,000 - $250,000 Procedure Public Tender (Procurement Expenditure > $250,000) Procedure
Relevant Legislation/ Corporate Plan	*Local Government Act 1993* Local Government (General) Regulation 2005 *Work Health and Safety Act 2011* Work Health and Safety Regulations 2011 Local Government Code of Accounting Practice and Financial Reporting
Responsible Officer	Procurement and Contracts Lead

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Objectives

To ensure that procurement activities are conducted in accordance with relevant legislation and Council's various Procurement Procedures.

Policy Statement

This Policy refers to Council's procurement activities for goods, services and consultancies including, but not limited to, the following procedures:

- Purchase Card purchases
- Purchase Order purchases
- Quotation processes
- Tender processes.

This policy does not cover the purchase of land or contracts for employment.

This policy should be read in conjunction with Council's various Procurement Procedures which provides Council Officers with the procedures involved in the procurement process to enable compliance with this Policy, legislation and Australian Standards. This Policy will ensure compliance with the relevant Work Health and Safety legislation, regulations and guidelines required by Council's Work Health and Safety management system.

DATA AND DOCUMENT CONTROL		
Division: City Governance **Section:** Corporate Services and Governance **DocSet:** 1603906	**Adopted Date:** 18/03/2008 **Revised Date:** 28/11/2017 **Minute Number:** 325 **Review Date:** 30/10/2018	**Page:** 1 of 4

This Policy will enable Council to achieve the best value for money in procurement activities whilst ensuring the highest level of probity.

Scope

Council staff involved in any aspect of procurement must adhere to this policy.

Definitions

Contract: an agreement for the supply of goods or the performance of services or consultancy services.

Expression of Interest (EOI): an application from a person or organisation interested in supplying goods or services to or for Council or in showing their capacity to do so.

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Tender: a formal written offer in response to a request to tender to provide goods, services or facilities at an agreed amount or rate and to Council's specification. Tender management is governed by the provisions of the *Local Government Act 1993* (The Act) and Local Government (General) Regulation 2005 (The Regulation) as well as by this policy.

Value for Money means the identification and inclusion of all direct and indirect costs associated with a particular product or material. This includes the initial cost of purchase, length of warranty, cost of operating the product, anticipated maintenance and repair, and the direct and indirect costs (or financial return) associated with disposal or removal of the product at the end of its useful life.

Legislative Context

Section 24 of the *Local Government Act 1993* states:

> "A council may provide goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public, subject to this Act, the regulations and any other law."

In order to carry out its functions, section 23 confers on a Council the power "to do all such things as are supplemental or incidental to, or consequential on, the exercise of its functions."

The effect of these provisions is that Council has the power to enter into contracts. This power is constrained by this policy, good practice and probity legislation, by Section 55 of the Act and by the Local Government (General) Regulation 2005.

This Policy is subject to and must be read alongside the Act and the Regulation which requires Council to tender in certain circumstances and to use particular tender procedures. If tenders are called when there is no legislative requirement to do so, it is Council's policy that the same process

be used as for situations where tenders must be called. Where quotations are used, the provisions of the Regulation do not apply.

Principles

Purchasing procedures are defined in Council's various Procurement Procedures. All procurement must be carried out in accordance with these Procedures.

Work Health and Safety

Council will determine work health and safety requirements prior to the purchase of any goods, services or consultancy, and communicate those specifications to the supplier.

Work Health and Safety requirements will be identified, evaluated and incorporated into all purchasing specifications.

Sustainable Procurement

Council Officers will endeavour to purchase goods and services with the most beneficial environmental outcomes whilst maintaining value for money.

Local Consideration

Council is committed to creating a city that thrives. Council is supporting local businesses and encouraging local economic growth by giving consideration to local suppliers and non-local suppliers using local content and local employment, where possible, whilst maintaining value for money.

Social Procurement

Council will encourage the purchase of goods or services from organisations that demonstrate a commitment to social justice and sustainability, enabling procurement to promote and achieve positive social outcomes. When drafting specifications for procurement of goods or services and when making procurement decisions, Council officers will take into consideration socially sustainable practices, where possible, whilst maintaining value for money.

Aboriginal and Torres Strait Islander Procurement

Council is committed to ensuring there is opportunity for Aboriginal and Torres Strait Islander employment and Aboriginal and Torres Strait Islander owned businesses supplying our organisation with goods and services. Council will give consideration to Aboriginal and Torres Strait Islander business and non-Aboriginal and Torres Strait Islander owned businesses employing Aboriginal and Torres Strait people, where possible, whilst maintaining value for money.

Responsibility and Delegation

Council Officers' financial delegations for procurement activities are defined in Council's various Procurement Procedures. It is the responsibility of all staff that are involved in procurement activities to ensure that the process is performed in a transparent and accountable way.

END OF POLICY STATEMENT

8.12 T20-09 Management of Noorumba Reserve Biobank Site

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 Council:

1. Declines to accept any of the tenders received for the management of Noorumba Reserve biobank site.

2. In accordance with section 178 of the Local Government (General) Regulation 2005 Council declines to accept any of the tenders for the management of Noorumba Reserve biobank site as the Tenders received did not meet the pricing requirements of the Request for Tender.

3. Enter into negotiations with organisations that submitted a tender and achieved satisfactory scores for all non-pricing evaluation criteria. The evaluation panel do not see any benefit in inviting fresh tenders for the same service as the market was tested through this process and satisfactory results were achieved for non-pricing criteria, however it was identified the pricing requested requires review. It was determined appropriate for Council to enter into negotiations with Earth Repair & Restoration Pty Ltd, Eco Logical Australia Pty Ltd, Bushland Management Solutions Pty Ltd, Southern Habitat (NSW) Pty Ltd and Toolijooa Pty Ltd.

4. Notify unsuccessful Tenderers of the results of the tender process.

Purpose

To advise Council of the tenders received for management of Noorumba Reserve biobank site at Rosemeadow and recommend that Council declines to accept all tenders submitted.

History

The Reserve has been secured as a Biodiversity Stewardship Site (Biobanking) under the *Biodiversity Conservation Act 2016* with ongoing funding provided in perpetuity through the NSW Biodiversity Conservation Trust. The project aims to conserve and enhance critically endangered Cumberland Plain Woodland and Shale Sandstone Transition Forest Vegetation Communities as well as improve threatened species habitat for the Koala and Cumberland

Plain Land Snail. Council has entered into a Biobanking agreement for Noorumba Reserve, and will receive grant funding to assist in the payment of these services. Council requires a suitably qualified and experienced contractor to undertake environmental management activities.

Report

Legislation

This tender process was conducted in accordance with the *Local Government Act 1993, the* Local Government (General) Regulation 2005 and Council's Procurement Policy and Procedures.

Contract Expenditure

Funds for these works are allocated in Council's budget as well as grant funding.

Contract Term

The term for this contract was proposed to be for a period of two years with two options of extension of 24 months each.

Advertising of Tenders

Tenders were advertised on Tenderlink and Council's website commencing week of 28 July 2020. The Ingleburn and Campbelltown Chambers of Commerce and Industry and Yarpa were notified.

Tender Document

Organisations were requested to submit the following information with their tender response:

- company details
- references
- company experience, particularly as they relate to these services
- details of any subcontractors and their experience, particularly as they relate to the services
- proposed key personnel
- delivery approach and methodology
- pricing
- insurances
- social sustainability practices
- environmental practices
- Work Health and Safety management systems
- conflict of interest declaration
- collusive submission declaration
- workplace relations information
- additional terms of contract, if proposed.

Tenders Received

Tenders closed on Tuesday 18 August 2020 and seven on-time responses were received from the following organisations:

- Earth Repair & Restoration Pty Ltd
- Eco Logical Australia Pty Ltd
- Bushland Management Solutions Pty Ltd
- Southern Habitat (NSW) Pty Ltd
- Toolijooa Pty Ltd
- Total Earth Care Pty Ltd ATF The Irrawong Trust
- Undercover Landscapes Pty Ltd.

Evaluation Process

The evaluation panel, consisting of officers from Open Space, Natural Areas, evaluated the tenders against the following weighted assessment criteria:

- experience of the company
- nominated key personnel
- delivery approach and methodology
- suitability of price

The evaluation panel used Council's standard 0-10 scoring system for all non-pricing criteria with 10 being the highest score.

The Work Health and Safety and Environmental Practices criteria were assessed on the basis of fully complies, partially complies or does not comply.

The scoring of tendered prices were proposed to be evaluated based on a lump sum price over the life of the contract.

Recommendation of the Evaluation Panel

1. Council decline to accept any of the tenders received for the management of Naroomba Reserve biobank site as the Tenders received did not meet the pricing requirements of the Request for Tender.

2. That Council enter into negotiations with the following organisations that achieved satisfactory scores for all other evaluation criteria, Earth Repair & Restoration Pty Ltd, Eco Logical Australia Pty Ltd, Bushland Management Solutions Pty Ltd, Southern Habitat (NSW) Pty Ltd and Toolijooa Pty Ltd, in accordance with section 178 of the Local Government (General) Regulation 2005 which provides:

    (1) After considering the tenders submitted for a proposed contract, the council must either:

        (a) accept the tender that, having regard to all the circumstances, appears to it to be the most advantageous, or

        (b) decline to accept any of the tenders.

(3) A council that decides not to accept any of the tenders for a proposed contract must, by resolution do one of the following:

(e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender.

(4) If a council resolves to enter into negotiations as referred to in subclause (3)(e), the resolution must state the following:

(a) the council's reasons for declining to invite fresh tenders or applications as referred to in subclause (3)(b)-(d)

(b) the council's reasons for determining to enter into negotiations with the person or persons referred to in subclause (3)(e).

3. That the unsuccessful Tenderers be notified of the results of tender process.

Delegation

As the recommendation is to decline to accept the tender, the Council must resolve to do so. The General Manager does not hold delegation under the *Local Government Act 1993*.

Tenders Not Recommended to Enter into Negotiations

Total Earth Care Pty Ltd ATF The Irrawong Trust is not recommended for further negotiations as they did not provide a response to delivery approach and methodology response form.

Undercover Landscapes Pty Ltd is not recommended for further negotiations as they did not provide a satisfactory response to delivery approach and methodology response form and the evaluation panel have concerns about their understanding of the scope of works.

Assurance of the Process Undertaken

In accordance with Council's Procurement Procedures, a tender review panel, consisting of members of Council's Executive reviewed the tender to assure the process was undertaken in a manner that was fair, transparent and resulted in the best value outcome to Council.

Attachments

Nil

8.13 Rescind Records Management Policy

Reporting Officer

Executive Manager Corporate Support Systems
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

That the Records Management Policy be rescinded.

Purpose

To seek Council's endorsement to rescind the Records Management Policy.

History

The Records Management Policy was adopted on 1 August 2006.

A records audit was carried out in 2019 and identified a number of areas for improvement surrounding information management, including the need for regular updates to documents to reflect compliance with operational procedures.

Given the operational nature of the policy, it is intended to move the policy an Information Management Authorised Statement.

Report

To support consistency, efficiency and productivity in daily functions and operations, management and administration to deliver services in a consistent and equitable manner; converting the Records Management Policy to an Information Management Authorised Statement will facilitate the adoption of industry related changes, thus enabling changes to be adopted in a simplified manner.

Council will be implementing best practice in its activities, systems and procedures regarding records management through:

- establishing a recordkeeping framework that includes industry standards, procedures and information governance
- managing programs that comply with legislation and Government directives
- creating supportive documents and resources to provide proactive workers guidance and assistance
- educating all workers of their responsibilities under legislation and Government directives.

Attachments

1. Records Management Policy - current (contained within this report)

campbelltown city council

POLICY

Policy Title	Records Management Policy
Related Documentation	Register of Delegations and Accountabilities Authorised Statement - Document Control Authorised Statement - Archival Plan Records Procedure Manual Policy Development and Review Procedure ECM User Procedure Code of Conduct
Relevant Legislation/ Corporate Plan	*State Records Act 1998* *Local Government Act 1993* *Work Health & Safety Act 2011l* *Government Information (Public Access) Act 2009* *Privacy and Personal Information Protection Act 1998* *Electronic Transactions Act 2000* *Community Services (Complaints, Review and Monitoring) Act 1993* *Workers Compensation Act 1987* *Public Finance and Audit Act 1983* *Evidence Act 1995* ISO:15489 Records Management Part 1 and 2 - 2003 ISO: 3100 2009 Risk Management Principles and Guidelines AS/NZS 17799 Information Security Management - 2005 AS8015 – Compliance and Corporate Governance – 2005 NSW Standard - Full and Accurate Records NSW Standard – Recordkeeping in Electronic Environment NSW Standard – Recordkeeping Metadata NSW Policy - Electronic Recordkeeping NSW Policy - Electronic Messages as Records
Responsible Officer	Manager Information Management and Technology

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To establish a framework of accountabilities and responsibilities for the creation, capture, protection, control and management of Campbelltown City Council's information assets including data, documents and electronic communication as a full and accurate record of Campbelltown City Council's activities.

Policy Statement

Campbelltown City Council is committed to meeting its responsibilities under the NSW *State Records Act 1998* to ensure the creation and management of authentic, reliable and useable records to support business functions and activities for as long as those records are required.

This will be achieved through the use of best practice standards, AS ISO 15489 Records Management and with compliance of the Act. This policy applies to all forms of recordkeeping, regardless of format or the system in which they are maintained.

Campbelltown City Council is committed to implementing best practice in its activities, systems and procedures regarding records management through:

- Establishing a recordkeeping framework that includes policy, procedures and work practices;
- Managing programs that comply with legislation and Government directives;
- Creating supportive documents and resources to provide proactive workers guidance and assistance; and
- Educating all workers of their responsibilities under legislation and Government directives.

Campbelltown City Council's records exist across a number of business and recordkeeping systems. Records provide evidence of actions and decisions and represent a vital asset, which supports Campbelltown City Council's daily functions and operations.

Records support policy formulation and managerial decision-making, protect the interests of Campbelltown City Council and the rights of employees, customers and citizens and help Campbelltown City Council to deliver services in a consistent and equitable way.

As a significant part of Campbelltown City Council's corporate memory, records enable informed decisions based on precedents and organisational experience.

They support consistency, efficiency and productivity in program delivery, management and administration. Those records kept as archives form part of the State's cultural heritage.

Scope

This policy applies to all Council business, including electronic business. It applies to all employees including casuals, volunteers, contract workers and Councillors across the whole of the Campbelltown City Council. This Policy applies to all business sections of Council.

The policy concerns records, which are created, collected, processed, used, sentenced, stored and disposed of in the conduct of official business.

Electronic messages (E-mail) which are relevant to the information gathering, policy formulation or decision making processes of Council are part of the scope of this policy.

Definitions

Accountability
Is the principle that individuals, organisations, and the community are responsible for their actions and may be required to explain them to others

Appraisal
The process of evaluating business activities to determine which records need to be captured and how long the records need to be kept, to meet business needs, the requirements of organisational accountability and community expectations.

Archive
Records identified as having continuing value to an organisation or required as State Archives.

Archives
Refers to a group (or series) of records determined as having continuing (permanent) value for legal, fiscal and intrinsic reasons. Archives can include physical (paper) based records as well as digital (electronic) records. The term 'records of continuing value' is the preferred term to use when describing archives and means the same as 'archival records'.

Archiving
Is a computing term that usually refers to the transfer of non-current electronic data from a live database to another database or backup device such as tape, disk, CD etc. The term Archiving is frequently misused as referring to the process of transferring records off site for later destruction, however, records that are eventually destroyed are not archives.

Capture
Is the process of determining that a record should be made and kept. This includes both records created and received by Campbelltown City Council. It involves deciding which documents are captured, which in turn implies decisions about who may have access to those documents and generally how long they are to be retained.

Digital Record Keeping
The designated digital record keeping system used by Campbelltown City Council is Technology One ECM previously known as DataWorks.

Disposal
A range of processes associated with implementing appraisal decisions. These include the retention, deletion or destruction of records in or from recordkeeping systems. They may also include the migration or transmission of records between recordkeeping systems, and the transfer of custody or ownership of records.

Disposal Authority
This is an approved list of record series or classes, a schedule provides instruction on how long to retain records and what disposal actions to take. (GA 39 Local Government).

Electronic Messages
Communications sent or received via an electronic messaging system. These may be in the form of electronic mail, voice mail or electronic data interchange (EDI) messaging and includes attachments. Messages may be received or sent internally and/or externally.

Electronic Records
Records communicated and maintained by means of electronic equipment.

Ephemeral Records
Are documents that have only short-term value to Campbelltown City Council with little or no ongoing administrative, fiscal, legal, evidential, or historical value.

Evidence
The information that tends to prove a fact and supports the business activity.

Indexing
The process of establishing access points to facilitate retrieval of records and/or information.

Keywords
The terms used to title files or documents, referring to specific functions, activities or topics which describe the contents of a file or documents and are used for control and retrieval.

Preservation
The processes and operations involved in ensuring the technical and intellectual survival of authentic records through time.

Record(s)
Recorded information in any format, including data in computer systems, created, captured, received and maintained by Campbelltown City Council or by an employee in the transaction of business or in conducting the affairs of Campbelltown City Council and kept as evidence of such activity.

Recordkeeping
The process of making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

Recordkeeping System
Information systems, which capture, maintain and provide access to records over time.

Records Management
The discipline and organisational function of managing records to meet operational business needs, accountability requirements and community expectations.

Records Management Program
Part 2, Section 12 of the *State Records Act 1998* identifies the need for the introduction of a Records Management Program in order to implement, manage and continuously improve recordkeeping and records management.

Registration
The act of giving a record a unique identity in a recordkeeping system.

Retention Period
In relation to a record, means the period for which the record must be kept before it may be destroyed.

Standards
Standards play an increasingly important, and widely recognised part in recordkeeping theory and practice. State Records issue a number of best practice standards regarding building a recordkeeping framework.

State Archive
Records identified as having continuing value to an organisation that are kept as a State Record that the State Records Authority of NSW has control of under the *State Records Act 1998*.

Thesaurus
An index to information stored in a computer, consisting of a comprehensive list of subjects concerning which information may be retrieved by using the proper key term. Can be used enterprised wide for searching and retrieving information assets.

Transaction
The smallest unit of business activity. Use of records are themselves transactions.

Vital Record(s)
Records that are essential for the ongoing business of Campbelltown City Council without which Campbelltown City Council could not continue to function effectively. The identification and protection of such records is a primary objective of records management and business continuity planning.

Corporate Definitions

Authorised Statement
Statement approved by Council's General Manager that defines Council's attitude and preference for direction on operational issues.

Corporate Document
A corporate document is a document that is controlled in accordance with the Authorised Statement – Corporate Documents and includes policies, authorised statements, guidelines, forms, procedures and templates.

Guideline
Advice or instructions given in order to guide or direct an action.

Information Asset
Campbelltown City Council's information assets includes information both structured and unstructured as well as explicit and tacit knowledge and extends the boundaries of one technology solution and recordkeeping system including:

- Structured data – information stored within databases e.g. financial, payroll, rates etc
- Unstructured information - can include email, word processing documents, spreadsheets, instant messaging, presentations, radio segments, video clips, photos, maps and even telephone conversations
- Explicit knowledge - is 'specific' information such as policies, procedures, reports, work instructions
- Tacit knowledge - is that which people harness such as ideas, expertise but which can be transferred via conversation, communities of practice and presentations.

Policy
Defines Council's attitude and preference for direction on a specific matter or issue.

Procedure
A detailed process whereby the Policies and Authorised Statements of Council are implemented into the operations of the organisation.

Programs
A number of programs planned to support the Records Management Program as required by the State Records.

Template
Determines the basic structure for a document and contains settings such as fonts, macros, layouts and styles.

Principles

Records Management

Records management proceeds from the assumption that information is a resource which must be managed if it is to be used effectively; good records management is of key importance to good governance.

Campbelltown City Council operates in an accountable and community orientated environment, Council is committed to maintaining a records management program that meets its business needs and accountability requirements.

Records are a vital ingredient in the support of Council's ongoing business activities. The effective management and preservation of Council's corporate memory is intrinsic to both the decision making process and productivity within Council.

They exist for a variety of administrative, functional, historical and legal reasons. Their existence protects Council's interests, and the interests of the community Council serves. Records are the major component of the Council's corporate memory and provide evidence of actions and decisions and document Council's transactions.

As a public agency, Council is bound by the requirements and regulations of the *State Records Act 1998*, these regulations set out specific practices, which Council must comply with, and be audited against.

Council is committed to meeting all statutory and accountability requirements. There are certain community expectations and cultural obligations associated with recordkeeping practices; Council is committed to managing its records of continuing value and their timely transfer to State Archives.

Electronic Records

Under the *State Records Act 1998*, electronic records generated or received by Campbelltown City Council are to be treated as official records. As records of Council, electronic records, like records in other formats, are subject to legislation such as the *Government Information (Public Access) Act 2009* and to legal processes such as discovery and subpoenas. The records may also be required by Royal Commissions, the Courts, auditors and other people or bodies to whom or which they may be subject.

Council keep and manage their electronic records in compliance with standards approved under the *State Records Act 1998* and with Australian Standard AS ISO 15489, Records Management issued as a code of best practice under the Act. The Government expects the same standards of recordkeeping to apply in the electronic environment as in the paper environment.

Council makes recordkeeping a routine part of business in the electronic environment and has built it into the business processes and tools; this is in line with the Government's objectives for using information management and technology to deliver government services to the people of NSW.

Electronic records are more accessible and generally have greater value than printed versions of them. Some kinds of electronic records, such as compound documents, cannot be maintained in hard copy form without loss of content or meaning.

Campbelltown City Council has identified and documented all electronic recordkeeping systems, including changes made over time, and assigned responsibilities and delegations regarding their development, modification, operation and use.

Original incoming documents, once scanned, are kept in boxes in date-scanned order for a period of three months for quality control purposes only and then destroyed. The scanned document forms part of the complete electronic records.

Electronic messages

An electronic message is a form of business communication. The sending of an electronic message is a business transaction and therefore a record. Some electronic messages can be identified as ephemeral and therefore only need to be kept for a short time.

As records of Council, electronic messages, like records in other formats, are subject to legislation such as the *Government Information (Public Access) Act 2009* and to legal processes such as discovery and subpoenas. The records may also be required by Royal Commissions, the Courts, auditors and other people or bodies to whom or which they may be subject.

Capture and maintenance of electronic messages

In order to function as a record, electronic messages require the preservation of their structure, context and content.

In order to maintain their value as evidence, electronic messages must be inviolate, that is, they cannot be altered or manipulated, for as long as they are retained.

Electronic messages required as evidence of substantive business activity should be captured directly into an electronic recordkeeping system.

Back-up stores of electronic messages within messaging systems and ad-hoc saving of messages to directories are not to be considered a form of a recordkeeping system.

Records should be retained for as long as required to meet identified recordkeeping requirements and no longer. Ephemeral messages, therefore, are records which only need to be retained for a short time and may not need to be captured into a recordkeeping system.

As Council is subject to the *State Records Act 1998* it should dispose of electronic messages as records in accordance with the GA 36 and GA 39.

Electronic messages should be managed in accordance with sound data management practices.

Electronic messages must be appropriately accessible

Electronic messages must be readily accessible to meet business and accountability requirements.

Electronic messages must be accessible for as long as they are required to be retained.

Electronic messages must be appropriately protected

Arrangements for maintaining electronic messages as records should operate in accordance with Government-approved policies, such as those protecting personal or commercially sensitive information from unauthorised disclosure.

Management of electronic messages as records must be supported by internal policies, procedures and guidelines

Corporate level policies, procedures and guidelines should cover the following:

- ownership of the messaging system and messages received or sent
- legislation that directly affects the agency's recordkeeping and legal processes
- conditions for use of the corporate messaging facilities, including any private use
- responsibilities for management of the messaging system and of electronic messages as records
- capture, management and disposal of electronic messages as records
- security and access requirements.

Disaster Recovery

A counter disaster plan for records and recordkeeping systems is being developed and documented through a 'Disaster Recovery and Business Continuity Plan' as well as Council's 'Vital Records Protection Plan'. Upon completion this Policy will be updated.

Document Control

Council's standards for the creation, management and control of corporate documents are detailed in the Authorised Statement - Corporate Document Control.

A procedure exists for the Authorisation of all Corporate Documents. The procedure identifies how the documents are to be numbered and who must do what, how and when in relation to authorisation.

Responsibility

This policy applies to all Campbelltown City Council employees. The *State Records Act 1998* requires Council to make and keep full and accurate records as evidence of business activities. Council is required to implement a records management program based on legislation, standards and codes of best practice.

Council is responsible for the protection, safe custody and return of All State records under its control, ensuring accessibility to all equipment or technology dependant records.

General Manager

Under the *State Records Act 1998 (Part 2 -10),* the General Manager is responsible for ensuring that Campbelltown City Council complies with the regulations and requirements of the Act, specifically:

- Obligation to protect records
- Full and accurate records
- Records management program
- Monitoring and reporting
- Equipment/technology dependent records
- Disposal of records
- Management of State archives
- Public access to State records after 30 years
- Whole of government records management standards.

Nominated Senior Officer

The Nominated Senior Officer is the Manager of Information Management and Technology. The Nominated Senior Officer has the responsibility and authority to set and issue corporate standards, and to monitor and audit compliance with these standards throughout Council. The role of the Nominated Senior Officer is to provide a strategic focus for recordkeeping throughout Council and is responsible for:

- Establishing records management policies for the organisation as a whole
- Establishing corporate standards for recordkeeping and records management
- Measuring performance of departments and sections against these standards
- Providing consulting services to Council workers

- Developing corporate electronic records management strategies
- Working with other managers of information resources to develop coherent information architecture across the organisation
- Working with other accountability stakeholders, including the Manager Governance & Administration in regards to Document Control
- Support organisational and public accountability.

Council Workers (Incorporates Contractors / Service Providers)

As public sector employees, all Council workers should be aware of recordkeeping requirements that affect the performance of their duties. The *State Records Act 1998* requires public officials to 'make and keep full and accurate records' of their business activities. Contractors and service providers are also required to comply with the Act.

The NSW Public Sector Code of Conduct' requires public officials to 'maintain adequate documentation to support any decision made' in the performance of their duties.

The Ombudsman's Good Conduct and Administrative Practice Guidelines for Public Authorities states that public officials must make and create records to support accountability and corporate memory.

All Campbelltown City Council workers are accountable for recordkeeping and for compliance with this policy and related policies and procedures, and guidelines. Specific responsibilities of all workers include:

1. To create full and accurate records routinely in the course of work

2. To create records of meetings, important telephone discussion routinely in the course of work

3. To capture or file official records into the corporate recordkeeping system as soon as possible following their creation or receipt

4. To ensure records are not maintained in 'private' or 'personal' recordkeeping systems

5. To attach records to official files as soon as possible after they are created or received

6. To capture electronic records, e.g. email messages into corporate recordkeeping systems as soon as possible following their creation or receipt

7. To lodge original legal documents or other records considered vital to Campbelltown City Council's business with the corporate records unit

8. To handle records with care and ensure they are appropriately stored to ensure they are available for as long as they are needed

9. To avoid handling or damaging records by not exposing them to food, water, insects and storage are susceptible to extreme heat or mould

10. To ensure records are appropriate stored for protection using containers, e.g: approved file covers, archive boxes and storage facilities

11. To ensure electronic records are appropriately stored in corporate databases that are backed up regularly to protect against loss

12. To protect sensitive information/records from unauthorised access or disclosure

13. To securely store all personal information to safeguard privacy protection and confidentiality

14. To not destroy official records without appropriate disposal authority

15. To be familiar with Campbelltown City Council's records disposal policies and only use approved destruction methods to securely dispose of records

16. To not remove documents from official files

17. To ensure copies of all internal correspondence, reports, file notes and memorandums etc. are signed and dated and retained in recordkeeping systems

18. To ensure copies of all outward correspondence, reports, memorandums etc. are signed and dated and retained in recordkeeping systems

19. To record file reference on outwards correspondence as appropriate

20. To send only authorised duplicates of original records to respond to subpoenas, FOI requests and other legal demands

21. To contact the Records section for advice on recordkeeping policies and procedures for managing records.

Records Section

The Records Coordinator is operationally responsible for the efficient management of Council records (physical and electronic) incorporating sound recordkeeping principles and records management best practice guidelines.

The Records section of Campbelltown City Council is responsible for the effective management and administration of Councils Recordkeeping system.

The Records section will assist workers in fulfilling their recordkeeping responsibilities and provide advice and training throughout the implementation of this policy and strategies. Records workers will monitor and review the implementation process of all records management policies and programs.

Authority

The Register of Delegations and Authorities and individual Job Descriptions provides the authority to undertake the responsibilities detailed in this policy.

Accountability

Workers affected by this policy will be held accountable for complying with its instructions and will have their performance measured in their annual appraisal. Non compliance with this policy could lead to disciplinary action in accordance with Council's Disciplinary Action Policy.

Effectiveness of this Policy

Regular monitoring of the records management program is undertaken by the Nominated Senior Officer, with results being reported to the General Manager.

Council will complete and forward the annual '**Records Management Survey**' conducted by the State Records Authority of NSW as part of the monitoring and reporting arrangements of the *State Records Act 1998*.

Regular planning for the records management program will be undertaken through specific strategic and operational plans, which will be reviewed on a regular basis.

END OF POLICY STATEMENT

DOCUMENT HISTORY AND VERSION CONTROL RECORD

Contact for inquiries and proposed changes

Name	Sabrina Peroumal
Position/Section	Manager, Information Management and Technology
Contact Number	4645 4332

Version Number	Revised Date	Authorised Officer	Amendment Details

8.14 Minutes of the Audit Risk and Improvement Committee meeting held 24 November 2020

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Officer's Recommendation

That the minutes of the Audit Risk and Improvement Committee held 24 November 2020 be noted.

Purpose

To seek Council's endorsement of the minutes of the Audit Risk and Improvement Committee meeting held 24 November 2020.

Report

Detailed below are the recommendations of the Audit Risk and Improvement Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration.

Reports listed for consideration

6.1 Election of Audit, Risk and Improvement Committee Chair

1. That the Internal Auditor conduct an election for the Chair, to be held at the meeting of the Audit, Risk Improvement Committee on 24 November 2020 by show of hands.

2. One nomination from Mr Jim Mitchell was received for Mr Bruce Hanrahan as the Chair.

3. Mr Bruce Hanrahan consented to act as the Chair.

4. As only one nomination was received, the Internal Auditor declared Mr Bruce Hanrahan as the Chair for the extended term, until 30 September 2021.

6.2 Audit, Risk and Improvement Committee Annual Report 2019-2020

That the Committee receive and endorse the Annual Report 2019-2020.

6.3 Internal Audit Progress Report on 2020-2021

That the Committee receive and note the progress report on the 2020-2021 Audit Plan.

6.4 Follow Up Review - IT Security and Access

That the Committee receive and note the follow up review on IT security and access.

6.5 Follow Up Review - Contract Management

That the Committee receive and note the follow up review on Contract Management.

6.6 Update on findings from the Audit Office of NSW Performance Audit

That the report be noted.

6.7 Superannuation Guarantee Contributions - ARIC members

That the information be noted and a further report be presented when the new framework that require councils to have an ARIC as a mandatory committee comes into effect.

6.8 Enterprise Risk Management Update

That the Committee note the information contained in this report.

6.9 Business Excellence Report

That the information be noted.

6.10 Demonstration of Business Operating Support System (BOSS)

That the demonstration of the Business Operating Support System be noted.

6.11 Outstanding ARIC Actions

That the comments and updates regarding the outstanding and completed ARIC actions be noted.

6.12 ARIC 2021 Meeting Calendar

That the 2021 ARIC meeting calendar be noted and adopted.

Attachments

1. Minutes of the Audit Risk and Improvement Committee held 24 November 2020 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Audit Risk and Improvement Committee Meeting held at 4.00pm on Tuesday, 24 November 2020.

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Minutes of the Audit Risk and Improvement Committee Meeting held on 24 November 2020

Present Mr Bruce Hanrahan - Independent Member (Chairperson)
Mr Jim Mitchell - Independent Member
Councillor Warren Morrison - Elected Council Representative

In attendance
Mr Sam Helweh - Internal Auditor
Mr Phu Nguyen - Director City Governance
Ms Corinne Mears - Executive Manager Corporate Services and Governance
Ms Somaiya Ahmed - Director, Financial Audit Services - Audit Office of NSW
Mr Ali Amjad - Audit Leader - Audit Office of NSW
Ms Monique Dunlop - Manager Governance and Risk
Mr Warren Kear - Risk Coordinator
Ms Cathy Gavin - Senior Financial Accountant
Mr Christopher Magee - Manager Insights and Corporate Strategy
Ms Wendy Fogarty - Senior Business Excellence Officer
Ms Chelo Morales – Governance Coordinator
Ms Erin Austin - Executive Support

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by Mr Bruce Hanrahan.

2. APOLOGIES

Nil

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of the Audit Risk and Improvement Committee held 15 September 2020

Committee's Recommendation: (Hanrahan/Morrison)

That the information be noted.

4. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

5. GENERAL MANAGER – VERBAL UPDATE

- A Crisis Management Team (CMT) was formed and has been in existence since the start of the COVID-19 pandemic. The CMT was established to ensure Council had adequate plans in place and any changes were discussed. The Committee was advised that there have been no positive cases of COVID-19 from Council employees.

- The Committee was advised that while revenue for this calendar year has been down due to COVID-19, particularly evident in the hall bookings. Council is still in a strong financial position due to strong cash reserves. Council is pleased to report, that recently there has been a rebound in hall bookings which are expected to increase as restrictions put in place due to COVID-19 start to ease. However the financial impacts of COVID-19 will be evident in the 2020-2021 financials.

- The Committee was informed of Councils successful grant from the State Government 'Streets as Shared spaces program'. Council was awarded a $1m grant from the Department of Planning, Industry and Environment to improve or activate streets. The funding will be used to test ideas and build excitement about how Queen Street, Campbelltown could evolve. The project aims to make Queen Street a more attractive place for the community to visit increasing revenue. The Committee was advised that Council is currently in the planning stages with work to commence soon.

6. REPORTS

6.1 Election of Audit, Risk and Improvement Committee Chair

Purpose

To determine the Chair of the ARIC meetings for the extended term until 30 September 2021.

Officer's Recommendation

1. That the General Manager conduct an election for the Chair, to be held at the meeting of the Audit, Risk Improvement Committee on 24 November 2020 by show of hands.

2. That the General Manager declare the candidate with the majority of votes as Chair for the 2020-2021 term.

Committee's Recommendation: (Mitchell/Morrison)

1. That the Internal Auditor conduct an election for the Chair, to be held at the meeting of the Audit, Risk Improvement Committee on 24 November 2020 by show of hands.

2. One nomination from Mr Jim Mitchell was received for Mr Bruce Hanrahan as the Chair.

3. Mr Bruce Hanrahan consented to act as the Chair.

4. As only one nomination was received, the Internal Auditor declared Mr Bruce Hanrahan as the Chair for the extended term, until 30 September 2021.

6.2 Audit, Risk and Improvement Committee Annual Report 2019-2020

Purpose

To report to Council the activities of the Audit, Risk and Improvement Committee for the year ending 30 June 2020.

Officer's Recommendation

That the Committee receive and endorse the Annual Report 2019-2020.

Committee's Recommendation: (Mitchell/Hanrahan)

That the Committee receive and endorse the Annual Report 2019-2020.

6.3 Internal Audit Progress Report on 2020-2021

Purpose

To provide the Committee an update on the progress of the internal audit work undertaken in accordance with the approved 2020-2021 Audit Plan.

Officer's Recommendation

That the Committee receive and note the progress report on the 2020-2021 Audit Plan.

Committee's Recommendation: (Mitchell/Morrison)

That the Committee receive and note the progress report on the 2020-2021 Audit Plan.

6.4 Follow Up Review - IT Security and Access

Purpose

To report on the follow up of the IT security and access.

Officer's Recommendation

That the Committee receive and note the follow up review on IT security and access.

Committee's Recommendation: (Hanrahan/Morrison)

That the Committee receive and note the follow up review on IT security and access.

6.5 Follow Up Review - Contract Management

Purpose

To report on the follow up of the Contract Management.

Officer's Recommendation

That the Committee receive and note the follow up review on Contract Management.

Committee's Recommendation: (Mitchell/Morrison)

That the Committee receive and note the follow up review on Contract Management.

6.6 Update on findings from the Audit Office of NSW Performance Audit

Purpose

To update the Audit, Risk and Improvement Committee on the findings from the performance audit performed by the Audit Office of NSW into credit card management in local government and its relevance on the operations at Campbelltown City Council.

Officer's Recommendation

That the report be noted.

Committee's Recommendation: (Hanrahan/Mitchell)

That the report be noted.

6.7 Superannuation Guarantee Contributions - ARIC members

Purpose

To provide an update on previous discussions regarding any potential liability to pay superannuation guarantee to Audit Risk and Improvement Committee (ARIC) members.

Officer's Recommendation

That the information be noted and a further report be presented when the new framework that require councils to have an ARIC as a mandatory committee comes into effect.

Committee's Recommendation: (Mitchell/Hanrahan)

That the information be noted and a further report be presented when the new framework that require councils to have an ARIC as a mandatory committee comes into effect.

6.8 Enterprise Risk Management Update

Purpose

To provide the Committee with an update on the work of Council's Risk Management function.

Officer's Recommendation

That the Committee note the information contained in this report.

Committee's Recommendation: (Mitchell/Morrison)

That the Committee note the information contained in this report.

6.9 Business Excellence Report

Purpose

To provide the Committee with a progress update on the continuous improvement activities detailed in the Business Excellence Action Plan 2019-2020.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Hanrahan/Morrison)

That the information be noted.

6.10 Demonstration of Business Operating Support System (BOSS)

Purpose

To provide an update to ARIC on the development and implementation of Business Operating Support System (BOSS) - Council's governance excellence framework.

Officer's Recommendation

That the demonstration of the Business Operating Support System be noted.

Committee's Recommendation: (Mitchell/Morrison)

That the demonstration of the Business Operating Support System be noted.

6.11 Outstanding ARIC Actions

Purpose

To ensure the Committee is aware of all outstanding actions and all completed actions.

Officer's Recommendation

That the comments and updates regarding the outstanding and completed ARIC actions be noted.

Committee's Recommendation: (Morrison/Mitchell)

That the comments and updates regarding the outstanding and completed ARIC actions be noted.

6.12 ARIC 2021 Meeting Calendar

Purpose

To submit for the Committee's consideration a meeting calendar for 2021.

Officer's Recommendation

That the 2021 ARIC meeting calendar be noted and adopted.

Committee's Recommendation: (Hanrahan/Mitchell)

That the 2021 ARIC meeting calendar be noted and adopted.

---

7. GENERAL BUSINESS

- Mr Bruce Hanrahan thanked everyone for their attendance providing thanks to his fellow ARIC members, Jim Mitchell and Councillor Warren Morrison for their support and commitment. Thanks was passed onto all the Council officers for always providing the Committee with an update regarding Council and providing the Committee with reports for each ARIC meeting. The Committee thanked the Internal Auditor, Sam for his audit process and looks forward to ARIC meetings in 2021.

The next meeting of the Audit Risk and Improvement Committee will be held Tuesday 23 February at 4.00pm at the Civic Centre, Campbelltown.

Bruce Hanrahan
Chairperson
Meeting Concluded: 4.56pm

8.15 Submission to New South Wales Electoral District Redistribution

Reporting Officer

Manager Governance and Risk
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

That Council endorse a submission to the Redistribution Panel of the New South Wales Electoral Commission expressing Council's opposition to the proposed boundary adjustment between the State electoral districts of Camden and Campbelltown in order to include all of the Australian Botanic Garden in the electoral district of Camden.

Purpose

To seek Council endorsement of a submission to the Electoral District Redistribution to be made to the New South Wales Electoral Commission Redistribution Panel.

History

The state electoral districts in New South Wales are currently under review to ensure an equal number of electors (within a margin of allowance of 10 per cent more or less of the average enrolment in electoral districts) in each of the State's 93 electoral districts.

A draft determination has been issued with proposed electoral district names and boundaries.

The New South Wales Electoral Commission commenced consultation on the draft determination with submissions to the Redistribution Panel due no later than Wednesday, 9 December 2020.

Report

The New South Wales Electoral Commission Redistribution Panel draft determination report proposes a number of changes relevant to the Campbelltown City Local Government Area (LGA) including:

- Creation of a new electoral district in South Western Sydney, to be named Leppington.

- Transfer part of Campbelltown City LGA (suburbs of Eschol Park, Kearns, Raby, Varroville, Denham Court and part of Eagle Vale) from the electoral district of Macquarie Fields to the new electoral district of Leppington.
- Transfer part of Campbelltown City LGA (part of Eagle Vale) from the electoral district of Campbelltown; to the new electoral district of Leppington.
- Transfer part of Camden Council LGA (grounds of St Gregory's College, Gregory Hills) to the electoral district of Campbelltown.
- Transfer part of Campbelltown City LGA (part of Mount Annan) from the electoral district of Campbelltown.
- Transfer part of the suburbs of Leumeah and Kentlyn from the electoral district of Macquarie Fields to the electoral district of Campbelltown.
- Transfer from the electoral district of Wollondilly part of the Wollondilly LGA (Appin and part of Cataract) to the electoral district of Campbelltown.
- Adjust the boundary between the electoral districts of Camden and Campbelltown in order to include all of the Australian Botanic Garden in the electoral district of Camden.

This report addresses only the proposed boundary adjustment in relation to the Australian Botanic Garden Mount Annan, the result of which is the inclusion of the entire Australian Botanic Garden Mount Annan in the electoral district of Camden.

The importance of the Australian Botanic Garden Mount Annan to the people of Campbelltown cannot be overstated. The Australian Botanic Garden covers an area of 416 hectares and is home to over 4000 native plant species. The Australian Botanic Garden Mount Annan is a valued shared resource in the Macarthur and Greater Sydney region, with the current boundary reflecting both the Campbelltown community engagement and the historical association with Campbelltown and the site through the original land grant in 1818.

The current state electoral district boundary through the Australian Botanic Garden Mount Annan aligns with the local government boundary between Campbelltown LGA and Camden LGA and the federal electoral boundary between the federal electoral division of Macarthur and the federal electoral division of Hume at this location. The boundary adjustment proposed by the New South Wales Electoral Commission Redistribution Panel in relation to the Australian Botanic Garden Mount Annan will create unnecessary inconsistency with the other levels of government.

Whilst the proposed Australian Botanic Garden boundary adjustment does not affect any electors, Campbelltown Council requests the Redistribution Panel consider retaining the current boundary through the Australian Botanic Gardens Mount Annan for the State electoral districts of Camden and Campbelltown.

Attachments

Nil

8.16 Coffee Cup Recycling Opportunities

Reporting Officer

Sustainability and Resilience Coordinator
City Growth

Community Strategic Plan

Objective	Strategy
2 Outcome Two: A Respected and Protected Natural Environment	2.5 - Plan for and ensure that development in our city is sustainable and resilient

Officer's Recommendation

That Council support businesses on Queen Street with educational information on improving their sustainability and minimising waste.

Purpose

To provide Council with the findings of consultation undertaken with businesses on Queen Street regarding coffee cup recycling opportunities.

History

At its meeting of 12 November 2019 Council resolved:

> "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 Street Campbelltown."

Report

Why are disposable cups a problem?
Australians dispose of one billion coffee cups a year – that's equivalent to 2.7 million coffee cups a day.

Contrary to popular belief, disposable coffee cups are not able to be recycled as they contain a waterproof plastic membrane. Consequently, the majority of cups either:

1. find their way into our bushlands or waterways, making them the second largest contributor to litter
2. end up in landfill taking thousands of years to break down.

Council's strategic response to waste prevention and avoidance
Reimagining Campbelltown City Centre Master Plan, the Campbelltown-Macarthur Place Strategy and the Local Strategic Planning Statement all seek to achieve a low resource, low waste future through promoting a number of actions, including:

- a circular economy which maximises the use of resources, reduces or eliminates waste, encourages innovation and stimulates the economy
- increased community awareness and partnerships
- delivery of waste management and resource recovery infrastructure
- development that adheres to best practice standards for waste management and resource recovery.

Creating a low waste future using the waste hierarchy
The waste hierarchy (figure 1) underpins the objectives of the *Waste Avoidance and Resource Recovery Act 2001,* and is used as a tool to prioritise the most preferable ways to achieve a low waste future and reduce environmental harm from waste.

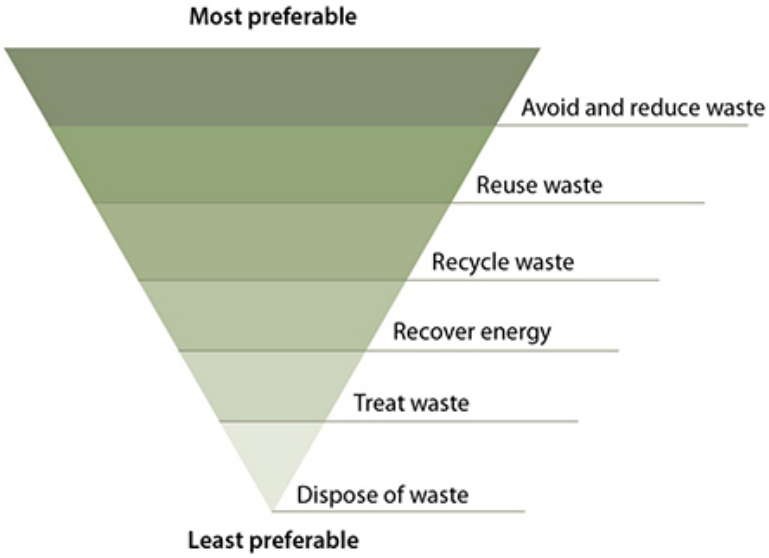

Figure 1: The waste hierarchy

As can be seen, the highest priority in the waste hierarchy is to avoid or reduce waste. This priority encourages the community, industry and government to maximise efficiency and avoid unnecessary consumption through behaviours such as:

- selecting items with the least packaging, or which require the fewest resources to produce
- avoiding disposable goods or single-use materials
- buying products that are recycled, recyclable, repairable, refillable, re-usable or biodegradable
- using leftover food rather than throwing it away.

The Coronavirus pandemic disruption and the need for recycling
Unfortunately 2020 has been a year of challenge and disruption, and as a result the abovementioned behaviours have been significantly impeded. Due to health restrictions and perceived coronavirus contamination and spreading fears, cafes have increased their reliance on packaging and single-use materials. Well-known avoidance campaigns such as 'Responsible Cafes', which has diverted over 63 million disposal cups from landfill by providing consumers with a financial incentive to bring their own reusable cup, have been put on hold by many participating cafes.

At a time when avoiding waste is not possible, the next best option is to keep the materials in the productive economy. This decreases their impact on the environment and the need to retrieve new materials. This can be achieved through recycling.

Coffee Cup recycling opportunities
A number of recycling opportunities are now available in Australia transforming millions of disposable coffee cups into new products. However, their long-term sustainability with regard to their uptake in the market is currently unknown.

The following opportunities have been provided for this report as they are the most established and accessible for our location:

1. Simply Cups

Simply cups provide businesses and schools with coffee cup 'rescue' collection bins. Participating businesses are required to:

- purchase a coffee cup rescue collection unit. Unit prices range from $99 for a single tube which only collects the cups (lids are required to be disposed of into a yellow recycling bin), to $1025 for a giant coffee cup repository that collects, in separate compartments, left over liquid, lids and cups. Once purchased, the coffee cup rescue collection unit would be Council's to pilot across the LGA
- subscribe to a collection service which ranges from $49 a week to $138, depending on the size of the bin.

To date, there are over 1000 locations collecting coffee cups through the Simply Cup program, resulting in over 12 million cups being diverted from landfill. Within the Campbelltown Local Government Area this includes all 7-Eleven stores (with two located on Queen Street) and Macarthur Square.

Coffee cups collected through the Simply Cups program are recycled into new products including reusable takeaway coffee cups, reusable coffee cup drink trays, outdoor furniture including seats and garden beds, and traffic solutions including car park stops and roadside kerbing.

2. RecycleMe

RecycleMe is a disposable coffee cup distribution and collection program. Participating cafes are required to:

- purchase the RecycleMe coffee cups, as well as collection units. Coffee cups range from 10c to 19c, and collection units range between $30 and $320.
- an additional waste collection subscription is also required.

To date, there are over 100 collection stations globally, including 58 in Australia, resulting in over one million cups being recycled and saving over 400 trees worth of paper.

Coffee cups collected through the RecycleMe program are recycled into paper, and receive up to seven additional lives through the recycling program.

Coffee cup recycling on Queen Street
Council recently spoke to all of the businesses on Queen Street that provide takeaway beverages to gain an understanding of whether reusable coffee cups were of concern. While businesses showed interest in minimising waste and promoting recycling, they indicated that they do not observe customers spending time on Queen Street with their takeaway beverage. Instead, businesses noted that customers take their takeaway beverage away from Queen Street and dispose elsewhere.

The above consultation with businesses raises questions regarding the feasibility of installing coffee cup recycling stations on Queen Street. In fact, two coffee cup recycling stations are already provided on Queen Street at the two 7-Eleven stores. In the future, once Queen Street is revitalised and maintains an audience for a period of time, an additional coffee cup recycling station, could be an option.

Promoting waste minimisation
Recently Council was awarded $1m in funding through the Streets as Shared Spaces program from the Department of Planning, Industry and Environment to deliver a program of works over the next 12 months to test and refine ideas on ways to revitalise Queen Street, Campbelltown.

The funding will focus on surface treatments, enhancement of open space, increased greening, as well as introduce activation programs such as art, seating, wayfinding and street furniture.

The funding provides an exciting opportunity to link into a developing program that seeks to support local businesses in achieving sustainable practices. The Program will involve providing business with information and access to experts who can audit their practices and recommend opportunities to reduce their energy and water consumption, and minimise waste generation. At the current time, it is considered that this is a more feasible, efficient and impactful option.

Conclusion
Australians use over 2.7 million coffee cups a day making them a highly visible and environmentally damaging problem waste. While the Coronavirus pandemic has seen a significant disruption to our management of waste, Council aspires to a low resource, low waste future. It is critical that Council innovate and support practices that continue this conversation.

While the current public health challenges make avoidance of disposable coffee cups a challenge for takeaway coffee, the provision of disposable coffee cup recycling services is unlikely to promote a reduction in landfill (the known consumer behaviour on Queen Street is that coffee purchased in disposable cups is rarely consumed in the location). It is considered that Council's impact would be better served in providing community and business education on general sustainability and waste management/minimisation practices.

Should public health requirements change, then the promotion of BYO cup campaigns should be encouraged.

Attachments

Nil

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 Advertising Campbelltown

Notice of Motion

Councillor Warren Morrison has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 08 December 2020.

1. That a report be presented to Council detailing the feasibility of erecting signage before the northern and southern M31 city entrance advertising the unique attractions of the Campbelltown LGA, including, but not limited to heritage, historical, environmental, and entertainment places of interest to help attract passing traffic into the city for tourism and business for the benefit of the community.

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Lease of Council premises - Macquarie Fields

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.

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CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 8 December 2020.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 8 December 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. A special Welcome to Country video by Aunty Glenda Chalker was shown.

Council Prayer

The Council Prayer was presented by the General Manager.

2. APOLOGIES/LEAVE OF ABSENCE

Recommendation

Nil

Note: That 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 10 November 2020

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

That the Minutes of the Ordinary Council Meeting held 10 November 2020, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

4. DECLARATIONS OF INTEREST

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

Pecuniary Interests

Councillor Chivers – Item 8.5 – Draft Voluntary Planning Agreement - Menangle Park (Stages 1, 2A and 2B). Councillor Chivers declared a pecuniary interest and will leave the meeting.

Councillor Morrison – Item 8.3 – Outcome of Public Exhibition of Draft Campbelltown Strategic Review of Employment Land. Councillor Morrison declared a pecuniary interest and will leave the meeting.

Non Pecuniary – Significant Interests

Councillor Gilholme – Item 8.4 – Outcome of Public Exhibition - Planning Proposal to Increase Height Limit and Site Specific Development Control Plan: 22-32 Queen Street, 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 – Outcome of Public Exhibition - Planning Proposal to Increase Height Limit and Site Specific Development Control Plan: 22-32 Queen Street, 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 – Outcome of Public Exhibition - Planning Proposal to Increase Height Limit and Site Specific Development Control Plan: 22-32 Queen Street, Campbelltown. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and will leave the meeting.

Councillor Lound – Item 8.8 – Macarthur Football Club Community Partnership Funding Report. 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

7.1 National Cabinet - Local Government Representation

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

That the letters be received and the information be noted.

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

8. REPORTS FROM OFFICERS

8.1 Development Application Status

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

That the information be noted.

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

8.2 Amendments to the Mount Gilead Stage 2 Biodiversity Certification Application

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

1. That Council lodge the amended Biodiversity Certification Application with the Minister for Energy and Environment.

2. That Council exhibit the amended Biodiversity Certification Application for a minimum of 30 days.

3. That a further report be provided to Council detailing the outcomes of the public exhibition process and associated amendments to the Biodiversity Certification Application.

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

Voting against the Motion were Councillor B Moroney.

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

Meeting note: Having declared an interest in Item 8.3 Councillor Morrison left the meeting at 6:54pm and did not take part in the discussion or vote on the matter.

8.3 Outcome of Public Exhibition of Draft Campbelltown Strategic Review of Employment Land

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

1. That the draft Campbelltown Strategic Review of Employment Land and Background report (attachments 3 and 4) be endorsed by Council and forwarded to the Department of Planning, Industry and Environment for endorsement.

2. That all persons/groups who made a submission in relation to the exhibition of the draft Campbelltown Strategic Review of Employment Land be advised of Council's decision.

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

Voting against the Motion were Nil.

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

Meeting note: At the conclusion if the discussion regarding Item 8.3 Councillor Morrison returned to the meeting at 6:59pm.

Meeting note: Having declared an interest in Item 8.4 Councillor Gilholme, Councillor Greiss and Councillor Lound left the meeting at 7:00pm and did not take part in the discussion or vote on the matter.

8.4 Outcome of Public Exhibition - Planning Proposal to Increase Height Limit and Site Specific Development Control Plan: 22-32 Queen Street, Campbelltown

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

1. That Council forward the Planning Proposal at attachment 2 to this report which seeks to amend the Campbelltown Local Environmental Plan 2015 by increasing the maximum height of buildings map for 22-32 Queen Street, Campbelltown, from the current 26m limit to a range of heights for this site including 1.5m, 7m, 42m, 45m, 49m and 52m, to the Minister for Planning and Public Spaces and request that the amendment to Campbelltown Local Environmental Plan, 2015 be made.

2. That Council adopt and notify Amendment No. 10 to the Campbelltown (Sustainable City) Development Control Plan 2015 being the addition of Part 14, which is attachment 3 to this report and contains the site specific requirements for 22-32 Queen Street, Campbelltown.

3. That the land owners be advised of Council's decision.

A Division was recorded in regard to the Motion 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, B Moroney, W Morrison, B Thompson and T Rowell.

Voting against the Motion were Nil.

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

Meeting note: At the conclusion if the discussion regarding Item 8.4 Councillor Gilholme, Councillor Greiss and Councillor Lound returned to the meeting at 7:07pm.

Meeting note: Having declared an interest in Item 8.5 Councillor Chivers left the meeting at 7:07pm and did not take part in the discussion or vote on the matter.

8.5 Draft Voluntary Planning Agreement - Menangle Park (Stages 1, 2A and 2B)

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

That Council authorise the General Manager to execute the draft Voluntary Planning Agreement with Dahua Group Sydney Project 2 Pty Ltd and Dahua Group Sydney Project 3 Pty Ltd on behalf of Council.

A Division was recorded in regard to the Motion for Item 8.5 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, P Lake, B Moroney, W Morrison, B Thompson, G Greiss and T Rowell.

Voting against the Motion were Nil.

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

Meeting note: At the conclusion if the discussion regarding Item 8.5 Councillor Chivers returned to the meeting at 7:10pm.

8.6 Pedestrian Refuge - Fields Road, Macquarie Fields

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

1. That Council maintain the existing pedestrian refuge within Fields Road between Bingara Road and Bunbury Road.

2. That Council install speed cushions in Fields and Macquarie Roads on the approaches to the existing roundabout.

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

8.7 Campbelltown Billabong Parklands Update

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

That Council approves option two as outlined in the body of the report.

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

1. That a confidential report be presented to Council detailing the costs associated with the development of the billabong. That the report includes the following points:

    a) detailed plans / cost analysis of each of the three options
    b) details the expected cost savings that will be used for the upgrade and on-costs in the future
    c) a quantified economic analysis

A Division was recorded in regard to the Amendment to Item 8.7 with those voting for the Amendment being Councillors K Hunt, D Lound, P Lake, B Moroney, W Morrison, G Greiss and T Rowell.

Voting against the Amendment were Councillors G Brticevic, M Oates, M Chowdhury, R Manoto, B Gilholme, M Chivers and B Thompson.

The Mayor used his casting vote to vote against the Amendment.

The Amendment was **LOST**.

A Division was recorded in regard to the Motion for Item 8.7 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison and B Thompson.

Voting against the Motion were Councillors D Lound, P Lake, G Greiss and T Rowell.

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

Meeting note: Having declared an interest in Item 8.8 Councillor Lound left the meeting at 8:46pm and did not take part in the discussion or vote on the matter.

8.8 Macarthur Football Club Community Partnership Funding Report

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

That the information be noted.

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

1. That Council and the Club get together to agree on an annual plan with key deliverables to ensure alignment with Councils strategies.

2. That an annual evaluation of the programs be reported to Council and the community.

3. That the annual report on how the money is spent to be signed off by an accountant.

4. That the above take place from June 2021 and future years.

A Division was recorded in regard to the Amendment to Item 8.8 with those voting for the Amendment being Councillors K Hunt, P Lake, W Morrison, B Thompson, G Greiss and T Rowell.

Voting against the Amendment were Councillors G Brticevic, M Oates, M Chowdhury, R Manoto, B Gilholme, M Chivers and B Moroney.

The Amendment was **LOST**.

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

Meeting note: At the conclusion if the discussion regarding Item 8.8 Councillor Lound returned to the meeting at 9:11pm.

8.9 Reports and Letters Requested

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

That the comments and updates to the reports and letters requested be noted.

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

8.10 Investments and Revenue Report - October 2020

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

That the information be noted.

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

8.11 Revised Procurement Policy

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

1. That the revised Procurement Policy as attached to this report be adopted.

2. That the Procurement Policy review date be set at 31 December 2022.

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

8.12 T20-09 Management of Noorumba Reserve Biobank Site

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

That Council:

1. Declines to accept any of the tenders received for the management of Noorumba Reserve biobank site.

2. In accordance with section 178 of the Local Government (General) Regulation 2005 Council declines to accept any of the tenders for the management of Noorumba Reserve biobank site as the Tenders received did not meet the pricing requirements of the Request for Tender.

3. Enter into negotiations with organisations that submitted a tender and achieved satisfactory scores for all non-pricing evaluation criteria. The evaluation panel do not see any benefit in inviting fresh tenders for the same service as the market was tested through this process and satisfactory results were achieved for non-pricing criteria, however it was identified the pricing requested requires review. It was determined appropriate for Council to enter into negotiations with Earth Repair & Restoration Pty Ltd, Eco Logical Australia Pty Ltd, Bushland Management Solutions Pty Ltd, Southern Habitat (NSW) Pty Ltd and Toolijooa Pty Ltd.

4. Notify unsuccessful Tenderers of the results of the tender process.

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

8.13 Rescind Records Management Policy

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

That the Records Management Policy be rescinded.

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

8.14 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 24 November 2020 be noted.

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

8.15 Submission to New South Wales Electoral District Redistribution

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

That Council endorse a submission to the Redistribution Panel of the New South Wales Electoral Commission expressing Council's opposition to the proposed boundary adjustment between the State electoral districts of Camden and Campbelltown in order to include all of the Australian Botanic Garden in the electoral district of Camden.

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

8.16 Coffee Cup Recycling Opportunities

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

That Council support businesses on Queen Street with educational information on improving their sustainability and minimising waste.

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

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 Advertising Campbelltown

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

That a report be presented to Council detailing the feasibility of erecting signage before the northern and southern M31 city entrances advertising the unique attractions of the Campbelltown LGA, including, but not limited to heritage, historical, environmental, and entertainment places of interest to help attract passing traffic into the city for tourism and business for the benefit of the community.

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

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates noted the amazing activities and events that Campbelltown has run this year despite COVID-19. Councillor Oates mentioned in particular the burying of the time capsule at Glenalvon House and the planting of the fringe-lily both marking the 200th establishment of Campbelltown. Councillor Oates shared her excitement as she looks forward to the future in particular the launch of the yarning circle allowing the community to come together to share our City.

2. Councillor Masood Chowdhury on 25 November attended Redfern park, Minto to view the new amenities block. Councillor Chowdhury thanked Jess Fesic and Renee Allara, both artists from Campbelltown Arts Centre's Little Orange Studio who created the artwork that adorns the amenities block. Councillor Chowdhury noted how visually appealing the amenities block is and how much it is welcomed by the local community.

3. Councillor Karen Hunt passed on her thanks for all of Councils Directors and their teams for their support and assistance in 2020. Councillor Hunt thanked and congratulated the community for being so strong during the year, especially dealing with the COVID-19 pandemic. Councillor Hunt wished everyone a wonderful Christmas and looks forward to what the new year in 2021 brings.

4. Councillor Darcy Lound thanked the General Manager, Directors and all staff for their guidance during a tough year. Councillor Lound wished a Merry Christmas to his fellow Councillors and the whole community.

5. Councillor Rey Manoto on 25 November visited Rizal Park, Rosemeadow where an amenities block has been built. Councillor Manoto thanked Richard Bell and Blake Thomas from Campbelltown Arts Centre's Little Orange Studio for designing the wall panels that visually enhance the appearance of the amenities block.

6. Councillor Rey Manoto on 26 November attended the AGM of the Georges River Combined Councils' Committee, known as Georges Riverkeeper. The committee consists of eight local councils who work together to protect the Georges River, its catchment areas, bushland, and tributaries. Councillor Manoto advised the Council that he had been appointed as the Treasurer and was pleased to represent Campbelltown Council on this committee.

7. Councillor Rey Manoto passed on his thanks to the Acting Director City Lifestyles for his work in organising the Campbelltown Drive-in cinema to be held at Leumeah later this month.

8. Councillor Rey Manoto wished the community a Merry Christmas.

9. Councillor Ben Gilholme acknowledged International Day of People with Disability, on 3 December where Council hosted an event at the Bicycle Education Centre. The event was an opportunity for attendees to ride bikes, provided assistance with NDIS assessments, the shine share sensory tent was set up and a story time session was held. Councillor Gilholme thanked the Acting Director City Lifestyles and his team for organising the event and thanked all the organisations who were involved.

10. Councillor Ben Gilholme wished the community a Merry Christmas a safe new year, reminding everyone to take care.

11. Councillor Margaret Chivers on 16 November was honoured to take part in CSIRO video with students from Sarah Redfern High School. The video was a follow on from the students work on display at Campbelltown Arts Centre with Councillor Chivers noting that the students were so impressive. The students shared their vision for our city, sharing their dreams and hopes of the future for our City.

12. Councillor Margaret Chivers on 3 December attended the AGM of NSW Public Libraries Association. The Innovation In Outreach Services winners were also announced with Campbelltown winning the Population Over 100,000 category for the 50th Anniversary of the Moon Landing. This was a month long event held within the LGA in conjunction with Macarthur Astronomical Society to celebrate the anniversary. Councillor Chivers passed on her thanks to all our librarians for their dedication and innovation during this tough year.

13. Councillor Margaret Chivers thanked all the staff for their dedication to our City noting the passion they have for Campbelltown. Councillor Chivers thanked the General Manager for her leadership of our council in this horrendous year with Councillor Chivers declaring how proud she is to be part of Council. Councillor Chivers thanked the Manager Governance & Risk, Monique Dunlop for her efforts to enable the Council to conduct meetings and briefings virtually. Lastly, Councillor Chivers thanked all the residents for following the COVID-19 guidelines and wished them a Merry Christmas.

14. Councillor Paul Lake on 25 November stood in support with many residents and waved off the Driving Out Violence Convoy as it passed through Campbelltown. Councillor Lake thanked all involved for their support against domestic violence.

15. Councillor Paul Lake thanked the Big Yellow Umbrella volunteers, who have been busy wrapping Christmas presents that will be given to families in the LGA over the next few weeks. Big Yellow Umbrella provides services, programs and activities to meet the needs of the local community and supports a number of community groups.

16. Councillor Paul Lake noted what tough year it has been for all of Australia and is hoping 2021 provides less challenges. Councillor Lake wished all the staff and media a Merry Christmas and all the best for 2021.

17. Councillor Ben Moroney wished everyone a happy holiday and looks forward to seeing fellow Councillors and interacting with the community in the new year.

18. Councillor Warren Morrison on 11 November attended the graduation of a class from Productivity Bootcamp. The graduation was attended by the Minister for Skills and Tertiary Education, the Hon Geoff Lee MP, Member for Wollondilly, Nathaniel Smith MP and the Member for Camden, Peter Sidgreaves MP. Productivity Bootcamp, targeted at unemployed youth, aims to train, equip and upskill participants gaining practical skills in a variety of trades and at the end of the eight week program equipping them with the skills and confidence to gain employment.

19. Councillor Warren Morrison on 1 December attended Glenalvon House for the burying of the time capsule that was filled with stories, letters and documents providing a snapshot of Campbelltown today for future residents when the time capsule is opened in 2120.

20. Councillor Warren Morrison on 7 December attended the Macarthur Zone Bush Fire Management Committee meeting. Councillor Morrison thanked Bush Land Management Officer, Troy Lessels noting that in the period September-December there has been 53 hazard reduction mechanical works undertaken, covering 54 hectares with 2,276 asset protections. Councillor Morrison thanked the bush fire brigades for their efforts.

21. Councillor Warren Morrison wished a Merry Christmas to all Councillors, the community, Council staff and the local media.

22. Councillor Bob Thompson thanked the City Delivery staff for their continual upkeep of Campbelltown's greenspaces. Councillor Thompson wished everyone all the best for the new year.

23. Councillor George Greiss on 27 November attended the first virtual Annual Local Government NSW Conference. Councillor Greiss passed on his congratulations to the Chair, Linda Scott and Local Government NSW for their seamless running of the virtual conference.

24. Councillor George Greiss wished everyone a Merry Christmas and Happy New Year, noting what a tough year it has been with the bush fires in January followed by COVID-19. Councillor Greiss hopes 2021 will be a little easier.

25. Councillor Ted Rowell wished Merry Christmas to the Mayor, Councillors, Directors and all staff. Councillor Rowell thanked the Executive Manager Corporate Services & Governance, Corinne Mears and the Manager Governance & Risk, Monique Dunlop for all their help during 2020. Councillor Rowell wished all the residents a happy 2021.

26. The Mayor, Councillor George Brticevic wished everyone a Merry Christmas and thanked the General Manager and Manager Governance & Risk, Monique Dunlop for her efforts in arranging for all meetings to be held online.

27. The Mayor, Councillor George Brticevic attended the Bushcare combined Christmas party at Waminda Oval, Campbelltown. Councillor Brticevic passed on his thanks to the staff that run the bushcare programs and the volunteers who give their time to rehabilitate the weed-impacted bushland areas within our LGA.

28. The Mayor, Councillor George Brticevic on 4 December joined the convoy for Rocking Around Campbelltown that made its way through the suburbs in our LGA. The Mayor thanked Campbelltown Theatre Group Inc, the C91.3 Road Crew, Lynwood Park Rural Fire Brigade, Campbelltown City Police Area Command and the Highway Patrol, the bus driver, Batman and Santa. Councillor Brticevic lastly thanked Council event staff Melissa and Mel for their fantastic idea and being able to execute it and Natalie for all the messages and advertising.

29. The Mayor, Councillor George Brticevic thanked our staff, especially the frontline staff for all the COVID-19 safety precautions they put in place which resulted in no infections and helped keep our community safe.

14. CONFIDENTIAL REPORTS FROM OFFICERS

Confidentiality Recommendation

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

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

   Item 14.1 Lease of Council premises - Macquarie Fields
   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.

2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.

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

The Ordinary Meeting of Council was adjourned at 10.08pm and reconvened as a meeting of the Confidential Committee at 10.09pm.

Recommendations of the Confidential Committee

14.1 Lease of Council premises - Macquarie Fields

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

That Council grant a resolution for the lease of Council property located at 64 Harold St, Macquarie Fields on terms set out in this Council report.

1. That Council approves the early termination of the existing lease on the premises due to expire 19 December 2024. The nominated date of termination to be 31 December 2020 and will align with the commencement of the new lease term.

2. That Council agrees to a new lease of 30 years commencing 1 January 2021 based on terms set out in this report.

3. That the lease is executed under common seal of Council (if required).

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

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

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 10.13pm and the Mayor advised that the resolution to Item 14.1 was adopted.

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

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

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

There being no further business the meeting closed at 10.15pm.

Confirmed by Council on

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

CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES

At the Council Meeting held 9 February 2021 the following Council minutes were adopted:

There being no further business at the meeting of 8 December 2020, the meeting closed at 10:15 pm.

Confirmed by the Chairperson: