



**CAMPBELLTOWN  
CITY COUNCIL**

# **ORDINARY BUSINESS PAPER**

**13 JULY 2021**

## COMMON ABBREVIATIONS

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



06 July 2021

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 13 July 2021 at 6:30 pm.

Lindy Deitz  
General Manager

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## 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 8 June 2021**

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

That the Minutes of the Ordinary Meeting of Council held 8 June 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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##### **Report**

That the Minutes of the Ordinary Meeting of Council held 8 June 2021 are presented to Council for confirmation.

##### **Attachments**

1. Minutes of the Ordinary Meeting of Council held 8 June 2021 (contained within this report)

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 8 June 2021.

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	Nil	
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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 8 June 2021**

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

**1.       ACKNOWLEDGEMENT OF LAND**

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

**Council Prayer**

The Council Prayer was presented by the General Manager.

**2.       APOLOGIES/LEAVE OF ABSENCE**

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

That the apologies from Councillor P Lake and Councillor T Rowell be received and accepted and an extension to the leave of absence for Councillor B Thompson be granted.

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

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

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**3.       CONFIRMATION OF MINUTES****3.1     Minutes of the Ordinary Meeting of Council held 11 May 2021**

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

That the Minutes of the Ordinary Council Meeting held 11 May 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed, subject to amendments identified by Councillor Hunt as circulated.

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

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

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

##### **Pecuniary Interests**

Councillor Margaret Chivers – Item 8.6 – Planning Proposal – "Glenlee Estate" Menangle Park. Councillor Chivers declared she has a pecuniary interest in the area and will leave the Chamber.

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

Councillor George Greiss – Item 8.6 – Planning Proposal – "Glenlee Estate" Menangle Park. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and will leave the Chamber.

Councillor Darcy Lound – Item 8.6 – Planning Proposal – "Glenlee Estate" Menangle Park. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and will leave the Chamber.

Councillor Ben Gilholme – Item 8.6 – Planning Proposal – "Glenlee Estate" Menangle Park. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel. As the alternate member he has not been involved in any Planning Panel decisions in relation to 'Glenlee Estate' and will decline to attend future meetings regarding 'Glenlee Estate'. With consideration of this, Councillor Gilholme will not leave the Chamber.

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

Nil

##### **Other Disclosures**

Nil

#### **5. MAYORAL MINUTE**

#### **6. PETITIONS**

#### **7. CORRESPONDENCE**

##### **7.1 Geographical Names Board – Naming of Roads**

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

That the letter be received and the information be noted.

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

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## **8. REPORTS FROM OFFICERS**

### **8.1 Development Application Status**

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

That the information be noted.

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

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### **8.2 Review of the Management of Feral and Infant Companion Animal Policy**

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

1. That the Management of Feral and Infant Companion Animal Policy as attached to this report be adopted.
2. That the Management of Feral and Infant Companion Animal Policy review date be set at 30 June 2023.

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

Note: Councillor Moroney voted against the motion.

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### **8.3 Review of the Second Hand Clothing Bins Policy**

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

1. That the revised Second Hand Clothing Bins Policy as attached to this report be adopted.
2. That the Second Hand Clothing Bins Policy review date be set at 30 June 2023.

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

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#### **8.4 Review of the Access to NSW Roads and Maritime Services Driver and Vehicle Information System (DRIVES) Policy**

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

1. That the Access to NSW Roads and Maritime Services Driver and Vehicle information System (DRIVES) Policy as attached to this report be adopted.
2. That the Access to NSW Roads and Maritime Services Driver and Vehicle information System (DRIVES) Policy review date be set at 30 June 2023.

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

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#### **8.5 Campbelltown (Sustainable City) Development Control Plan - Tree Permits Housekeeping Amendment**

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

1. That Council endorse public exhibition of the proposed draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 1 Part 11 (Vegetation and Wildlife Management) for a minimum period of 28 days.
2. That where submissions are received during the public exhibition period, a further report be provided to the Council.
3. That where no submissions are received during the public exhibition period, Council approve and finalise the Development Control Plan and publish it on the Campbelltown City Council website.

A Division was recorded in regard to the Resolution for Item 8.5 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, B Moroney, W Morrison and G Greiss.

Voting against the Resolution were Nil.

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

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**Meeting note:** Having declared an interest Item 8.6 Councillor Chivers, Councillor Greiss and Councillor Lound left the Chamber at 6:43 pm and did not take part in the discussion or vote on the item.

## **8.6 Planning Proposal - "Glenlee Estate" Menangle Park**

**Meeting note:** Mr Paul Hume submitted his request to address the Council meeting, but elected to only speak if the Councillors had any questions. As such Mr Hume did not address the Council.

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

1. That Council forward the attached draft Planning Proposal (attachment 1) relating to land comprising "Glenlee Estate" (No.60) Menangle Road Menangle Park, 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 8.6 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, R Manoto, B Gilholme and W Morrison.

Voting against the Resolution were Councillor B Moroney.

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

**Meeting note:** At the conclusion of the discussion for Item 8.6 Councillor Chivers, Councillor Greiss and Councillor Lound returned to the Chamber at 6:45 pm.

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## 8.7 Re-appointment of Local Planning Panel Members

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

1. That the Campbelltown City Council Local Planning Panel be extended for another term from 1 July 2021 until 1 July 2024 to determine development applications and to provide advice on planning proposals in accordance with the relevant referral criteria, operational procedures and code of conduct as published by the Minister for Planning and Public Spaces.
2. That Council notes the appointment by the Minister of Planning and Public Spaces, The Hon. Robert Stokes of the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs for 3 years.
3. That Council notes the appointment of the following expert and community representatives by the General Manager for a period of 3 years as follows:
  - a. Mr Lindsay Fletcher and Mrs Glennys James PSM as the expert members and Mr Scott Lee, Ms Mary-Lynne Taylor and Ms Helena Miller as the alternate expert members.
  - b. Ms Cecilia Cox as the community member and Mr Phil Hayward and Mr Florencio Cuaresma as the alternate community members.
4. That Council advise the Department of Planning and Environment of the nominated members and alternates for the Campbelltown Local Planning Panel for a period of 3 years.
5. That Council write to the previous Chair, Mr Ian Reynolds and alternate Chair, Mr Keith Dedden and community member Mr Edward Saulig to acknowledge their service to Council and the community.
6. That Council inform all persons who lodged an expression of interest of Council's decision and thank them for their interest in the matter.

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

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## 8.8 Stormwater and Grey Water re-use

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

That Council advocate for water re-use schemes to supplement the use of potable water.

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

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## 8.9 Asbestos Policy

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

1. That the Asbestos Policy as attached to this report be adopted with the following amendments:
  - clause 10, page 16 of the policy to read:  
It is illegal to recycle, reuse and/or dispose of asbestos waste into any domestic/ commercial waste bins and/or undertake or be involved with the unauthorised dumping or burying of asbestos waste.
  - clause 10.5, page 17 of the policy to read:  
If they cannot be identified, the relevant occupier, but ultimately, the landowner becomes the responsible party.
2. That the Asbestos Policy review date be set at 30 June 2024.

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

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## 8.10 Investments and Revenue Report - April 2021

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

That the information be noted.

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

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## 8.11 Reports and Letters Requested

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

That the comments and updates to the reports and letters requested be noted.

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

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## 8.12 Capturing, Sharing and Using Open Data

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

That the information be noted.

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

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### **8.13 Local Government Remuneration Tribunal Determination 2021**

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

1. That Council adopt the councillor and mayoral remuneration increase of 2 per cent effective 1 July 2021, as recommended by the Local Government Remuneration Tribunal.
2. That Council fix the remuneration fee for councillors at \$26,310 per annum representing an increase of 2 per cent for the 2021-22 financial year effective 1 July 2021.
3. That Council fix the remuneration fee for the mayor at \$69,900 per annum representing an increase of 2 per cent for the 2021-22 financial year effective 1 July 2021.

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

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### **8.14 Minutes of the Audit Risk and Improvement Committee Report**

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

That the minutes of the Audit Risk and Improvement Committee held 18 May 2021 be noted.

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

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### **8.15 Minutes of the Campbelltown Arts Centre Strategic Committee Report**

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

That the minutes of the Campbelltown Arts Centre Strategic Committee held 5 May 2021 be noted and recommendations endorsed.

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

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## **9. QUESTIONS WITH NOTICE**

Nil

**10. RESCISSION MOTION**

Nil

**11. NOTICE OF MOTION**

Nil

**12. URGENT GENERAL BUSINESS****13. PRESENTATIONS BY COUNCILLORS**

1. Councillor Meg Oates on 27 May attended HJ Daley Library to participate in Australia's Biggest Morning Tea. The morning tea was organised by Campbelltown library's crochet and folk art group who donated cakes and their time to raise funds for those impacted by cancer, with the group raising almost \$500. Councillor Oates thanked the group for not only their involvement in Australia's Biggest Morning Tea, but their ongoing contribution to the community, in crocheting blankets for the homeless.
2. Councillor Meg Oates on 28 May represented the Mayor at Sorry Day, the anniversary of the apology to the stolen generations at The Australian Botanic Garden Mount Annan. Councillor Oates was joined by Councillor Manoto and Councillor Gilholme. Councillor Oates shared how moving the day was with survivors of the stolen generation sharing their stories. Councillor Oates noted that the indigenous culture is thriving and more importantly being celebrated in Campbelltown.
3. Councillor Meg Oates on 11 May was invited to Macquarie Fields High School as a panellist on the Q&A at the Student Leadership Forum. The forum involved 6 local high schools of senior students looking at aspects of leadership and was emceed by Macquarie Fields High School captains Luke Cox and Shamika GC. Councillor Oates commended the students and confirmed that the future is in good hands with the next generation of leaders committed and engaged.
4. Councillor Karen Hunt on 21 May attended Campbelltown Performing Arts High School for the circus performance 'Wally's Hat'. Councillor Hunt congratulated all students involved in the performance noting their amazing talent on display with tumbling both in the air and on the floor, hanging from heights and showing their flexibility. Councillor Hunt encouraged the performers to continue showcasing their talents in the future.
5. Councillor Rey Manoto on 5 June attended the Multicultural Disability Advocacy Association of NSW (MDAA) forum at Campbelltown RSL. The MDAA advocates for the promotion and protection of the rights of people with a disability. The forum was targeted at seniors and addressed a range of topics including Australia's aged care system and planning ahead for future decision making. Councillor Manoto thanked the speakers and everyone from MDAA for organising the forum.

6. The Mayor, Councillor Brticevic attended the re-opening of the Ruse Tennis Courts after their recent resurfacing. The resurfacing project was funded by Campbelltown City Council in partnership with Tennis NSW. Councillor Brticevic noted that the tennis community is very appreciative of the new surface and local tennis players have given the courts the tick of approval.
7. The Mayor, Councillor Brticevic on 12 May attended Mary Brooksbank School at Rosemeadow to announce that the funds raised from the 2021 Mayoral Charity Gala on 31 July will help fund a new sensory playground at the school. Mary Brooksbank School provides vital educational resources for children with special needs in the community and is a very deserving recipient. Councillor Brticevic is seeking sponsorship from companies and the greater public for the event.
8. The Mayor, Councillor Brticevic on 19 May attended Waratah Cottage at Claymore with the SES Campbelltown Unit. It was Wear Orange Wednesday, a day to thank the volunteers from the SES for their help in times of natural disasters. This year has been a year of floods and storms and the SES have been invaluable in helping the community.
9. The Mayor, Councillor Brticevic on 26 May took a tour of the new Anglicare retirement village on Pembroke Road, Minto. The construction of the retirement village is nearing completion with 220 units and 110 of the units classified as affordable housing. Councillor Brticevic noted the site employed 500 construction workers and was built in 12 months during the pandemic and once opened will employ 100 staff. Councillor Brticevic was thankful that the construction was able to continue during the pandemic providing employment.
10. The Mayor, Councillor Brticevic on 2 June attended Campbelltown Arts Centre and met with local artist Xeni Kusumitra from Little Orange Studio. Xeni painted a portrait of the Executive Manager Creative Life, Michael Dagostino and has been selected as a finalist in the Archibald Prize at the Art Gallery of NSW. Councillor Brticevic congratulated Xeni on her achievement with her work now on display at the Art Gallery of NSW until 26 September.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### Confidentiality Recommendation

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

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 Council Property - St Andrews**

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.

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**Item 14.2 Hurley Street, Campbelltown - Outcome of Agreement for Lease Negotiation**

Item 14.2 is confidential in accordance with Section 10A(2)(d)(ii) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a competitor of the council.

2. Council considers that discussion of the business in open meeting would be, on balance, contrary to the public interest.

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

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**The Ordinary Meeting of Council was adjourned at 7:18 pm and reconvened as a meeting of the Confidential Committee at 7:19 pm.**

**Recommendations of the Confidential Committee****14.1 Lease of Council Property - St Andrews**

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

1. That Council endorse the Surrender of Lease on the premises located at the subject property on terms set out in this report.
2. That Council endorse the sale of the subject property to the open market through an Expression of Interest process with the reserve price to be set upon receipt of formal valuation advice.
3. That Council endorse that in the event the subject property is not disposed of by Expression of Interest that it be offered on the open market for sale via private treaty.
4. That Council delegate authority to the General Manager or her authorised representative to execute all or any documentation relevant to this report under Section 377 of the *Local Government Act 1993*.

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

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## 14.2 Hurley Street, Campbelltown - Outcome of Agreement for Lease Negotiation

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

1. That Council note the principles that form the basis of the draft Term Sheet outlined within the body of this report and provide conditional approval for the Term Sheet to be finalised consistent with the draft.
2. That Council provide delegated authority to the Chair of the Negotiation Panel (Executive Manager Economic and Investment Growth) to finalise the Term Sheet and drafting of the Agreement for Lease and Lease (or any other such document) with the proponent based on the draft Term Sheet as outlined within the body of this report.
3. That Council provide delegated authority to the Mayor and General Manager to execute all legal documentation associated with this transaction outlined within the body of this report, under common seal if applicable.

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

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It was **Moved** Councillor Lound, **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.

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

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 7:28 pm. The Mayor read the recommendation from the Confidential Committee for Items 14.1 and 14.2.**

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

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

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

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There being no further business the meeting closed at 7:30 pm.

Confirmed by Council on

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

### **3.2 Minutes of the Extraordinary Meeting of Council held 29 June 2021**

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

That the Minutes of the Extraordinary Meeting of Council held 29 June 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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#### **Report**

That the Minutes of the Extraordinary Meeting of Council held 29 June 2021 are presented to Council for confirmation.

#### **Attachments**

1. Minutes of the Extraordinary Meeting of Council held 29 June 2021 (contained within this report)

# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Extraordinary Council Meeting held at 6:30 pm on Tuesday, 29 June 2021.

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**Minutes of the Extraordinary Meeting of the Campbelltown City Council held on 29 June 2021**

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

**1.     ACKNOWLEDGEMENT OF LAND**

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

**Council Prayer**

The Council Prayer was presented by the General Manager.

**2.     APOLOGIES/ LEAVE OF ABSENCE**

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**Recommendation**

Nil

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

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### 3. DECLARATIONS OF INTEREST

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

#### **Pecuniary Interests**

Nil

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

Nil

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

Nil

#### **Other Disclosures**

Nil

### 4. REPORTS FROM OFFICERS

#### 4.1 Adoption of Delivery Program 2017-22 and 2021-22 Operational Plan, including Budget and Statement of Revenue Pricing Policy (Fees and Charges)

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

That Council adopt the following corporate documents and make the 2021-22 rates and charges contained herein subject to typographical correction to the Long Term Financial Plan and the Asset Management Plan and the Operational Plan 2021-22 as follows:

- Page 69 – 3rd column of numbers to be titled 2021-22 Draft budget \$'000
- Page 73 – 3rd column of numbers should be titled 2021-22 Draft budget \$'000
- Page 74 – graph heading should be 2020-21 Original to 2021-22 Draft

1. The Delivery Program 2017-22 and Operational Plan 2021-22 incorporating the Budget and Statement of Revenue Policy reflecting the rating structure outlined below:

##### **Ordinary Rate**

- a. That the Ordinary Rate of 0.3277 cents in the dollar with a minimum of \$757.67 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as RESIDENTIAL in accordance with Section 516 of the *Local Government Act 1993* be made for the year 2021-22.

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

- b. That the Ordinary Rate of 0.2539 cents in the dollar with a minimum of \$757.67 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as FARMLAND in
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accordance with Section 515 of the *Local Government Act 1993* be made for the year 2021-22.

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

- c. That the Ordinary Rate of 0.6012 cents in the dollar with a minimum of \$757.67 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as BUSINESS in accordance with Section 518 of the *Local Government Act 1993* be made for the year 2021-22.

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

- d. That the Ordinary Rate of 0.7644 cents in the dollar with a minimum of \$757.67 in accordance with Section 548(1)(a) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown categorised as MINING in accordance with Section 517 of the *Local Government Act 1993* be made for the year 2021-22.

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

#### **Special Rate**

- e. That the Special Rate of 0.0285 cents in the dollar with a minimum of \$2 in accordance with Section 548(3)(b) of the *Local Government Act 1993* on the land value of all rateable land in the City of Campbelltown in accordance with Section 495 of the *Local Government Act 1993* be made for the year 2021-22.

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

#### **Domestic Waste Management Service**

- f. That a Domestic Waste Management Charge be made for the provision of domestic waste, recycling and organic waste removal services for each parcel of occupied land for which the service is available in the amount of \$391.95 per annum representing a weekly amount of \$7.54 in accordance with Section 496 of the *Local Government Act 1993* for the year 2021-22.

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

- g. That a Domestic Waste Management Charge be made for the provision of domestic waste and recycling waste removal services for which the service is available in the amount of \$331.33 per annum representing a weekly amount of \$6.37 in accordance with Section 496 of the *Local Government Act 1993* for the year 2021-22.

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

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- h. That the Domestic Waste Management Availability Charge be made for the availability of the service to vacant land in the amount of \$58.12 per annum representing a weekly amount of \$1.12 in accordance with Section 496 of the *Local Government Act 1993* for the year 2021-22.

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

- i. That the Additional Recycling - Domestic (dialysis) Charge be made for the provision of an additional recycling waste removal services for which the service is available based on information supplied by NSW Health in the amount of \$1 per annum in accordance with Section 496 of the *Local Government Act 1993* for the year 2021-22.

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

- j. That all other Domestic and Commercial Waste Management Charges be made and adopted in accordance with the 2021-22 Fees and Charges.

#### **Stormwater Management Service**

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

For the 2021-22 year, the following charges be made in respect of land to which the charge applies:

- \$25 per urban Residential rateable parcel
- \$12.50 per Residential (strata) rateable unit
- \$25 per 700 m<sup>2</sup> or part thereof for non-vacant Business land, capped to a maximum of \$1,000
- \$25 per 700 m<sup>2</sup> or part thereof of surface land area for strata Business unit (proportioned to each lot based on unit entitlement) not less than \$5 or greater than \$1,000.

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

#### **Interest on overdue rates**

- l. In accordance with Section 566(3) of the *Local Government Act 1993*, the Minister for Local Government has determined that the maximum rate of interest payable on postponed and overdue rates and charges for the 2021-22 rating year will be 6 per cent for the period 1 July 2021 to 30 June 2022

2. The 2021-2022 Fees and Charges incorporating the amendments detailed within the body of this report.
3. The 2021-2031 Long-Term Financial Plan.
4. The 2017-2022 Workforce Management Plan.
5. The 2021-2031 Asset Management Strategy.
6. The 2021-2031 Asset Management Plans.

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

#### **4.2 Campbelltown City Council Collection - New Acquisitions**

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

That the following proposed donations to be acquired as a part of the Campbelltown City Council collection be endorsed by Council:

- donation by John A Douglas – Screen Test #6 (Australiana) – James Dean Jesus
- donations by Tom Polo – STILL JUST HERE, ONLY LIKE THIS FOR NOW, and Disappointed With Everything (Not Everyone)
- donations by Luke Sciberras – The washout Wilcannia, On the bright side (Wilcannia), Leaves and bark, and Headwaters (Wilcannia)
- donation by Raquel Ormella – Pick me

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

### **5. URGENT GENERAL BUSINESS**

There being no further business the meeting closed at 7:07 pm.

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**

Nil

## **8. REPORTS FROM OFFICERS**

### **8.1 Development Application Status**

#### **Reporting Officer**

Director City Development  
City Development

#### **Community Strategic Plan**

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

#### **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 \$1 million, 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)	Panel briefed in March 2021 and revised plans submitted.	
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	Deferred at Panel's February 2021 meeting to allow for finalisation of Planning Proposal	
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	
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	Under assessment	
906/2020/DA-SW	Gidley Crescent, Claymore	Stage 4 Claymore Renewal - Subdivision to create 179 residential lots two residual lots including associated works	\$13,940,148	>\$5 million capital investment value Crown development	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
504/2021/DA-SW	Clarendon Place, Winbourne Place, Rawdon Place, Dalkeith Place, Greengate Road, Airds	Stage 8 Airds/Bradbury Renewal - Subdivision to create 82 lots comprising of 80 residential lots and 2 lots for parks and associated works	\$6,354,141	>\$5 million capital investment value Crown development	Panel briefed May 2021. Further information required	
535/2021/DA-SW	Woolwash Road, Greengate Road, Teeswater Place, Wallinga Place, Katella Place and Mamre Crescent, Airds	Stage 7 Airds/Bradbury Renewal - Subdivision of 71 existing lots to create 214 lots comprising of 207 residential lots, 2 lots for future development, 1 lot containing an existing senior housing	\$13,914,412	>\$5 million capital investment value Crown development	Panel briefed May 2021. Further information required	
3532/2020/DA-SW	Goldsmith Avenue, Campbelltown	Concept master plan for a high density residential and mixed use development (known as Macarthur Gardens North), and construction of Stage 1 of the master plan, encompassing roads, parks, civil works, landscaping and subdivision of the site into super lots	\$ 281,673,000	>\$5 million capital investment value Crown development	Awaiting further information from applicant	

## Development Application Register

DAs to be considered by the Sydney Western City Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
1384/2020/DA-SW	Goldsmith Avenue, Campbelltown	Subdivision to create 56 residential lots and 2 residue lots and associated drainage and road works and construction of 56 dwellings	\$14,000,000	>\$5 million capital investment value Crown development	Awaiting further information from applicant	
11/2021/DA-SW	Various lots, Fullwood Reserve, Gould Road, Preston and Abrahams Ways and Beryl Close, Claymore	Stage 11 Claymore Renewal - Subdivision creating 91 Torrens titled residential allotments, 1 residue lot and associated site, civil and landscape works	\$8,621,292	>\$5 million capital investment value Crown development	Panel briefed April 2021. Further information required	
4604/2020/DA-SW	Various Lots, Norman Crescent, Dobell Road and Arkley Avenue, Claymore	Stage 5 Claymore Renewal - Subdivision of land to create 86 residential lots 1 residue lot 1 lot for future park and associated road and drainage works	\$14,290,245	>\$5 million capital investment value Crown development	Panel briefed April 2021. Further information required	
774/2021/DA-SW	Various lots, Riverside Drive, Airds	Consolidation of four existing lots to create four new lots and new road, landscape and open space infrastructure embellishment works - Airds/Bradbury Renewal	\$11,456,074	>\$5 million capital investment value Crown development	Currently on public exhibition. Panel briefing set for June 2021	

## Development Application Register

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	Completed	Approved with conditions

DAs to be considered by the Local Planning Panel						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
2225/2020/DA-DW	Lot 8177 DP 881519, 1 Denfield Place, St Helens Park	Construction of a single storey dwelling	\$84,500	Development standard variation greater than 10%	Completed	Refused
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	14 - 20 Palmer Street, Ingleburn	Construction of a five storey mixed use commercial and residential building	\$17,972,417	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
2687/2018/DA-SW	Appin Road, Gilead	Subdivision of land and associated civil works into 139 residential lots and 3 residue lots	\$7,972,417	More than 10 unique objections, planning agreement	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	Under assessment	
2611/2019/DA-M	42 Brenda Street, Ingleburn	Demolition of existing structures and construction of three semi-detached dwellings	\$855,350	Development standard variation greater than 10%	Under assessment	
1786/2020/DA-C	10 Wickfield Street, Ambarvale	Mixed use commercial, child care centre and residential development	\$12,585,013	SEPP 65 - Residential Apartment	Under assessment	
3714/2019/DA-BH	55 Mahoney Drive, Campbelltown	Construction of a 22 room boarding house	\$1,181,000	Number of submissions in objection	Completed	Approved with conditions
2306/2020/DA-C	Lot 175 Barbula Road, Denham Court	Construction of licensed premises (pub) with basement car parking and associated site and landscaping works	\$8,591,002	Licensed premises	Completed	Approved with conditions

## Development Application Register

DAs with a value of \$1 million or more approved under Delegated Authority since last Council meeting						
DA No.	Address	Description	Value	Authority Criteria	Status	Determination
850/2019/DA-DW	60 Hansens Road, Minto Heights	Demolition of existing structures and construction of a two storey dwelling, detached garage and associated site and landscape works	\$2,620,532	Delegated	Waiting on information from applicant	Deferred commencement consent
2328/2020/DA-SL	65 Waminda Avenue, Campbelltown	Construction of seniors housing development containing four single storey self-contained dwellings	\$1,318,061	Delegated	Completed	Approved with conditions
4473/2018/DA-SW	39 - 49 Sebastian Avenue, Rosemeadow	Subdivision into 76 residential allotments and three new roads, a pedestrian link, drainage infrastructure, landscaping and street lighting	\$3,119,000	Delegated	Completed	Approved with conditions

## 8.2 Mount Gilead - Amendments to Development Control Plan

### Reporting Officer

Executive Manager Urban Release and Engagement  
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 endorse the public exhibition of the proposed draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 7 - Mount Gilead for a minimum period of 28 days.
2. That where no submissions are received through the public exhibition period, Council approve the draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 7 - Mount Gilead, and publish the amended Plan on the Campbelltown City Council's website.
3. That where submissions on the amendments are received during the public exhibition period, a further report on the outcome of the public exhibition be provided to the Council.

### Purpose

The purpose of this report is to seek Council's endorsement to publicly exhibit a draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP), Volume 2 - Part 7 Mount Gilead, which will update site specific development controls for the exiting urban capable land at Mount Gilead.

### Background

At its meeting on 22 November 2016, Council resolved, in part, to endorse the rezoning of Mount Gilead and to adopt the site specific Development Control Plan (MGDCP), which now forms part of Volume 2 - Part 7 (SCDCP). The MGDCP commenced upon notification of the rezoning of Mount Gilead, which was published by the NSW Government on 8 September 2017.

Since this time, 2 separate Development Applications that sought authorisation for precinct wide bulk earthworks, as well as subdivision works for 333 residential lots, were approved by the Campbelltown Local Planning Panel (the Panel) on 16 December 2020. In addition, a draft

Planning Proposal (draft PP) for Mount Gilead that proposes housing diversity amendments, alteration of the structure plan and open space network was endorsed by Council in March 2020. A Gateway Determination was issued by the NSW Department of Planning, Industry and Environment on 15 October 2020.

Exhibition of the draft PP for Mount Gilead is likely to commence in August / September 2021.

The amendments discussed in this report are not reliant on the draft PP. Further amendments to the MGDCP may be required as the draft PP proceeds.

## Report

This report provides a summary of housekeeping amendments to Volume 2, Part 7 of the (SCDCP), being the site specific Development Control Plan for the Mount Gilead precinct (MGDCP). These amendments are required to support future orderly development as provided in attachment 1.

The main amendments to the MGDCP are detailed below.

### 1. Renaming of Part 7: Mount Gilead

The entire suburb of Gilead extends from Rosemeadow to the local government boundary with Wollondilly Shire Council. Land currently zoned for urban development in Gilead is commonly referred to Mount Gilead Stage 1. Further stages of rezoning and land release are likely in the future.

In order to provide a further level of identity and convenience for people who are looking for development controls specific to the Mount Gilead Stage 1 area, it is proposed to refer to future stages of development across Mount Gilead and the respective DCP, by their Estate names. In this regard, it will be proposed in the future to rename the DCP related to Mount Gilead Stage 1 as the Figtree Hill DCP.

This would assist future users of the SCDCP when searching online, and would assist with the naming conventions within the CSDCP, for future precincts in the Gilead area that would require a separate site specific DCP.

### 2. Transport Plans and Controls

Street Network and Public Transport requirements in Section 3.2 of the MGDCP detail the road hierarchy and connectivity to the existing road network.

Proposed amendments include:

- Allowing pedestrian and cycle ways within open space that adjoins local road and transport networks. This would promote the efficient use of land by enabling the road reserve to be adjusted in these locations that adjoin open space. Utilities, street lights and other services would continue to be located within the road reservation.

- Encourage Water Sensitive Urban Design Infrastructure consistent with the objectives and principles of the Figtree Hill Stormwater Management Strategy and Council's engineering specifications.
- Permitting alternative (with development consent) pavement finishes to minimise urban heat island effect.
- Amending the Indicative Street Network and Public Transport map to delete the central access point and collector road to be consistent with the RMS approved intersections to Appin Road.
- Inserting new illustrative cross sections of street types that have been approved in the stage 1 development application.
- Inserting a new laneway cross section to ensure they meet accessibility and servicing requirements.
- Increasing the width of footpaths from 1.2 m to 1.5 m on both sides of local streets.

### **3. Residential Subdivision**

The CSDCP permits a variety of residential uses including, attached dwellings, semi-detached dwellings and dual occupancy. However, the MGDGP does not include requirements for these forms of development. Accordingly, it is proposed to insert into the MGDGP:

- minimum lot width and building setback requirements for zero lot development
- the requirement for all allotments to have a building envelope plan to demonstrate locations of easements, driveways, services and other relevant considerations including but not limited to bushfire asset protection zones, acoustic construction and solar access.

### **4. Residential Development**

Amendments to Section 3.5 of the MGDGP are proposed to improve dwelling design on different lot types by:

- deleting opportunity for a front setback of 3.5 m on lots less than 450 m<sup>2</sup> and requiring that all lots achieve the minimum setback of 4.5 m.
- allowing a third garage space where it is 1 m behind the main garage on lots greater than 700 m<sup>2</sup>.
- requiring at least 2 building elements within the articulation zone to create interesting and diverse streets.
- amending side and rear setbacks to be consistent with NSW Housing Code and to introduce a maximum zero lot line for dwellings.
- inserting new controls and diagrams for corner allotments to prevent car parking in the public road verge.

- increasing the minimum requirements for private open space in larger lots by 10 per cent.
- inserting new retaining wall controls and amend fencing requirements to improve the quality of materials and visibility of boundary fencing from the street.
- inserting new requirements for acoustic fencing of Appin Road to ensure appropriate consideration at the subdivision stage.

Further to the above, several new sub-sections are proposed for Section 3.5 of the MGDGP: Residential Development, which include:

- **Building Design and Materials:** To promote attractive and complementary street scapes, whilst reducing urban heat island impacts and encourage diversity through design. Controls include zero lot line walls, sun-shading, habitable rooms to the street, balconies and requirements of coloured materials and finishes.
- **Garages, Driveways and Parking:** To ensure driveways and garages are considered at both the subdivision and dwelling construction stage to address streetscape and urban heat island effect. Controls address garage dimensions, criteria for triple garages, crossover widths and materials.
- **Landscaping:** To ensure development considers greenery and canopy cover. Controls include minimum landscape requirements, front landscaping requirements and minimum requirements for trees.
- **Retaining walls:** To ensure retaining walls are permitted where appropriate within a development. The controls identify where retaining walls are located, owner's consent on the boundary and the types of materials permitted.

The Greenfield Housing Code commenced on 6 July 2018 and applies to Gilead Urban Release Area. Amendments to the MGDGP which bring into alignment controls such as setbacks, are important to support a development application pathway that permit merit assessment.

Without amendment, applicants would more likely seek development approval via the Complying Development Certification pathway.

## 5. Dual Frontage Lots

The first approved subdivision development application for allotments adjacent to the main entry collector road, known as The Boulevard, have rear boundaries that adjoin a street which comprises the public domain. This was endorsed by the Panel as vehicle access is denied for these allotments to maintain traffic flow. The garages would be accessed from the rear street which will enhance facade activation and presentation to the main collector road (The Boulevard).

New controls are therefore proposed to ensure future dwellings are designed to addresses both frontages of the allotment.

## **6. Dual Occupancies, semi-detached and attached dwellings**

As outlined in Section 3 above, the current MGDCP does not address other dwelling types permissible in the R2 Low Density Residential zone, including dual occupancies, semi-detached and attached dwellings. This omission would result in Volume 1 of the SCDCP applying to future dwelling applications.

To resolve this matter, Section 3.5.12 of the MGDCP 'additional controls for dual occupancies, semi-detached dwellings and attached dwellings' is proposed. The amendments address setback requirements, private open space and the requirement for trees to promote urban canopy and landscaping within the subdivision.

By addressing these matters, the NSW Government's Low Rise Medium Density Design Guide for Development Applications would not apply.

## **7. Updated Street Tree species**

The number of street tree species listed within the MGDCP is proposed to be reduced to only include approved species by Council's Landscape Team.

## **8. Other Minor Changes**

Other minor changes throughout the MGDCP are proposed, including rephrasing of words and controls for clarity and to reduce error. The proposed minor changes are shown in red through attachment 1.

## **Conclusion**

The housekeeping amendments outlined in this report are required to ensure the future orderly development of the area identified as Figtree Hill Estate. The development controls relate only to development currently permissible under Campbelltown Local Environmental Plan 2015. Further amendments in the future would be required should Council resolve to adopt the Planning Proposal as discussed in the history section of this report.

Accordingly, it is recommended that Council publicly exhibit the draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015 Volume 2 - Part 7 Mount Gilead for community input, and subject to review of any submissions, approve the included amendments as an amendment to the Campbelltown (Sustainable City) Development Control Plan 2015.

## **Attachments**

1. Campbelltown (Sustainable City) Development Control Plan 2015 - Vol 2 - Part 7 Site Specific Amendment (contained within this report)

# DRAFT

## **Campbelltown (Sustainable City) Development Control Plan (Amendment No. X) 2021**

Under Section 3.43(4) of the Environmental Planning and Assessment Act 1979, this Campbelltown (Sustainable City) Development Control Plan (Amendment No. X) 2021 amends Campbelltown (Sustainable City) Development Control Plan (Amendment No 8) 2019 (the Plan) in the following Manner:

1. Volume 2 Site Specific Development Control Plans: Part 7 Mt Gilead is modified as detailed on the following pages.

# Volume 2: Site Specific Development Control Plans

## Part 7 Figtree Hill

List of Amendments to the Plan:

Amendment No	Date of Adoption by Council	Effective Date
Amendment No 8	14 April 2020	4 May 2020
Amendment No X	TBA	TBA

**Campbelltown (Sustainable City)  
Development Control Plan**

**Volume 2  
Site Specific  
Development Control Plans**

**Part: 7  
Figtree Hill  
~~Mt Gilead~~**

**Part 7**  
**FIGTREE HILL MT GILEAD**

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## Part 7

### FIGTREE HILL MT GILEAD

#### 1. INTRODUCTION

##### 1.1. Land to which this Development Control Plan Applies

This Part applies to the land identified in Figure 1.

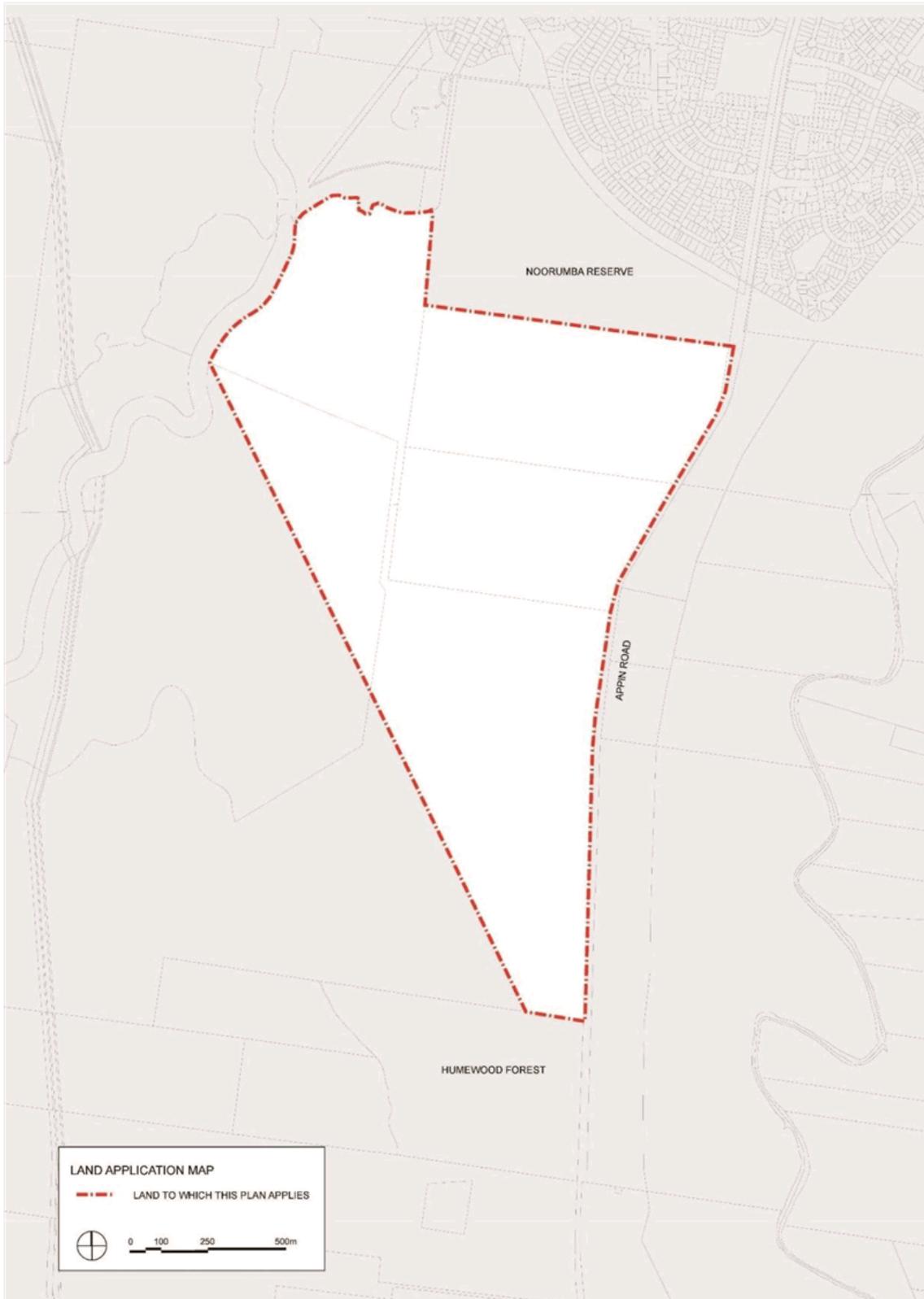
This Part establishes additional provisions for ~~Mt Gilead~~ Figtree Hill. When a development control is not specified in this Part, development should be consistent with all other relevant controls of Volume 1 Campbelltown (Sustainable City) DCP. Where there is an inconsistency between Part ~~6-7~~ and any other Part of this Development Control Plan, Part ~~67~~ applies to the extent of the inconsistency.

The arrangement of controls in this section does not represent any particular order of priority or importance. Maps and diagrams in this Part are indicative only.

Campbelltown City Council Engineering Design Guide for Development applies to development specified in this Part.

**Part 7**  
**FIGTREE HILL MT GILEAD**

**Figure 1: Land to which this DCP applies**



**Part 7**  
**FIGTREE HILL MT GILEAD**

**1.2. Campbelltown LEP Compliance Table**

This DCP is intended to satisfy Clause 6.3 of Campbelltown Local Environmental Plan 2015, as it applies to the subject land. **Any development within the area depicted in Figure 1A must address the requirements outlined in the table below.**

**Table 1: Consistency with Clause 6.3**

<b>CLEP 2015 Clause 6.3 Requirement</b>	<b>Relevant Provision / Control</b>
(a) A staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing.	Development may be undertaken in a single stage (as shown in Figure 1A, staging plan) or in any number of substages provided that development reflects the progressive delivery of road, utility and local infrastructure over the land. Development may be undertaken pursuant to several development applications with an explanation of how this is compatible with the delivery of infrastructure.
(b) An overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclist.	This infrastructure shall be provided in accordance with Section 3.2 (including, without limitation, consistency with the details in Figures 4, 5 and 6).
(c) An overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain.	All development shall be undertaken in accordance with Section 3.3 (including, without limitation, consistency with the details in Figure 7).
(d) A network of passive and active recreational areas.	All development shall be undertaken in accordance with Section 3.3 (including, without limitation, consistency with the details in Figure 7).
(e) Stormwater and water quality management controls.	All development shall be undertaken in accordance with the Campbelltown City Council Engineering Design Guide for Development.
(f) Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and in relation to natural hazards, the safe occupation of and evacuation from, any land so affected.	<u>Bushfire</u> All future development is to comply with the NSW Rural Fire Service's Planning for Bushfire Protection. This includes the provision of suitable asset protection zones and appropriate maintenance of vegetated

**Part 7**  
**FIGTREE HILL MT GILEAD**

	<p>open space areas.</p> <p><u>Flooding</u></p> <p>All future development is to comply with Council’s Engineering Design Guides for development.</p> <p><u>Contamination</u></p> <p>All future development is to comply with State Environmental <b>Planning</b> Policy No. 55 – Remediation of Land.</p> <p><u>Mine Subsidence</u></p> <p>All future development is to comply with the requirements of NSW <b>Mine</b> Subsidence <b>Board</b> Advisory.</p>
<p>(g) Detailed urban design controls for significant development sites.</p>	<p>All development must address the matters under Section 3.1 including consideration of the principles provided in Figure 3, <b>Section 3.4, Section 3.5</b> and be consistent with low density residential development control in Volume 1, Part 3. <b>Where there is an inconsistency, Sections 3.4 and 3.5 of this part of the DCP prevail.</b></p> <p>Development in the vicinity of the “One Tree Hill” site shall be undertaken in accordance with Section 3.3 (including, without limitation, consistency with the details in Figure 7) and the objectives of the RU2 Rural Landscape Zone in which it is located.</p> <p>All development shall be undertaken in accordance with Section 3.1 (including, without limitation, consideration of the principles provided in Figure 3).</p>
<p>(h) Measures to encourage higher density living around transport, open space and service nodes.</p>	<p>Any development must locate smaller high density residential types of development around transport, open space and service nodes in accordance with Section 3.4.</p>
<p>(i) Measures to accommodate and control appropriate neighborhood commercial and retail uses.</p>	<p>Commercial and retail development shall be concentrated in the B1 Neighbourhood Centre <b>Zone</b> within the precinct and must be undertaken in accordance with the objectives of B1 Neighborhood Centre <b>Zone</b> and Volume 1, Section 6 of the Campbelltown (Sustainable City) Development Control Plan 2015.</p>
<p>(j) Suitably located public facilities and</p>	<p>Public facilities and services are to be</p>

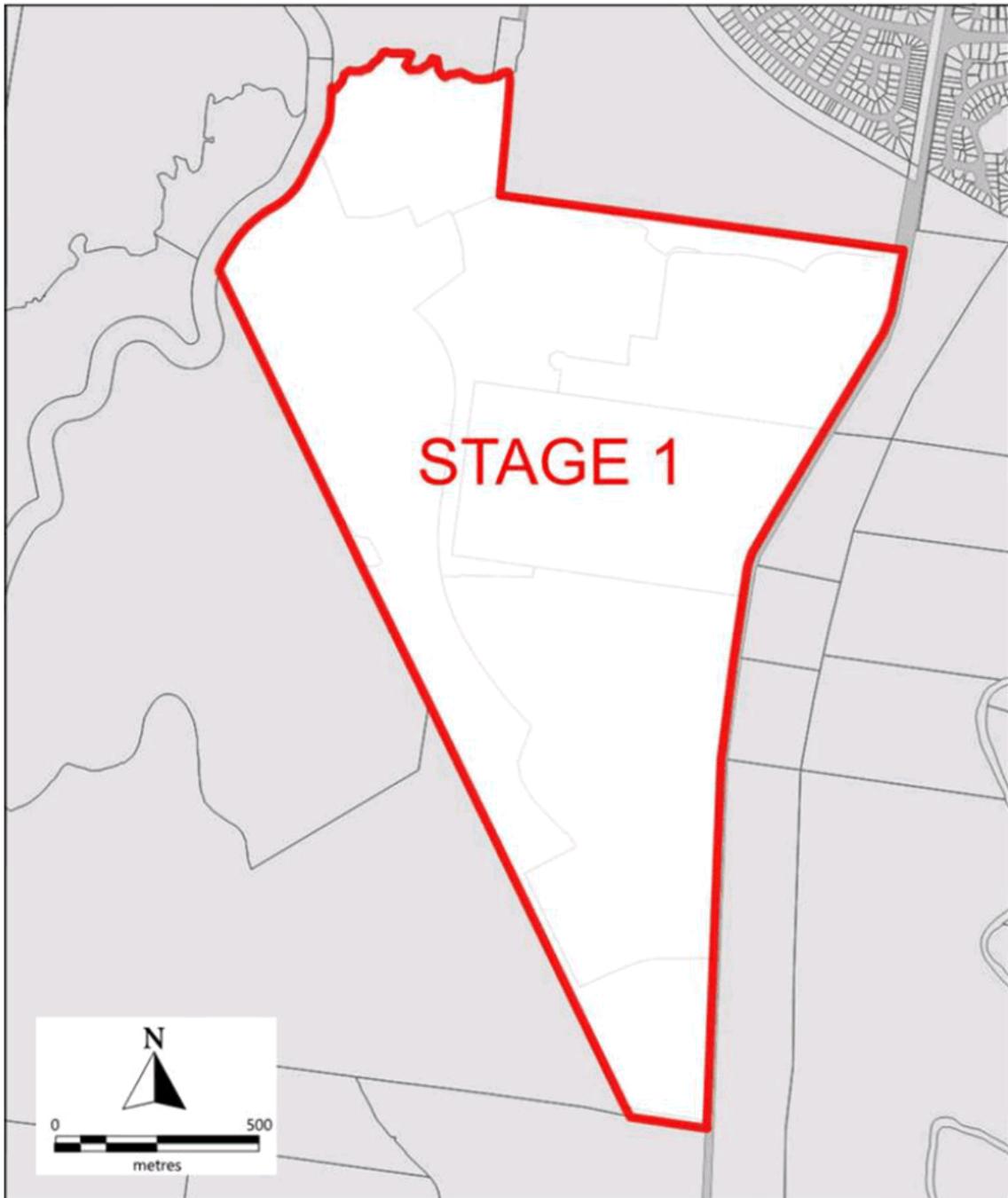
**Part 7**  
**FIGTREE HILL MT GILEAD**

<p>services, including provision for appropriate traffic management facilities and parking.</p>	<p>provided in the B1 Neighbourhood Centre Zone and shall be provided in accordance with Council’s Engineering Design Guide for Development.</p>
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**Note:** *Unless otherwise specified, a reference to a section or figure is a reference to the corresponding section or figure in this Volume 2, Part 7 of Campbelltown (Sustainable City) Development Control Plan.*

**Part 7**  
**FIGTREE HILL MT GILEAD**

**Figure 1a: Figtree Hill Mt Gilead Staging**



## Part 7

### FIGTREE HILL MT GILEAD

## 2. VISION AND DEVELOPMENT OBJECTIVES

### 2.1. Vision for Mt Gilead

Mt Gilead will be a high quality residential estate set within a rural landscape setting. When completed, Mt Gilead will contain approximately 1,700 detached dwellings and a population of around 5,000 people. Mt Gilead will contain significant bushland parks providing attractive recreation areas and a pleasing setting for residential development. A small community hub co-located with open space will be provided in a central location to provide a focal point for the community.

European heritage will be interpreted through street layout and open space provision, providing an insight into land use patterns and significant early settlers. Known areas of Aboriginal cultural heritage will be protected.

Access will be provided from ~~three~~-two main entries off Appin Road. The rectilinear subdivision layout will provide legible connections, maximise accessibility and transport choice, and offer alternative trips via walking and cycling.

Housing will typically be detached single and two storey dwellings on a range of lot sizes to provide choice and diversity. Smaller lots will be located in areas of special character such as close to open spaces, the community hub and bus route.

### 2.2. Key Development Objectives

*Key Development Objectives for Mt Gilead are to:*

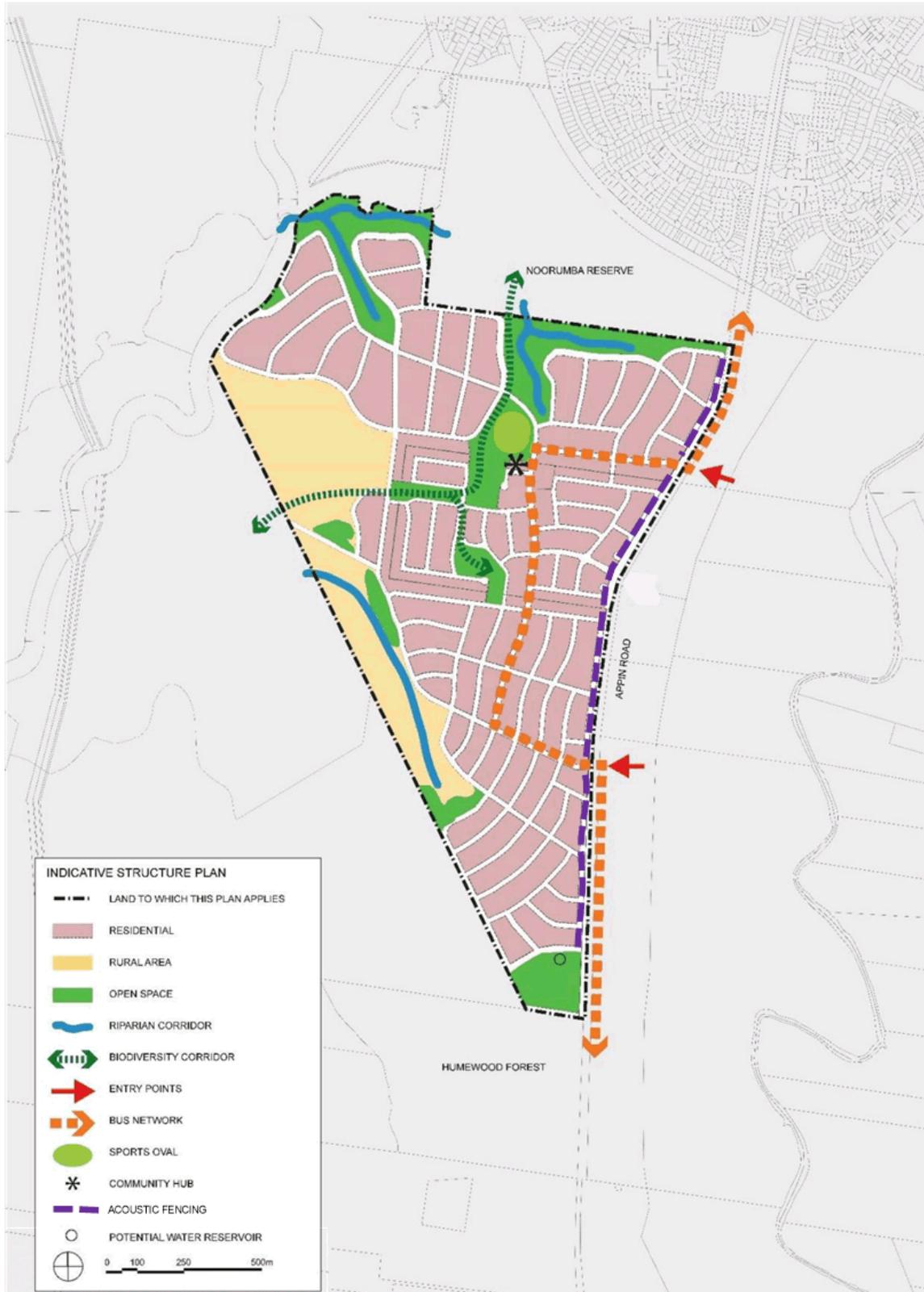
- Create an environmentally and socially sustainable residential estate at Mt Gilead that provides housing diversity and choice within the Campbelltown local government area.
- Provide a broad variety of lot sizes.
- Ensure all development achieves a high standard of urban and architectural design.
- Promote walking and cycling, and provide good access to public transport.
- Maximise opportunities for future residents to access and enjoy the outdoors.
- Protect riparian corridors and significant vegetation.
- Provide for the establishment of a biodiversity corridor to allow for the movement of fauna from Noorumba Reserve through the subject site to connect with the Nepean River corridor and the Beulah biobanking site.
- Respect the heritage significance of the Mount Gilead homestead site including the outbuildings, mill and dam and their setting.

#### **Controls**

1. Development of Mt Gilead is to be generally consistent with the Indicative Structure Plan shown in Figure 2.

# Part 7 FIGTREE HILL MT GILEAD

Figure 2: **Figtree Hill Mt Gilead** Indicative Structure Plan



## Part 7

### FIGTREE HILL MT GILEAD

## 3. DEVELOPMENT PRINCIPLES AND CONTROLS

### 3.1. Heritage and Views

#### Objectives

- Interpret the rural landscape values of the site and surrounding locality.
- Where possible, retain and enhance European heritage through its integration into the development of **Figtree Hill Mt-Gilead**.
- Retain the regional views to hills to the west from within the subdivision to retain the visual context of the landscape's prior land uses and heritage values.
- Retain the 'bald' character of One Tree Hill above the background skyline when viewed from The Old Mill, with a single landmark tree.

#### Controls

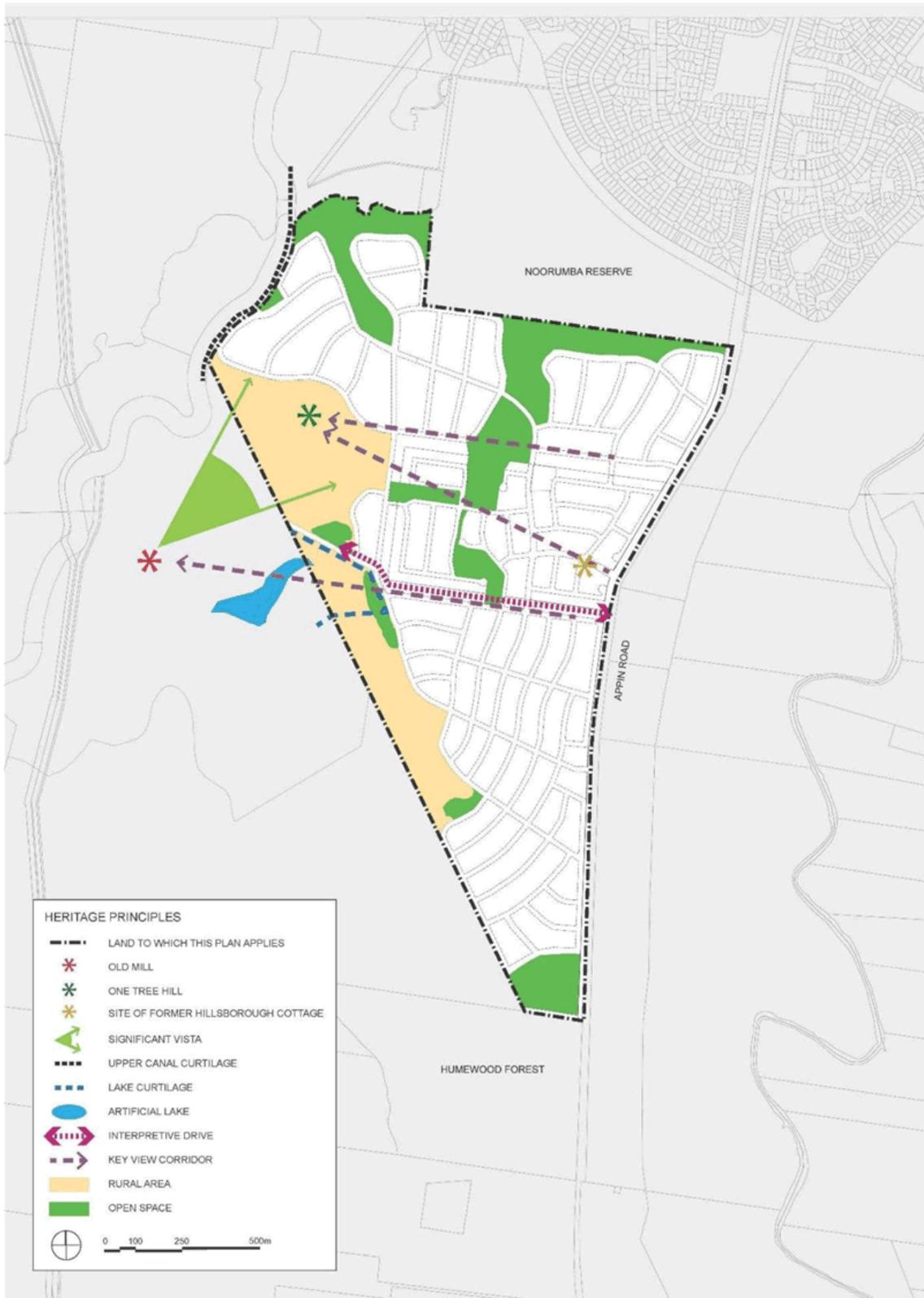
1. Development of Mt Gilead is to be consistent with the heritage principles identified in Figure 3 Heritage Principles Plan. The following specific measures are to be incorporated into the subdivision design:
  - i. An interpretation of the historic carriageway alignment from Appin Road to the Mt Gilead homestead at the existing entrance to the Mt Gilead Property as shown in Figure 3 ~~Heritage Principles Plan~~ **Heritage Principles Plan**. This should include land mark specimen tree planting.
  - ii. Retention of One Tree Hill as a grassed knoll with a single tree.
  - iii. Interpretation of the former Hillsborough Cottage is to be provided in the general vicinity as identified in Figure 3 Heritage Principles Plan. This may include landscaping, signage, walling or/and the erection of a commemorative plaque.
2. Landscape screening is to be provided in the locations identified in Figure 7 Indicative Landscape Strategy to:
  - i. Ensure that housing at Mt Gilead is not visible when viewed from the Old Mill.
  - ii. Interpret the original landscape setting around the lake when viewed from the Old Mill.
3. Where possible, the key view corridors identified from the indicative locations in Figure 3 Heritage Principles Plan to the Old Mill and One Tree Hill are to be retained and interpreted.
4. When the subdivision street pattern and open space locations are finalised, a site review will be required to confirm that important views to the west are retained and interpreted within the public domain (streets and parks). These locations will be identified on the plans submitted with development applications for subdivision.

**Note:** Methods to retain and interpret views include:

- Using trees species that will not block views when mature.
- Placement of seating and/or interpretive signage at the viewpoints that explains the view and its significance in the context of the locality's cultural and natural heritage.

# Part 7 FIGTREE HILL MT GILEAD

## Figure 3: Heritage Principles Plan



## Part 7

### FIGTREE HILL MT GILEAD

#### 3.2. Street Network and Public Transport

##### *Objectives*

- Provide a clear hierarchy of interconnected streets that enables safe, convenient and legible access.
- Provide easily accessible connections to Appin Road.
- Ensure carriageways and verges match the function of the road.
- Provide adequate land within verges for infrastructure, landscaping and pathways.
- Facilitate use of public transport with suitable seating and adequate road widths.
- Provide a clear pedestrian and cycle network that provides links between bus stops, the community hub and open space areas.
- Provide a connected, convenient, efficient and safe network of pedestrian and cycle shareways.
- Promote the efficient use of land by allowing pedestrian and cycle shareways located within open spaces wherever practical.

##### *Controls*

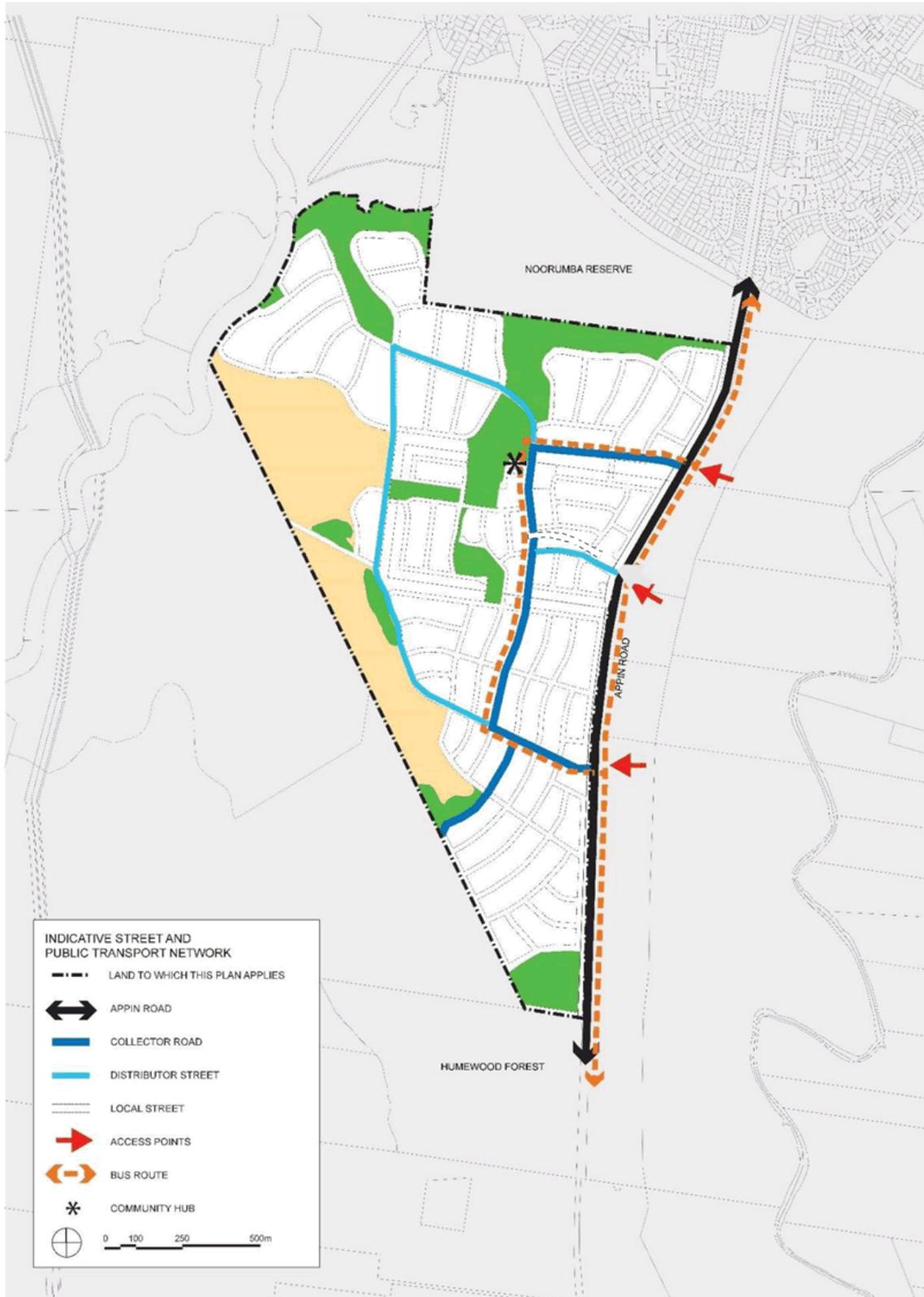
1. The design of the local street network is to:
  - i. facilitate walking and cycling and enable direct local vehicle trips;
  - ii. create a safe environment for walking and cycling with safe crossing points;
  - iii. encourage a low-speed traffic environment;
  - iv. optimise solar access opportunities for dwellings;
  - v. take into account the site's topography and view lines;
  - vi. provide frontage to and maximise surveillance of open space;
  - vii. facilitate wayfinding and place making opportunities by taking into account streetscape features; and
  - viii. retain existing trees, where appropriate, within the road reserve.
2. ~~Three-Two~~ entrances are to be provided off Appin Road generally in accordance with the locations identified in Figure 2 Mt Gilead Indicative Structure Plan and Figure 4 Indicative Street Network and Public Transport.
3. The public street network is to be provided generally in accordance with Figure 4 Indicative Street Network and Public Transport.
4. Street design is to comply with the minimum standards in the cross-sections detailed in Figure 5 Indicative Street Cross Sections.
5. Where bus bays are required on the Collector Road, the carriageway must be widened to accommodate a 2.5m wide bus parking bay.
6. Alternative street designs may be permitted on a case-by-case basis if the functional objectives and requirements of the street design are maintained and the outcome is in accordance with the Campbelltown City Council Engineering Design Guide for Development.
7. All kerbs are to be barrier kerbs.
8. **Pedestrian paths and cycle ways within Open space should be well connected to the local road network.**

**Part 7****FIGTREE HILL MT GILEAD**

9. Cul-de-sac streets will only be permitted where there are physical constraints such as sloping land, riparian corridors and bushland. Verges abutting open space and riparian areas may be reduced to 1m in width providing no servicing infrastructure is installed on the non-residential side of the road.
10. Appropriate seating or shelters shall be provided at bus stops.
11. Footpaths must be provided on at least one side of every street, except on the collector road where a footpath must be provided on both sides, unless it can be located within adjacent open space.
12. Pedestrian and cycle network is to be provided in accordance with Figure 6 Indicative Pedestrian/Cycle Network, and is to:
  - i. provide safe and convenient linkages between residences and open space systems, neighbourhood shops, the community facility and the bus route;
  - ii. respond to the topography and achieve appropriate grades for safe and comfortable use where possible; and
  - iii. comply with the requirements of Campbelltown City Council Engineering Design Guide for Development.
13. Street trees are to be provided in a manner consistent with the Indicative Street Tree Hierarchy at Appendix 1.
14. A 10m wide Landscape Green Link is to be provided in the verge of the local street in the location shown in Figure 7 Indicative Landscape Strategy. The Landscape Green Link is to be planted with endemic native plant species and designed in a manner consistent with Figure 5 Indicative Street Cross Sections.
15. Water Sensitive Urban Design green infrastructure such as raingardens, swales, tree pits, grasscrete within road carriageways and parking areas where it contributes to, and meets the objectives and principles of the Figtree Hill Stormwater Management Strategy and Council's engineering specifications.
16. With the agreement of Council's Urban Release Area team, alternative road pavement finishes, to reduce solar absorption, may be trialed within Figtree Hill.

# Part 7 FIGTREE HILL MT GILEAD

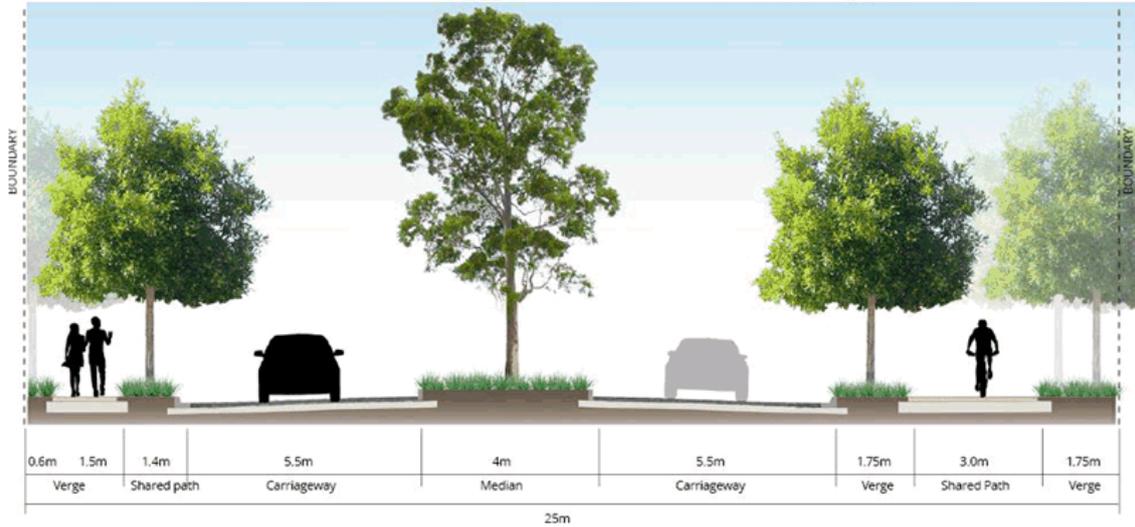
Figure 4: Indicative Street Network and Public Transport



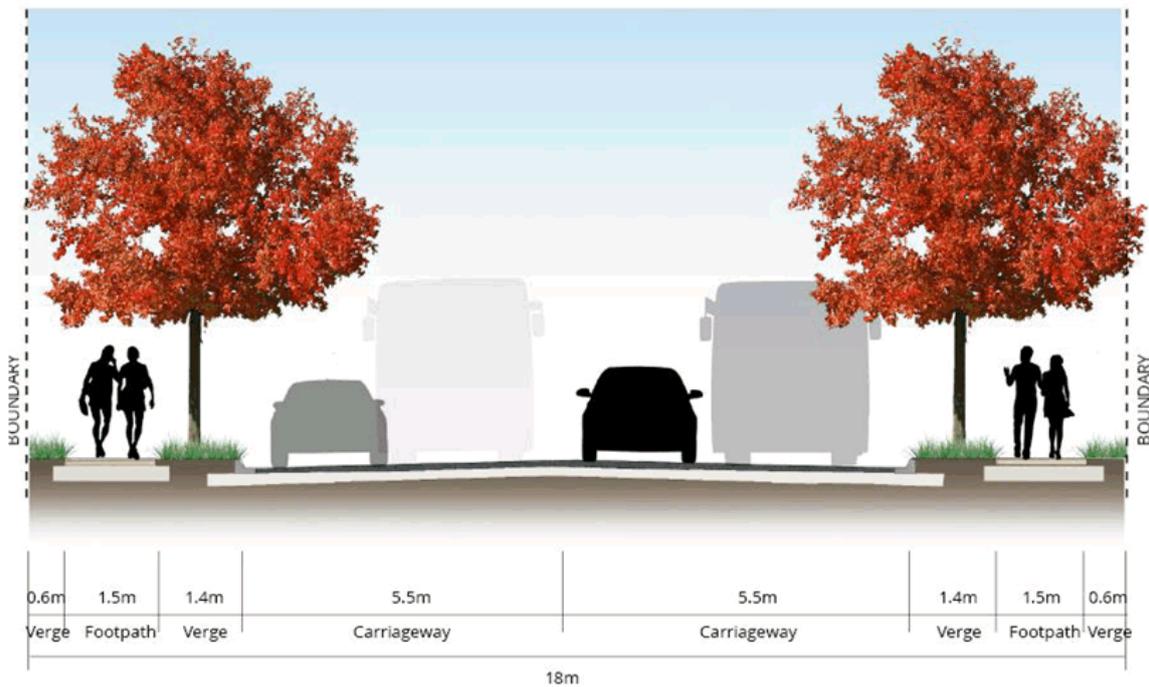
**Part 7**  
**FIGTREE HILL MT GILEAD**

**Figure 5: Indicative Street Cross Sections**

**Northern Entry Collector Road**

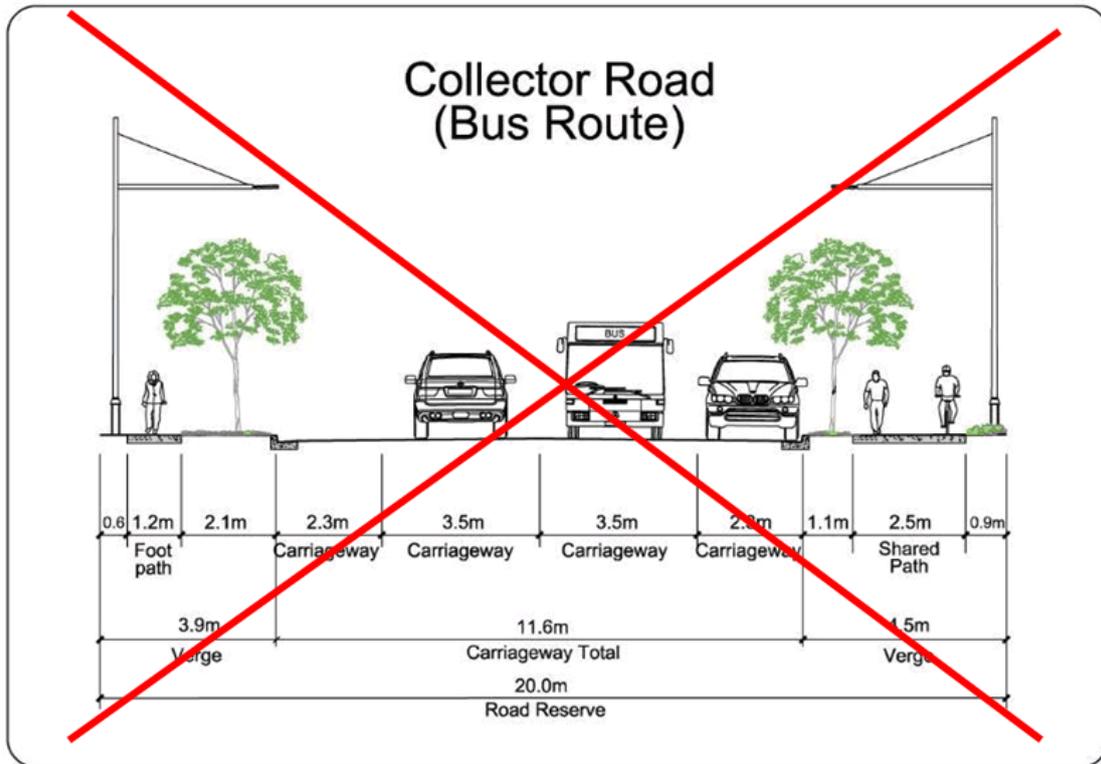


**Collector Road (Bus Route)**



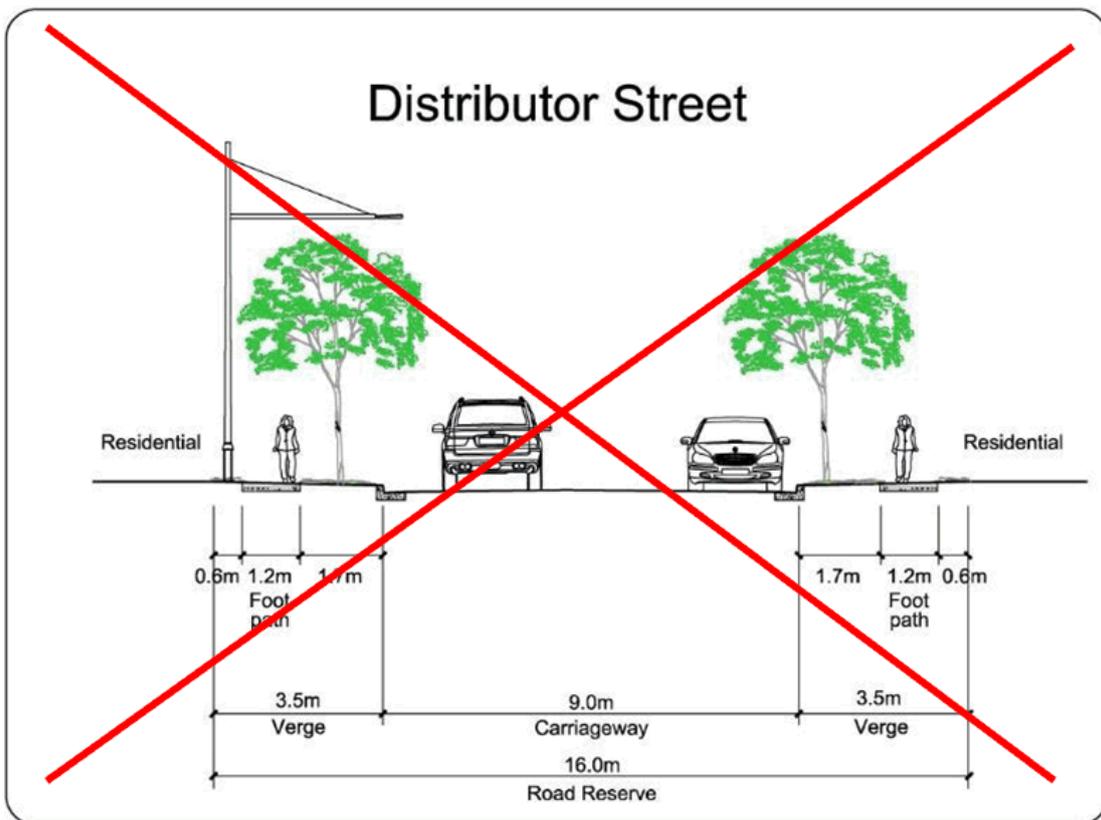
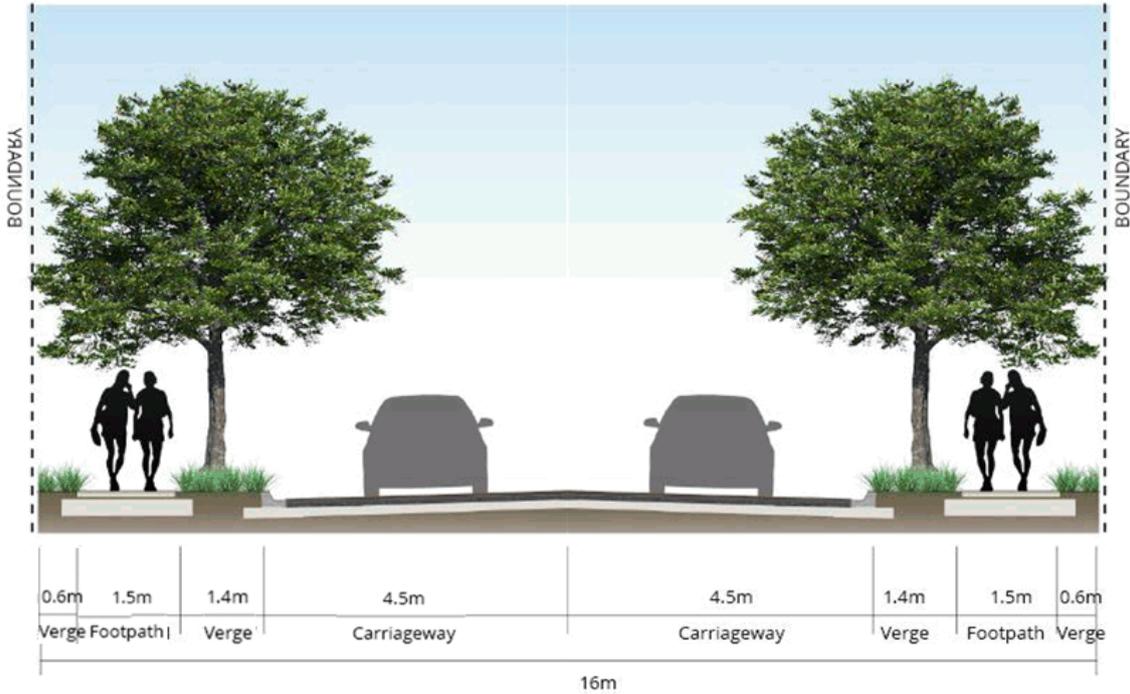
**Note:** Carriageway to be locally widened at bus stops to 12.0m to allow for 2.5m bus bay  
Where adjoining Managed Land BioBank reserve to widen by 1m to provide 2.5m sharepath on BioBank side.

**Part 7**  
**FIGTREE HILL MT GILEAD**



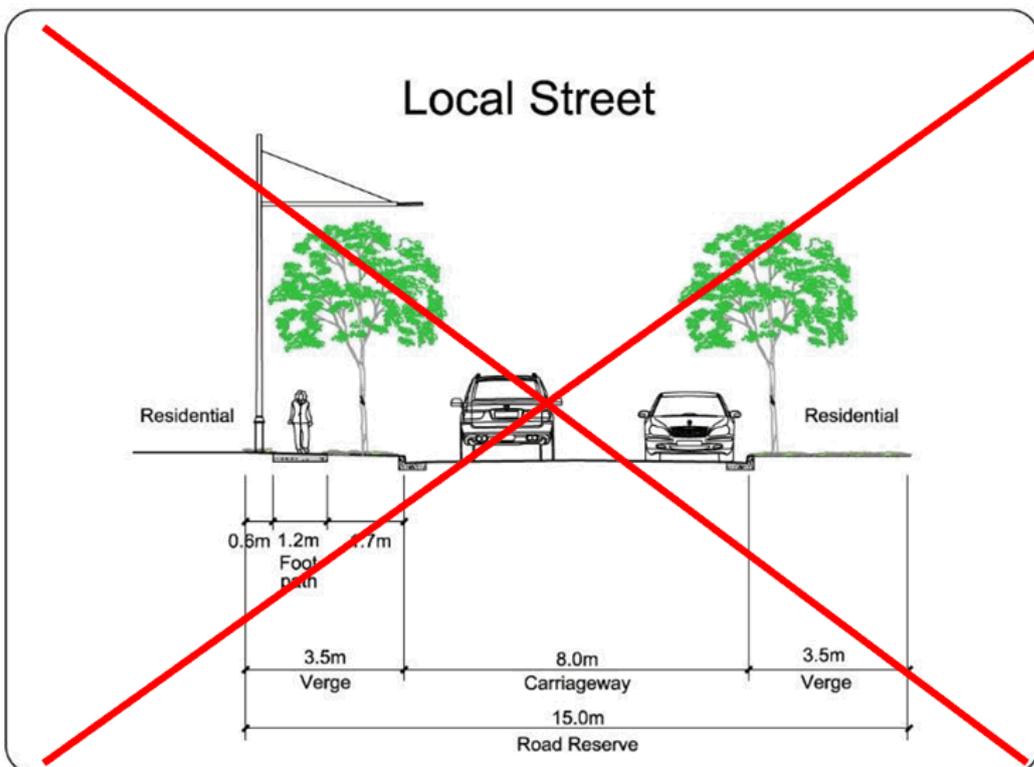
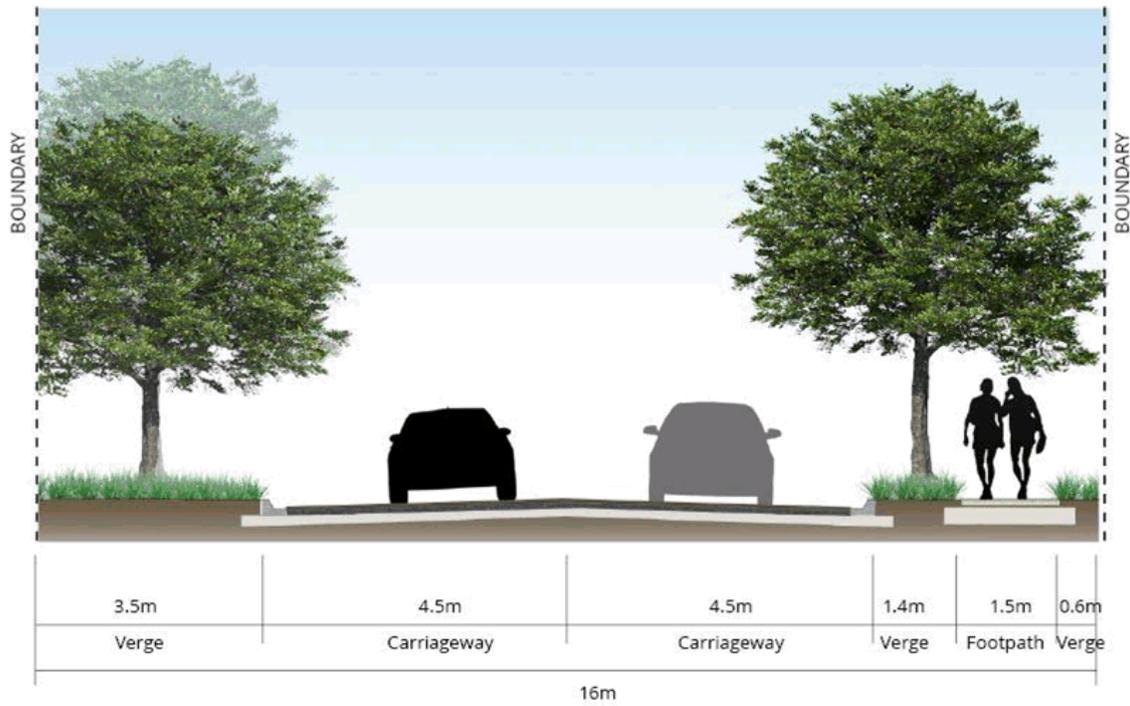
**Part 7**  
**FIGTREE HILL MT GILEAD**

**Distributor Street**



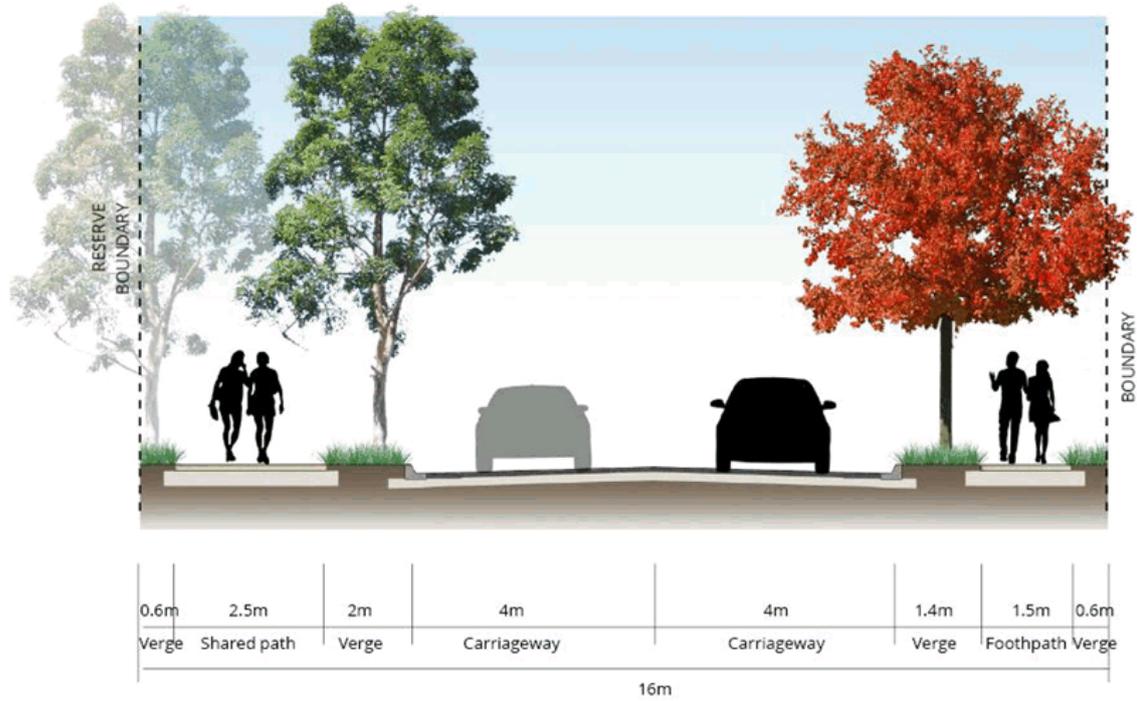
**Part 7**  
**FIGTREE HILL MT GILEAD**

**Local Road**

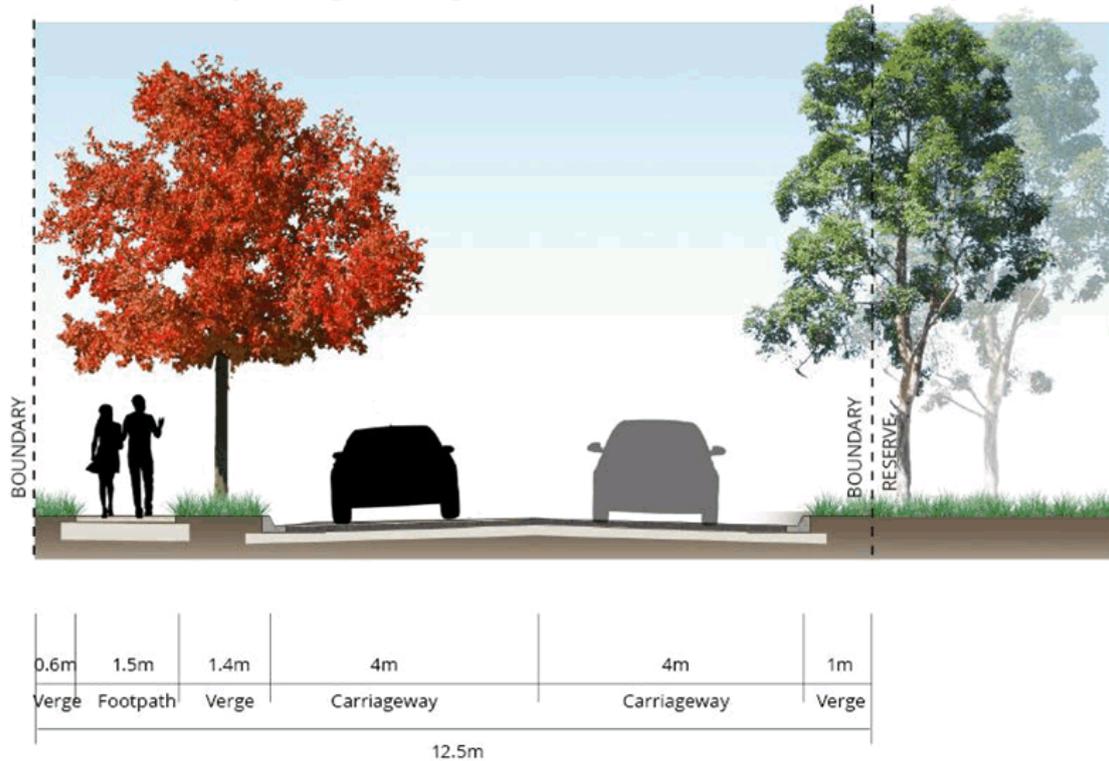


**Part 7**  
**FIGTREE HILL MT GILEAD**

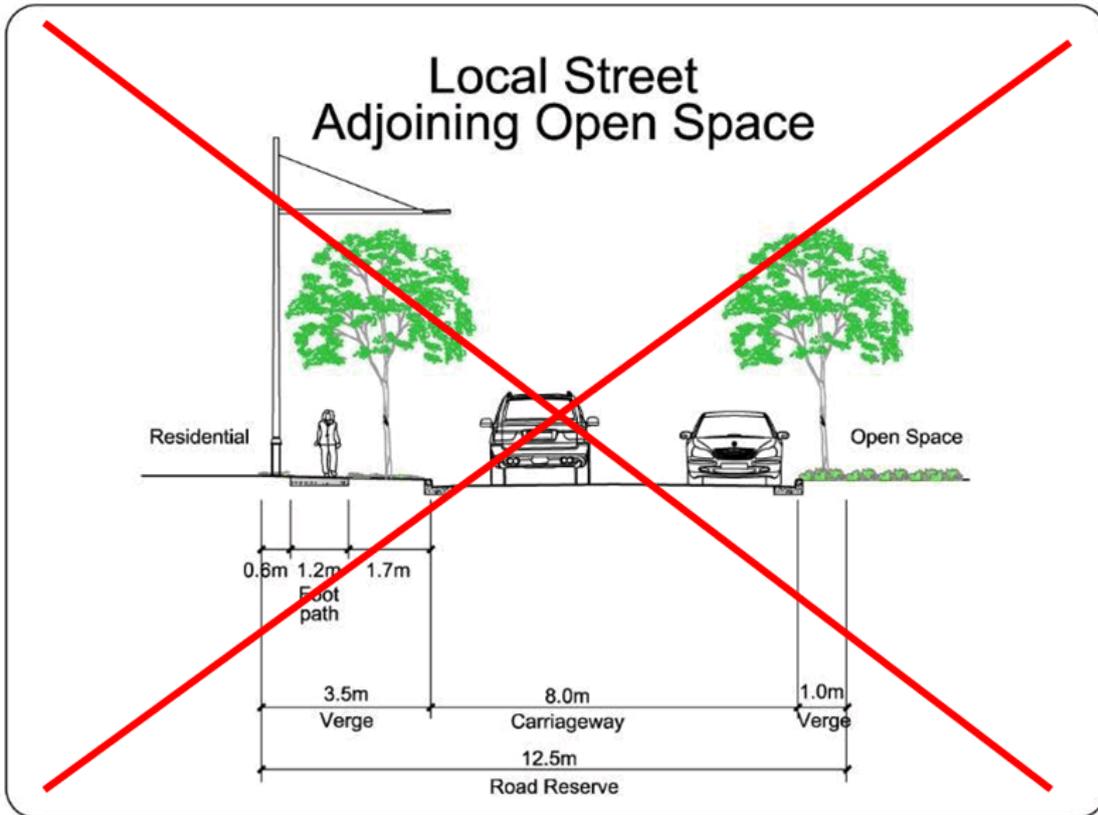
**Local Road adjoining Mt Gilead Noorumba BioBank**



**Local Road adjoining Managed Land BioBank and Open Space**

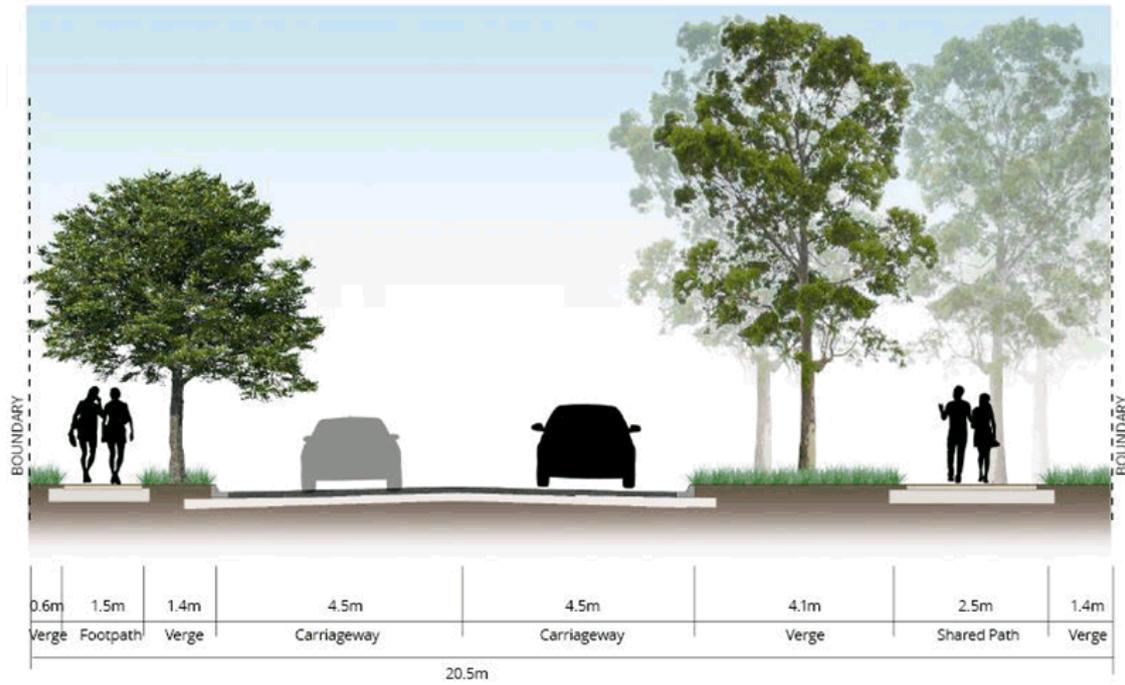


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**FIGTREE HILL MT GILEAD**



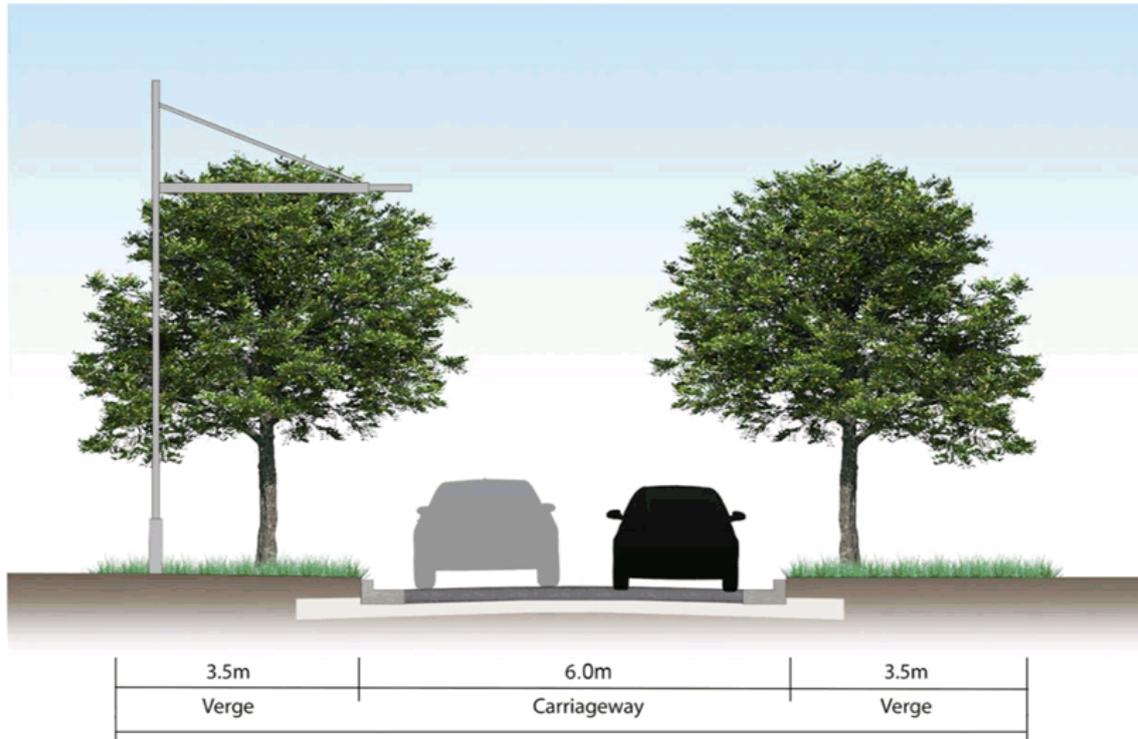
**Part 7**  
**FIGTREE HILL MT GILEAD**

**Homestead Interpretive Drive**

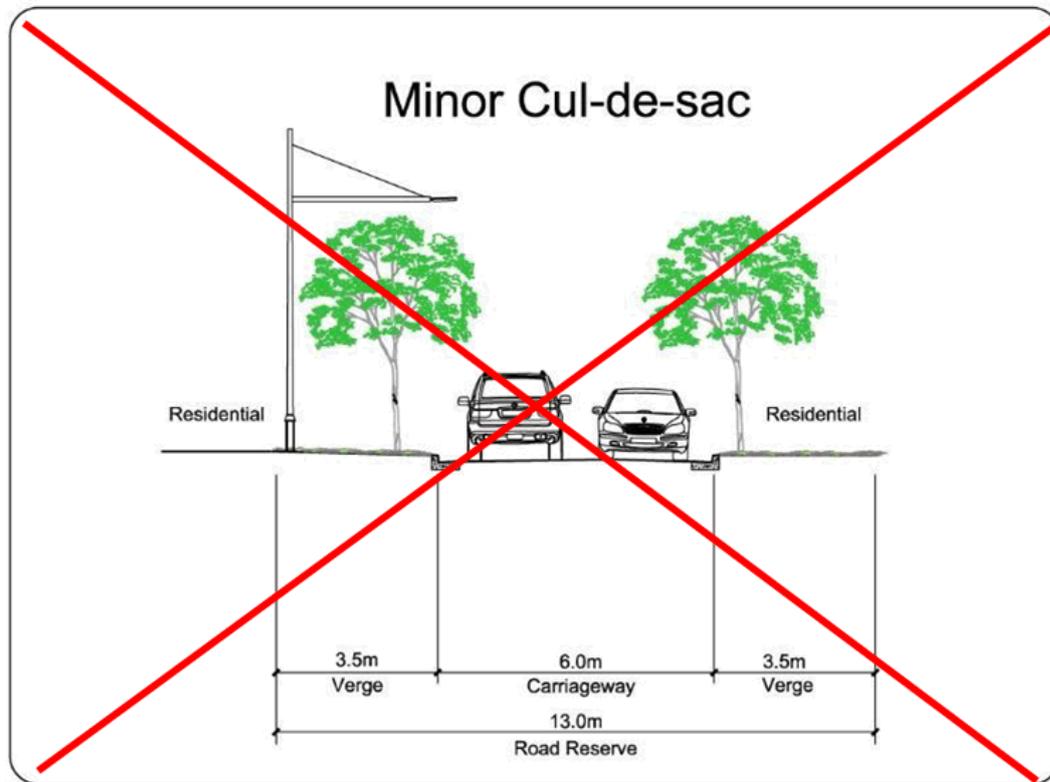


**Part 7**  
**FIGTREE HILL MT GILEAD**

**Minor Cul-de-sac**

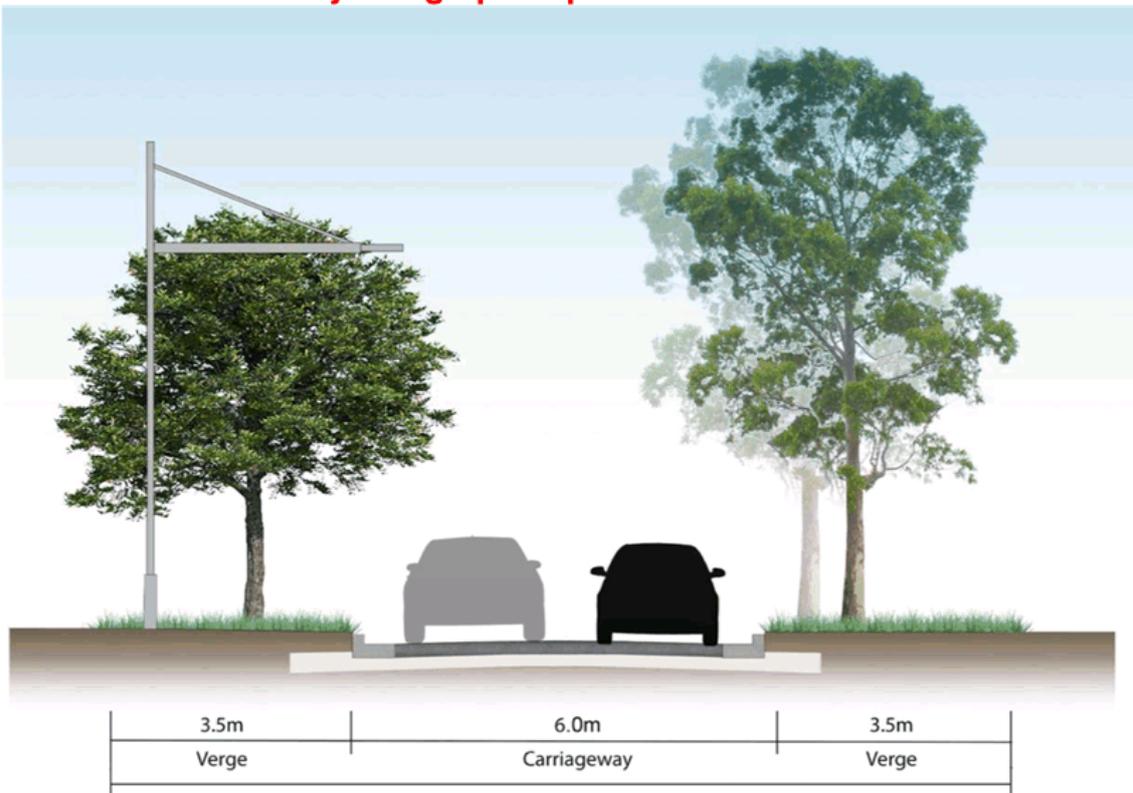


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**FIGTREE HILL MT GILEAD**

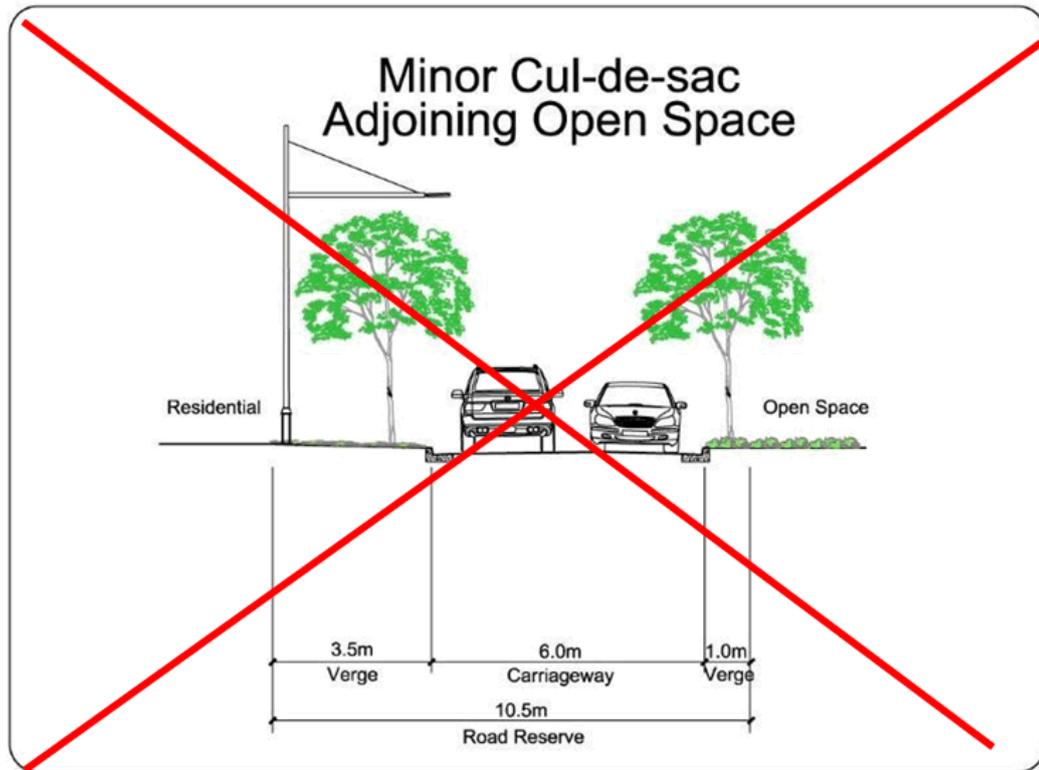


**Part 7**  
**FIGTREE HILL MT GILEAD**

**Minor Cul-de-sac adjoining open space**

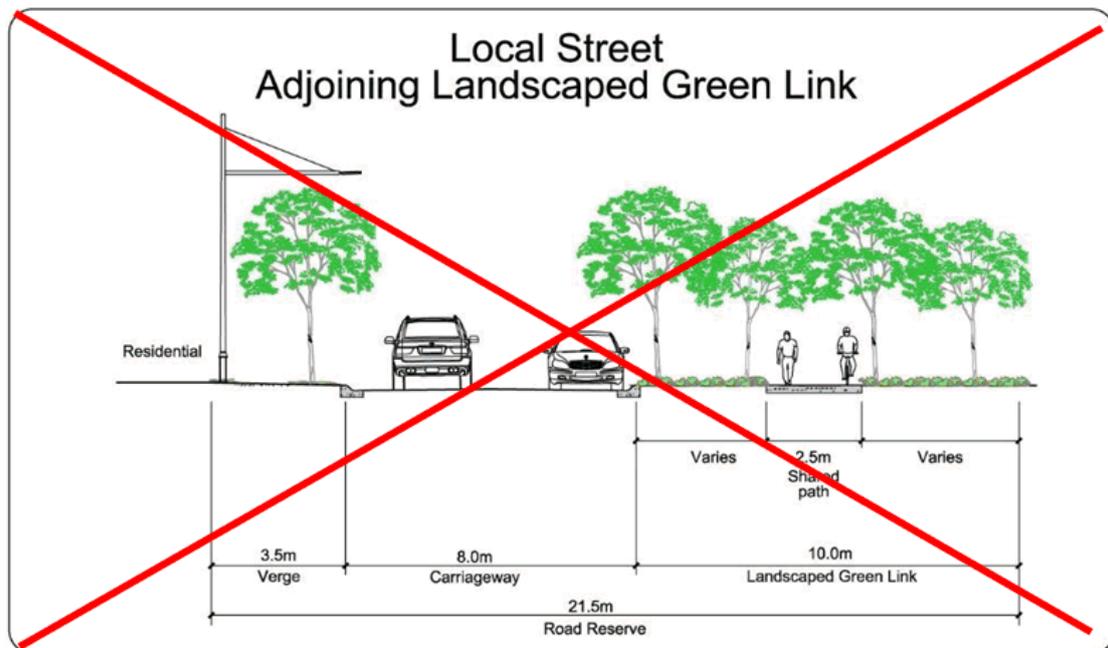
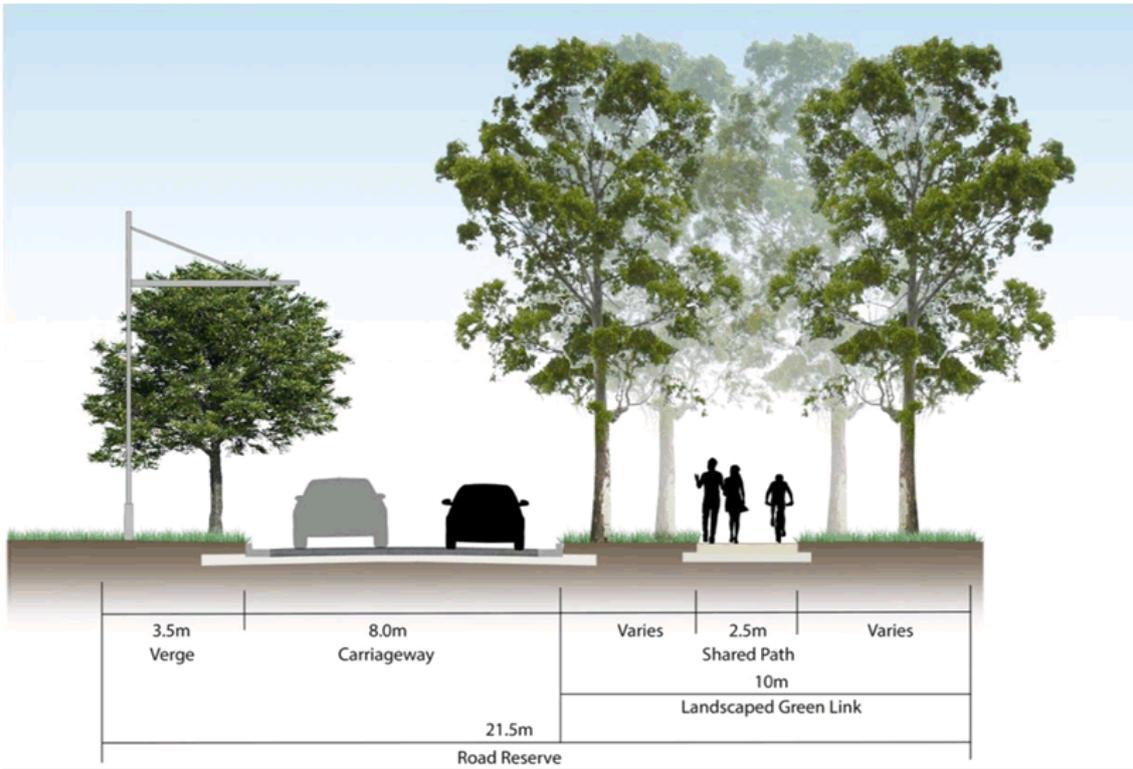


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**FIGTREE HILL MT GILEAD**



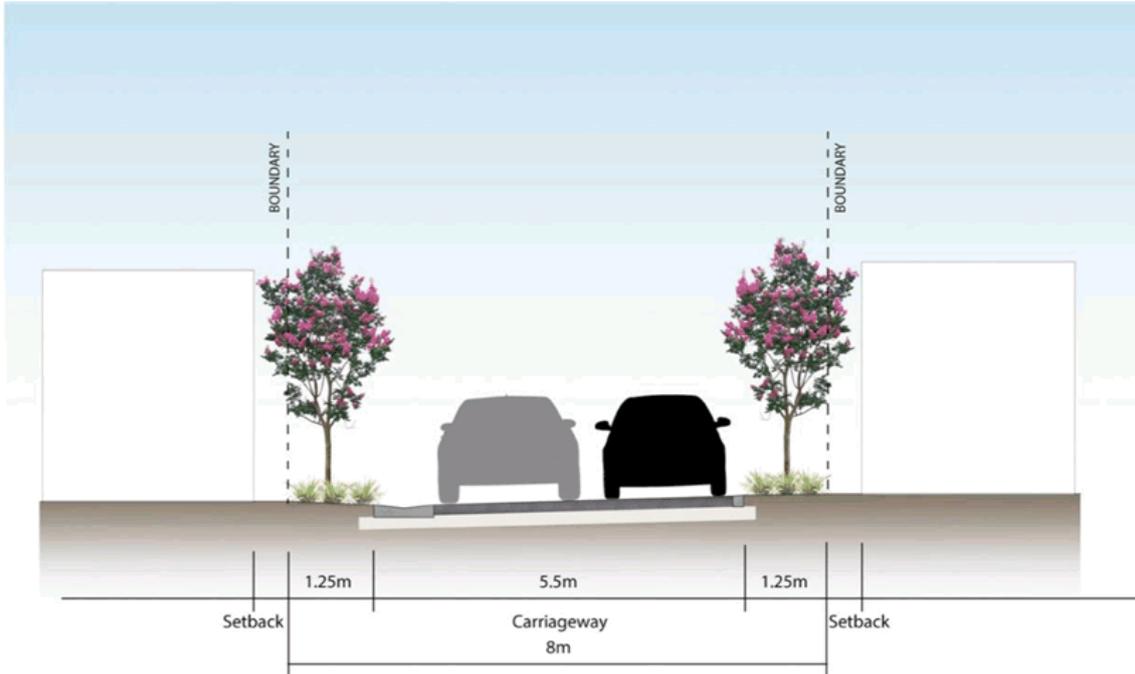
**Part 7**  
**Figtree Hill - Addendum**

**Local street adjoining landscaped green link or open space**



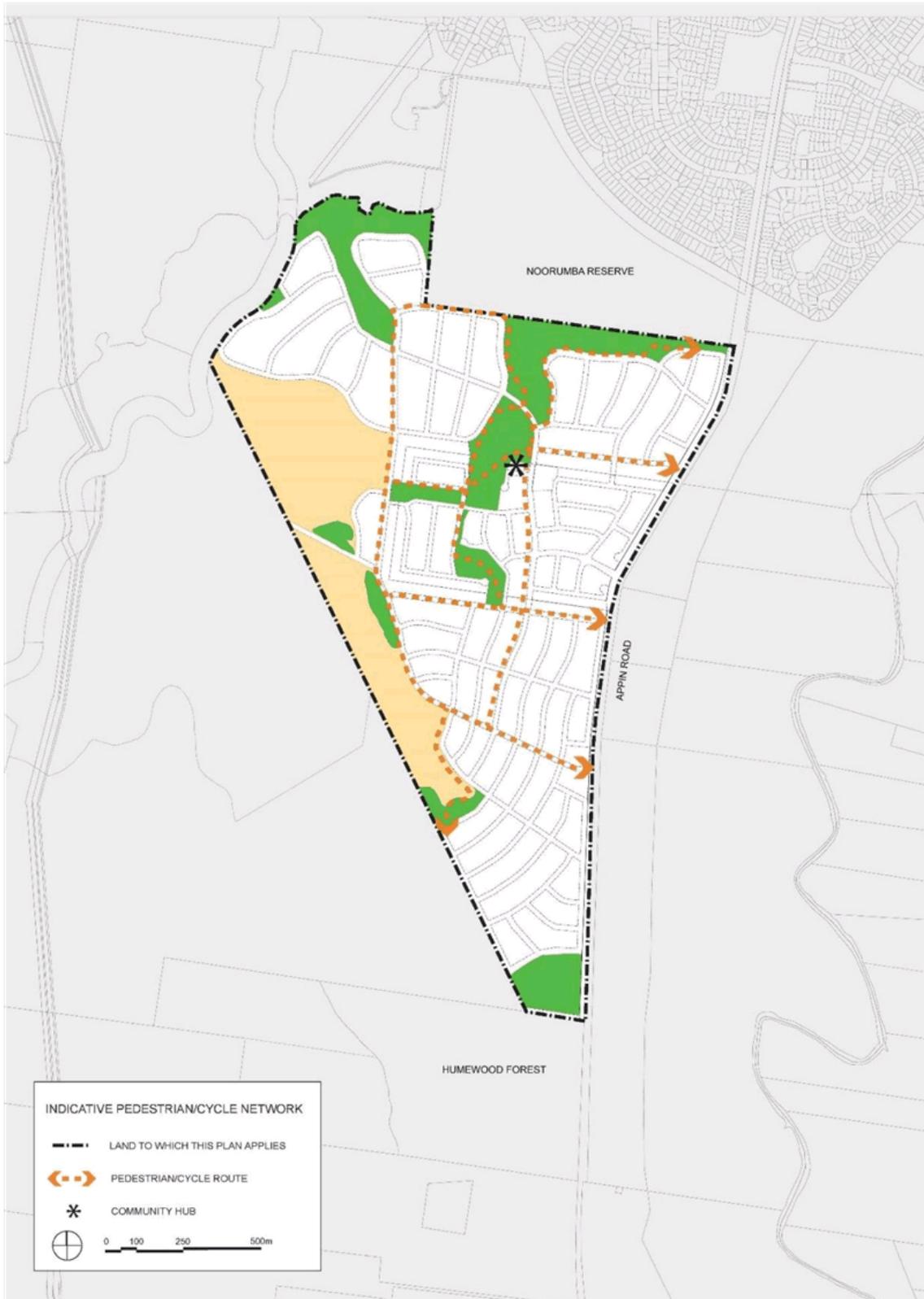
# Part 7 Figtree Hill - Addendum

## Laneway



**Part 7**  
**Figtree Hill - Addendum**

**Figure 6: Indicative Pedestrian/Cycle Network**



## Part 7

### Figtree Hill - Addendum

#### 3.3. Public Open Space and Landscaping

##### *Objectives*

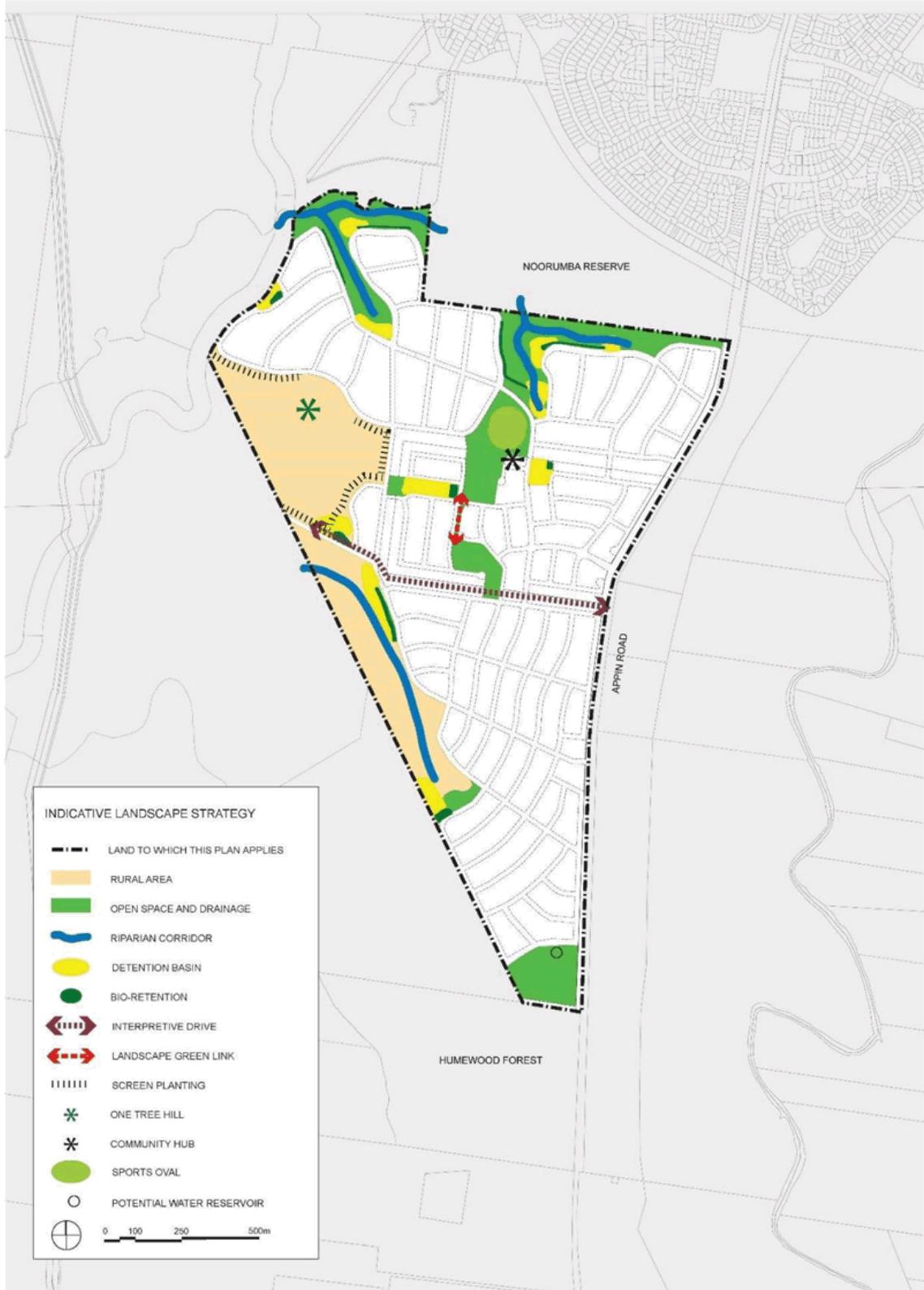
- Provide safe and accessible open space areas for the enjoyment of the local population and promote local character.
- Provide open space which can be used by a range of users, linked with other activities and services.
- Conserve trees and other vegetation of ecological, aesthetic and cultural significance.
- Provide, enhance and protect existing watercourses and riparian corridors and improve habitat features.
- Promote riparian areas for the conservation and enhancement of riparian habitat and connectivity values, and for passive open space uses and activities where such uses will not degrade the riparian corridors.
- Restore and conserve remnant bushland.

##### *Controls*

1. Landscaping and public open spaces are to be generally provided in accordance with Figure 7 Indicative Landscape Strategy.
2. Public Open Space is to be linked using streets, pedestrian paths and cycle ways.
3. Development is to front public open spaces to allow for casual surveillance and enhance safety.
4. Riparian areas are to be protected and enhanced.
5. Bushland to be conserved is to be identified in each development application for subdivision, and the application is to provide details of proposed regeneration and restoration.
6. Significant trees are to be retained where possible. Trees proposed for removal are to be identified in each development application and the impact of their removal is to be assessed appropriately.
7. Screen planting on the slopes of One Tree Hill as shown on Figure 7 Indicative Landscape Strategy should not be planted above the background skyline.

# Part 7 Figtree Hill - Addendum

Figure 7: Indicative Landscape Strategy



## Part 7

### Figtree Hill - Addendum

#### 3.4. Residential Subdivision

##### *Objectives*

- Provide a residential subdivision layout that utilises development areas efficiently and responds to the natural attributes of the site.
- Establish a consistent residential character and sense of place.
- Ensure that residential lots are sited to provide a high level of residential amenity in terms of solar access, views, outlook and proximity to open spaces.
- Provide a range of densities, lot sizes and house types to foster a diverse community and interesting streetscapes.
- Provide for a maximum of 65 lots less than 450m<sup>2</sup> in area (but with a minimum area of 375m<sup>2</sup>) in appropriate locations where they will not impact on the streetscape character of the wider Mt Gilead development.

##### *Controls*

1. Street layouts are to be an appropriate length and width to ensure that pedestrian connectivity, stormwater management and traffic safety objectives are achieved.
2. Subdivision layout is to deliver a legible and permeable street network that responds to the natural site topography, the location of existing significant trees and bushland, and solar access design principles.
3. Residential lots should be rectangular in geometry as far as possible.
4. The minimum lot width **at the building line on to** any street frontage is 12.5m.
5. The maximum number of lots with a minimum area of 375m<sup>2</sup> and **maximum area below of** 450m<sup>2</sup> is 65.
6. Lots less than 450m<sup>2</sup> are to be located within 200m of key amenity attractors such as the bus route, community hub and open space areas.
7. Subdivision layouts must provide a variety of lot frontages and lot sizes within each street. Lots less than 450m<sup>2</sup> must be dispersed throughout the subdivision and not be located in a manner where they form the dominant streetscape presentation.
8. The repetition of lot widths of 12.5m is to be avoided, with no more than 3 lots of this frontage to be adjacent to one another.
9. **The use of zero lot boundaries are only permitted on lots with a width of 12.5m.**
10. **Where zero lot lines are to be utilised, an easement for maintenance and access 0.9m wide is to be registered on the adjoining lot.**
11. **Building Envelope Plans are to be provided for all lots to clearly identify:**
  - **Primary frontage of the lot (if required)**
  - **Location of zero lot lines if lot width is 12.5m**
  - **Setbacks or dwelling footprint**
  - **Dual occupancies are to be identified**
  - **Location of driveway**
  - **Location of services and drainage infrastructure**

**Part 7**  
**Figtree Hill - Addendum**

- Other relevant considerations for the lots such as Asset Protection Zones, bushfire construction requirements, acoustic construction standards and landscaping

**3.5. Residential Development**

**3.5.1. Front Setbacks**

*Objectives*

- ~~Provide a variety of front setbacks dependant on lot size.~~
- Create streets with a diverse and interesting character while maintaining consistent street setbacks.
- Encourage articulation of the front facades of dwellings.
- Reduce the dominance of garages on the streetscape.

*Controls*

1. Front setbacks for all dwelling types are to be consistent with Table 2.

**Table 2: Front setbacks**

<b>Lot-Size Requirement</b>	<b>&gt;450m<sup>2</sup>Setback</b>
<b>Front setback</b>	4.5m
<b>Articulation zone</b>	3.5m
<b>Garage line</b>	5.5m and at least 1m minimum behind the façade building line

2. To create an interesting and diverse streetscape, at least two of the following building elements are encouraged required within the front setback articulation zone:
  - i. entry feature or portico;
  - ii. awnings or other features over windows (excluding roller shutters);
  - iii. recessed or projecting architectural elements;
  - iv. open verandahs; and
  - v. a mix of building materials, finishes and colours.
3. The articulation zone is to occupy no more than 50% of the frontage, excluding any garage.
4. Where permitted, any third garage space is to be setback at least an additional 1m behind the main garage.

**3.5.2. Side and rear setbacks**

*Objectives*

- Protect the amenity of adjacent properties particularly in terms of privacy and overshadowing.
- Use land efficiently.

**Part 7**  
**Figtree Hill - Addendum**

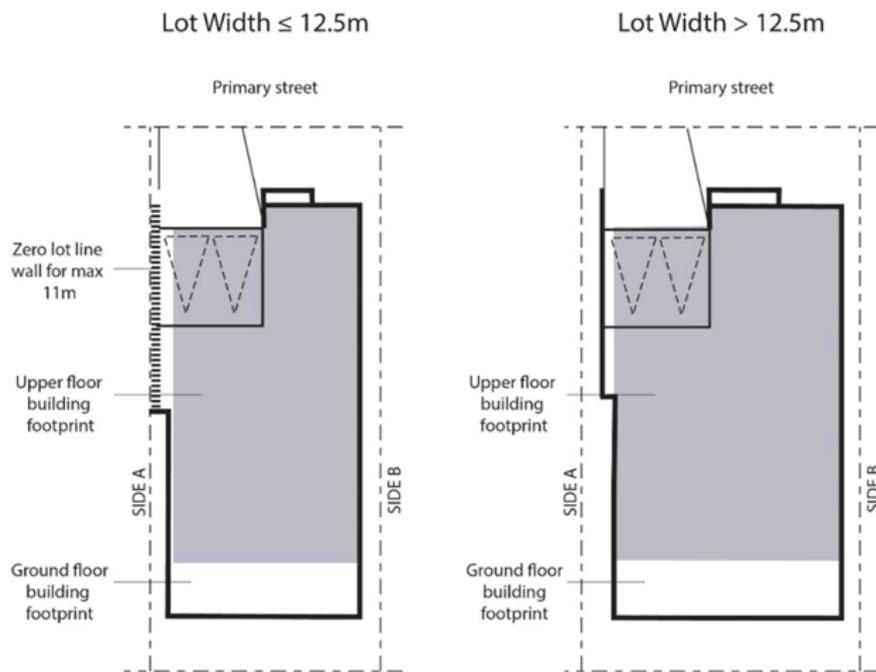
**Controls**

1. Minimum side and rear setbacks are to be consistent with Table 3 and Figure 8.
2. Upper storey setbacks are to ensure that neighbouring dwellings receive the minimum required solar access to ~~habitable rooms and~~ private open space.
3. ~~Any continuous wall shall be no more than 10m in length. Walls over 10m long shall have a minimum offset of 300mm for a minimum of 2m. This does not apply~~Walls constructed to the lot boundary are only permitted on lots with a width of 12.5m or less and where an easement for maintenance has been provided on the adjoining lot.

**Table 3: Minimum side and rear setbacks**

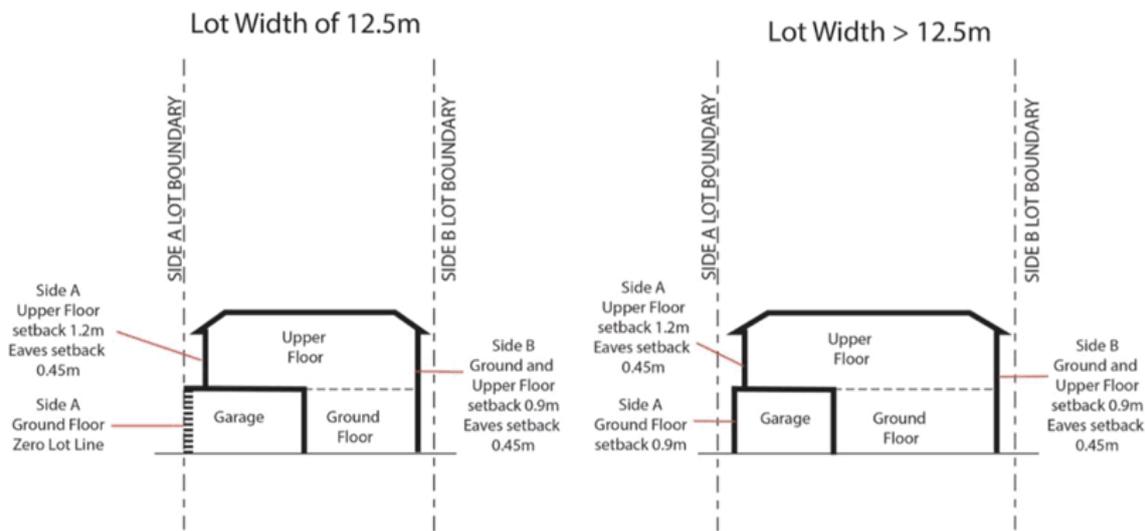
Lot Size	Lot width $\leq$ of 450 m <sup>2</sup> 12.5m	Lot width >450 m <sup>2</sup> 12.5m
Side setback – <del>single-storey ground floor</del>	Side A – 0m Side B – 0.9m	0.9m
Side setback – <del>double-storey upper floor</del>	Side A – 1.2m Side B – 0.9m <del>1.2m</del>	
Side setback - garage	Side A - 0m Side B – 0.9m	0.9m
Rear setback – ground level	4m	
Rear setback – upper level	6m <del>8m</del>	
Zero Lot line Max Length	11m	

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Maximum footprint shown, ground floor building footprint is refined to provide minimum private open space requirements

**Figure 8: Side and rear setbacks and building footprint**



**Figure 9: Elevation of side setback requirements**

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**3.5.3. Corner lots**

**Objective**

- Ensure that land is efficiently used at block ends.
- Provide a strong visual identification of the street block by articulating both frontages.
- Locate garages on secondary street frontages.

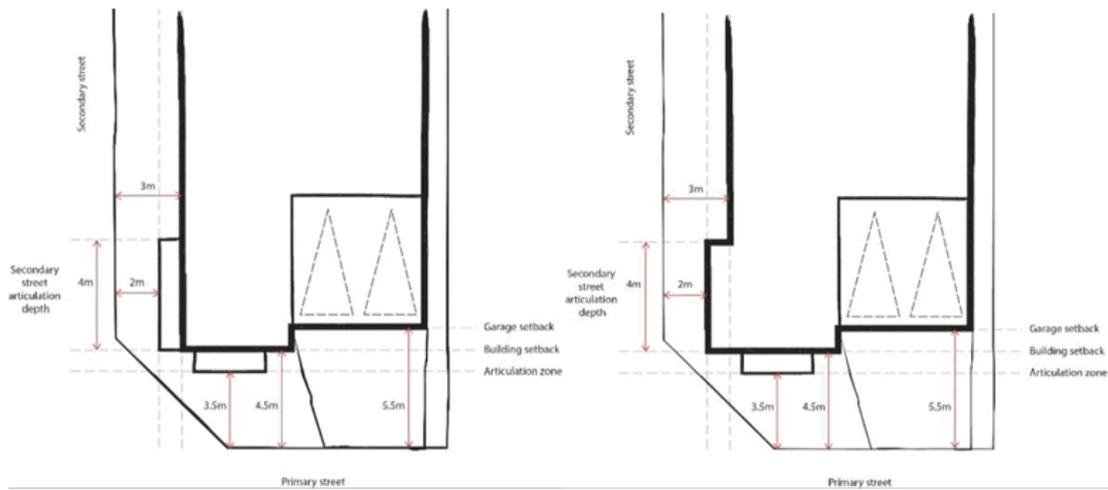
**Controls**

1. The minimum lot size on a corner lot is 450m<sup>2</sup>.
2. To provide an attractive streetscape, dwellings on corner lots are to provide appropriate articulation to the facade on both street frontages. **Minimum secondary setbacks are to be consistent with Table 4 and Figures 10 and 11.**
- ~~3. Small windows to bathrooms, en-suites or the laundry are not to be visible from the secondary street frontage.~~
4. Where feasible, garages should be located on the secondary street frontage of corner lots.
- ~~5. To prevent carparking over the public road verge, garages located on secondary street frontages are to be setback either 2m or a minimum of 5.5m and integrated into the dwelling design consistent with Table 4 and Figure 12 and 13. Garages setback from secondary street frontage that are greater than 2m but less than 5.5m will not be accepted.~~
- ~~6. Dwellings shall be set back at least 3m from the secondary street boundary. However, garages on secondary streets are to be set back at least 5.5m from the boundary.~~ Dwellings and landscaping shall be designed to minimize the amount of privacy/security fencing that faces roads.
- ~~7. Garages located on secondary street frontages are to be setback a minimum of 0.9m from the rear boundary of the lot.~~

**Table 4: Minimum secondary street setbacks**

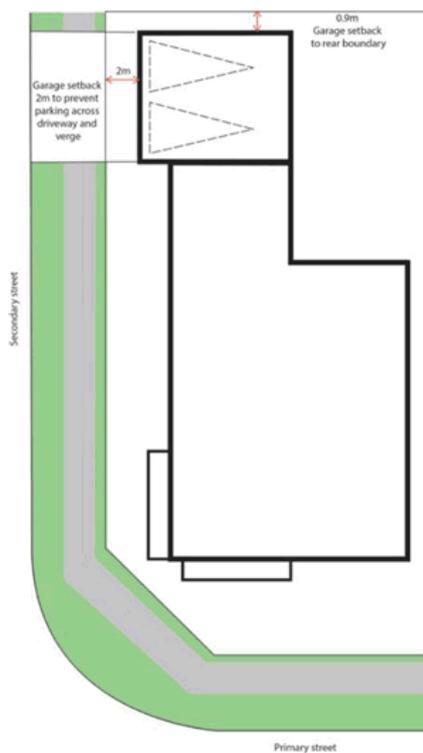
<b>Requirement</b>	<b>Setback</b>
<b>Where façade elements provide articulation</b>	
Secondary setback to building line	3m
Secondary setback to articulation	2m
Minimum length of articulation from front building line	4m
<b>Where built corner provides articulation</b>	
Secondary setback to building line for first 4m from front building line	2m
Secondary setback to building line for remainder of facade	3m
<b>Garages</b>	
Secondary setback to garages	At 2m, or minimum of 5.5m

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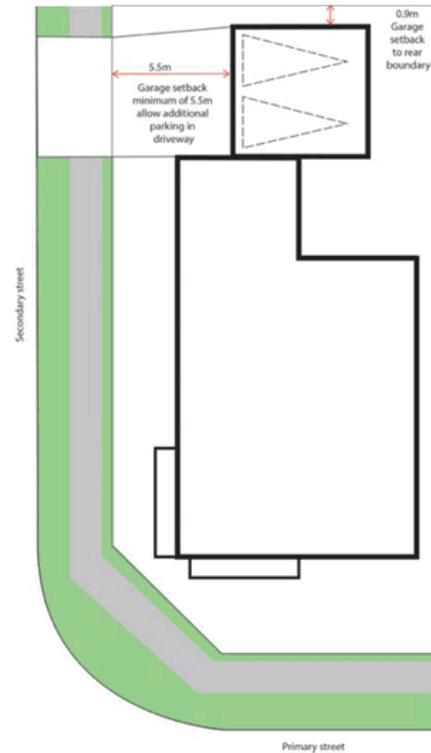


**Figure 10: Articulation to secondary setback with façade elements**

**Figure 11: Articulation to secondary setback with built corner**



**Figure 12: 2m setback to garage on secondary Street frontage**



**Figure 13: Minimum 5.5m to garage on Secondary Street frontage**

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#### 3.5.4. Building design and materials

##### *Objective*

- To provide well designed homes that contribute to an attractive and complementary streetscape.
- To reduce the amount of incoming solar radiation and heat absorption.
- To minimize the extent of urban heat island impacts from new development.
- To ensure building materials contribute to an attractive and complementary streetscape that reflects the natural environment.

##### *Controls*

1. With the exception of zero lot line walls, eaves are to be provided to all facades of the dwelling with a minimum width of 450mm excluding fascia and gutters.
2. Alternative solutions to eaves may be considered on merit provided appropriate sub shading is provided to windows and of contemporary architectural design.
3. Front facades are to feature at least one habitable room with a window facing onto the street.
4. Small windows to bathrooms, en-suites or the laundry are not to be visible from the ground floor to the primary street frontage.
5. Building material colours are to be of neutral and lighter colours. Front doors are exempt from this requirement.
6. Building facades visible from the street are to incorporate three different building materials.
7. Black and dark coloured roofs are not permitted. Metal roofs are to have a Solar Absorption ratio equal to or below 0.65 and tile roofs are to have a Solar Absorption ratio equal to or below 0.80 as classified by the National Construction Code. This selection is also to be reflected in the BASIX Report submitted with the DA.
8. Garage doors are to have a Solar Absorption ratio below 0.65 as classified by the National Construction Code.
9. Balconies are only permitted on facades where they are facing streets or open space. Upper floor balconies facing rear or side boundaries will be considered on their merits provided:
  - i. appropriate privacy and amenity impacts to adjoining properties are addressed
  - ii. they are setback at least further than 6m from the rear boundary.

#### 3.5.5. Garages, driveways and parking

##### *Objective*

- To ensure driveways and garages are delivered in a coordinated manner.

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- To ensure dwellings include appropriate carparking for residents.
- To ensure garages and parking areas do not detract from the streetscape.
- To provide safe convenient access for vehicles, pedestrians and cyclists whilst minimizing conflict between them.
- To reduce the effect of heat absorption and provide cooler streets by encouraging lighter material finishes.

#### **Controls**

1. These controls are in addition to the provisions in section 3.4.2 of the DCP. Where there is an inconsistency, the controls in this section prevail.
2. Each dwelling is to be provided with a minimum of 2 carparking spaces, 1 of which must be garaged behind the building line.
3. Garage door openings cannot exceed 6m in width.
4. Triple garages are only permitted where lots have an area of 700m<sup>2</sup> or more and a lot width at the building line of at least 18.5m ~~not permissible on lots smaller than 1,500m<sup>2</sup>.~~
5. Triple garages are not to be orientated to the secondary frontage or corner lots.
6. Carports are not permitted.
7. The maximum crossover width across the verge is 3m for a single garage and 4.5m for double and triple garages.
8. Driveways are to be constructed with pavers, coloured concrete or stenciled concrete. Lighter driveway colours and materials are required to reduce heat absorption
9. The section of driveway located between the property boundary and the street kerb (verge) must be constructed from plain concrete.
10. Landscaping at a minimum of 500mm is to be provided between the driveway and boundary line

### **3.5.6. Private Open Space**

#### **Objective**

- Contribute to effective stormwater management, management of micro-climate impacts and energy efficiency.
- Ensure a balance between built and landscaped elements in residential areas.
- Provide high quality private open space within properties for relaxation and entertainment.
- Provide useable private open space relative to the size of the property.
- Provide private open space with high levels of amenity including privacy and direct sun access.
- Ensure that dwellings are designed to minimise overshadowing of adjacent

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properties including private open space.

### Controls

~~1. Private Open Space is to be provided at the following minimum rates:~~

- ~~i. Lots equal to or less than 450m<sup>2</sup>: 15% minimum of the site area; and~~
- ~~ii. Lots above 450m<sup>2</sup>: 20% minimum of the site area.~~

1. An area of Principal Private Open Space (PPOS) is to be provided that is directly accessible from the main living area of a dwelling. It is to have a maximum gradient of 1:10 and be provided at the following minimum rates:

- i. Lots equal to or less than 450 m<sup>2</sup>: 20m<sup>2</sup> with minimum dimension of 3m; and
- ii. Lots above 450m<sup>2</sup>: 25m<sup>2</sup> with minimum dimension of 5m.

**Note:** "Principal Private Open Space" means the portion of private open space which is conveniently accessible from a living zone of the dwelling.

- 2. For lots equal to or less than 450m<sup>2</sup>, at least 2 hours of direct sunlight is to be received to 50% of the PPOS area of the proposed dwelling between 9am and 3pm on 21 June.
- 3. For lots above 450m<sup>2</sup>, at least 3 hours of direct sunlight is to be received to 50% of the PPOS area of the proposed dwelling between 9am and 3pm on 21 June.
- 4. Direct sunlight to the PPOS of neighbouring dwellings is to be maintained in accordance with the above minimum requirements.

### 3.5.7. Landscaping

#### Objective

- To ensure landscaping contributes to an attractive streetscape.
- To ensure landscaping on individual lots contribute to increasing canopy cover through the release area.
- To minimise the extent of urban heat island impacts from new development.

#### Controls

1. Minimum landscaped areas are to be provided for lots as outlined in Table 5:

Lot area	Minimum landscaped area
Lots ≤ 450m <sup>2</sup>	15% of lot area
>450m <sup>2</sup> – 600m <sup>2</sup>	20%
>600m <sup>2</sup> – 900m <sup>2</sup>	30%
>900m <sup>2</sup>	40%

2. At least 50% of the landscaped area required by Table 5 is to be provided behind the building line.

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3. The front yard of all allotments must provide a minimum area of soft landscaping consistent with Table 6.

**Note:** *Soft landscaping means a part of a site used for growing plants, grasses and trees, but does not include any building, structure, hard paved area, rock aggregate or pebbles.*

**Table 6: Soft landscaping required to front yards**

Lot width	Minimum % of front yard to be landscaped
12.5m – 18m	25%
>18m	50%

4. A minimum of two trees must be provided to be provided to the front garden and additional two trees in the rear of all lots. Tree species are to be a minimum pot size of 30L when planted and capable of growing between 4m to 6m in height at maturity.
5. Landscaping should maximise the use of locally indigenous and other drought tolerant native plants where possible.
6. Artificial turf is not permitted.

**3.5.8. Retaining walls**

**Objective**

- Ensure retaining walls have a positive impact on the streetscape.
- Ensure amenity between lots and dwellings is maintained.
- Ensure safe car and pedestrian access to and from the block and along the street.

**Controls**

**Note:** *These controls apply to retaining walls not constructed as part of the initial subdivision works carried out for each lot.*

1. All retaining walls (i.e. structural or landscaped) need to be identified in the DA plans.
2. No filling shall be permitted within 2m of any property boundary unless sufficient details are submitted to Council illustrating how privacy, overshadowing, stormwater management and access issues have been addressed to Council's satisfaction.
3. Any retaining wall shall not adversely alter surface flows to adjoining private land.
4. Any retaining walls and associated structures shall be designed to be located wholly within the property boundary, except where written or legal agreements have been reached between relevant parties to Council's satisfaction.
5. Any retaining wall requiring work on neighbouring properties shall require the consent of the adjoining owner/s.

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6. Any retaining wall exceeding 600mm shall be designed by a suitably qualified person. Retaining walls higher than 900mm shall be designed by a structural engineer and made from appropriate material.
7. Retaining walls visible from the street or public open space frontages cannot exceed 500mm in height.
8. A 500mm wide planted strip must be provided between any terraced retaining walls.
9. Retaining walls are to be constructed from natural stone, coloured concrete sleepers and rendered or feature block walls or brick if consistent with the dwelling materials.
10. Treated pine sleepers are not permitted.

### 3.5.9. Fencing

#### *Objective*

- Ensure boundary fencing is of a high quality and does not detract from the streetscape.
- Ensure boundary koala proof fencing is provided in accordance with the commitments in the Biodiversity Certification Agreement that applies to the land.

#### *Controls*

1. All fencing is to be constructed flush to finished ground level to prevent koala access to private lots.
2. All boundary fencing is to be of Lysaght 'Smartascreen' or similar in Colorbond 'Woodland Grey' colour or similar to meet the requirements of the Biodiversity Certification Agreement to prevent koala from entering private lots. Refer to Figure 14.
3. Boundary fencing not visible from the street is required to be a maximum of 1.8m high and must finish 6.5m from the front boundary and return to the side wall of the home.
4. A-front Any fence forward of the building line to the primary street frontage or side boundaries is to be a maximum of 1.2m high and with a predominantly open character. The design of the fence is also to integrate a letterbox.
5. On corner lots, fencing to the secondary street frontage is to be a maximum of 1.8m in height, inclusive of retaining walls and consistent with Figure 15. Square hollow steel section posts are to be of 100mm x 100mm with 20mm to 30mm horizontal slats with spacing of between 5mm to 10mm. All posts and rails are to be installed internally to face the lot not the street. Fencing slats are to be of durable material and to be finished in Colorbond 'Woodland Grey' or similar.
6. Corner lot fencing 1.8m in height must not be located closer than 8.5m from the Primary Street boundary ~~must may extend to a maximum of 4m behind the front façade consistent with Figures 16, 17 and 18.~~

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7. On corner lots, where a the front fence is proposed it is to continue around the corner to the secondary street for a minimum of 30% of the lot length on this frontage depth of 8.5m from the primary street boundary consistent with Figures 16, 17 and 18.
8. A 1.8m side fence on a secondary street is to be:
  - i. a maximum of 50% of the lot length;
  - i. include a gradual transition to the front fence that has continued along the secondary frontage; and
  - ii. of a similar look and character as the front fence.
  - iii. Plantings

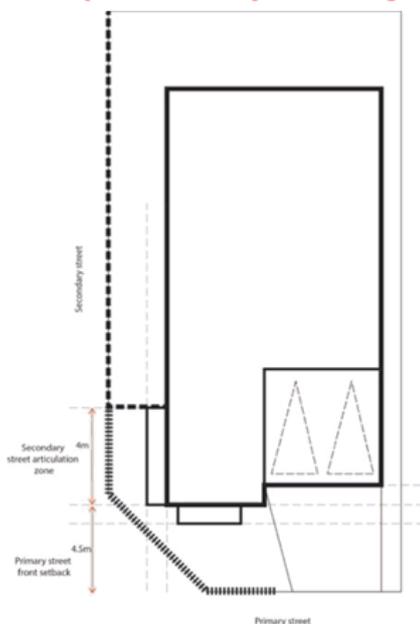
*Note: The provision of a front fence is not mandatory.*



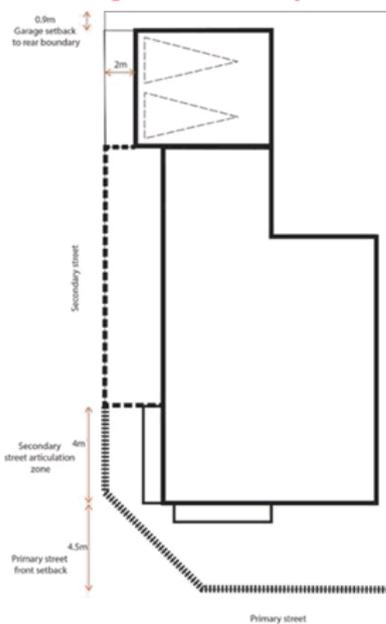
**Figure 14: Example side and rear secondary boundary fencing**



**Figure 15: Example street frontage boundary**



**Figure 16: Secondary Street fencing with garage access from Primary Street**



**Figure 17: Secondary Street with garage access from Secondary Street (2m setback)**



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5. Unless there is prior agreement with Transport for NSW, any acoustic fencing is to be located on the boundary of private lots and the Appin Road reserve and is to be maintained by the individual lot owner.

**3.5.10. Additional controls for double frontage lots**

**Objective**

- To ensure nominated double fronted lots are of high quality design and positively address both frontages.
- To provide well designed homes that contribute to an attractive and complementary streetscape.
- To preserve the function, use and aesthetic of the estate’s main entry roads.

**Controls**

1. The primary and secondary frontages are to be nominated on Building Envelope Plans to ensure a coordinated streetscape outcome is achieved.
2. Garages are to be located on the primary frontage and setback a minimum of 5.5m from the street.
3. The secondary frontage is to be detailed with the same architectural features as the primary elevation.
4. A minimum setback of 3m is to be provided to the secondary frontage, including articulation.
5. Articulation to the secondary frontage to a public road and must not exceed 60% of the lot frontage.
6. The secondary frontage must include an alternate dwelling entry.
7. Private Open Space is to be located to the side of the dwelling to ensure privacy from the secondary frontage consistent with Figure 19.
8. Vehicular access to the northern and southern entry collector roads is prohibited.



**Figure 19: Private Open Space location on double frontage lots**

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#### 3.5.11. Additional controls for dual occupancies, semi-detached dwellings and attached dwellings

##### *Objective*

- To ensure other dwelling types are of high quality design and positively address street frontages.

##### *Controls*

*Note: These controls are in addition to the provisions in section 3.6.3, 3.6.4 and 3.6.5 of the DCP. Where there is an inconsistency, the controls in this section prevail.*

*Unless otherwise specified, these forms of development are to be consistent with the controls for dwelling houses in Section 3.5 of this part of the DCP.*

1. The setbacks outlined in Tables 2, 3 and 4 apply to dual occupancy semi-detached dwellings and attached dwelling forms of development. The side setbacks do not apply to attached dwellings delivered between two other attached dwellings.
2. Private Open Space is to be provided at the rates specified for lots less than 500m<sup>2</sup> as specified in control 3.5.6(1)(i) and 3.5.6(2)(i) and 3.5.6(4).
3. Each dwelling is to provide a minimum of one tree in the front garden and one tree in the rear of each dwelling. Tree species are to be a minimum height of 1m when planted and capable of growing between 4m to 6m in height at maturity.
4. These controls override the need to consider the *Low Rise Medium Density Design Guide for development applications* for side by side dual occupancies.

# Part 7 Figtree Hill - Addendum

## APPENDIX 1 INDICATIVE STREET TREE HIERARCHY



context 52-58 William Street East Sydney NSW 2011  
PO Box A866 Sydney South NSW 1235  
T. 8244 8900 F. 8244 8988 E. context@context.net.au

Dwg Ref No: 12584\_MP\_001  
Date: 10-September-2014

Scale: NTS



Landscape Masterplan  
Mt. Gilead

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Delete tree species and replace with revises species list approved by Council's Landscape Team.

Type 1 - Heritage Drive / Heritage Marker	Type 2 - Collector/Distributor Roads	Type 3 - Appin Rd	Type 4 - Typical Local St	Type 5 - Typical Local St bordering open space
 <i>Araucaria cunninghamii</i> (to heritage gateway)	 <i>Pyrus capital</i>	 <i>Eucalyptus teretecornis</i>	 <i>Elaeagnus reticulatus</i>	 <i>Melaleuca decora</i>
 <i>Jacaranda mimosifolia</i>	 <i>Pyrus calleryana</i>	 <i>Corymbia maculata</i>	 <i>Melaleuca decora</i>	 <i>Tristaniopsis laurina</i>
	 <i>Magnolia soulangeana</i>	 <i>Eucalyptus crebra</i>	 <i>Tristaniopsis laurina</i>	 <i>Melaleuca linearifolia</i>

**Suggested Street Trees**  
Mt Gilead

Project Ref: 12584 | Dwg No: ST2  
Date: 10 September 2014  
Client: Mt Gilead

context 52-58 William Street East Sydney NSW 2011  
PO Box A866 Sydney South NSW 1235  
T. 8244 8900 F. 8244 8988 E. context@context.net.au

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## Proposed Tree Species

### Local Roads:

*Cupaniopsis anacardioides*



*Lagerstroemia indica*



*Pistacia chinensis*



*Brachychiton populneus*



*Tristaniopsis laurina 'Luscious'*



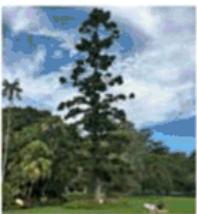
*Waterhousea floribunda*



*Angophora floribunda*



*Araucaria cunninghamiana*



### Access Streets:

*Angophora floribunda*



*Cupaniopsis anacardioides*



*Tristaniopsis laurina 'Luscious'*



*Pistacia chinensis*



## 8.3 Menangle Park - Amendments to Development Control Plan

### Reporting Officer

Executive Manager Urban Release and Engagement  
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 endorse public exhibition of the proposed draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 8 - Menangle Park for a minimum period of 28 days.
2. That where no submissions are received through the public exhibition period, Council approve the draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 8 - Menangle Park, and publish the amended Plan on the Campbelltown City Council's website.
3. That where submissions on the amendments are received during the public exhibition period, a further report on the outcome of the public exhibition be provided to the Council.

### Purpose

The purpose of this report is to seek Council's endorsement to publicly exhibit a draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP), Volume 2 - Part 8 - Menangle Park, which will update site specific development controls for the exiting urban capable land at Menangle Park.

### Background

Land use planning for the Menangle Park area commenced in the early 2000s, which culminated with the endorsement of a new Land Use plan by Council in December 2011. After ongoing State agency and community input, the plan was formally made on 17 November 2017.

Since 2017, Dahua Group Pty Ltd has acquired a majority holding of the lands in Menangle Park, and in November 2018 Dahua lodged a Planning Proposal Request seeking to rezone their newly acquired holdings to align the masterplan with more contemporary planning practice and to meet market demand.

On considering and accepting the intent and objectives of the Planning Proposal (PP), the Council allowed the proposal to be progressed to the NSW Government where a Gateway Determination was issued on 21 October 2020. The Gateway determination required various conditions to be met prior to commencing public exhibition of the PP which is anticipated to commence in August/September 2021.

In addition to the PP, several development applications for bulk earthworks and subdivision (Stages 1 and 2a) have been approved under the existing zoning framework with subdivision works for these early stages to be complete mid-2021.

Accordingly, development applications for new dwellings may be received from September 2021.

## **Report**

This report provides a summary of proposed amendments to Volume 2 - Part 8 - Menangle Park of the SCDCP (Menangle Park DCP) as discussed below and in attachment 1.

The amendments are intended to improve the residential dwelling controls to reflect the existing range of permitted uses and to identify the submission requirements for making a development application to Council. The amendments do not relate to the draft Planning Proposal which would be the subject of a separate report.

### **1. Contents Page**

To ensure the Menangle Park DCP is user-friendly, the contents page requires an update to reflect the relevant components within a DCP, including:

- Application
- Vision and Objectives
- Environmental Management
- Precinct Planning Outcomes
- Residential Development
- Appendices

Identifying the parts clearly will assist developers, home-owners, builders and professionals in applying the Menangle Park DCP to their developments.

### **2. Application Amendments**

The application section within the Menangle Park DCP requires an update to address the procedure for seeking a variation to the development controls. This part identifies how assessment staff would consider subdivision applications that seek to vary from the Indicative Layout Plan and the Objectives and Controls within the DCP, subject to appropriate justification.

### **3. Vision and Objectives**

The vision and objectives require amendment to address more contemporary approaches to resilience, environmental sustainability, natural constraints and sensitivities, and managing the environmental impact of development.

### **4. Environmental Constraint Management**

#### **a. Riparian Corridors**

The existing Riparian Corridor controls require amendment to reference the Guidelines for Riparian Corridors prepared by the NSW Office of Water (July 2012).

#### **b. Flora and Fauna Conservation**

The existing Flora and Fauna Conservation controls require amendment to improve biodiversity outcomes, such as retaining and minimising biodiversity impacts, protecting native vegetation and fauna habitats through appropriate subdivision design. By doing this, the onus is on the developers to further demonstrate to Council how they address retention, replacement and regeneration.

Where tree removal is proposed, a tree replacement ratio of 2:1 is recommended to support the 40 per cent tree canopy cover target of the Greater Sydney Region Plan.

#### **c. Bushfire Management**

The existing bushfire management controls requires an update to ensure consistency with the NSW Rural Fire Service publication, 'Planning for Bushfire Protection 2019'. Controls are proposed that identifies the location and requirements for Asset Protection Zones, the requirements for Bushfire Attack Levels, including in certain circumstances the need for an Emergency Bushfire Evacuation and Management Plan as part of each development stage.

#### **d. Stormwater Management and Flooding**

A new section on Stormwater Management and Flooding is proposed to ensure subdivision and development consider Water Sensitive Urban Design and flooding impacts. The controls consider compliance with Council's Engineering Guidelines, requirements for buildings in relation to the 100 year average recurrence interval flood event.

#### **e. Watercycle Management**

A new section on Watercycle Management is proposed to minimise adverse effects of stormwater runoff, maintain the quality of waterbodies and provide compliance with Council's Engineering Guidelines.

#### **f. Noise Management**

The existing Noise Management controls are retained and renumbered, with a proposed amendment to ensure compliance with State Environmental Planning Policy (Infrastructure) 2007 in relation to road and rail noise.

**g. Salinity and Soil Management**

A new section on Salinity and Soil Management is proposed to mitigate any risks and impacts due to salinity. This will ensure new development does not increase the salt loads within existing watercourses.

**h. Site Contamination**

A new section Site Contamination is proposed to ensure that contamination is addressed by all development applications for subdivision works via a Stage 1 Preliminary Site Investigation or a Stage 2 Detailed Site Investigation.

**i. Residential Development adjacent to Transmission and Gas Easements and the Sydney Upper Water Canal**

A new section is proposed to ensure the requirements of utility authorities are addressed prior to lodgement of a development application, to streamline the development referral process.

**5. Precinct Planning Outcomes**

A new section is proposed that outlines objectives and controls for precinct planning and the Indicative Layout Plan. The section is separated into 6 different components as outlined below:

**a. Urban Structure**

Outlines the key elements of the Menangle Park Urban Structure Plan which has been planned to consider the dwelling yield, higher order road network and the interaction with the town centre, surrounding areas and open space connectivity.

**b. Residential Density**

A new density table and map is proposed to ensure subdivision applications demonstrate how they achieve the pre-planned development yield of 3,500 dwellings, including requirements to justify any variation.

**c. Block and lot layout**

Block and lot layout controls are proposed to address the dimension of street block, lots, battle axes and corner lots. The aim is to ensure subdivision layout and block pattern is clear and legible and that street hierarchy responds to typography, existing trees and site features.

The controls also address the access handle requirements for battle-axe and corner lots, including garage access from the secondary street.

**d. Subdivision Approval Process in R2 and R3 Zones**

A new submission requirement is proposed for subdivision applications. Firstly, a Development Block Plan is proposed to illustrate the location of street trees, driveways and indicative dwelling location. Secondly, a Building Siting Envelope Plan is proposed to provide specific details regarding lot numbers, setbacks, zero lot boundaries, garage location and landscaped zones. This plan would be required for lots less than 350 m<sup>2</sup> or 8 m in width to ensure a

subdivision can achieve successful development, and would be registered on the 88b instrument attached to the lot. The provision of these plans would support more detailed planning at the subdivision works certificate stage, including the location of utility services, pits and blisters.

#### **e. Movement Network**

Existing controls within Street Network and Design provide limited resilience and sustainability objectives and controls. Therefore, it is proposed to support further opportunities for Water Sensitive Urban Design within the road reserve, additional street elements and plantings to assist with traffic calming and the introduction of laneway controls and supporting diagrams. In respect of the bus network and manoeuvrability, controls are proposed to require increased carriageway width on collector roads for bus stopping bays, and a requirement that all bus stops have appropriate shelters and seatings to facilitate commuters.

Controls to address pedestrian and cyclist safety are also proposed in relation to road and crossing points and bicycle rack location.

#### **f. Public Domain, Landscape and Open Space**

Improved public domain, landscape and open space outcomes are proposed in relation to Crime Prevention Through Environmental Design principles, Aboriginal and European interpretation, a wayfinding strategy and tools to operate new infrastructure including smart light poles.

Urban tree canopy is critical to minimising the urban heat island effect, and increasing urban tree canopy is a priority. A new section is proposed to require reports prepared by a qualified Arborist with an AQF 5 level accreditation to remove trees, and ensuring that the tree canopy coverage can double in size within 15 years from completion.

### **6. Residential Development**

Council's records indicate that about 50 per cent of developments for new detached dwellings occur as complying development in accordance with the Greenfield Housing Code which is applied by the NSW Government in accordance with State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Key areas of concern with this policy relate to rear setback and floor area controls which do not provide space for landscaping or tree canopy.

To improve on the housing product currently being delivered, it is proposed to increase the rear setback from the existing minimum of 3 m to at least 4 m or greater depending on lot size and dwelling height. The potential loss of floor area would be offset by applying a site coverage control instead of a floor area control, so that applicants can maximise the internal floor space within the prescribed building envelope. This would simplify the development assessment process, as compliance with floor area controls are often a cause of confusion for applicants.

#### **a. Site Responsive Design**

A new section is proposed that would include several matters to be addressed by applicants when making a development application. These include common matters usually required for a development application including a Site Analysis and introducing a new requirement that development incorporate more sustainable buildings design outcomes such as cross

ventilation, natural light penetration, lighter coloured roofs and garage doors. This would assist in addressing the urban heat island effect when combined with increased landscape opportunity.

#### **b. Dwelling Design Controls**

The current DCP only provides simplified dwelling controls for small lot, detached housing between 300 – 450 m<sup>2</sup>. This approach is insufficient when considering the range of permissible land uses already permitted by the Campbelltown Local Environmental Plan 2015. Therefore, it is proposed to revise how dwelling controls are presented and set depending on land use zone, lot size and how the dwelling is accessed (front or rear). This will ensure appropriate development standards are provided for low and medium density residential, environmental living, rural living and large lot residential uses.

Each form of development will have numerical controls (ie setback, site coverage, landscaping, and private open space) as well as design controls to address:

- Dwelling Height, Massing and Siting
- Zero Lot Lines
- Landscaped Area
- Private Open Space
- Garage, Site Access and Parking
- Visual and Acoustic Privacy
- Fencing
- Cut, Fill and Retaining

#### **c. Additional Controls for Certain Development**

A new section is proposed for attached dwellings, secondary dwellings, studio dwellings and dual occupancies, multi dwelling housing. The controls outline the site coverage, driveway access and building siting controls, setbacks, private open space and car parking.

#### **d. Other Development in Residential Areas**

A new section is also proposed for permissible development such as exhibition homes, exhibition villages. The controls require these development to be consistent with dwelling house controls, and provides for operational hours, appropriate car parking and signage for these use.

### **7. Appendices**

The proposed appendices are as follows:

- Appendix 1 – Streetscape Masterplan
- Appendix A – Glossary
- Appendix B – Riparian Protection Area Control

These sections have been included to assist with terms and definitions within the Development Control Plan, as well as supporting the relevant sections above.

## **8. Town Centre, Non Residential Development and Employment Area**

As development of the Menangle Park Town Centre will not proceed until the Planning Proposal is finalised, related controls are proposed for removal. These controls will be updated in a future amendment.

### **Conclusion**

The current Menangle Park Development Control Plan commenced in 2016, prior to the recent amendments to the Campbelltown Local Environmental Plan (CLEP).

The amendments to the CLEP brought with it a range of new lot sizes and permissible land uses within Menangle Park. The current Menangle Park DCP is required to be amended to ensure it is sufficiently detailed controls to uphold the new range of lot sizes and permissible land uses approved in the recently amended Campbelltown Local Environmental Plan 2018.

The amendments summarised in this report, are required to support residential subdivision and dwelling house applications in accordance with the existing adopted Urban Structure Plan.

Accordingly, it is recommended that Council publicly exhibit (for 28 days) the draft amendments for the Menangle Park Development Control Plan, and subject to review of any submissions, consider the update of the Campbelltown Sustainable City Development Control Plan 2015 Volume 2 - Part 8 - Menangle Park.

### **Attachments**

1. Existing Menangle Park Development Control Plan (due to size) (distributed under separate cover)
2. Proposed Menangle Park Development Control Plan (due to size) (distributed under separate cover)

## 8.4 St Helens Park - Outcome of Public Exhibition - Planning Proposal

### Reporting Officer

Executive Manager Urban Centres  
City Development

### Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.1 - Support the resilience, growth and diversity of the local economy

### Officer's Recommendation

1. That Council forward to the Minister for Planning and Public Spaces, the Appin Road and Kellerman Drive - St Helens Park Planning Proposal at attachment 1 to this report, and request that the amendment to the Campbelltown Local Environmental Plan 2015 be made.
2. That affected land owners and all those who made a submission during the public exhibition period be advised of Council's decision.

### Purpose

The purpose of this report is:

1. To advise Council of the outcome of the public exhibition of the subject Planning Proposal in accordance with the Council resolution of 12 May 2020.
2. To seek Council's endorsement to make the requested amendments to Campbelltown Local Environmental Plan 2015 (CLEP 2015).

**Property Description:** Lot 6202 DP 1203930 (Historic Lot 1112 DP 1025751)  
Corner of Appin Road and Kellerman Drive, St Helens Park.

**Applicant:** Premise Consulting Group

**Owner:** GM Amalgamated Investments Dulwich Hill Pty Ltd and  
JM Associated Investments Pty Ltd

### Executive Summary

- This report relates to a Planning Proposal (PP) the south eastern corner of Appin Road and Kellerman Drive, St Helens Park. The PP seeks to rezone the land under CLEP 2015, from the R2 Low Density Residential zone to the B1 Neighbourhood Centre zone so as to allow the opportunity for a future neighbourhood retail and shop top housing development on the site.

- The site is partly developed with a service station and convenience store. The development consent for this use was issued in accordance with the Schedule 1 'Additional permitted uses' provisions of CLEP 2015 that permits on the land a 'service station' and 'neighbourhood shop' as additional land uses, not otherwise permitted in the R2 Low Density Residential zone.
- The PP also requests the amendment of the associated development standard provisions of CLEP 2015 to align with the B1 Neighbourhood Centre zone, including an increase in the maximum permissible height from 8.5 m to 9.0 m and the consequential deletion of the additional permitted uses clause that applies to the site, as this clause would become redundant given that a 'service station' and 'neighbourhood shop' are permissible land uses in the B1 Neighbourhood Zone.
- At its meeting on 12 May 2020 Council resolved to proceed with the public exhibition of the PP subject to a successful Gateway Determination and an updated traffic study.
- A Gateway Determination (attachment 3) was issued by the Department of Planning, Industry and Environment (DPIE) on 9 August 2020. The traffic and site contamination studies were undertaken by the proponent to satisfy the requirements of the Gateway Determination.
- The PP was publicly exhibited from 10 May 2021 to 7 June 2021 on Council's website and the NSW Planning Portal in accordance with the Gateway Determination.
- All affected and adjacent landowners were notified in writing of the public exhibition, including the nearby Ambarvale High School and Rosemeadow Market Place. The NSW Environment Protection Authority (EPA) and Transport for NSW (TfNSW) were also separately notified in accordance with the Gateway Determination conditions.
- Three submissions were received in response to the public exhibition of the PP:
  - One submission from the EPA (attachment 4), advising that it had no comments or concerns regarding the PP
  - One submission was received from TfNSW (attachment 5) advising that it did not support the proposal for traffic safety reasons and
  - One submission was received from a resident of St Helens Park (attachment 6) opposing the construction of shops given concerns of additional vehicles at the intersection of Kellerman Drive and Appin Road.
- The traffic concerns raised by TfNSW and the local resident have been considered in the traffic and parking assessment accompanying the PP, and it is acknowledged that future road and driveway works would need to be undertaken to provide safe vehicular access to future development of the site. This would need to be resolved at the DA stage. Given the proximity of the site with Appin Road (a state classified road), further consultation with TfNSW would be required at the DA stage to ensure all proposed road design treatments are adequate for any proposed development on the site.

- The Gateway Determination originally granted Council with delegated authority to make the Plan, however as there is at least one unresolved agency submission, Council is not able to exercise the delegated authority provided to it, and therefore the PP will need to be forwarded to the DPIE for finalisation.
- It is of note that the issue raised by TfNSW is a DA matter that could be resolved to its satisfaction, through the normal DA process, following the making of the Plan. The matter raised by TfNSW is not a matter that should be used to hinder the progression or making of the Plan.
- Having regard to the broad strategic merits of the proposal, it is recommended that Council endorse the making of the proposed amendments to CLEP 2015, and forward the PP to the DPIE for finalisation.

## Background

At its Ordinary Meeting held on 12 May 2020, Council considered a detailed report on the subject PP and resolved the following:

1. That Council endorse the attached draft Planning Proposal (the Proposal) which seeks to make amendments to the CLEP 2015 and forward the proposal to the Minister for Planning and Public Spaces for a Gateway determination.
2. That subject to a successful Gateway determination, further in depth traffic studies be required and consultation with the NSW Roads and Maritime Service (RMS) be undertaken given the location of the subject land in proximity to Appin Road.
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.

The above resolution of Council has been addressed as follows:

- The PP was forwarded to the DPIE on 18 May 2020.
- A Gateway Determination (attachment 3) was issued by DPIE on 9 August 2020.
- An updated traffic study (attachment 8) was prepared by the proponent in consultation with RMS/TfNSW and submitted to Council on 5 March 2021.
- A site contamination report was undertaken by the proponent and submitted to Council on 27 April 2021 in accordance with the Gateway Determination conditions.
- The PP was updated having regard to the above studies provided by the proponent and publicly exhibited from 10 May 2021 to 7 June 2021 in accordance with the Gateway Determination.
- The outcome of the exhibition period is reported below for Council's consideration.

## Report

The PP was publically exhibited from 10 May 2021 to 7 June 2021 in accordance with the Gateway Determination conditions (attachment 3) and Council resolution of 12 May 2020 (attachment 7).

All land owners affected by the PP were individually notified in writing. Exhibition materials were made available for public viewing on Council's website and on the DPIEs Planning Portal website, satisfying the requirements for public exhibition under the COVID-19 provisions of the *Environmental Planning and Assessment Act 1979*.

Notification letters were also sent to the Ambarvale High School, Rosemeadow Market Place and adjacent land owners on the western side of Appin Road.

The EPA and TfNSW were also notified in writing in accordance with the requirements of the Gateway determination.

### **Public Submissions**

One submission from a resident of St Helens Park was received (attachment 6) raising concerns about the impact of more vehicles entering and exiting the main intersection of Kellerman Drive and Appin Road, and opposing the construction of these shops.

CLEP 2015 currently permits neighbourhood shops on the land, and in this respect there is a reasonable expectation that additional traffic will be generated from future development on the site adjacent to the existing service station. The traffic concerns raised by the local resident have been considered in the traffic and parking assessment accompanying the PP, and it is acknowledged that future road and driveway works would need to be undertaken to provide safe vehicular access to a development concept as shown by the proponent.

The traffic assessment has identified that a new seagull intersection treatment with Kellerman Drive would need to be constructed to safely accommodate the indicative development concept, and this would need to be resolved at the DA stage prior to any future development of this nature occurring on the site. Given the proximity of the site with Appin Road, further consultation with TfNSW would be required at the DA stage to ensure all proposed road design treatments are adequate for any proposed development on the site.

### **Government Agency Submissions**

Details of consultation with Government agencies is provided below.

- EPA

EPA has confirmed in writing (attachment 4) that it has no comments or concerns regarding the PP.

- RMS/TfNSW)

A written submission was received following the close of the public exhibition period from TfNSW (attachment 5) advising that for safety reasons the PP cannot be supported based on current information provided. The safety issues provided in the submission relate to the lack of detailed design information provided for the required 'seagull intersection' treatment to Kellerman Drive.

Council and the RMS/TfNSW have previously granted development consent for the construction of the service station/convenience store on the land, which included separate entry and exit driveways to Appin Road, and a combined driveway crossover to Kellerman Drive. This approved

design caters for semi-trailers entering and leaving the site for deliveries, as well as cars accessing the existing service station/convenience store. It is anticipated that this existing driveway design would also serve additional neighbourhood shops and residential development on the vacant portion of the site that could reasonably be developed under the existing provisions of CLEP 2015.

The traffic study provided to support the subject PP has identified that an upgrade to the Kellerman Drive access should be provided to safely accommodate traffic for the indicative shop-top housing concept development submitted with the PP. Such a road access upgrade would improve the existing vehicular access arrangements to the service station/convenience store already occupying the site.

However, similar to the DA issued for the existing service station/convenience store, this level of detail would need to be provided at DA stage for any future shop-top housing development in consultation with TfNSW to ensure all proposed road design treatments are satisfactory. It is not considered appropriate to provide this level of design detail at the PP stage as there is no certainty to the content of any future DA and any indicative plans provided with the PP are conceptual in nature and not a guaranteed future development outcome for the site.

Accordingly, the issues raised by TfNSW are considered to be resolvable at the DA stage and should not warrant deferral of the subject PP.

**Gateway Determination Conditions**

Gateway Condition	Response
<p>1. The PP is to be amended prior to public exhibition to address Section 9.1 Direction 2.6 Remediation of Contaminated Land.</p>	<p>The exhibited PP (attachment 1) was amended to address Section 9.1 Direction 2.6 Remediation of Contaminated Land, having regard to the Preliminary Site Investigation Report (attachment 9) undertaken by the proponent dated 27 April 2021.</p>
<p>2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:</p> <p>(a) the PP is classified as low impact as described in A guide to preparing local environmental plans (Department of Planning and Environment, 2018) and must be made publicly available for a minimum of 28 days; and (b) the PP authority must comply with the notice requirements for public exhibition of PP and the specifications for material that must be made publicly available along with PP as identified in section 6.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment, 2018).</p>	<p>The PP was exhibited for 29 days from Monday 10 May 2021 to Monday 7 June 2021.</p>

<p>3. Consultation is required with the following public authorities and organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions: • TfNSW – RMS Services; and • EPA.</p> <p>Each public authority/organisation is to be provided with a copy of the PP and any relevant supporting material and given at least 21 days to comment on the proposal.</p>	<p>TfNSW and the NSW EPA were provided with a copy of the PP and all relevant supporting material, and given 28 days for a response.</p> <p>Details of the submissions are outlined in the body of this report.</p>
<p>4. 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).</p>	<p>Noted. No public hearing required.</p>
<p>5. The PP authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:</p> <p>(a) the PP authority has satisfied all the conditions of the Gateway determination; (b) the PP is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and (c) there are no outstanding written objections from public authorities.</p>	<p>Noted.</p> <p>The conditions of the Gateway determination and consistency with Section 9.1 Directions have been satisfied, except for one outstanding written objection from Transport for NSW. Accordingly, Council is not authorised to exercise the functions as the local plan-making authority in this instance.</p>
<p>6. The time frame for completing the LEP is by 18 May, 2022. (note the original Gateway determination required the LEP to be completed within 9 months of the date of the Gateway determination and this was modified by DPIE on 21 May, 2021).</p>	<p>Satisfactory.</p>

## Conclusion

The subject Planning Proposal is owner initiated and seeks to amend the provisions of Campbelltown Local Environmental Plan 2015 relating to land located at the south eastern corner of Appin Road and Kellerman Drive, St Helens Park.

The Planning Proposal seeks to rezone the subject corner allotment from R2 Low Density Residential zone to B1 Neighbourhood Centre zone under CLEP 2015, to allow the development of a neighbourhood retail development to complement the existing service station development on the land.

The Planning Proposal also seeks to amend the related development standard provisions of Campbelltown Local Environmental Plan 2015 to be consistent with the provisions of the B1 zone, including an increase in maximum permissible height from 8.5 m to 9.0 m and the consequential removal of the current additional permitted use of the land as a service station and neighbourhood shop from Schedule 1 of the Campbelltown Local Environmental Plan 2015.

At its meeting on 12 May 2020 Council considered a detailed report on the merits of the proposal, and resolved to proceed with public exhibition subject to a successful Gateway Determination and an updated traffic study. A conditional Gateway Determination was issued by the Department of Planning, Industry and Environment on 9 August 2020. Additional traffic and site contamination studies have been undertaken by the proponent as required by the Council resolution and Gateway Determination conditions.

The Planning Proposal was publicly exhibited from 10 May 2021 to 7 June 2021 in accordance with the Council resolution and Gateway Determination conditions. Three submissions were received including a submission from the NSW EPA advising that it had no comments or concerns with the proposal.

One submission was received from a local resident objecting to the construction of shops on the basis of increased traffic. One submission was received from TfNSW advising that it does not support the PP for safety reasons, relating to a lack of design detail provided for the identified road upgrade works to Kellerman Drive. This detailed design information would reasonably and normally be required at DA stage, when there is certainty as to the development type, the location of driveways and the traffic volumes generated. It is at the DA stage where further consultation with TfNSW would be undertaken, on the basis of the actual development, to ensure all future road design upgrades are satisfactory and respond to the needs or burdens brought by the DA proposal.

Given the strategic merits of the proposal, and the matters that will need to be managed through the appropriate DA process, it is recommended that Council endorse the Planning Proposal (attachment 1) and forward to Department of Planning, Industry and Environment for making of the amendment to Campbelltown Local Environmental Plan 2015.

## **Attachments**

1. Updated Planning Proposal as exhibited (contained within this report)
2. Concept Development Outcome (contained within this report)
3. Gateway Determination (contained within this report)
4. Submission - NSW Environment Protection Authority (contained within this report)
5. Submission - Transport for NSW (contained within this report)
6. Submission - St Helens Park Resident (contained within this report)
7. Council Report 12 May 2020 (contained within this report)
8. Revised Traffic and Parking Study March 2021 (due to size) (distributed under separate cover)
9. Site Contamination Report April 2021 (due to size) (distributed under separate cover)



**Planning Proposal PP-2020-3108**

**Amendment of Campbelltown Local Environmental Plan 2015**

**Corner Appin Road and Kellerman Drive, St Helens Park**

**Rezoning of Subject Land to B1 Neighbourhood Centre Zone, and  
Associated Amendments.**

**April 2021**

## 1. Introduction

The subject Planning Proposal (PP) is owner initiated and seeks to amend Campbelltown Local Environmental Plan 2015 (CLEP 2015) to allow the establishment of a local neighbourhood centre on land located at the south eastern corner of Appin Road and Kellerman Drive, St Helens Park.

The subject land is approximately 7,617m<sup>2</sup> in area and zoned R2 Low Density Residential zone under CLEP 2015. The site is partly developed with a service station and convenience store constructed under Development Application DA 39/2013, issued by Campbelltown City Council on 10 December 2013. This DA consent was issued by Council in accordance with the Schedule 1 'Additional permitted uses' provision of CLEP 2015 that permits on the land a 'service station' and 'neighbourhood shop' as additional land uses, not otherwise permitted in the R2 Low Density Residential zone.

The PP seeks to rezone the subject corner allotment from R2 Low Density Residential zone to B1 Neighbourhood Centre zone under CLEP 2015, to allow the development of a neighbourhood retail development to complement the existing service station development on the land.

The intended development outcome for the site is a 3-storey development comprising small scale retail and business activities at ground level and shop top housing above, as illustrated in the conceptual plans submitted by the proponent (attachment 1). Should the PP be supported, then this development concept would be subject to a separate detailed assessment through the development application process.

## 2. Background

In July 2005, Campbelltown City Council completed the "Campbelltown City – Business Centres Strategy" with its primary aims being:

- to nominate a preferred hierarchy of retail/commercial centres for the City area; and
- to recommend sustainable policies for the future location, extent and make up of retail, commercial, entertainment/recreation/cultural and other complementary development opportunities, in business centres, throughout the City of Campbelltown.

The 2005 Business Centres Strategy acknowledged the improved commercial viability for a retail based local centre on the subject land, and that any rezoning of the land to a neighbourhood business zone would need to be supported by a detailed economic analysis, including an assessment of any potential impacts to the commercial hierarchy of nearby centres.

During the preparation of CLEP 2015, the owner of the subject land made a submission to Council requesting consideration be given to rezoning the subject corner lot to facilitate a local business and retail centre on the site. At the meeting of 28 April 2015, Council considered the submission as part of the broader assessment of the Draft LEP process, however did not progress the rezoning request given that it was outside the scope of the planning work being undertaken by Council at that time, and there was no supporting retail/economic analysis.

The PP as outlined in this report was originally submitted to Council by the landowner on 15 July 2015, including an economic impact assessment, however was deferred by Council on 11 August 2015, 23 October 2015 and 16 May 2016 due to a number of deficiencies and ambiguities in the information provided at that time. An updated PP was re-submitted by the landowner to Council on 31 May 2019 in response to the initial concerns and issues raised by Council. A supplementary economic assessment report was submitted to Council in August 2019, and traffic and site contamination assessment reports were provided by the applicant in March and April 2021 respectively, responding to the conditional requirements of the Gateway Determination.

### 3. The Site

The site is located at the south eastern corner of Appin Road and Kellerman Drive in the locality of St Helens Park, approximately five kilometres south of the Campbelltown City Centre.

The subject land is shown below in Figure 1 and legally described as follows:

- Lot 6202 DP 1203930, comprising the corner lot to Appin Road and Kellerman Drive, St Helens Park. The PP seeks to rezone this lot from R2 Low Density Residential zone to B1 Neighbourhood Centre zone, as outlined in Section 5 of this report. This corner lot is approximately 7,617m<sup>2</sup> in area and is partly developed with a service station and ancillary convenience store constructed under Development Application DA 39/2013, issued by Campbelltown City Council on 10 December 2013.
- Lot 1112 DP 1025751, comprising the historic superlot referenced under the Schedule 1 'Additional use provisions' of CLEP 2015 that permits a 'service station' and 'neighbourhood shop' on the land. This historical lot has been progressively subdivided over time to form the existing corner allotment (Lot 6202) and surrounding housing lots in St Helens Park.

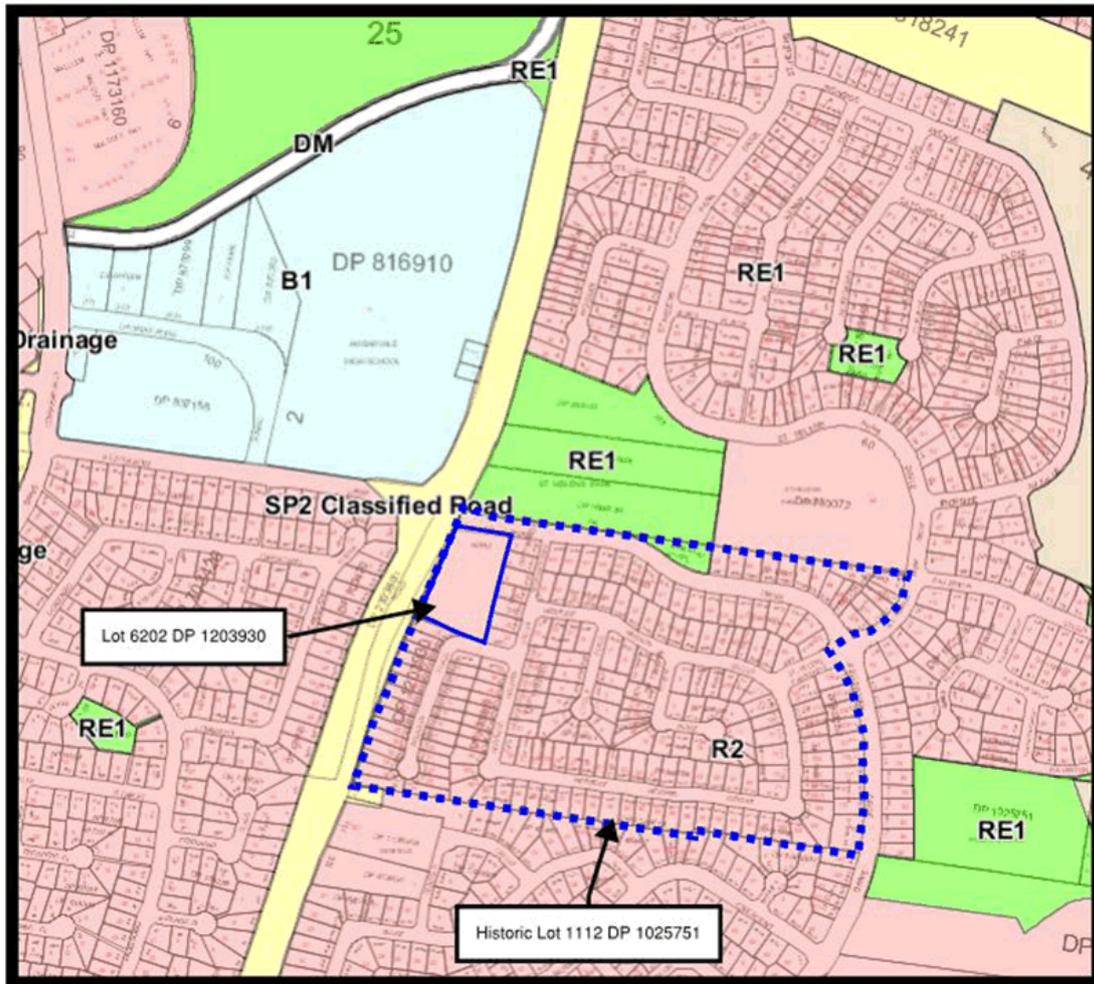
**Figure 1: Subject site**



**4. Campbelltown Local Environmental Plan 2015 - Relevant Provisions**

Zoning

The site is zoned R2 Low Density Residential zone under CLEP 2015 as shown in Figure 2 below.



**Figure 2: CLEP 2015 Zoning**

The PP seeks the rezoning of the corner lot (Lot 6202 DP 1203930) to B1 Neighbourhood Centre zone, and removal of the associated Schedule 1 Additional permitted uses provisions of CLEP 2015 that references the historic lot (Lot 1112 DP 1025751). A full description of proposed amendments is provided in Section 5 of this PP.

Schedule 1 – Additional Permitted Use Provisions for a ‘Service Station’ and ‘Neighbourhood Shop’

Lot 1112 DP 102575 is listed under the Schedule 1 ‘Additional permitted uses’ provisions of CLEP 2015 that permits a ‘service station’ and ‘neighbourhood shop’ on the land with consent, being land uses not otherwise permitted in the R2 Low Density Residential zone. This historical lot has been progressively subdivided to form the existing corner lot (Lot 6202) partly developed with a service station, and surrounding residential lots of St Helens Park as shown in Figure 1.

The additional permitted uses provisions are relevantly listed at No.38 in ‘Schedule 1 Additional permitted uses’ of CLEP 2015 as follows:

*38 Use of certain land at Appin Road, St Helens Park*

*(1) This clause applies to land at Appin Road, corner of Appin Road with northern end of Kellerman Drive, St Helens Park, being Lot 1112, DP 1025751.*

*(2) Development for the purpose of a service station and neighbourhood shop is permitted with development consent.*

The PP seeks the removal of the Additional permitted uses provisions described above, as these provisions would become redundant should the proposed rezoning of the existing corner lot (Lot 6202 DP 11293930) to B1 Neighbourhood Centre Zone occur.

Principal Development Standards

Other Principal Development Standards of Campbelltown LEP 2015 that apply to the Lot 6202 are detailed below in Table 1. These development standards relate to residential development permitted under the current R2 Low Density Residential zoning of the land.

**Table 1: CLEP 2015 – Principal Development Standards Applying to the Site**

Development Standard	Numerical Standard
Minimum Lot Size	500m <sup>2</sup>
Lot Size for Dual Occupancy (minimum)	700m <sup>2</sup>
Height of Buildings	8.5m

## **5. The Planning Proposal**

### **5.1 Part 1 – Objectives or Intended Outcomes**

The primary objective of the PP is to allow the development of a local neighbourhood centre on the subject corner lot that assimilates with the existing service station development on the land, and provides improved servicing, employment and housing opportunities for the St Helens Park locality.

The owner of the corner site has submitted a conceptual development design (attachment 1) with the PP request for a future neighbourhood centre on the land, comprising 1,710m<sup>2</sup> of additional business / retail floor space and 2 levels of shop top housing. This development outcome would be permitted with development consent under the proposed rezoning of the corner lot to B1 Neighbourhood Business zone. This submitted design is indicative only and would be subject to separate assessment through the development application process, should the PP be successful.

To facilitate this indicative development outcome, the PP also requests amendment of the corresponding development standards of the CLEP 2015 to be consistent with the provisions of the B1 Neighbourhood Centre zone. In this regard, the current development standards relating to building heights, lot sizes and dual occupancy restrictions for the R2 Low Density Residential zone are proposed to be amended as outlined in Section 5.2. The PP also seeks to remove the Schedule 1 Additional permitted uses provisions of CLEP 2015 relating to a 'service station' and 'neighbourhood shop' for the land, as this provision would become redundant given that these land use types are permitted with consent in the B1 Neighbourhood Centre zone.

The intended development outcome, as put forward by the proponent (attachment 1), would provide increased housing diversity, new job opportunities, and enhanced services and facilities for the local St Helens Park community and users of the adjacent St Helens Park Reserve. This development concept would also integrate with the layout and driveways of the existing service station development, and provide an improved urban design interface with the public street frontage compared to housing development currently permitted under the R2 Low Density Residential zone.

The economic impact assessment submitted with the PP demonstrates the viability of the land to function as local neighbourhood centre in accordance with the B1 Neighbourhood Centre zone objectives of CLEP 2015, complementing higher order commercial facilities at the Rosemeadow Shopping Centre and the Campbelltown/Macarthur Regional Centre.

### **5.2 Part 2 – Explanation of provisions**

The objectives and intended outcomes of the planning proposal would be achieved by amending the CLEP 2015 as detailed in the following Section and summarised as follows:

- Amendments to the following CLEP 2015 maps relating to Lot 6202 DP 1203930:
  - Land Zoning Map: Amend current zoning of 'R2 Low Density Residential' applying to the Lot 6202 DP 1203930 to zone 'B1 Neighbourhood Centre'.

- Lot Size Map: Remove the lot size annotation of "I" which applies a minimum lot size of 500m<sup>2</sup>, from the area being rezoned to B1.
  - Height of Buildings Map: Amend the Maximum Building Height from 8.5m to 9.0m for the area being rezoned to B1.
  - Lot Size for Dual Occupancy Map: Remove the lot size annotation of "Q", which applies a minimum lot size of 700m<sup>2</sup>, from the area being rezoned to B1
  - Additional Permitted Uses Map - remove the reference on the map to Lot 6202 DP 120930.
- Removal of the Schedule 1 Additional Permitted Uses listing No.38 from CLEP 2015, that permits the additional uses of a 'service station' and 'neighbourhood shop' on the historical lot (Lot 1112 DP 1025751). Current listing No.39 would then be renumbered to No.38.

**5.2.1 Amendment to Land Zoning Map**

The subject site is currently zoned R2 Low Density Residential under the Campbelltown LEP 2015.

The proposed amendment to the land use zoning map is to rezone the corner allotment (Lot 6202 DP 120930) to B1 Neighbourhood Centre zone, as shown in Figure 3 below.

**Figure 3: Proposed Land Zoning Map**



**5.2.2 Amendment to Lot Size Map**

The lot size annotation "I" on the CLEP 2015 Lot Size Map currently applies a minimum lot size of 500m<sup>2</sup> to the site. As minimum lot size requirements do not apply to the areas zoned B1 Neighbourhood Centre under CLEP 2015, it is proposed to remove the minimum lot size annotation from the area being rezoned to B1 Neighbourhood Centre.

The proposed amendment to the land use zoning map is shown in Figure 4 below.

**Figure 4 - Proposed Lot Size Map**



**5.2.3 Amendment to Height of Buildings Map**

The height of building annotation “I” currently applies a maximum building height of 8.5m to the site. To align the site with other B1 zoned land within the locality and facilitate the delivery of a future local neighbourhood centre with shop top housing, the Planning Proposal seeks to amend the maximum building height to 9m.

The proposed amendment to the height of buildings map is shown in Figure 5 below.

**Figure 5 – Proposed Height of Buildings Map**



**5.2.4 Amendment to Lot Size for Dual Occupancy Development Map**

The lot size for dual occupancy annotation of "Q", which applies a minimum lot size of 700m<sup>2</sup>, currently applies to the subject site given the existing R2 Low Density Residential zoning of the land. As minimum lot size for dual occupancy requirements do not apply to the areas zoned B1 Neighbourhood Centre under CLEP 2015, it is proposed to remove the minimum lot size for dual occupancy annotation from the area being rezoned to B1 Neighbourhood Centre.

The proposed amendment to the Lot Size for Dual Occupancy map is shown in Figure 6 below.

**Figure 6 – Proposed Lot Size for Dual Occupancy Development Map**



### 5.2.5 Amendment to Schedule 1 Additional Permitted Uses

Listing No.38 in the 'Schedule 1 Additional Permitted Uses' clause of CLEP 2015 applies to the land by reference to the historical corner lot (Lot 1112 DP 1025751) and permits with consent a 'service station' and 'neighbourhood shop' as land uses that would otherwise be prohibited in the R2 Low Density Residential zone. This additional permitted uses listing at No.38 is proposed to be deleted as it would become redundant in the circumstances that the corner lot is rezoned to B1 Neighbourhood Centre zone, as these uses would be permitted with consent in the B1 zone.

As the subject listing under No.38 is the second last listing in Schedule 1, the proposed deletion of No.38 will therefore require renumbering of the additional permitted use No.39 to No.38. The existing and proposed text in Schedule 1 is as follows:

Existing text in Schedule 1:

**38 Use of certain land at Appin Road, St Helens Park**

(1) *This clause applies to land at Appin Road, corner of Appin Road with northern end of Kellerman Drive, St Helens Park, being Lot 1112, DP 1025751.*

(2) *Development for the purpose of a service station and neighbourhood shop is permitted with development consent.*

**39 Use of certain land at Woodland Road, St Helens Park**

(1) *This clause applies to land at Woodland Road, St Helens Park, being Lot 2, DP 746511.*

(2) *Development for the purpose of a place of public worship is permitted with development consent.*

Existing text above to be replaced with:

**38 Use of certain land at Woodland Road, St Helens Park**

(1) *This clause applies to land at Woodland Road, St Helens Park, being Lot 2, DP 746511.*

(2) *Development for the purpose of a place of public worship is permitted with development consent.*

For clarity, the proposed amendment of the Schedule 1 Additional Permitted Uses provisions of CLEP 2015 is summarised as follows:

- Deletion of Additional Permitted Use No.38 under Schedule 1 of CLEP 2015
- Renumbering of Schedule 1 of CLEP 2015 Additional Permitted Use No.39 to No.38
- Removal of the Additional Permitted Uses Map that identifies the subject land.

## **6. Part 3 – Justification**

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

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

In July 2005, Campbelltown City Council completed the “Campbelltown City – Business Centres Strategy” with its primary aims being:

- to nominate a preferred hierarchy of retail/commercial centres for the City area; and
- to recommend sustainable policies for the future location, extent and make up of retail, commercial, entertainment/recreation/cultural and other complementary development opportunities, in business centres, throughout the City of Campbelltown.

The 2005 Business Centres Strategy acknowledged the improved commercial viability for a retail based local centre on the subject land, however no amendments to the R2 Low Density Residential zoning of the land were proposed or made. Rather, the Strategy identified that any rezoning of the land to a neighbourhood business zone would need to be supported by a detailed economic analysis, including an assessment of any potential impacts to the commercial hierarchy of nearby centres.

During the preparation of the Campbelltown Local Environmental Plan 2015, the owner of the subject land made a submission to Council requesting consideration be given to rezoning the subject land parcel to facilitate a local business and retail centre on the site. At the meeting of 28 April 2015, Council considered the submission as part of the broader assessment of the Draft LEP, however the rezoning request was not progressed given that it was outside the scope of the planning work being undertaken by Council at that time, and there was no supporting retail/economic analysis.

The subject PP provides the required site specific assessment and economic analysis as identified by Council in the 2005 Business Centres Strategy and preparatory work undertaken for CLEP 2015. The PP has been prepared to rationalise the planning controls under CLEP 2015 for the existing service station development and provide opportunity for the intended local business and shop top housing activities on the site envisaged by the landowner. The accompanying conceptual development design integrates with the existing service station development, indicating the potential for approximately 1,700m<sup>2</sup> of additional floorspace for retail and business uses, in addition to shop top housing.

The PP would provide opportunity to improve the amenity for the local St Helens Park community by providing convenient access to daily shopping needs in walking distance to their homes. The PP is supported by an economic analysis that identifies the proposal would have negligible impact on the operation of other nearby commercial centres, while providing the benefit of additional services and employment opportunities for the local area. The addition of shop top housing as permitted in the B1 Neighbourhood Centre zone would improve housing choice and affordability in

the area and create opportunities for improved environmental design outcomes to the public street frontage.

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

Rezoning the land to B1 Neighbourhood Centre is considered to be the best means in achieving the objectives and intended outcomes of this planning proposal, providing opportunity for additional local services and facilities on the land to improve service provision and amenity for the surrounding community of St Helens Park and users of St Helens Park Reserve.

The land is currently zoned R2 Low Density Residential and is subject to an Additional Permitted Uses provision under Schedule 1 of CLEP 2015 that permits with consent a ‘service station’ and ‘neighbourhood shop’. The rezoning of the land to B1 Neighbourhood Centre would better align the existing service station development on the land with the commercial objectives of the B1 zone, and establish a clear understanding of intent for the development of a local scale neighbourhood centre on the subject land.

Additionally, the rezoning would facilitate greater flexibility in the type of retail and commercial uses permitted on the site, whilst providing greater certainty that the intended local neighbourhood centre can be undertaken on the land to service the growing servicing needs of the locality. The attached development concept plans indicate that a local business centre could be undertaken to assimilate with the service station development on the land, and provide an improved interface and presentation to the street corner than the development of standard housing lots as permitted in the R2 Low Density Residential zone.

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

**3. 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)?**

Yes. The Planning Proposal is considered to be consistent with the relevant objectives and actions outlined in the Greater Sydney Region Plan and the Western City District Plan. Tables 2 and 3 below demonstrate the consistency of the Planning Proposal with the relevant provisions of the Greater Sydney Region Plan and the Western City District Plan.

**Table 2: Greater Sydney Region Plan**

Greater Sydney Region Plan Priority	Compliance Statement
<b>Infrastructure and Collaboration</b>	
<p><b>Objective 1: Infrastructure supports the three cities</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Prioritise infrastructure investment to support the vision of a metropolis of three cities.</li> </ul>	<p>Not applicable to a Planning proposal of this scale.</p>

<ul style="list-style-type: none"> <li>Sequence growth across the three cities to promote north-south and east-west connections.</li> </ul>	
<p><b>Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Align forecast growth with infrastructure.</li> <li>Sequence infrastructure provision across Greater Sydney using a place-based approach.</li> </ul>	Not applicable to a Planning proposal of this scale.
<p><b>Objective 3: Infrastructure adapts to meet future needs</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans.</li> </ul>	Not applicable to a Planning proposal of this scale.
<p><b>Objective 4: Infrastructure use is optimised</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Maximisation of the utility of existing infrastructure assets and consideration to the strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptable and flexible regulations to allow decentralised utilities.</li> </ul>	Not applicable to a Planning proposal of this scale.
<p><b>Objective 5: Benefits of growth realised by collaboration of governments, community and business</b></p>	The site is ideally located to provide the local services to meet the daily needs of the surrounding community, as permitted within the B1 zone proposed through this Planning Proposal. Through collaboration with Council and the community, maximum community benefit can be achieved on the site as advocated through the submitted concept plan and proposed rezoning.
<p><b>Liveability</b></p>	
<p><b>Objective 6: Services and infrastructure meet communities changing needs</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Deliver social infrastructure to reflect the needs of the community now and in the future.</li> </ul>	Not applicable to a Planning proposal of this scale.

<ul style="list-style-type: none"> <li>Optimise the use of available public land for social infrastructure.</li> </ul>	
<p><b>Objective 7: Communities are healthy, resilient and socially connected.</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Deliver inclusive places for people of all ages and abilities that support healthy, resilient and socially connected communities by:             <ul style="list-style-type: none"> <li>Providing walkable places with active street life and a human scale.</li> <li>prioritising opportunities for people to walk, cycle and use public transport.</li> <li>co-locating schools, social, health, sporting, cultural and shared facilities.</li> <li>promoting local access to healthy fresh food and supporting local fresh food production.</li> </ul> </li> </ul>	<p>The Planning Proposal would facilitate a land use outcome that promotes public activity and social interaction adjacent to a public open space asset delivered for the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place built on the guidelines of <i>Crime Prevention Through Environmental Design</i>. The proposal will facilitate a low scale development offering everyday conveniences for people of all ages and abilities, and allow a suitable mix of business and retail uses together with residential shop top housing. This will encourage walking and a socially connected community.</p>
<p><b>Objective 8: Greater Sydney’s communities are culturally rich with diverse neighbourhoods</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Incorporate cultural and linguistic diversity in strategic planning and engagement.</li> <li>Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations.</li> </ul>	<p>The Planning Proposal, through the delivery of shop top housing, will provide for increased housing diversity and choice within St Helens Park assisting in the creation of a more culturally diverse neighbourhood.</p>
<p><b>Objective 10: Greater housing supply</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Prepare housing strategies</li> <li>Develop 6-10-year housing targets</li> </ul>	<p>The proposal is consistent with improved housing choice and diversity outcomes within local neighbourhood centres as promoted by the Campbelltown Local Housing Strategy.</p>
<p><b>Objective 11: Housing is more diverse and affordable</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>Prepare Affordable Rental Housing Target Schemes.</li> <li>State Agencies, are required to address housing diversity when disposing of land.</li> </ul>	<p>This Planning Proposal seeks to increase the diversity of residential housing in Western Sydney which will have positive impacts on housing affordability.</p>

<p><b>Objective 12: Great Places that bring people together</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Deliver great places by prioritising people friendly public realms, balancing the function of streets, providing fine grain urban form and walkability, encourage contemporary heritage where possible and used a placed based approach.</li> <li>• In Collaboration Areas, Planned Precincts and Planning for Centres investigate the need for precinct based provision of adaptable car parking and infrastructure in lieu of private provision of car parking. Ensure parking availability takes into account the level of public transport and consider the capacity for places to change and evolve to accommodate different activities over time.</li> </ul>	<p>The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset delivered for the community. A local neighbourhood centre will better address the street corner and enhance surveillance, territorial reinforcement and space management for the adjacent St Helens Park Reserve, helping to build a safe community with a strong sense of place.</p> <p>Car parking is able to be provided on site in a manner that assimilates with the existing layout of the service station development.</p>
<p><b>Objective 13: Environmental heritage is conserved and enhanced</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Conserve and enhance environmental heritage by engaging with the community early in the planning process to understand Aboriginal, European and natural heritage values.</li> <li>• Conserve and interpret Aboriginal, European and natural heritage to foster distinctive local spaces.</li> </ul>	<p>The land is not identified as a site of environmental heritage significance. The site has been assessed as being suitable for development.</p>
<p><b>Productivity</b></p>	
<p><b>Objective 14: A metropolis of three cities – integrated land use and transport creates walkable and 30-minute cities</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Integrate land use and transport plans to deliver the 30-minute city.</li> <li>• Investigate, plan and protect future transport and infrastructure corridors.</li> <li>• Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network.</li> </ul>	<p>The Planning Proposal would contribute to local job growth and provide opportunities for people to live and work in their community. The planning proposal will allow for a local neighbourhood centre to be developed that complements the residential growth of St Helens Park, and users of the adjacent St Helens Park Public Reserve. The delivery of the Concept Plan business, retail and shop top housing outcomes is consistent with the principles of the 30-minute city.</p>
<p><b>Objective 16: Freight and logistics network is competitive and efficient</b></p>	<p>This Planning Proposal has considered the interface with the residential land</p>

<p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Manage the interfaces of industrial areas, trade gateways and facilities by land use activities that protect sensitive receivers, and do not encroach on commercial, residential and other non-compatible land uses.</li> </ul>	<p>surrounding the proposal, and is compatible with the existing service station development on the land. Future development comprising shop top housing above business and retail uses can be undertaken without adversely impacting upon adjoining residential land uses, and would be subject to detailed analysis under a separate development application.</p>
<p><b>Objective 22: Investment and business activity in centres</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Provide access to jobs, goods and services in centres</li> <li>• Create new centres in accordance with the principles for Greater Sydney's centres.</li> </ul>	<p>The proposed rezoning will rationalise the existing service station development on the land and facilitate a neighbourhood centre to provide improved access to jobs, goods and services for local residents and users of St Helens Park Public Reserve. The proposed rezoning would have negligible trade impact on the closest local centres of Rosemeadow, Airds, Bradbury, Ambarvale and Ruse along with the Regional Centre of Campbelltown-Macarthur. The proposal will facilitate the delivery of local convenience shopping and employment within walking distance of the local community, supporting liveability outcomes of the region plan.</p>
<b>Sustainability</b>	
<p><b>Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Supporting landscape-scale biodiversity conservation and the restoration of bushland corridors.</li> <li>• Managing urban bushland and remnant vegetation as green infrastructure.</li> <li>• Managing urban development and urban bushland to reduce edge- effect impacts.</li> </ul>	<p>The subject land is clear of vegetation and will not impact local biodiversity.</p>
<p><b>Objective 30: Urban tree canopy cover is increased.</b></p> <p>Applicable Actions and Strategies:</p> <ul style="list-style-type: none"> <li>• Expand urban tree canopy in the public realm.</li> </ul>	<p>The site is currently cleared of all vegetation. Development of the site will require landscape objectives and outcomes to be delivered adding to the surrounding urban tree canopy. Landscape details will form part of future development application(s) and</p>

	would be subject to separate assessment and approval processes.
<b>Objective 31: Public open space is accessible, protected and enhanced</b>	The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place. The proposed neighbourhood centre is located to encourage people to walk to the site and will be of benefit to those utilising the open space adjacent.
<b>Objective 32: The Green Grid links parks, open spaces, bushland and walking and walking paths</b>	The subject land does not form part of the Green Grid, however would improve amenity and conveniences for users of the adjacent St Helens Park Public Reserve which has the potential to be utilised as part of the broader Green Grid.

Table 3 below outlines how this proposal meets the relevant requirements of the Western City District Plan.

**Table 3: Response to Western City District Plan Priorities**

<b>Western City District Plan Priority</b>	<b>Compliance Statement</b>
<b>Infrastructure and Collaboration</b>	
<b>Planning Priority W1: Planning for a city supported by infrastructure</b> Applicable Actions: <ul style="list-style-type: none"> <li>• (2) Infrastructure aligns with forecast growth – growth infrastructure compact</li> <li>• (4) Infrastructure use is optimised.</li> </ul>	The planning proposal will deliver a neighbourhood centre that complements the growth and evolution of the existing established residential neighbourhood, including the embellished St Helens Park Reserve. The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place. The proposed neighbourhood centre is located to encourage people to walk to the site and will be of benefit to those utilising the open space adjacent.
<b>Planning Priority W2: Working through collaboration</b>	The site is ideally located to provide the local services to meet the daily needs of the surrounding

	community, as permitted within the B1 zone proposed through this Planning Proposal. Through collaboration with Council and the community, maximum benefit can be achieved on the site as indicated in the accompanying concept plan for a future local neighbourhood centre and shop top housing on the land.
<b>Liveability</b>	
<p><b>Planning Priority W3: Providing services and social infrastructure to meet people’s changing needs</b></p> <p>Applicable Actions:</p> <ul style="list-style-type: none"> <li>• (9) Deliver social infrastructure to reflect the needs of the community now and in the future.</li> </ul>	<p>The Planning Proposal will generate new employment opportunities within the St Helens Park community. A neighbourhood centre would provide youth employment opportunities close to home, improving productivity of the local economy. The delivery of a neighbourhood centre at the site would encourage local residents to walk to their local convenience store or café, making these everyday activities easier and more enjoyable. The Planning Proposal would facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place built on the guidelines of <i>Crime Prevention Through Environmental Design</i>.</p>
<p><b>Planning Priority W4: Fostering healthy, creative, culturally rich and socially connected communities</b></p> <p>Applicable Actions:</p> <ul style="list-style-type: none"> <li>• (11) Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by: <ul style="list-style-type: none"> <li>a. providing walkable places at a human scale with active street life</li> <li>b. prioritising opportunities for people to walk, cycle and use public transport</li> <li>c. co-locating schools, health, aged care, sporting and cultural facilities</li> <li>d. promoting local access to healthy fresh food and supporting local fresh food production.</li> </ul> </li> </ul>	<p>The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place built on the guidelines of <i>Crime Prevention Through Environmental Design</i>. The delivery of a neighbourhood centre at the site will encourage local residents to walk to their local convenience store or café, making these everyday activities easier and more enjoyable. The co-location of the neighbourhood centre adjoining the St Helens Park Reserve will enhance the community benefit of these two land uses, while further encouraging the use of local pedestrian and cycle paths.</p>
<p><b>Planning Priority W5: Providing housing supply, choice and affordability, with access to jobs and services</b></p>	<p>The Planning Proposal will facilitate the delivery of a neighbourhood centre which caters for the needs of the local community whilst facilitating an</p>

<p>Applicable Actions:</p> <ul style="list-style-type: none"> <li>• (15) Prepare local or district housing strategies that address the following:             <ul style="list-style-type: none"> <li>a. the delivery of five-year housing supply targets for each local government area</li> <li>b. the delivery of 6-10 year (when agreed) housing supply targets for each local government area</li> <li>c. capacity to contribute to the longer term 20-year strategic housing target for the District</li> <li>d. the housing strategy requirements outlined in Objective 10 of the A Metropolis of Three Cities that include:                 <ul style="list-style-type: none"> <li>i. creating capacity for more housing in the right locations</li> <li>ii. supporting planning and delivery of growth areas and planned precincts as relevant to each local government area</li> <li>iii. supporting investigation of opportunities for alignment with investment in regional and district infrastructure</li> <li>iv. supporting the role of centres.</li> </ul> </li> </ul> </li> </ul>	<p>increase in employment opportunities, housing supply and improving housing choice. The site will make use of existing public transport options. The site will generate new jobs and services for the local community, including a mix of neighbourhood shop uses.</p> <p>A local neighbourhood centre would promote walkability and a sense of community, enhancing opportunities for people to interact. The coexistence of multiple uses including retail and residential would contribute to the vibrancy and viability of the centre.</p> <p>The location of the site at the corner of Appin Road and Kellerman Drive ensures maximum convenience improving productivity, liveability and sustainability of the local community.</p>
<p><b>Planning Priority W6: Creating and renewing great places and local centres, and respecting the District's heritage</b></p> <p>Applicable Actions:</p> <p>(19) Deliver great places by:</p> <ul style="list-style-type: none"> <li>a. prioritising a people-friendly public realm and open spaces as a central organising design principle</li> <li>b. recognising and balancing the dual function of streets as places for people and movement</li> <li>c. providing fine grain urban form, high amenity and walkability</li> <li>d. integrating social infrastructure to support social connections and provide a community hub</li> <li>e. encouraging contemporary interpretation of heritage where possible</li> <li>f. using a place-based and collaborative approach throughout planning, design, development and management.</li> </ul>	<p>The Planning Proposal will facilitate a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community. A neighbourhood centre at the site will enhance surveillance, territorial reinforcement and space management for St Helens Park Reserve helping to build a safe community with a strong sense of place built on the guidelines of <i>Crime Prevention Through Environmental Design</i>.</p> <p>The proposal will facilitate an appropriate development addition to the neighbourhood, offering everyday convenience for people of all ages and abilities and a mix of land uses including business and retail uses together with shop top housing.</p>

<p>(21) Identify, conserve and enhance environmental heritage by:</p> <ul style="list-style-type: none"> <li>a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place applying adaptive re-use and interpreting of heritage to foster distinctive local places</li> <li>b. managing and monitoring the cumulative impact of development on the heritage values and character of places.</li> </ul>	
<b>Productivity</b>	
<p><b>Planning Priority W7: Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City</b></p> <p>Applicable Actions:</p> <ul style="list-style-type: none"> <li>• (24) Integrate land use and transport plans to deliver the 30- minute city.</li> </ul>	<p>The proposal is consistent with the 30 minute city vision through the integration of housing and employment land use outcomes.</p>
<p><b>Planning Priority W9: Growing and strengthening the metropolitan city cluster</b></p> <p>Campbelltown-Macarthur is developing into Greater Sydney's newest health and medical hub with research and specialist community based care in paediatrics and gastrointestinal disorders. It contains Campbelltown public and private hospitals, Western Sydney University Campbelltown Campus, and TAFE NSW Western Sydney. Collectively, these elements form the health and education precinct and the Collaboration Area also includes Macarthur Square, Campbelltown Mall and surrounding government services. The Collaboration Area will enable a focus on opportunities to generate growth in economic activity, employment and investment. There are opportunities to:</p> <ul style="list-style-type: none"> <li>• protect and grow core health and education activity</li> <li>• provide new research facilities and related commercial premises</li> <li>• plan for complementary uses and increased cultural, creative, digital or technology businesses and employees</li> <li>• establish, enhance and promote the interdependencies between health and education to grow innovation, start-up and creative industries</li> </ul>	<p>The proposal would complement high level government initiatives in the Campbelltown-Macarthur region, by facilitating a local centre delivering improved liveability outcomes, housing diversity and job creation.</p>

<ul style="list-style-type: none"> <li>improve east-west connections and liveability of the area</li> <li>support affordable housing opportunities for students and moderate-income households.</li> </ul>	
<p><b>Planning Priority W11: Growing investment, business opportunities and jobs in strategic centres</b></p> <p>The growth, innovation and evolution of centres will underpin the economy of the Western City District. Centres provide important services and jobs for local residents and places for communities to meet. Well-planned centres help to stimulate economic activity and innovation through the co-location of activities, provide jobs closer to where people live and use infrastructure more efficiently.</p>	<p>The Planning Proposal is supported by an Economic Impact Assessment (produced by MacroPlan Dimasi), as attached. The proposed neighbourhood centre would provide local convenience shopping which would complement the hierarchy of business centres of Rosemeadow, Airds, Bradbury, Ambarvale and Ruse along with the Regional centre of Campbelltown.</p> <p>The proposal will facilitate the delivery of convenience shopping for the local community, while also supporting jobs growth within the local area. A neighbourhood centre at the site will enhance the community benefit and public domain outcomes given the site context on Appin Road and adjacent to the St Helens Park Reserve.</p>
Sustainability	
<p><b>Planning Priority W12: Protecting and improving the health and enjoyment of the District's waterways</b></p>	<p>Waterway health will be maintained through the process of development in accordance with Councils relevant controls.</p>
<p><b>Planning Priority W15: Increasing urban tree canopy cover and delivering Green Grid connections</b></p>	<p>The existing site is generally clear of vegetation, with landscape improvement would be required as part of the holistic development of the site.</p>
<p><b>Planning Priority W18: Delivering high quality open space</b></p>	<p>Not applicable. However, the site will provide amenity for the users of the adjacent public open space of St Helen's Park Reserve.</p>

**4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?**

**Campbelltown Community Strategic Plan – Campbelltown 2027**

The overarching Campbelltown Community Strategic Plan 2027 (CSP) represents the principal community outcome focused strategic plan guiding Council's policy initiatives and actions.

Campbelltown 2027 focusses on delivering four key outcomes over the next 10 years:

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

The planning proposal is consistent with the following relevant strategies of the CSP relevant to the achievement of the above key outcomes:

3.1- Support the resilience, growth and diversity of the local economy

3.2- Ensure that service provision supports the community to achieve and meets their needs.

4.3- Responsibly manage growth and development, with respect for the environment, heritage and character of our city.

The Planning Proposal would permit land uses such as neighbourhood shops, local businesses, and shop top housing opportunities to enhance service provision, employment opportunities and increased housing choice for local residents. . As such, the proposal is consistent with the above strategies and broader outcomes identified by the CSP.

### **Campbelltown Local Strategic Planning Statement (LSPS)**

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020.

The LSPS is Campbelltown City Council's plan for our community's social, environmental and economic land use needs over the next 20 years. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area.

Its purpose is to:

- Provide a 20 year land use vision for the Campbelltown LGA
- Outline the characteristics that make our city special
- Identify shared values to be enhanced or maintained
- Direct how future growth and change will be managed
- Prioritise changes to planning rules in the Local Environmental Plan (Campbelltown Local Environmental Plan 2015) and Council's Development Control Plans
- Implement the Region and District Plans as relevant to the Campbelltown LGA
- Identify where further detailed strategic planning may be needed.

Four related themes comprise the community's vision for the City of Campbelltown as a vibrant place to live, a successful, thriving and attractive city that respects and protects its heritage and natural environment. These themes will be monitored against identified measures over time and implemented through 16 planning priorities.

The proposed CLEP 2015 amendments are consistent with the following planning priorities of the LSPS:

- Planning Priority 1 - :Creating a great place to live, work, play and visit
- Planning Priority 2 -Creating high quality, diverse housing
- Planning Priority 10 Creating strong and vibrant centres
- Planning Priority 11 - Striving for increased local employment

The subject proposal will strengthen the local centre of St Helens Park by providing the opportunity for a viable local centre that will provide local employment opportunities and promote housing diversity outcomes through shop top housing in a highly accessible location to the St Helens Park locality. The promotion of a local centre at this location will allow a better urban design outcome orientated to address the public domain, and provide optimum access for local residents.

**5. 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.

<b>State Environmental Planning Policies</b>	<b>Comment</b>	<b>Consistency</b>
<i>SEPP (Aboriginal Land) 2019</i>	The policy aims to provide development delivery for land owned by the Local Aboriginal Land Council (LALC).  The site is not owned by the LALC.	N/A
<i>SEPP (Activation Precincts) 2020</i>	The aims of the policy is to promote economic development in identified activation precincts.  The site is not located within an Activation Precincts.	N/A
<i>SEPP (Affordable Rental Housing) 2009</i>	The aims of the policy are to provide planning and delivery of affordable rental housing.  Any future development would be required to adhere to the requirements under this SEPP.	Consistent.
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	The proposal allows future development to meet the requirements under this SEPP.	Consistent.
<i>SEPP (Coastal Management) 2018</i>	The aims of the policy is to promote an integrated and coordinate approach to land use planning in costal zones.  The site is not located within a Coastal Management Zone.	N/A
<i>SEPP (Concurrences and Consents) 2018</i>	The policy allows Planning Secretary to elect to be the concurrence authority for certain development under the nominated SEPP such as Infrastructure SEPP.  The proposal would not interfere with the application of this SEPP.	Consistent.
<i>SEPP (Educational Establishments and Child Care Facilities) 2017</i>	The policy aims to facilitate the delivery of education establishments and early education and care facilities.	Consistent.

	The proposal does not include the provision of education or child care facilities. Any future development would be required to adhere to the requirements under this SEPP.	
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	The policy aims to provide development which complies with specified standards, in particular Part 5 Commercial and Industrial Alterations Code.  The proposal allows future development to meet the requirements under this SEPP.	Consistent.
<i>SEPP (Gosford City Centre) 2018</i>	The policy aims to promote economic and social revitalisation of Gosford City Centre.  The site is not located within Gosford City Centre, therefore this policy does not apply.	N/A
<i>SEPP (Housing for Seniors or People with a Disability) 2004</i>	The policy aims to encourage the provision of housing for senior or people with a disability.  The proposal does not include provisions for housing for seniors or people with a disability.	N/A
<i>SEPP (Infrastructure) 2007</i>	The policy aims to facilitate the delivery of infrastructure across the State.  The site fronts Appin road which is a classified Road. The proposal allows for future development to meet the requirements of the SEPP.	Consistent.
<i>SEPP (Koala Habitat Protection) 2020, and SEPP (Koala Habitat Protection) 2021</i>	This policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline— (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and (b) by encouraging the identification of areas of core koala habitat, and (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.  The site does not contain core koala habitat.	N/A
<i>SEPP (Kosciusko National Park - Alpine Resorts) 2007</i>	The policy aims to protect and enhance the natural environment of the alpine resorts in the context of Kosciusko National Park.	N/A

	The site is not located within the Kosciusko National Park.	
<i>SEPP (Kurnell Peninsula) 1989</i>	The policy aims to conserve the natural environment of the Kurnell Peninsula.  The site is not located within the Kurnell Peninsula.	N/A
<i>SEPP (Major Infrastructure Corridors) 2020</i>	The policy aims to identify land intended to be use in the future as an infrastructure corridor.  As the site abuts Appin Road, the proposal would not impede any upgrades of the road. Appin road is not identified as being a Major Infrastructure Corridor.	N/A
<i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</i>	The policy aims to recognise the importance of mining, petroleum production and extractive industries.  The proposal does not intend to facility the provision of mining, petroleum production or extractive industries.	N/A
<i>SEPP 19 – Bushland in Urban Areas</i>	The site does not contain bushland.	N/A
<i>SEPP 21 – Caravan Parks</i>	The proposal does not pertain to a Caravan Park.	N/A
<i>SEPP 33 – Hazardous and Offensive Development</i>	The policy aims to amend the definitions of hazardous and offensive industries whilst require consent for the development to be carried out in the Western Division.  The proposal does not intend to construct a Hazardous or Offensive Development.	N/A
<i>SEPP 36 – Manufactured Home Estates</i>	The policy aims to facilitate the establishment of manufactured homes estate.  The proposal does not intend to develop a manufacture homes estate.	N/A.
<i>SEPP 47 – Moore Park Showground</i>	The policy aims to enable redevelopment of the Moore Park Showground.  The site is not located within Moore Park Showground.	N/A.
<i>SEPP 50 – Canal Estate Development</i>	The policy aims to prohibit canal estate development.  The site is not located within a canal estate.	N/A

<p><i>SEPP 55 – Remediation of Land</i></p>	<p>The policy aims to promote the remediation of contaminated land for the purpose of reducing risk to harm to human health.</p> <p>The site is currently zoned R2 Low Density Residential. A contamination report has been prepared and is submitted with the PP in compliance with the conditions of the Gateway Determination.</p>	<p>Consistent.</p>
<p><i>SEPP 64 – Advertising and Signage</i></p>	<p>The policy aims to ensure signage is compatible with desired amenity and visual character of the area.</p> <p>The proposal allows future development to meet the requirements under this SEPP.</p>	<p>Consistent.</p>
<p><i>SEPP 65 – Design Quality of Residential Apartment Development</i></p>	<p>The policy aims to improve the design quality of residential apartments.</p> <p>The proposal does not intend to construct a residential flat building.</p>	<p>N/A</p>
<p><i>SEPP 70 – Affordable Housing (Revised Scheme)</i></p>	<p>The aims of the policy is to identify the need for affordable housing across the State.</p> <p>The proposal does not intend to develop housing for affordable housing.</p>	<p>N/A</p>
<p><i>SEPP (Penrith Lakes Scheme) 1989</i></p>	<p>The policy aims to provide development control processes to ensure environmental and technical matters are considered in the Penrith Lakes Scheme.</p> <p>The site is not located within the Penrith Lakes Scheme.</p>	<p>N/A</p>
<p><i>SEPP (Primary Production and Rural Development) 2019</i></p>	<p>The policy aims to facility the orderly economic us and development of lands for primary production.</p> <p>The site is not located on land zoned for Primary Production or rural development.</p>	<p>N/A</p>
<p><i>sepp (state and regional development) 2011</i></p>	<p>The policy aims to identify development which is of State significance.</p> <p>The site is not identified as being State Significant Development.</p>	<p>N/A</p>
<p><i>SEPP (State Significant Precincts) 2005</i></p>	<p>The policy aims to facilitate the development and redevelopment or protection of important urban, coastal and regional sites.</p>	<p>N/A</p>

	The site is not identified as being within a State Significant Precinct.	
<i>SEPP (Sydney Drinking Water Catchment) 2011</i>	The policy aims to provide health water catchments.  The site is not identified as being within a water catchment.	N/A
<i>SEPP (Sydney Region Growth Centres) 2006</i>	The policy aims to coordinate the release of land for residential, employment and urban development.  The site does not reside within a growth centre.	N/A
<i>SEPP (Three Ports) 2013</i>	The policy aims to provide consistent planning for development of infrastructure in Port Botany, Port Kembla and Port of Newcastle.  The site does not reside in one of the above listed ports.	N/A
<i>SEPP (Urban Renewal) 2010</i>	The policy aims to establish a process for assessing and identifying sites as urban renewal precincts.  The site is not identified as an Urban Renewal Precinct.	N/A
<i>SEPP (Vegetation in Non-Rural Areas) 2017</i>	The policy aims to protect biodiversity values of trees and other vegetation.  The site in its current form does not depict vegetation or trees of significant value.	Consistent.
<i>SEPP (Western Sydney Aerotropolis) 2020</i>	The policy aims to facilitate the development of the Western Sydney Aerotropolis.  The Site is not located within the Western Sydney Aerotropolis area.	N/A
<i>SEPP (Western Sydney Employment Area) 2009</i>	The policy aims to protect and enhance land which reside in the Western Sydney Employment Area.  The site is not identified to reside within the Western Sydney Employment Area.	N/A
<b>Consideration of Deemed SEPPs</b>	<b>Comment</b>	<b>Consistency</b>
Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment	The proposal would not impact on the water quality and river flows of the Georges River and its tributaries. The proposal is designed to mimic the Georges River and thereby will provide greater community affinity with the River and its qualities	Consistent

**6. Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 Directions)?**

A review of the consistency of this planning proposal with the relevant Ministerial Directions under Section 9.1 has been undertaken. Each Ministerial Direction is listed below with an annotation stating whether it is relevant to the planning proposal and confirming consistency.

Consideration of S9.1 Directions	Comment	Consistency
<b>1. Employment and Resources</b>		
1.1 Business and Industrial Zones	The Proposal will facilitate increased retail and business floor space to service local community needs.	Consistent
1.2 Rural Zones	Not relevant to the Proposal. The Proposal does not propose any amendments to rural zones.	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable	Not applicable
1.4 Oyster Aquaculture	Not applicable	Not applicable
1.5 Rural Lands	This direction does not apply to Campbelltown Local Government Area.	Not applicable
<b>2. Environment and Heritage</b>		
2.1 Environment Protection Zones	This direction does not apply as the Planning Proposal does not proposed any modification to the permissibility or operational restrictions relating to Environmental Protection Zones.	Not applicable
2.2 Coastal Protection	Not applicable	Not applicable
2.3 Heritage Conservation	This direction does not apply as no listed heritage items or conservation areas exist within the subject site.	Not applicable
2.4 Recreation Vehicle Areas	Not applicable	Not applicable
<b>3. Housing, Infrastructure and Urban Development</b>		
3.1 Residential Zones	The proposal seeks the delivery of shop top housing which will improve housing choice, diversity and affordability in the area. The nature of shop top housing as a mixed-use development, also ensure the efficient use of existing infrastructure and services while reducing the consumption of land for housing and associated urban development. Further, the proposal seeks the delivery of a landmark building located at a prominent corner, with good design a feature of the proposed concept. Accordingly the proposal meets the ministerial direction.	Consistent
3.2 Caravan Parks and Manufactured Homes	Not applicable	Not applicable

3.3 Home Occupations	Not applicable	Not applicable
3.4 Integrating Land Use and Transport	The proposal integrates land uses and transport as it will significantly improve access to services for the St Helens Park community to the east of Appin Road. This proposal has been prepared in consideration of the embellished St Helens Park Reserve to the north and Service Station which is an approved use within the site. The proposal will reduce the local community's dependence on cars as they will be provided with services such as cafes and convenience stores within walking distance and provide an alternative to Rosemeadow Marketplace. The proposal has considered modifications to the existing road network and is ideally located adjoining Appin Road.	Consistent
3.5 Development Near Licensed Aerodromes	Not applicable	Not applicable
3.6 Shooting Ranges	Not applicable	Not applicable
3.7 Reduction in non-hosted short term rental accommodation period	Not applicable	Not applicable
<b>4. Hazard and Risk</b>		
4.1 Acid Sulfate Soils	The site is zoned for residential purposes. The site is not identified as being subject to risk on the Acid Sulfate Soils Planning Maps held by the Department of Planning Industry & Environment, and therefore this Ministerial Direction is not relevant to the proposal.	Not applicable
4.2 Mine Subsidence and Unstable Land	Not applicable	Not applicable
4.3 Flood Prone Land	The site is zoned R2 Low Density Residential and is not identified as flood prone by any study or existing environmental planning instrument.	Consistent
4.4 Planning for Bushfire Protection	The subject land is not identified as bush prone on Campbelltown Council's bushfire prone land map.	Consistent
<b>5. Regional Planning</b>		
5.1 Implementation of Regional Strategies	The Ministerial Direction was revoked on the 17th of October 2017.	Not applicable
5.2 Sydney Drinking Water Catchments	The Site is not within a Sydney Drinking water catchment listed in this Ministerial Direction.	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	Not applicable
5.4 Commercial and Retail Development along the	Not applicable	Not applicable

Pacific Highway, North Coast		
5.5 - 5.7	Revoked	Not applicable
5.8 Second Sydney Airport	Not applicable	Not applicable
5.9 North West Rail Link Corridor Strategy	Not applicable	Not applicable
5.10 Implementation of Regional Plans	Refer to Tables 2 and 3 of this proposal for an assessment of consistency with the relevant actions and priorities of the Greater Sydney Region Plan and Western City District Plan.	Consistent
<b>6. Local Plan Making</b>		
6.1 Approval and Referral Requirements	The planning proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.	Consistent
6.2 Reserving Land for Public Purposes	This direction is not applicable as it does not affect land identified under the SEPP to be reserved for public purposes.	Not applicable
6.3 Site Specific Provisions	This direction does not propose any site specific provisions.	Consistent
<b>7. Metropolitan Planning</b>		
7.1 Implementation of a Plan for Growing Sydney	Revoked 9 November 2020	Not applicable
7.2 Implementation of Greater Macarthur Land Release Investigation	Revoked 28 November 2019	Not applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable	Not applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	Not applicable

7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	The proposal is outside of the nominated precincts between Glenfield and Macarthur	Not applicable
7.8 Implementation of the Western Sydney Aerotropolis Plan	The subject land is outside the land application map of the Western Sydney Aerotropolis Plan	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable	Not applicable
7.12 Implementation of Greater Macarthur 2040	The subject land is outside of the nominated precinct boundary of Greater Macarthur 2040	Not applicable

**Section C – Environmental, social and economic impact**

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

No.

There is no critical habitat or threatened species, populations or ecological communities or habitat located on the site.

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

No.

The subject land is cleared and is currently zoned for urban development. It is anticipated that there would be no adverse environmental effects as a result of the planning proposal.

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

Yes.

The planning proposal is supported by a site specific economic assessment which highlights the benefits of commercial facilities at the site, as opposed to the existing B1 zoned site on the eastern side of Kellerman Drive where no retail development has occurred.

It has been demonstrated that the retail expenditure within the vicinity is expected to grow, contributed to by the various residential developments which are planned for the area. This growth will contribute to the proposal having a negligible impact on the surrounding centres and therefore the proposal will not adversely impact on the viability of other commercial premises in the region.

Further, food catering facilities (restaurants, fast food/takeaway, etc.) are all generally contained with the Campbelltown-MacArthur Regional City except for some facilities at Rosemeadow incorporating McDonalds and Pizza Hut. Therefore, these are the only catering services available to the St Helens Park community unless they travel to the Regional City centre. The site is appropriately located to support local services for residents within St Helens Park to the east of Appin Road. The proposal will also allow for commercial services that complement the approved service station at the site and allow for a better urban design outcome that addresses the frontage to Appin Road and the adjacent St Helens Park Reserve.

#### **Section D – State and Commonwealth Interests**

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

Yes.

The planning proposal will not result in a need for additional public infrastructure.

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

Consultation will occur with relevant State Government authorities identified in the Gateway Determination.

#### **Part 4 – Mapping**

The Planning Proposal seeks to amend the relevant CLEP 2015 maps for Lot 6202 DP 1203930 as detailed in Section 5.2 and summarised as follows:

- **Land Zoning Map:** Amend current zoning of 'R2 Low Density Residential' to 'B1 Neighbourhood Centre' zone.
- **Lot Size Map:** Remove the lot size annotation of "I" which applies a minimum lot size of 500m<sup>2</sup>, from the area being rezoned to B1.
- **Height of Buildings Map:** Amend the maximum building height from 8.5m to 9.0m for the area being rezoned to B1.
- **Lot Size for Dual Occupancy Map:** Remove the lot size annotation of "O", which applies a minimum lot size of 700m<sup>2</sup>, from the area being rezoned to B1
- **Additional Permitted Uses Map** – remove the reference on the map to Lot 6202 DP 120930.

**Part 5 – Community consultation**

In accordance with ‘A Guide to Preparing Local Environmental Plans’ prepared by the Department of Planning and Environment (2016), and the relevant Gateway Determination, the consultation strategy is for a period of 28 days as follows:

- A notice and all relevant documentation forming the PP to be placed on Council’s website and the NSW Planning Portal
- Letters to affected landowners (within the historic Lot 1112 DP 1025751).

Consultation with the following Stage Government agencies is also proposed:

- NSW Environment Protection Authority
- Transport for NSW / Roads and Maritime Services.

**Part 6 – Project Timeline**

The anticipated timeline for finalising the LEP amendment is provided as follows:

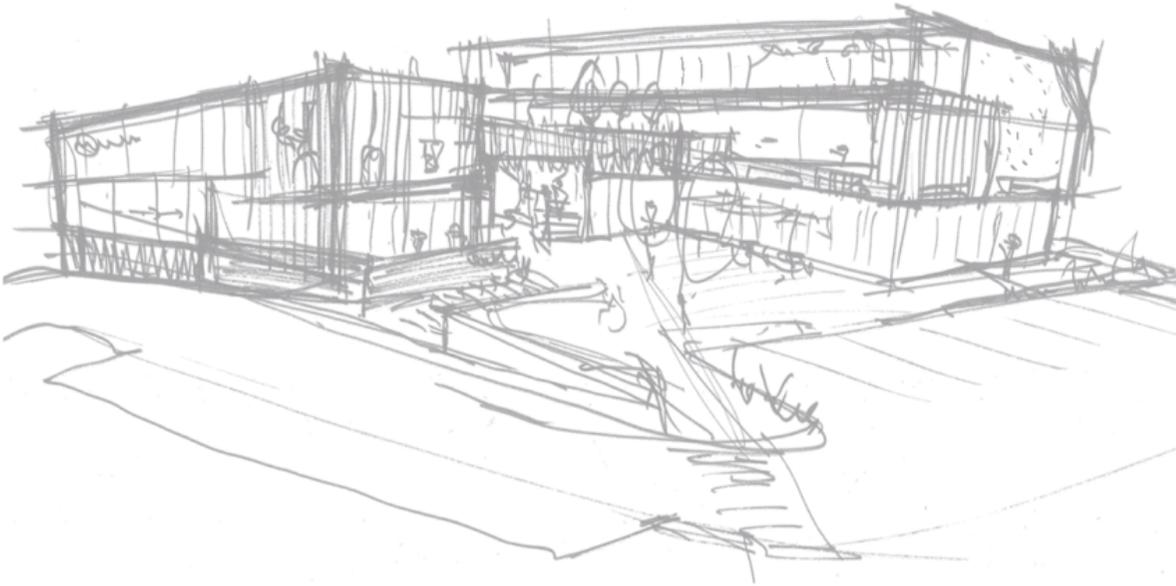
<b>Date</b>	<b>Item</b>
9 August 2020	Date of Gateway Determination
27 April 2021	Completion of required studies and additional information
10 May 2021	Commencement of public exhibition period and government agency consultation
7 June 2021	Completion of public exhibition period and government agency consultation
21 June 2021	Consider submissions and complete post-exhibition report
13 July 2021	Council meeting to consider post exhibition report
19 July 2021	Forward endorsed PP to DPIE for 8 week finalisation process
31 July 2021	Finalise drafting of proposed amendments with DPIE
19 September 2021	Making of LEP amendment

# Concept Package

January 2019

## MIR GROUP

Cnr Appin Rd & Kellerman Dr,  
Campbelltown NSW 2560





### Development Locality

Cnr Appin Rd & Kellerman Dr,  
Campbelltown NSW 2560



### Precedent Images

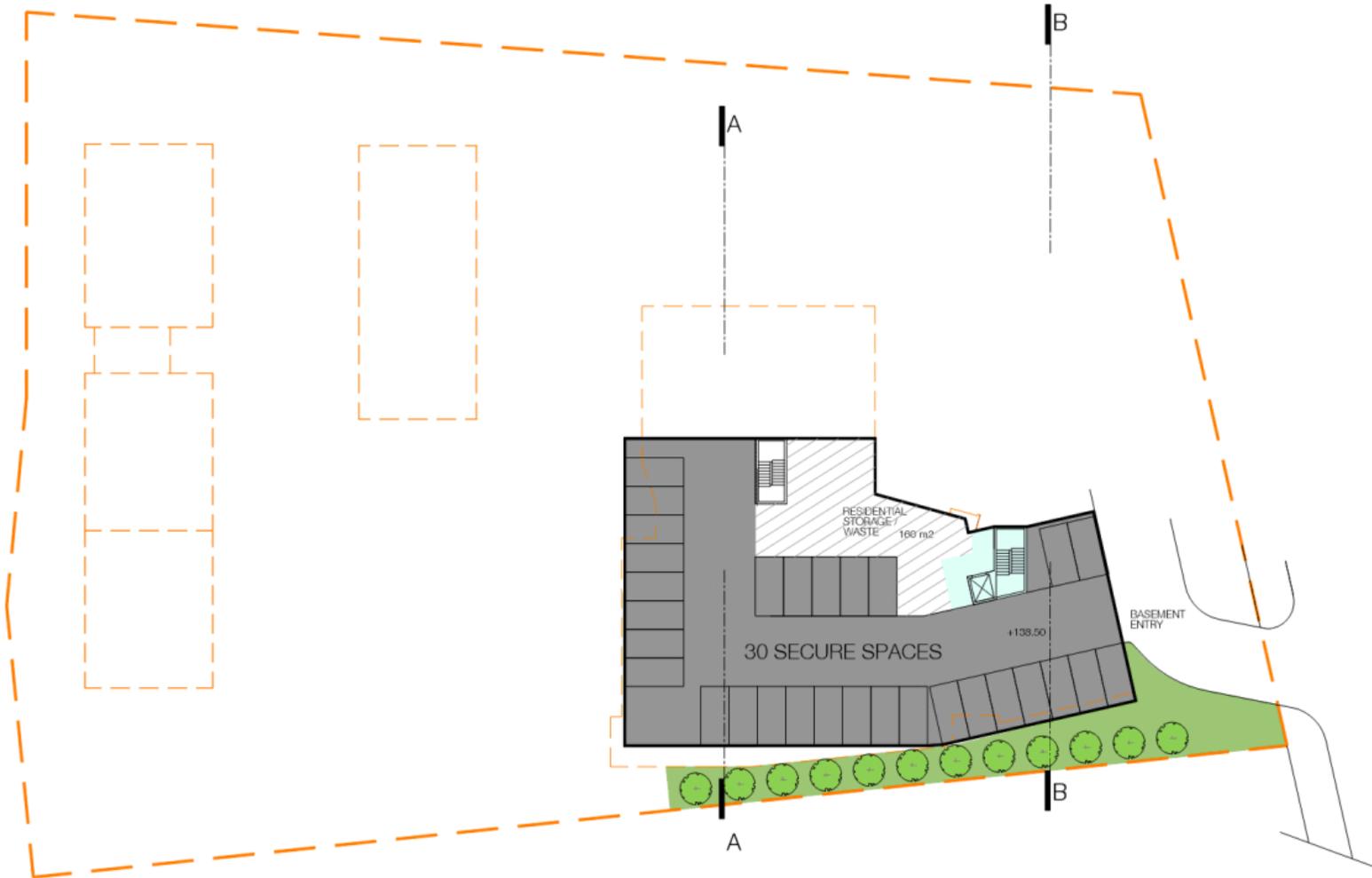
Mixed use and sculptural form



Integrated residential and public realm







GROUND FLOOR SCHEDULE	
FUEL (EXISTING)	200m <sup>2</sup>
NEIGHBOURHOOD SUPERMARKET	660m <sup>2</sup>
TAKE AWAY (x2)	320m <sup>2</sup>
NEIGHBOURHOOD SHOPS (x4)	270m <sup>2</sup>
RESTAURANT	210m <sup>2</sup>
ON-GRADE PARKING	91 SPACES



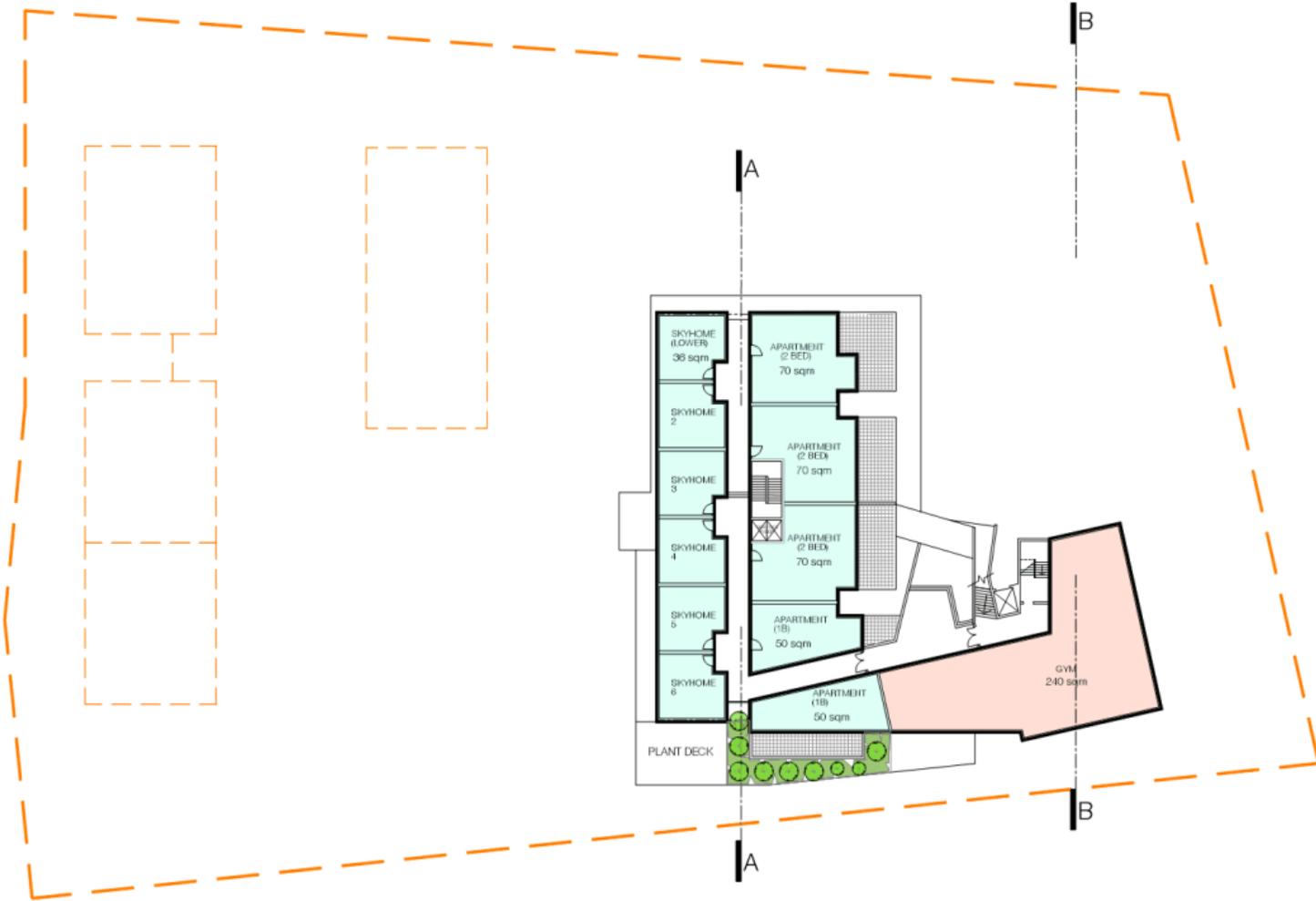
**Clarke Hopkins Clark**  
 155 Barkly Street  
 Collingwood VIC, Australia 3068  
 Telephone: 03 9410 4340  
 Facsimile: 03 9410 4345  
 Email: studio@chc.com.au  
 www.clarkehopkins.com.au

CONCEPT DESIGN\_Ground Floor  
 St. Helens Park Expansion (cnr Appin Road & Kellerman Drive)



January 2019  
 170164/SK03

FIRST FLOOR SCHEDULE		
6 NO. SKYHOMES (LOWER LEVEL)	36m <sup>2</sup> EA	
3 NO. 2 BED APARTMENTS	70m <sup>2</sup> EA	
2 NO. 1 BED APARTMENTS	50m <sup>2</sup> EA	
GYM	240m <sup>2</sup>	



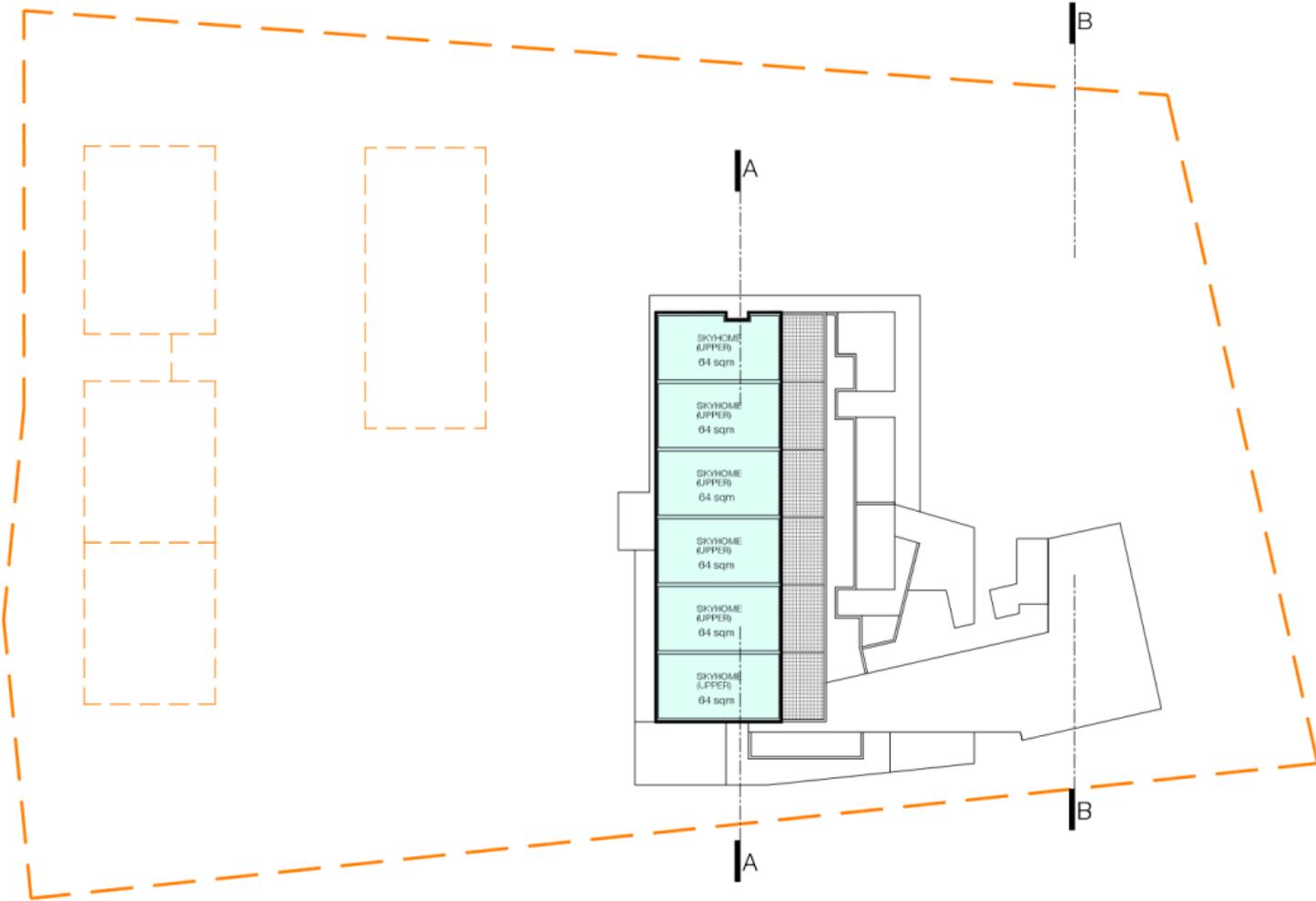
**Clarke Hopkins Clark**  
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 155 Parkville Street  
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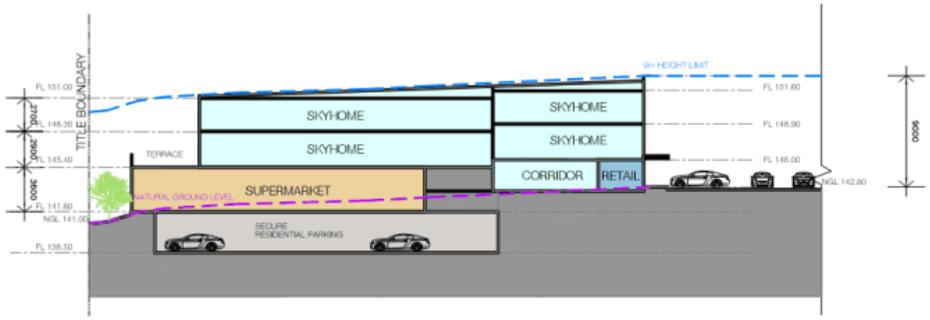
CONCEPT DESIGN\_First Floor  
 St. Helens Park Expansion (cnr Appin Road & Kellerman Drive)



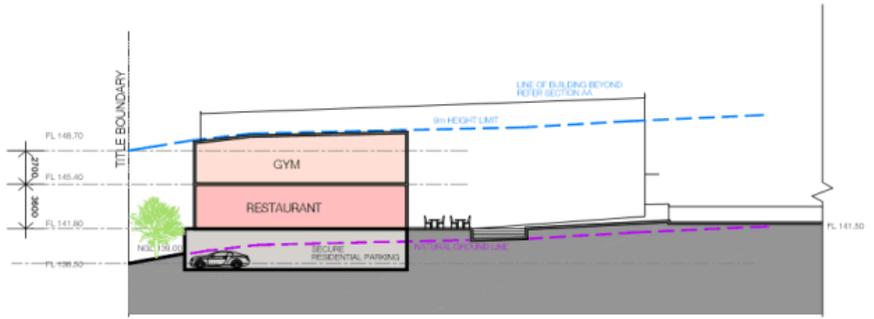
January 2019  
 170164/SK04

SECOND FLOOR SCHEDULE		
6 NO. SKYHOMES	(UPPER LEVEL)	64m2 EA





SECTION AA



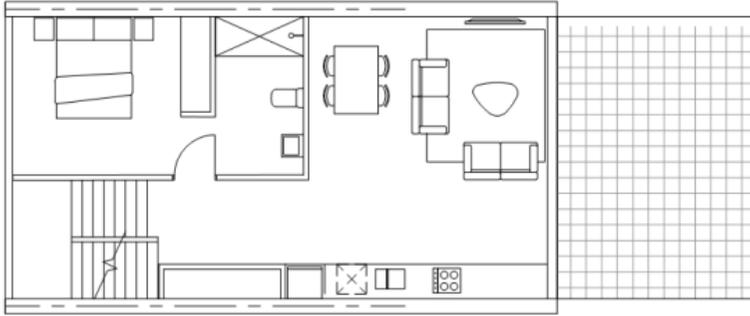
SECTION BB

Development Schedule		CAR PARKING			
MIXED USE		COMPLIANT <small>WITH CARABEL TOWN DCP 2108</small>		DESIGNED	ENGINEERED
	m <sup>2</sup>	RATE	REQ'D		
SITE AREA (approximate)	7560				
SERVICE STATION (existing)	200	1/25	8	8	-
NEIGHBOURHOOD SUPERMARKET	660	1/25	27	20	-
TAKE AWAY (180 x 2)	320	1.5/20	24	20	-
NEIGHBOURHOOD SHOPS	270	1/25	11	8	-
RESTAURANT	210	1.5/10	32	28	-
GYM	240	1/25	10	7	-
TOTAL AREA	1,900	-	-		
<b>TOTAL SPACES REQUIRED</b>			<b>112</b>	<b>91</b>	<b>-</b>

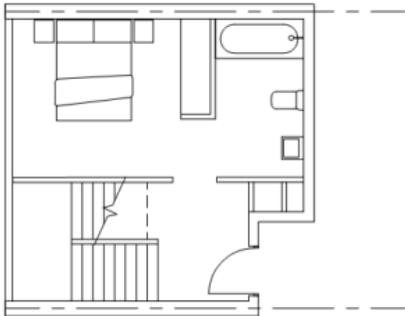
Development Schedule		CAR PARKING			
RESIDENTIAL		COMPLIANT		DESIGNED	ENGINEERED
	m <sup>2</sup>				
SITE AREA (approximate)	7560				
RESIDENTIAL					
6# 2-BED SKYHOMES	100	1EA	6	12	-
3# 2-BED APARTMENTS	70	1EA	3	6	-
2# 1-BED APARTMENTS	50	1EA	2	2	-
<b>TOTAL SPACES REQUIRED</b>			<b>11</b>	<b>20</b>	<b>-</b>

Development Schedule		CAR PARKING	
BASEMENT			30
GROUND			91
<b>TOTAL SPACES REQUIRED</b>			<b>121</b>



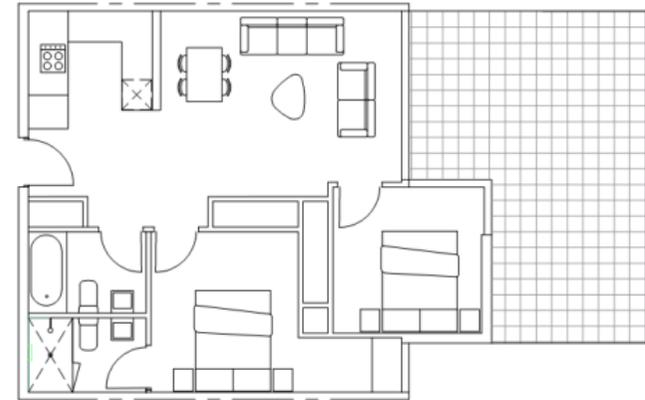


UPPER LEVEL



LOWER LEVEL

TYPICAL SKYHOME LAYOUT



LOWER LEVEL

TYPICAL 2 BED LAYOUT

Massing Images: View from Appin Road



KEY PLAN



Massing Images: View from Kellerman Drive



KEY PLAN



Massing Images: View from Main Intersection



KEY PLAN



### Massing Images: Aerial Perspective



KEY PLAN

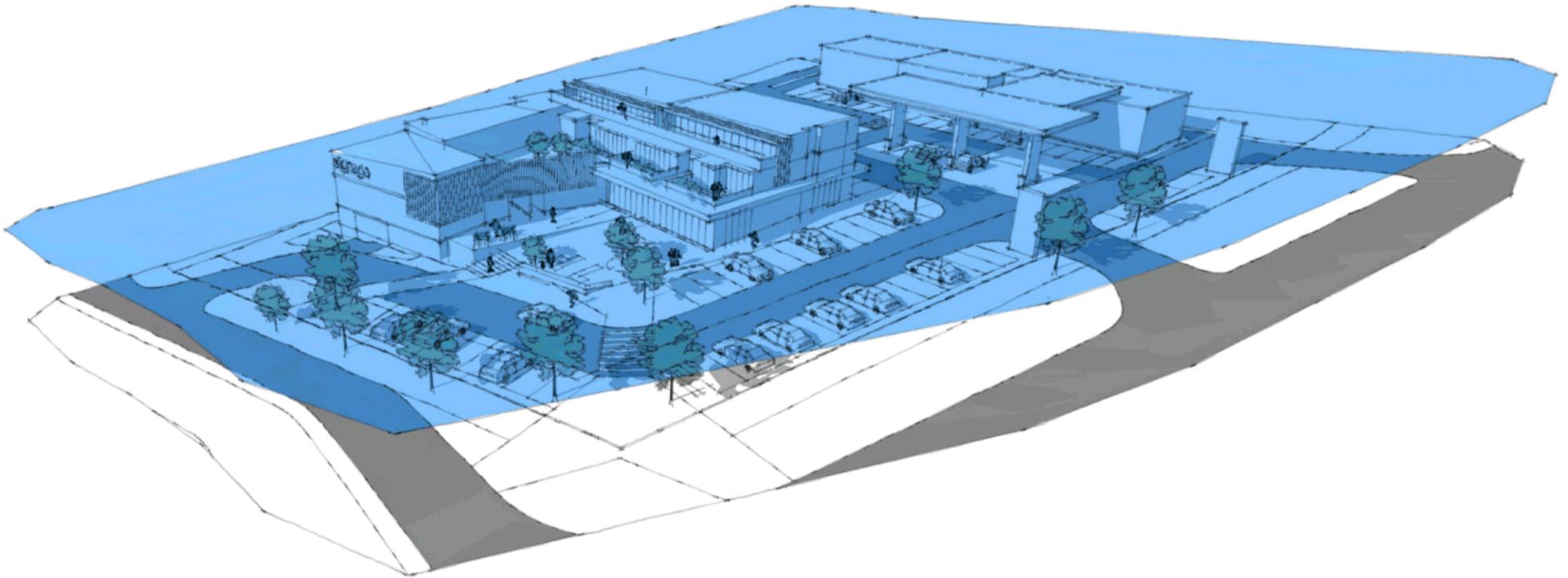


## Height Restrictions

■ 9m Height Restriction for B1 Zoning



KEY PLAN





## Gateway Determination

**Planning proposal (PP\_2020\_CAMPB\_005\_00):** *The proposal is to amend the Campbelltown Local Environmental Plan (LEP) 2015 to amend the existing planning controls applying to the site at Lot 6202 DP 1203930 Brunton Place, St Helens Park.*

I, the Acting Director Western, 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 existing planning controls applying to the site at Lot 6202 DP 1203930 Brunton Place, St Helens Park should proceed subject to the following conditions:

1. The planning proposal is to be amended prior to public exhibition to address Section 9.1 Direction 2.6 Remediation of Contaminated Land.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018) and 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 and Environment, 2018).
3. Consultation is required with the following public authorities and organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Transport for NSW – Roads and Maritime Services; and
  - NSW Environment Protection Authority.

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.

4. 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).

5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated                    9<sup>th</sup> day of August 2020.

**Eleanor Robertson  
Acting Director Western, 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\_2020\_CAMPB\_005\_00 (IRF20/2500)



**Planning,  
Industry &  
Environment**

## **Alteration of Gateway Determination**

***Planning proposal (Department Ref: PP-2020-3108)***

I, Director Western, Central River & 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 9 August 2020 for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Delete condition 6 and replace it with a new condition 6 stating:

“The time frame for completing the LEP is by 18 May 2022.”

21 May 2021

**Adrian Hohenzollern  
Director, Western  
Central River & Western Parkland City  
Department of Planning, Industry and  
Environment**

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

PP-2020-3108 (IRF21/1986)



DOC21/355372-2

Mr Jeff Burton  
 Senior Strategic Planner  
 City Development Division  
 Campbelltown City Council  
 PO Box 57  
 CAMPBELLTOWN NSW 2560

Email: [jeff.burton@campbelltown.nsw.gov.au](mailto:jeff.burton@campbelltown.nsw.gov.au)

7 May 2021

### No Comment to Planning Advice Request

Dear Mr Jeff

Thank you for the request for advice, requesting input from the Environment Protection Authority (EPA) on the Planning Proposal (PP-2020-3108) for the Amendment of Campbelltown Local Environmental Plan 2015 (CLEP 2015) at the land located at south-eastern corner of Appin Road and Kellerman Drive, St Helens Park.

The Planning Proposal includes following amendments to the CLEP 2015:

- Rezoning from R2 Low Density Residential to B1 Neighbourhood Centre;
- Increase in the height limit permitted for the site, to facilitate the delivery of the envisaged shop top housing; and
- Other associated amendments.

Based on the information provided, the proposal does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997*. Furthermore, the EPA understands that the proposal is not being undertaken by or on behalf of a NSW Public Authority nor are the proposed activities other activities for which the EPA is the appropriate regulatory authority.

In view of these factors, the EPA has no comments to provide on this project and no follow-up consultation is required.

If you have any questions about this request, please contact Asif Khan on 02 8289 6955 or via email at [asifqbal.khan@epa.nsw.gov.au](mailto:asifqbal.khan@epa.nsw.gov.au).

Yours sincerely

**STEVE BEAMAN PSM**  
**Executive Director Regulatory Operations**  
**NSW Environment Protection Authority**

**Phone** 131 555

**Phone** +61 2 9995 5555  
 (from outside NSW)

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10 June 2021

TfNSW Reference: SYD20/01226/02

Ms Lindy Dietz  
Chief Executive Officer  
Campbelltown City Council  
PO Box 57  
Campbelltown NSW 2560

Attention: Stuart McIntosh

Dear Ms Dietz,

**PLANNING PROPOSAL FOR CORNER APPIN ROAD AND KELLERMAN DRIVE, ST HELENS PARK**

Transport for NSW (TfNSW) appreciates the opportunity to comment on the above planning proposal referred through the ePlanning Portal.

This planning proposal seeks to amend the Campbelltown Local Environmental Plan (LEP) 2015 to facilitate the future development of a local neighbourhood centre on the subject corner lot that integrates with the existing service station development on the land.

In particular, the following amendments are proposed for the site:

- rezoning from R2 Low Density Residential to B1 Neighbourhood Centre
- increasing the maximum permitted building height from 8.5m to 9.0m;
- minimum lot size (currently 500m<sup>2</sup>) to align with the height limit of other B1 zoned land in the locality
- upon rezoning the existing Additional Permitted Uses applicable to the site for a 'service station' and 'neighbourhood shop' would become redundant and accordingly are also sought to be removed.

The owner of the corner site has submitted a conceptual development design with the PP request for a future neighbourhood centre on the land, comprising 1,710m<sup>2</sup> of additional business / retail floor space and 2 levels of shop top housing (11 units), with a total of 121 car spaces.

TfNSW has reviewed the submitted documentation in relation to this planning proposal and provides comments at **Attachment A** for Council's consideration, noting for safety reasons it can not be supported based on current information provided.

Should you have any questions or further enquiries in relation to this matter, Tricia Zapanta would be pleased to assist you via email at [Development.Sydney@transport.nsw.gov.au](mailto:Development.Sydney@transport.nsw.gov.au)

Yours sincerely,

Cheremie Marsden  
**Senior Manager Strategic Land Use**

**Transport for NSW**  
27-31 Argyle Street, Parramatta NSW 2150 | PO Box 973, Parramatta CBD NSW 2124  
P 131782 | W [transport.nsw.gov.au](http://transport.nsw.gov.au) | ABN 18 804 239 602

**Land Use, Network & Place Planning, Greater Sydney**  
**Attachment A: TfNSW Comments on the Planning Proposal for cnr Appin Road**  
**and Kellerman Drive, St Helens Park**  
(Provided 7 June 2021)

B1 zone

The permissible uses in the current B1 zone includes neighbourhood shops, neighbourhood supermarkets, restaurants or cafes, shop top housing and service stations.

We note that the Department of Planning, Industry and Environment is considering removing B1 zones and incorporating them into a new 'Local Centre' zone. This zone is proposed to have much wider permissible uses including commercial premises, places of public workshop, and tourist and visitor accommodation.

It is just noted that Council should be mindful that if these amendments to the Standard Instrument proceed, potential intensification of traffic generating uses could then occur if the B1 zoning proceeds and then is converted to a Local Centre zone.

Safety issues

As included in the traffic report, the site distance does not meet the Australian Standard requirements for the right turn out of the site into Kellerman Drive. This is an existing safety issue.

The traffic report recommends that the turning traffic is separated from through traffic along Kellerman Drive by constructing a "seagull" treatment including a 110m acceleration lane. There are no plans showing this treatment so the proposal cannot be adequately assessed without showing how the proposed treatment operates. A plan showing dimension, turning paths and any traffic control devices should be provided.

The intensification of this site has the potential for the right turn bay into the site from Kellerman Drive to queue out and result in queuing into the intersection which would not be acceptable.

Intersection of Appin Road and Kellerman Drive

As Council would be aware, there are ongoing discussions on the solution for the intersection of Appin Road and Kellerman Drive to the driveway location for the existing development having safety concerns, which is currently being worked through. It appears that this proposal conflicts with the works for the upgrade of Appin Road. For further information please contact Peta Smith, Senior Manager HAF Development at: [Peta.A.Smith@transport.nsw.gov.au](mailto:Peta.A.Smith@transport.nsw.gov.au)

SIDRA analysis

The cycle length for the future intersection layout/conditions to be used in SIDRA analysis to be revised to 140 secs.

Car Parking

It is noted that total car parking spaces proposed to be provided is 121 spaces, which has been calculated using Council's DCP parking rates. Whilst this meets Council's parking requirements, there has been little assessment of the role of public transport services (bus, walking and cycling) along Appin Road and the potential reduction in parking spaces associated with nearby public transport services and multi-use trips, noting proximity of the site to Rosemeadow marketplace and its location within walking distance to Ambervale High School, St Helens Park reserve and local neighbourhoods.

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**From:**  
**Sent:** Thursday, 17 June 2021 11:47 AM  
**To:** Jeff Burton <jeff.burton@campbelltown.nsw.gov.au>  
**Subject:** IRIS: PP-2020-3108

As a resident of St Helens Park I am concerned about the impact of having more vehicles entering and exiting the main intersection of Kellerman & Appin Road. I have frequently had cars pull in and out of the Seven-Eleven driveway with little or no warning. I feel that we are well catered for with shops just across the road at Rosemeadow. I oppose the construction of these shops.

Regards

Sent from [Mail](#) for Windows 10



### 8.3 Planning Proposal to rezone Land at the corner of Appin Road and Kellerman Drive, St Helens Park

#### 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 endorse the attached draft Planning Proposal (the Proposal) which seeks to make amendments to the Campbelltown Local Environmental Plan 2015 (LEP2015) and forward the proposal to the Minister for Planning and Public Spaces for a Gateway determination.
2. That subject to a successful Gateway determination, further in depth traffic studies be required and consultation with the NSW Roads and Maritime Service be undertaken given the location of the subject land in proximity to Appin Road.
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.

#### Executive Summary

- Council has received a planning proposal request relating to land at the corner of Appin Road and Kellerman Drive, St Helens Park. The site is clear of trees and occupied by an existing service station development.
- The site is currently zoned R2 Low Density Residential under Campbelltown Local Environmental Plan 2015 (CLEP 2015).
- Despite the current R2 Low Density Residential zoning, the specific business type uses of a 'service station' and 'neighbourhood shop' are also currently permitted with consent on the land, under the Schedule 1 'additional permitted uses' provisions of CLEP 2015.
- The site is currently being used for the purposes of a service station with the sale of other products considered ancillary to the dominant use as a service station.

- The proposal seeks to change the zone to B1 Neighbourhood Centre Zone under CLEP 2015 to more closely align with those use currently permissible on the land.
- The proposal also seeks to increase the maximum permissible height of building under Clause 4.3 of the CLEP 2015 from 8.5m to 9.0m.
- Should the land be rezoned as requested, the existing Additional Permitted Uses applicable to the site for a 'service station' and 'neighbourhood shop' would become redundant and are therefore it is requested that they be removed from CLEP 2015.
- The Proposal is supported by a concept design to illustrate how a future development may be undertaken on the vacant portion of the site should the land be rezoned as requested. This design is indicative only and would be subject to separate assessment under a development application should the land be rezoned in accordance with the proposal.
- The Proposal is considered to have sufficient planning merit to be recommended for a Gateway Determination.

## Purpose

The purpose of the report is to inform the Council of a planning proposal request to amend the Campbelltown Local Environmental Plan 2015 (LEP2015) to rezone land at the corner of Appin Road and Kellerman Drive St Helens Park to B1 Neighbourhood Centre Zone, and to request Council's endorsement for a draft Planning Proposal (the Proposal) to be forwarded to the Minister for Planning and Public Spaces for a Gateway Determination.

## History

The Proposal the subject of this report was originally submitted to Council by the owner of the land on 15 July 2015. Following the initial assessment by Council staff, the Proposal was deferred on 11 August 2015, 23 October 2015 and again on 16 May 2016 seeking further information.

The current proposal (attachment 3) comprises an updated proposal that was re-submitted by the landowner on 31 May 2019 and includes supplementary traffic and economic reports provided by the applicant on 27 September 2019. The proposal includes architectural plans to illustrate the potential development outcome intended by the owner of the subject land should the land be rezoned as requested.

On 26 February 2020, the Campbelltown Local Planning Panel (LPP) considered the proposal in accordance with Section 2.19 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and were generally supportive of Council advancing the proposal to the Department of Planning and Infrastructure and Environment for a Gateway Determination, subject to further traffic assessment being undertaken post-Gateway. Further details of the advice provided by the LPP is outlined in the body of this report.

## Report

Council has received a planning proposal request relating to a 7625sqm allotment located at the south eastern corner of the intersections of Appin Road and Kellerman Drive, St Helens Park. The site is clear of trees and occupied by an existing service station development.

The site is currently zoned R2 Low Density Residential under Campbelltown Local Environmental Plan 2015 (CLEP 2015). Development for the purpose of a 'service station' and 'neighbourhood shop' is permitted with consent on the land under the Schedule 1 'additional permitted uses' provisions of CLEP 2015.

The planning proposal request seeks to change the zoning of the site from the R2 Low Density Residential Zone to B1 Neighbourhood Centre Zone under Campbelltown Local Environmental Plan 2015. The request also seeks an increase in the maximum permissible height of building under Clause 4.3 of the CLEP 2015 for the site from the current 8.5m to 9.0m to align with the height limit of other B1 zoned land in the Campbelltown LGA.

Should the land be rezoned as requested, the existing Additional Permitted Uses applicable to the site for a 'service station' and 'neighbourhood shop' would become redundant and therefore it is proposed to remove these from Schedule 1 of the CLEP 2015.

A service station with convenience store, vehicle access to Appin Road and Kellerman Drive, and internal roads was approved by Campbelltown City Council under Development Consent 39/2013, dated 10 December 2013 and has since been constructed on the southern part of the lot. The portion of the allotment adjacent to the corner of Appin Road and Kellerman Drive remains vacant.

The application is supported by a concept design to illustrate how a future development may be undertaken on the vacant portion of the site should the land be rezoned as requested. This design is indicative only and would be subject to further assessment under a separate future development application should the land be rezoned in accordance with the request.

The proponent's planning proposal request was considered to have sufficient strategic planning merit when lodged and as such, the subject draft Planning Proposal (the Proposal) has been developed in order to seek the Council's endorsement for further investigation and studies, and for the reasons outlined in this report, having particular regard to the social and economic benefits that would likely result for the growing population of St Helens Park, for forwarding to the Gateway for its consideration and determination.

## 2. Assessment – Gateway Determination

The State Government's - A Guide to Preparing Planning Proposals – issued under s3.33 (3) of the EP&A Act provides guidance and information for the preparation and assessment of draft Planning Proposals.

The Guide states that a draft planning proposal should contain enough information to identify relevant environmental, social, economic and other site specific considerations. The assessment of the subject proposal has been undertaken in accordance with the latest version of the guide, having regard to the key issues identified for assessment of the initial Gateway determination.

The purpose of this Gateway determination stage is to ensure there is sufficient justification early in the process to proceed with a draft planning proposal. It enables draft planning proposals that lack strategic merit to be stopped early in the process before time and significant human and financial resources are committed.

This report provides an overview of the proposal to Council to assist the decision on whether the proposal should be forwarded by Council to the Department of Planning, Infrastructure and Environment (DPIE) for a Gateway Determination. If issued, and subject to a positive Gateway determination, additional information, detailed studies or consultation including more in depth traffic studies/analysis will be required before the Proposal can be finalised and placed on public exhibition.

## **2.1 Intended Outcome**

The intended outcome of the proposal is to facilitate the development of a local neighbourhood centre on the land as illustrated in the accompanying concept design plans. This concept design indicates the potential for approximately 1700sqm of additional business and retail floor space, in addition to shop-top housing above.

## **2.2 Site Description**

The subject land is located at the south eastern corner of Appin Road and Kellerman Drive, St Helens Park and is legally described as Lot 6202 in Deposited Plan 1203930. The allotment is 7,625sqm in area with a street frontage to Appin Road of 103 metres, and street frontage to Kellerman Drive of 61 metres. The site is clear of trees and occupied by an existing service station development on the southern portion of the land. Low density residential development of St Helens Park adjoins the site on the eastern and southern boundaries.

The site is served with regular public and school bus routes serving the site along Appin Road and Kellerman Drive. These routes connect the site to Campbelltown railway station and the Central Business District.

A service station development has been built on the southern portion of the lot under the benefit of Development Consent 39/2013/DA-C, conditionally approved by Council on 10 December 2013 under the 'additional permitted use' provisions of Council's Local Environmental Plan which permits a service station and neighbourhood shop on the land. Details of the relevant zoning and planning provisions applying to the site are detailed in the later section of this report.

The existing service station development includes a convenience store, petrol dispensing facilities, canopy and associated concrete vehicular circulation areas. Vehicular access is provided via a combined entry/exit driveway to Kellerman Drive and an exit only driveway to Appin Road. The land is relatively flat as a result of previous earthworks associated with the construction of the service station development, with a slight fall to the north-east towards Kellerman Drive.

### 2.3 Surrounding Area

St Helens Park is bounded by Woodland Road and the linear parkland of Airds to the north, the Georges River to the east, the locality of Gilead to the south, and Appin Road to the west. St Helens Park is one of the more recently developed residential suburbs of Campbelltown, with the vast majority of new development in the suburb comprising low density detached housing.

The 2020 population estimate for St Helens Park is 6948 and is forecast to grow by 13.32 percent to 7874 by 2036. There are two existing primary schools in the suburb, being Woodland Road Public at the northern end of the suburb and St Helens Park Public to the south. The nearest secondary school is Ambarvale High located in to the north-east within the suburb of Rosemeadow on the opposite side of Appin Road.

The immediate area is characterised by low density residential development within the R2 Low Density Residential zone of St Helens Park, with the public recreation area of St Helens Park Reserve to the north. This recreational space incorporates a recently constructed skate facility. There are three allotments of land on Kellerman Drive zoned B1 Neighbourhood Centre located approximately 1.1km from the subject site that are occupied by a neighbourhood centre and public school.

The suburb of St Helens Park has limited retail facilities to serve the resident population. The closest retail centre is located at Rosemeadow Market Place located on the western side of Appin Road, with a smaller agglomeration of shops and service station located to the north on Woodland Road.

#### The Proposal

The proposal (attachment 3) seeks to amend Campbelltown Local Environmental Plan 2015 (CLEP 2015) so as to permit the development of a local neighbourhood centre in conjunction with the existing approved service station development on the land. The development type is proposed to serve the local residential catchment of St Helens Park, users of the adjacent St Helens Park Reserve, as well as passing vehicular trade from Appin Road.

For the purpose of understanding what a future potential development could look like if the Proposal was approved, a conceptual design of the potential development outcome that could potentially be facilitated by the proposed rezoning has been provided by the proponent and is included within attachment 3.

The endorsement or approval of this Planning Proposal does not approve any actual development on the land, and any conceptual design would be subject to further assessment under a separate development application (DA).

The concept provided with the Proposal by the proponent, has been provided to indicate how they believe a local neighbourhood centre might be developed on the subject land, where the Planning Proposal was approved.

Should the proposed amendments to CLEP 2015 be made, any future development proposal for a local neighbourhood centre on the land would be subject to public exhibition and a detailed environmental assessment under a separate development application. Such an assessment would include a detailed analysis of the building design, traffic generation, and local environmental impacts on neighbouring residential properties. As such, the concept design included with the proposal should only be read as an indicative development outcome that would be subject to separate DA assessment.

Details of the specific amendments proposed to CLEP 2015 under the draft proposal are provided below.

## **Zoning**

Amendment of the current zoning of 'R2 Low Density Residential' applying to the site to 'B1 Neighbourhood Centre'. An extract of the land use table for each zone under CLEP 2015 is provided below for comparison.

### **Zone R2 Low Density Residential**

#### **1. Objectives of zone**

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To enable development for purposes other than residential only if that development is compatible with the character of the living area and is of a domestic scale.
- To minimise overshadowing and ensure a desired level of solar access to all properties.
- To facilitate diverse and sustainable means of access and movement.

#### **2. Permitted without consent**

Home occupations

#### **3. Permitted with consent**

Attached dwellings; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Recreation areas; Recreation facilities (outdoor); Respite day care centres; Roads; Schools; Semidetached dwellings; Tank-based aquaculture

**4. Prohibited**

Any development not specified in item 2 or 3

**Zone B1 Neighbourhood Centre****1. Objectives of zone**

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To support public transport patronage and encourage walking and cycling.
- To achieve an accessible, attractive and safe public domain.
- To allow small-scale residential development in conjunction with retail, business and commercial uses in a manner that increases the vitality of the surrounding neighbourhood.

**2. Permitted without consent**

Nil

**3. Permitted with consent**

Boarding houses; Business premises; Car parks; Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Hardware and building supplies; Home businesses; Home occupations; Information and education facilities; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Service stations; Shop top housing; Signage; Take away food and drink premises; Tank-based aquaculture; Veterinary hospitals

**4. Prohibited**

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

**Schedule 1 - Additional Permitted Uses**

Removal of the 'Additional Permitted Uses' clause under Schedule 1 of CLEP 2015 that permits a 'service station' and 'neighbourhood shop' with development consent on the land. It is noted that these land uses would otherwise be prohibited in the R2 Low Density Residential Zone.

The additional permitted uses clause under Schedule 1 of CLEP 2015 that applies to the land is replicated as follows:

**38 Use of certain land at Appin Road, St Helens Park**

- (1) This clause applies to land at Appin Road, corner of Appin Road with northern end of Kellerman Drive, St Helens Park, being Lot 1112, DP 1025751.
- (2) Development for the purpose of a service station and neighbourhood shop is permitted with development consent.

The additional permitted uses clause relates to Lot 1112 DP 1025751, which is the larger historical allotment that captures the subject site, in addition to surrounding land that has been subdivided and developed for low density residential development. In this regard, the operation of the clause is redundant for surrounding residential land that is technically within the boundaries of the historical Lot 1112.

Should the proposed rezoning of the subject land come into effect, the additional permitted uses clause applying to the subject land would become redundant as a 'service station' and 'neighbourhood shop' are permitted with development consent within the B1 Neighbourhood Centre zone.

**Lot Size**

Removal of the existing minimum lot size control of 500sqm for the subject land.

The lot size control that currently applies to R2 Low Density Residential zoned land under CLEP 2015 specifies a minimum lot size of 500sqm for residential lots. The proposal seeks to remove this minimum lot size control given that minimum lot size requirements for residential purposes do not apply to the areas zoned B1 Neighbourhood Centre under CLEP 2015. Other B1 zones have no minimum lot size.

**Building Height**

Amendment of the maximum building height from 8.5m to 9.0m for the subject land.

The building height control of 8.5m that applies to the site is consistently applied under CLEP 2015 to R2 Low Density Residential zoned land. The proposed amendment to increase the height limit to 9.0m aligns with other B1 zoned land within the Campbelltown LGA, and has been requested by the proponent to ensure the feasibility of developing a neighbourhood centre with the provision of 'shop top housing' on the upper level.

**Dual Occupancy Lot Size**

Removal of the minimum lot size control of 700sqm relating to subdivision of dual occupancy developments.

The existing lot size control for dual occupancy under CLEP 2015 applies a minimum lot size of 700sqm for R2 zoned land. As minimum lot size for dual occupancy requirements do not apply to the areas zoned B1 Neighbourhood Centre under Campbelltown LEP 2015, the proposal seeks to remove this control.

#### **4. Assessment of the draft Planning Proposal**

##### **4.1 Strategic Context – State Planning Policy**

The following State Plans and strategic planning policies are relevant to the consideration of the PPR as discussed below.

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

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

The proposal is generally consistent with the requirements of the Greater Sydney Region Plan by promoting employment within a local commercial centre that is accessible to the residents of St Helens Park, and facilitating an increased diversity of housing to meet the needs of the population.

##### **Western City District Plan**

The Western City District Plan was released in March 2018 and provides a template for realising the Western Parkland City of the Metropolis of Three Cities (Region Plan for Greater Sydney).

The District Plan is identified to assist councils to plan for and support growth and change, and align their local planning strategies to place based outcomes. It guides the decisions of State Agencies and informs the private sector and wider community of approaches to manage growth and change.

The proposal is considered to be consistent with the planning priorities of the Western City District Plan through improved liveability outcomes, housing affordability and job creation. The proposal also aligns with the priorities of the plan by facilitating a land use that promotes public activity and social interaction adjacent to a public open space asset used by the community.

##### **State Environmental Planning Policies**

The following State Environmental Planning Policies (SEPPs) are applicable to the Proposal:

- SEPP 55 – Remediation of Land
- SEPP 64 – Advertising and Signage
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Infrastructure) 2007
- SEPP (Vegetation in Non-Rural Areas) 2017

- SEPP (Koala Habitat protection) 2019
- Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment

An assessment of the Proposal against all relevant SEPPs has confirmed that the proposal is not inconsistent with those SEPPs. Further detail in relation to the relevant SEPPs is outlined in the proposal included as attachment 3 to this report.

SEPP (Koala Habitat protection) 2019 commenced on 1 March 2020 and repeals SEPP 44 – Koala Habitat protection. The proposal is consistent with the provisions of the new Koala Habitat Protection SEPP as the subject land does not comprise koala habitat.

### **Greater Macarthur 2040**

The Department of Planning, Infrastructure and Environment has prepared Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area which sets out the strategic planning framework for the Growth Area.

The primary aim of this Plan is to focus on the urban renewal of the Glenfield to Macarthur rail corridor and the development of land for release areas from Menangle Park to Appin and:

- provide new homes and local centres
- create local jobs
- Develop Collaborative Planning
- improve transport connections
- provide open spaces and parks
- protect the koala population

Through the aims, the Greater Macarthur 2040 Plan also sets out actions that will help meet the vision identified within the document.

The proposal is considered to be consistent with Greater Macarthur 2040 as it would facilitate greater housing diversity outcomes, increased employment opportunities and service provision for the local community.

### **4.2 Section 9.1 Local Planning Directions**

Section 9.1 of the EP&A Act allows the Minister for Planning to give directions to councils regarding principles, aims, objectives or policies to be achieved, or give effect to, in the preparation of draft local environmental plans. All relevant Directions must be satisfactorily addressed by Council (as the relevant planning authority) as part of the planning proposal process.

The directions of most relevance to the assessment of the proposal are considered below.

#### **Direction 1.1 Business and Industrial Zones**

The objectives of this direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified centres.

The proposal is considered to be consistent with this Direction given that it will promote increased employment and business activities within a suitable location to service the needs of the growing population of St Helens Park. The proposal is supported by an economic impact assessment that identifies no potential adverse impacts to the viability of existing commercial centres in the surrounding locality.

### **Direction 3.1 Residential Zones**

The relevant objectives of this Direction are to encourage a variety and choice of housing types to provide for existing and future housing needs, and make efficient use of existing infrastructure and services.

The proposal would facilitate a greater diversity of housing choice through the delivery of shop top housing on land that is supported by existing infrastructure and services. Accordingly, the proposal is considered to be consistent with this Direction.

### **Direction 3.4 – Integrating Land Use and Transport**

The objectives of this Direction relate to the improved integration of urban development and transport access options to housing, jobs and services in order to reduce dependence on car travel.

The proposal is considered to be consistent with this Direction given that it would facilitate improved housing and retail options within a highly accessible location in close proximity to the existing St Helens Park residential catchment.

Direction 4.4 states that a planning proposal may only be inconsistent with the terms of the Direction if the NSW RFS does not object to the progression of the planning proposal.

### **Direction 4.3 – Flood Prone Land**

The site is not identified as flood prone by any Council Flood Study or relevant environmental planning instrument. Accordingly, the proposal is considered to be consistent with this Direction.

### **Direction 4.4 – Planning for Bushfire Protection**

The site is not identified as bush fire prone land by Campbelltown City Council's Bushfire Prone Land Map under section 146 of the EP&A Act. Accordingly, the proposal is considered to be consistent with this Direction.

### **Direction 5.4 – Implementation of Regional Plans**

The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.

This direction applies to land to which a Regional Plan has been released by the Minister for Planning. The Greater Sydney Region Plan has been considered and no inconsistencies have been identified.

**Direction 6.1 – Approval and Referral Requirements**

The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.

The proposal is consistent with this direction as it does not alter any approval or referral requirements.

**Direction 6.3 – Site Specific Provisions**

The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

The proposal is consistent with this direction as it removes the Schedule 1 additional permitted uses clause applying to the land, so as to permit development in accordance with the land use table of the B1 Neighbourhood Centre Zone.

**Direction 7.1 – Implementation of a Plan for Growing Sydney**

The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.

The proposal is consistent with this Ministerial Direction as it aligns with the objectives of the Metropolitan Strategy by facilitating housing diversity and employment generating development in an accessible location.

**4.3 Strategic Context – Local Planning Policy**

The following Council plans and strategic planning policies are relevant to the consideration of the proposal as discussed below.

**Campbelltown Community Strategic Plan 2027**

The Campbelltown Community Strategic Plan 2027 (CSP) is a 10 year vision that identifies the main priorities and aspirations for the future of the Campbelltown City Local Government Area (LGA) and is Council's long term plan to deliver the community inspired vision.

The CSP will guide the development of Campbelltown through a series of goals and strategies including, but not limited to, housing choice, strengthening the local economy and promoting the use of public spaces.

The proposal is considered to align with the above goals and strategies of the CSP.

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

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020. The LSPS provides context and direction for land use decision making within the Campbelltown Local Government Area over 20 years and aims to achieve the following:

- provide a 20 year land use vision
- outline the characteristics that make our city special
- identify shared values to be enhanced and maintained
- direct how future growth and change will be managed
- prioritise changes to planning rules in the LEP 2015 and DCP
- implement the Region and District Plans as relevant to the LGA
- identify where further detailed strategic planning may be needed

The proposal has been considered in accordance with the relevant provisions of the LSPS, and is consistent with the following actions identified in the LSPS:

- Action 2.12 - Promote housing diversity through local planning controls and initiatives
- Action 10.13 - Ensure that new centres are located in accessible and economically viable locations, are orientated to address the public domain, and provide optimum access for local residents

In addition to the abovementioned actions, the proposal is considered to be generally consistent with the broader intent of the LSPS to strategically manage growth and change in the community to ensure sustainable planning outcomes for the Campbelltown LGA.

#### **4.4 Economic Impact Assessment**

An assessment of the economic impacts associated with the rezoning of land have been undertaken by MacroPlan Dimasi in their report titled 'Appin Road, St Helens Park Economic Impact Assessment, May 2019' (refer attachment 3). Supplementary information and assessment has been provided by separate cover (attachment 2)

The Economic Impact Assessment (EIA) has reviewed the potential for an additional 1,700sqm of retail commercial and business floor space under a B1 zoning, in the context of nearby local service centres and the Campbelltown-Macarthur Regional City.

The existing B1 zoned land located on Kellerman Drive within St Helens Park is occupied by the St Helens Park Public School and the St Helens Park Community Centre. There is one vacant allotment within the B1 zone that is under the same ownership as the land the subject of this proposal. The advantages of the subject site are also discussed within the Economic Impact Assessment which identifies the increased viability of the subject land to support a local commercial development given the ability to service a larger trade area, exposure to passing trade along Appin Road, and reduced commercial risk.

The Appin Road Economic Impact Assessment (EIA) by Macroplan Dimasi provides a review of the need and demand for a proposed retail and convenience store at St Helen Park. The assessment includes a detailed review of the plans for the site, a potential catchment area, possible tenancy mix and sales and an indicative estimate of impacts on existing local centres.

The EIA has been reviewed by Council's Economic Analytics and Policy Coordinator and the following analysis provided:

- The concept development design is for approximately 1700sqm of commercial floor space, including an anchor tenant of a small scale supermarket of 660sqm. The centre is intended to provide convenience based retail services for the surrounding population.
- A trade area has been defined that includes the suburb of St Helens Park as well as parts of Rosemeadow and Bradbury. The trade area generally extends around 2km around the site, which is typical of a convenience based centre.
- The indicative centre is proposed to include a retail component of 1330sqm and achieve indicative sales of \$9.5m, including \$5m in supermarket sales. These sales are considered to be conservative but are feasible based on the indicative tenancy mix.
- The proposed impacts as outlined in the EIA are plausible with the largest impacts occurring on Rosemeadow Marketplace and the Campbelltown City Centre. These impacts are well within the competitive range of 10 percent or less.
- Indicative employment generation is in-line with industry benchmarks.
- Having regard to the above analysis, the economic benefits that would likely be realised by the development of a local commercial centre under a B1 Neighbourhood Centre zone are summarised as follows.
- Increased choice and amenity for the population of the main trade area as well as likely increased competition for the benefit of consumers.
- More convenient access to new convenience-oriented amenities, to serve both the main trade area population, as well as passing traffic along Appin Road.
- Reduced travel distances, leading to savings on time for main trade area residents, due to a better provision of retail and non-retail facilities at the local level.
- Additional employment opportunities near residential areas and consequent economic multiplier benefits.

#### **4.5 Social Impact Assessment**

The social effects resulting from the proposal are considered to be positive for the local St Helens Park community. The proposed rezoning of the land would provide new employment opportunities for local residents, estimated to be around 39 additional jobs.

The establishment of a small local neighbourhood centre will also provide greater access to local services and facilities for the St Helens Park community and users of the adjacent St Helens Park Reserve. The site is within walking distance for the majority of the St Helens Park community, which would reduce car usage and have a positive effect on general health and wellbeing.

#### **4.6 Traffic Impact Assessment**

Transport and Urban Planning Pty Ltd has been engaged by the applicant to assess the potential traffic and access aspects of the concept plan design accompanying the proposal.

The concept plan design is indicative only and would therefore be subject to a separate development application and environmental assessment should the proposed rezoning be made.

However, the concept proposal indicates the addition of 1710sqm retail, commercial and business use floor space on the site, in addition to 11 residential units in a 'shop top' housing form. A total of 121 parking spaces is shown on the concept plan, comprising 30 basement and 91 on grade parking spaces. A loading dock for the supermarket is also provided for on the plan.

Based on that provided by the proponent, the traffic assessment indicates that the concept proposal would constitute a moderate traffic generating development, with a maximum traffic generation of 440 vehicle trips per hour during the PM peak hours if both commercial and residential trips occur within the same one hour. The assessment of the additional traffic associated with the concept proposal indicates that traffic conditions on the road network adjacent the site would remain satisfactory post development.

Council's Traffic Engineers have reviewed the traffic impact assessment and have identified additional issues that will require further in depth investigation should the proposal be recommended for a Gateway Determination.

As part of the assessment of the Proposal, consultation with the NSW Roads and Maritime Service (RMS) will be required regarding planned upgrades to the adjoining intersection of Appin Road and Kellerman Drive, with in depth consideration to be given to such critical aspects as future pedestrian and driver safety, signals operation and traffic network implications.

Subject to a successful Gateway determination, additional documentation and updated traffic modelling data in the vicinity of the site will be required in order to demonstrate compliance with relevant Austroads Guidelines.

It is therefore considered appropriate that further in depth traffic assessment and formal consultation with the RMS be undertaken and as such, recommended to be included as a condition of any successful future Gateway determination.

#### **Campbelltown Local Planning Panel**

On 26 February 2020, the Campbelltown Local Planning Panel (LPP) considered the planning proposal request and was generally supportive of the proposal being advanced by Council for a Gateway determination.

The following advice to Council has been provided by the LPP in accordance with Section 2.19 of the EP&A Act:

The proposed change of zoning from R2 low density residential to B1 Neighbourhood Centre is reflective of the current use of the site.

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Ordinary Council Meeting

12/05/2020

Given the site's location on the intersection of Appin Road and Kellerman Drive, a business/commercial land use is more suitable than a residential land use permissible under the current zone.

It is understood that Council is preparing an employment lands study. In the absence of a strategic planning framework justification which may result from this study, the merits of the site having regard to its existing use are sufficient to allow the advancement of this proposal to gateway. It is recommended that Council request a Gateway condition that requires the planning proposal to be considered in the context of the employment lands study once finalised.

The proposed change to the height of buildings map reflects the change to the land use zone. The removal of the minimum lot size control is appropriate and provides consistency with other B1 zones under the Campbelltown Local Environmental Plan, 2015.

The resultant removal of the additional permitted uses of a service station and neighbourhood shops on the site from Schedule 1 of the Campbelltown Local Environmental Plan, 2015 is logical as they will be permitted with consent in the B1 zone.

Council should ensure that further work is done to assess the issues raised by Council's traffic engineers post gateway, should the proposal be supported by Council.

In providing this advice to Council, the Panel is not providing an opinion of any kind to the suitability of the submitted concept plan.

### **Public Consultation**

Should the Proposal be endorsed for a Gateway Determination, consultation with the public and relevant agencies will be undertaken in accordance with S 3.34 of the EP&A Act, and any specific requirements for community consultation prescribed in the Gateway determination. This would normally involve a 28 day exhibition period.

### **Conclusion**

Council received an owner initiated planning proposal request that seeks to amend Campbelltown LEP 2015 to allow the establishment of a local neighbourhood centre to complement the existing service station constructed at the corner of Appin Road and Kellerman Drive, St Helens Park.

A draft Planning Proposal has since been developed to articulate and support a change in the current land use zone of the site from R2 Low Density Residential to B1 Neighbourhood Centre under Campbelltown Local Environmental Plan 2015. The Proposal also seeks an increase in the permitted Building Height limit for the site from the current 8.5m to 9.0m to align with the height limit of other B1 zoned land in the locality.

If rezoned, the existing Additional Permitted Uses currently applying to the site for a service station and neighbourhood shop would become redundant and accordingly should be removed.

The Proposal includes a conceptual design for a local neighbourhood centre that illustrates a potential development outcome for the site comprising retail floor space generating 39 additional jobs, in addition to increased housing diversity through the provision of shop-top housing. Such development is expected to have some minor trading impacts on existing commercial centres in the region, however, the impacts are not considered to threaten any existing facility's ability to continue operating successfully.

The Proposal is considered to be consistent with the objectives of the Greater Sydney Region Plan and Western City District Plan, and actions of the Campbelltown Local Strategic Planning Statement. A range of economic and social benefits are likely to arise from the proposed development, particularly for the local population of St Helens Park. It is therefore concluded that a net community benefit would likely result from the proposed rezoning.

Section 3.34 of the EP&A Act requires Council to consider the advice of the Campbelltown Local Planning Panel (LPP) on a draft Planning Proposal before it considers whether or not to forward it for a Gateway determination. The LPP has considered the matter and is generally supportive of the Proposal being endorsed by Council for a Gateway Determination.

### **Attachments**

1. Economic Report Addendum (contained within this report)
2. Traffic Report (contained within this report)
3. Planning Proposal - due to size (117 pages) (distributed under separate cover)

## 8.5 Kellicar Road Precinct - Outcome of Public Exhibition - Planning Proposal and Site Specific Development Control Plan

### 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 to the Minister for Planning and Public Spaces, the Kellicar Road Precinct Planning Proposal at attachment 1 to this report, and request that subject to the matters raised by the Environment, Energy and Science Group of the Department of Planning, Industry and Environment being adequately resolved through the finalisation process, the amendment to the Campbelltown Local Environmental Plan 2015 be made.
2. That Council adopt and notify Amendment No. 13 to the Campbelltown (Sustainable City) Development Control Plan 2015, being the addition of Part 16, which is attachment 2 to this report with the modifications identified in attachments 14 and 15 to this report.
3. That affected land owners and all those who made a submission during the public exhibition period be advised of Council's decision.

### Purpose

The purpose of this report is:

1. To advise Council of the outcome of the public exhibition of the subject Planning Proposal (PP) and draft site specific development control plan in accordance with the Council resolution of 9 March 2021.
2. To seek Council's endorsement to make the requested amendments to Campbelltown Local Environmental Plan 2015 (CLEP 2015).
3. To seek a resolution of Council to adopt the related site specific amendments to the Campbelltown (Sustainable City) Development Control Plan 2015 (SCDCP), incorporating amendments made in response to submissions received during the public exhibition period.

**Property Description:** 1 Bugden Place, Campbelltown (Lot 1, DP 882496)  
1 Tindall Street, Campbelltown (Lot 1, DP 747811)  
3 Bugden Place, Campbelltown (Lot 2614, DP 262484)  
6 Bugden Place, Campbelltown (Lot 22, DP 862080)  
4 Tindall Street, Campbelltown (Lot 2341, DP 830786)

**Applicant:** Memphis Strategic

**Owners:** Dumarchand Holdings and Dankaur Pty Ltd  
Sen Khun Two Pty Ltd  
Trust Company (Australia) Pty Ltd  
MM Holdings (NSW) Pty Ltd  
Health Administration Corp

### Executive Summary

- At its extraordinary meeting on 27 April, 2021 Council considered a report on the Kellicar Road Precinct Planning Proposal and draft site specific DCP and resolved to seek public input by placing them on public exhibition. This precinct is for the land bounded by Kellicar Road, Narellan Road, Menangle Road and Gilchrist Drive, Campbelltown (the Site). The PP seeks to increase the maximum permissible height of buildings on the site under the CLEP2015 from 32 m to 80 m.
- The Gateway Determination required that a site specific development control plan (DCP) be publically exhibited concurrently with the PP. The Gateway Determination also required the adjustment of the PP to ensure it reflected the outcome of the required flood and traffic/transport studies.
- The PP, draft site specific DCP and supporting studies were placed on public exhibition from 10 May 2021 until 7 June 2021. In response 4 public submissions were received and 7 submissions were made on the 'have your say' page on Council's website. Submissions were also received from NSW Health and the Environment, Energy and Science group (EES Group) of the Department of Planning, Industry and Environment (DPIE). Transport for NSW was consulted but has not yet provided a response.
- EES Group have raised concerns in regards to the PP and draft site specific DCP related to flooding. Council is not able to exercise its delegated authority to make the plan. The Gateway Determination has an August, 2021 deadline. DPIE has taken a strong stance in recent times about not extending gateway timeframes, however has indicated that in this case a small extension may be possible to resolve the issues raised by the EES Group, subject to work to resolve these issues continuing. The applicant has also indicated their willingness to resolve these issues.
- Accordingly it is recommended that the PP be forwarded to the Minister for Planning and Public Spaces with a request that the amendment to CLEP 2015 be made so that the concerns raised by the EES Group can be resolved by DPIE. DPIE were provided a draft copy of this report and raised no concerns.

- It is also recommended that Council adopt the site specific controls to be included under Volume 2 Site Specific DCPs of the SCDCP, subject to some additional wording added in response to the matters raised by NSW Health and EES Group, and notify the amendment of the DCP in accordance with legislative requirements.

## History

On 8 June 2018 Council received a formal Planning Proposal Request (PPR) from Memphis Strategic, on behalf of land owners of the Site, which sought an amendment to the Campbelltown Local Environmental Plan 2015 (CLEP 2015) - 'Height of Buildings Map' to increase the maximum permissible building height for the subject sites from 32 m to 110 m.

Aspects of the PPR were modified in June 2019 in response to various concerns raised by Council which resulted in a reduction in the maximum building height to 80 m and a maximum floor space ratio (FSR) of 3.5:1.

Following advice from the Campbelltown Local Planning Panel, the progression of the revised Proposal was formally supported by Council at its meeting on 9 June 2020 and the proposal was forwarded to the NSW Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.

The planning proposal attached to the Council report at its normal meeting on 9 June 2020, included a request for a 'local provision' clause to address podium heights, building separation, floor plate sizes and building setbacks in response to the 'Reimagining Campbelltown City Centre Master Plan'.

The Council resolution also included the following: -

3. That Council request the following be required as conditions of any Gateway Determination: -
  - a. detailed traffic study that identifies short, medium and long term traffic solutions for the precinct
  - b. flood study considering the impacts of flooding from Birunji Creek
  - c. comprehensive public domain plan
  - d. evidence based site sustainability and resilience strategy
  - e. site specific Development Control Plan
  - f. study/strategy/plan that details how affordable housing will be provided within the future development of this site.

The Gateway Determination was issued by the DPIE on 11 August 2020 and is included as attachment 3 to this report. The Gateway determination did not adopt all of the conditions requested by Council, but did include the following condition: -

Prior to public exhibition, the PP must be amended to:

- (a) include the findings of a detailed flood impact assessment for the site and update the consistency of section 9.1 Direction 4.3 Flood Prone Land
- (b) reflect the transport and traffic assessment

- (c) update proposed Clause 7.23 by removing any provisions that are more appropriate for inclusion in the Development Control Plan and update the consistency with section 9.1 Direction 6.3 Site Specific Conditions
  - (d) exhibit the revised Development Control Plan for the site concurrently with the planning proposal.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the PP must be made publicly available for a minimum of 28 days; and (b) 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 of A guide to preparing local environmental plans (Department of Planning and Environment, 2018).
3. 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:
  - Transport for NSW;
  - NSW Health; and
  - Environment, Energy and Science Group.
4. 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).
5. The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

The time frame in condition 5 of the Gateway determination includes the time required by DPIE to finalise the PP and make the amendment to the CLEP 2015.

The draft DCP was considered by the Campbelltown Design Excellence Panel (DEP) on 23 October 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.

In accordance with requirements (a) and (b) of the Gateway determination, the applicant has undertaken and submitted the detailed transport/traffic assessment and flood study reports. The main details of which are discussed below. Requirement (c) was achieved in the report to the Council meeting on 27 April, 2021. Requirement (d) has been satisfied by the public exhibition process.

At its meeting on 27 April 2021, Council also considered a draft site specific DCP. Council resolved to place the draft DCP on public exhibition concurrently with the PP, as required by the Gateway determination.

## Report

The PP, draft site specific DCP and supporting information for the Kellicar Road precinct, Campbelltown, were publically exhibited from 10 May 2021 until 7 June 2021.

Land owners affected by the PP and draft site specific 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. Letters were sent to the owners of all land within 200 m of the subject site.

In response to the public exhibition, 4 public submissions including 3 from members of the community and one from Lend Lease. Seven submissions were made using the 'have your say' page on Council's website of which 2 supported the proposal and 5 raised concerns. There were 2 submissions received from State Government Agencies.

The table below summarises the concerns raised and comments made in the public submissions and via the 'have your say' page on Council's website.

Concerns raised	Response
Traffic congestion	<p>It is recommended that this be addressed through the inclusion of a satisfactory arrangements provision within the CLEP 2015 that would apply to any new building with a height of 2 storeys or more.</p> <p>The planning proposal already identifies specific roadworks that will facilitate accessing and egressing the precinct which will be further reviewed at the DA stage, for each phase of the proposed development, while also acknowledging that the project is likely to be delivered over the long term and is anticipated that the necessary traffic conditions required will change over this period.</p> <p>The development of this precinct will also contribute vital funding for the provision of important state infrastructure which is determined to be required for the City Centre.</p>
Naming a park 'central park' is confusing when the surrounding area is known as park central.	Agreed. The name 'central park' was shown on the documents prepared by the applicant and reflects the location of the park within the precinct. It is appropriate that when this park is constructed in future that it has a different name.
This proposed development will be a game changer for the area and will transform the Kellicar Road Precinct to a highly desirable area to both live and work in.	Support noted.

<p>Significant impact on the scenic environment of the surrounding area.</p> <p>The proposal to increase the height from 30 to 80 m is a complete travesty.</p> <p>Our local landscape will be changed forever and the beauty of our town will be lost amongst the urban sprawl.</p> <p>Look at the Liverpool skyline and the units in there.</p> <p>I don't support this proposal. Looking at Liverpool or Canterbury it's easy to see how tall, high density buildings both destroy the aesthetics of a community and put huge pressure on its shared resources.</p>	<p>The mix of building heights proposed on site were designed with reduced bulk massing at higher levels to ensure that there will be no adverse impact on the distant view corridors of the city while delivering a new style of built form which positively responds to the Reimagining Campbelltown City Centre Master Plan.</p> <p>The subject PP also provides a unique opportunity to redesign the interface between the Kellicar Road, Narellan Road, Menangle Road and Gilchrist Drive frontages by significantly improving the urban design and built form on these sites in addition to providing a visual interruption to the bulky massing of the hospital development. The format of development proposed is an improvement to that which could be constructed if buildings were constructed to the full potential of the existing planning controls with a 32 m height limit. It allows views between the buildings to the hills and is consistent with the theme of city in a valley in the Reimagining Campbelltown City Centre Master Plan. This approach is considered to be appropriate response to ensure that important view lines are protected by setting the desired character for the precinct and the wider Campbelltown CBD.</p> <p>Further, as the proposed buildings will have an impact on the current uninterrupted view corridors, this design approach is not considered to result in a significant and/or irretrievably adverse influence on the wider view corridors to, and from, the scenic hills and the natural landscape of the surrounding areas.</p>
<p>I live in Park Central I can see hillsides, open skies, fireworks(when we can have them) it fills me with such joy and happiness to live here and experience city life with country views please don't take my views away.</p>	<p>The proposal has been designed to be consistent with the principles of the Reimagining Campbelltown City Centre Master Plan with tall slender towers enabling views between the buildings to remain.</p>
<p>Impact of packing in that many new families and people into a small section of space that already has limited jobs and opportunities</p>	<p>The proposal is for a mixed use environment which provides additional employment opportunities rather than just additional housing. The site is well placed to take advantage from the Campbelltown Health and Education Precinct in this regard.</p>
<p><b>Health and Safety</b></p> <p>Concerns were raised from several residents that this proposal will result in negatively impacting their existing air quality and increased noise levels from further traffic.</p>	<p>It is envisaged that the completed development precinct will support a significant reduction in car dependency and further enhance the city centre's pedestrian and cycling networks which were also identified as relevant considerations in the submission from NSW Health.</p> <p>The need to strengthen these networks have also been identified in the Reimagining Campbelltown City Centre Master Plan.</p>

	<p>The proposed parks and pedestrian walkways through the precinct will allow residents, workers and visitors to actively move around more freely within the precinct in addition to providing further opportunities for better pedestrian and bicycle connections to be implemented throughout the rest of the city centre.</p>
<p>Support the concept of mixed use development with increased building heights.</p>	<p>Support noted.</p>
<p><b>Flexibility -V- Specificity</b>                  Agreed that a site-specific DCP will enable sufficient flexibility over the duration of the project's delivery but does not support the 'single blanket proposed 80 m maximum building height' provision or having an FSR control of 3.5:1 across the entire site which appears to be inconsistent with the built forms indicated on the DCP's "Illustrative masterplan". As a result, a greater level of detail about building heights and density is also required. The built form massing outcomes contained in the master plan, through the establishment of multiple building heights and FSR controls which are consistent with the DCP's "Illustrative Masterplan".</p>	<p>It is considered that given that each lot in the precinct is in different ownership and the illustrative master plan in the DCP indicates how varied heights can be satisfactorily achieved across the precinct, the proposed combination of a 'blanket' 80 m height limit with the DCP controls provides sufficient certainty of the maximum outcome without compromising the need for flexibility for a project that will be delivered over 15-20 years. There are proposed controls in the DCP and further controls will be implement through the Design and Place SEPP for which and explanation of intended effect was recently exhibited by DPIE. The provision of a bespoke set of building heights on a precinct of this scale would only be possible where the final form of development is known. As it is not known, then to do so would create unnecessary bureaucratic hurdles to the future development of the site.</p>
<p><b>Retail Floor Space</b>                  No further supermarkets should be permitted in the Kellicar Road precinct as Macarthur Square is identified as the primary centre which already services the Menangle and Gilead areas and that the "established retail hierarchy is maintained". By encouraging an oversupply of commercial and/or retail space in close proximity to Macarthur Square may also result in exceeding the need required</p>	<p>The planning proposal does not request an amendment to the current B4 zoning which currently permits supermarkets with development consent (supermarkets are a type of commercial premises). To prohibit supermarkets within the B4 zone is beyond the scope of this proposal. There is already one existing supermarket on the site which has been there since before the last expansion of Macarthur Square.</p> <p>The planning proposal only anticipates the replacement of the existing retail GFA which currently exists on the site.</p> <p>The 62,300 m<sup>2</sup> of commercial and retail floor space proposed for the precinct represents a small fraction of the total amount required by the Campbelltown-Macarthur main trade area in</p>

<p>to service the population who have been anticipated to reside in this precinct. As the Kellicar Road Precinct could “stymie current and future planned investment at Macarthur Square”, the maximum gross commercial and/or retail floor areas proposed on site should be restricted to no more than 5,000 m<sup>2</sup>.</p>	<p>order to service regional demand by 2036.</p> <p>Limiting the amount of retail and commercial space currently proposed in the Kellicar Road precinct has the potential to negatively impact the form of development currently proposed on the building’s ground levels and compromise one of the project’s key design principles. There is already more than 5,000 m<sup>2</sup> of retail floor area within the Kellicar Road precinct.</p> <p>Other than to disproportionately protect one land owner’s commercial interests over the other, there is considered to be no need to limit the amount of commercial and/or retail floor space in the Kellicar Road precinct beyond what is currently proposed in the site-specific DCP.</p>
<p><b>Kellicar Road Built Form</b></p> <p>The built form scale fronting Kellicar Road is not supported and “uncharacteristic and unprecedented” in the Macarthur-Campbelltown LGA in addition to being inconsistent with the ‘Reimagining Campbelltown’ City Centre Master Plan’s vision for a: -</p> <p>‘built form ...[that] offer places to rest and refuel with street level activation’.</p> <p>The Macarthur Square Precinct Plan (MCP) also identifies the Macarthur Square frontage along Kellicar Road as a ‘main street’. The masterplan be should be amended to a maximum of 3-storeys along the Kellicar Road frontage in addition to proportionately reducing the current FSR of 3.5:1 to avoid unnecessarily redistributing the overall building mass elsewhere on site.</p>	<p>Under current planning controls development along Kellicar Road could reach up to 10-storeys without any specified building setbacks to public roads. The outcome proposed in the site specific DCP is a better outcome than is currently provided for. This is consistent with the overall philosophy of this proposal which is that by providing the same development potential with increased height the opportunity is created to provide additional open space at ground level, greater street setbacks and more space between the buildings for view corridors.</p> <p>Kellicar Road is south facing and lends itself to commercial uses rather than residential towers. Development on this part of the site accommodates most of the scheduled commercial floor space within the planning proposal.</p> <p>Activation to the street will be incorporated in the commercial buildings, with a generous landscaped setback to enhance the boulevard effect of Kellicar Road.</p> <p>It is also noted that an explanation of intended effect has been exhibited for a proposed Design and Place SEPP. This SEPP, if made, will provide design controls for the site that override anything within the PP and site specific DCP and would also apply to the Macarthur Square site.</p> <p>‘Reimagining Campbelltown’ does not articulate whether a 3-storey street wall height is expected to be complied with across all of the various city centre precincts, such as the Justice Precinct, Macarthur Square or throughout the separate health and cultural precincts where the limit is already exceeded by existing buildings in these areas, examples being - the Rydges Hotel, various hospital buildings and the Macarthur Square shopping centre (itself). As a result, no amendment to the proposed built form is considered to be necessary.</p>

<p><b>Public Infrastructure</b></p> <p>In the absence of any formal commitment for the satisfactory delivery of such essential infrastructure, the developer should enter into a Planning Agreement which ensures there is a legally binding requirement for the landowner to deliver the necessary contribution (or execution) of such works which will be adequately able to support the proposed redevelopment of these sites.</p>	<p>The DCP provides an indicative explanation of how each stage of the project will be delivered in term of the works associated with the public domain and any necessary roadworks required in each of the other stages. This will be enforceable by Council at the DA stage or as part of any concept approval granted for the precinct.</p> <p>DPIE’s gateway determination advised that the subject site is located within an area proposed to be covered by a Special Infrastructure Contribution (SIC), the details of which are still being addressed by several state government agencies in conjunction with the further release of precincts within the Greater Macarthur Growth Area. If a SIC is imposed development of the precinct will contribute financially to the provision of state infrastructure which is determined to be required for the City Centre. If a SIC is not implemented, then it is recommended that the PP be made with a satisfactory arrangements clause so that any development application for a building of more than 2 storeys is not able to be approved unless the Secretary of DPIE is satisfied that satisfactory arrangements have been made for the provision of state infrastructure.</p> <p>Future development of the precinct will also contribute to Council’s local development contributions scheme, at a minimum cost of \$20,000 per residential unit. As a result, the total contribution expected to be paid for a development of this magnitude would be in excess of \$32 million.</p> <p>Even though a Voluntary Planning Agreement has not been offered by the proponent, it could potentially be a relevant consideration at a later stage of the site’s development. It is also noted that such agreements are voluntary, and not mandated.</p>
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**NSW Health**

NSW Health has an interest in the Precinct being the land at 6 Bugden Place which is placed between Bugden Place and Tindall Street. In regards to this parcel NSW Health advises that it would like to keep its options open with respect to the future use of its land and that the South West Sydney Local Health District has requested that the current land use functionality of its site be maintained.

In terms of the overall proposal the submission agrees that urban development within precinct will enhance public transport usage but has suggested that public transport usage should be prioritised by the site-specific DCP. It is suggested that a greater reference to bicycle usage and related facilities could be added to strengthen the DCP’s objectives in this regard.

The submission identifies that the residential density of the precinct could generate demand for an additional school and that consultation with Schools NSW should occur.

The submission considers that various other CBD-based works are necessary to support of the project – eg enhanced walking and cycling facilities, including stronger connections across the rail line, and improved pedestrian facilities to counter proposed roadworks that aim to improve road capacities.

The submission notes that the precinct is in close proximity to the Southern Sydney Freight Line and that development within the precinct should have regard for any necessary noise protection and references WHO guidelines for railway noise and recommends that future development at the precinct be designed to incorporate acoustic attenuation and that provision for such should be included within the site-specific DCP.

The submission provides commentary on the proposed traffic solutions. It supports blocking right turn movements from Kellicar Road into Bugden Place to prevent rat runs. The proposed treatment of Tindall Street is not supported and their preferred response is for dedicated bicycle lanes to be provided in Tindall Street. They do not support the other traffic measures proposed by the applicant because of their impact on street trees and on amenity for pedestrians and cyclists.

The submission recommends tree planting on all pedestrian routes.

The submission also provides numerous expressions of support for individual objectives and controls within the proposed site specific DCP.

## **Response**

The PP does not alter the current zoning of the land and therefore does not impact upon Minor changes to the DCP wording can be incorporated into the final version prior to being adopted, and recommended changes in response to the NSW Health submission are highlighted in attachment 14 to this report. The request that the existing functionality of the site is maintained is therefore satisfied.

The need for improvements in local and state-based infrastructure has been recognised in the Reimagining Campbelltown City Centre Master Plan (RCCCMP). The RCCCMP identifies several Council-led priority projects and a range of other transformative projects that require joint action and funding on behalf of Council and a range of state agencies that are proposed not only to cater for the incoming population but to enhance and build upon the existing infrastructure.

Development at the precinct is not anticipated to be any different from other precincts close to the rail line and would be subject to the controls in clause 87 of the State Environmental Planning Policy (Infrastructure) 2007 at the development application stage. The NSW Apartment Design Guide also incorporates a number of relevant acoustic privacy provisions which must be acknowledged and complied with and the NSW Government's Development near Rail Corridors and Busy Roads - Interim Guideline also assists in the planning, design and assessment of development in, or adjacent to, rail corridors and busy roads. Any development applications submitted for this precinct must demonstrate satisfactory compliance with these provisions. An explanation of intended effect has been placed on public exhibition for the proposed 'Design and Place SEPP' and the changes proposed enhance these requirements.

The comment regarding the potential need for an additional school is noted. Consultation with education NSW was not a requirement of the Gateway Determination. The comments that the site is not easily accessible to a school, the closest school being Campbelltown Public School,

are also acknowledged. The proposal does provide for good pedestrian facilities within and adjacent to its boundaries. While pedestrian connection to the school has challenges due to the need to cross major roads, there are suitable pedestrian paths available.

The suggestion to augment public transport usage by incorporating bicycle paths and related facilities on site is supported. The suggestion that the wording of the DCP could be strengthened to provide greater reference to bicycle usage and bicycle facilities is noted, and relevant objectives and controls have already been incorporated.

The commentary on the proposed traffic mitigation measures is noted. Unfortunately a formal response to public exhibition has not been provided by Transport for NSW. To address this it is proposed that a satisfactory arrangements clause be implemented, similar to that which has just occurred for 22-32 Queen St, which provides that in any future development application for a building of more than 2 storeys the development application is unable to be approved without the concurrence of the Planning Secretary and also provides that the Planning Secretary must consult with other Government Agencies, including Transport for NSW, before providing such concurrence.

The commentary on tree planting is noted. It is standard practice for landscaping plans to be provided and assessed at the development application stage.

### **Energy, Environment and Science Group (EES Group)**

The view of EES is that the PP will significantly increase the development potential of land within the flood planning area. EES also notes the PP will increase the development of land subject to emergency management considerations (ie below the probable maximum flood).

EES does not support the intensification of development within the flood planning area and considers that the inconsistencies with the requirements of the section 9.1 direction have not been adequately justified.

EES recommends that the PP be revised to exclude intensification of residential development within the flood planning area, the SES be consulted, further detail be provided on the management of flood risk, including quantification of the maximum duration of isolation during extreme floods and consideration of medical evacuation and clarification regarding flood gates and passive protection of basements to the PMF level.

Additional to this submission, EES representatives met with the applicant and their flood consultant, DPIE and Council staff on 24 June, 2021 to further discuss the submission and the path to resolution of the issues, particularly having regard to the Gateway deadline of August, 2021.

### **Response**

At the meeting on 24 June, 2021 it was apparent that all of the matters raised by EES Group are potentially able to be resolved. This requires ongoing work by the applicant, in consultation with EES Group and Council's engineers, and ultimately a decision by DPIE. The DPIE representative at the meeting was satisfied that, given the Gateway deadline and the upcoming Council election, it was an appropriate path for Council to consider the PP and draft site specific DCP and submissions raised, and if the flooding issue is the only unresolved issue that the PP can be forwarded to DPIE while this issue is resolved. The DPIE representative also advised that if the

proposal was forwarded with this issue outstanding, and there was genuine progression on resolving the issue, then there is the potential for a small extension to the Gateway Deadline, but no guarantee. If an extension to the Gateway Determination is not forthcoming, the proposal would need to be issued with a new Gateway Determination and this would not occur until the issues had been resolved. DPIE were provided with a draft copy of this report and raised no concerns.

Since the meeting with EES further work has been undertaken in consultation with Council’s engineers and as a result changes to the draft site specific DCP are recommended and have been highlighted in attachment 15 to this report. Following Council’s decision on this report, further discussion will occur with EES Group as well as the consultation with the SES requested by the EES Group. If any of this results in the need to amend the draft site specific DCP then this would need to be done by a further DCP amendment. There is potential that this work may alter the yield on the site with consequent changes to traffic generation and other matters also needing to be amended.

**Transport for NSW**

Transport for NSW have been formally notified of the public exhibition of the planning proposal. Additionally meetings have been held with Transport for NSW, the applicant, DPIE and Council in relation to the traffic impacts of the proposed development, particularly in the context of the state roads around and through the site. Unfortunately no formal submission had been provided at the time this report was published.

It has already been discussed in this report that there is the potential for a special infrastructure contribution so that all development would contribute financially to state infrastructure, including roads and intersections. If this is not implemented, and noting the Gateway determination deadline, then a reasonable approach to ensure that this matter is dealt with is to request that the planning proposal be made with a satisfactory arrangements clause.

This clause would prevent the consent authority, whether that be Council, the Local Planning Panel or the Sydney Western City Planning Panel, from approving a development application unless the Planning Secretary was satisfied that satisfactory arrangements had been made for the provision of state infrastructure. This clause would also require the Planning Secretary to consult with other Government Agencies, including Transport for NSW, in deciding whether to grant concurrence. On this basis, it is considered that it is reasonable for the PP to progress to DPIE even though Transport for NSW has not yet made a submission.

**Gateway Determination Conditions**

No.	Condition/ Requirement	Response
1.	Prior to public exhibition, the planning proposal must be amended to:	Amendments were made prior to the public exhibition as detailed below.
	(a) include the findings of a detailed flood impact assessment for the site and update the consistency of section 9.1 Direction 4.3 Flood Prone Land;	The planning proposal was amended to accommodate the findings of the revised flood study in addition to providing further commentary on the section 9.1 direction for flood prone land.

		<p>The proposed development was amended to provide a substantial flow path over the Marketfair site, as open space located adjacent and parallel to Narellan Road will be utilised to contain large flood events impacting Birunji Creek.</p> <p>The revised Proposal is now consistent with the revised site layout with the same controls also being incorporated into the draft site specific DCP.</p>
	(b) reflect the transport and traffic assessment;	<p>The planning proposal was amended as detailed in the report to Council's meeting on 27 April, 2021 by the inclusion of additional information detailing the outcomes of the transport and traffic assessment provided by the applicant.</p>
	(c) update proposed Clause 7.23 by removing any provisions that are more appropriate for inclusion in the Development Control Plan and update the consistency with section 9.1 Direction 6.3 Site Specific Conditions;	<p>A draft site specific DCP was prepared which addressed each of the items listed.</p> <p>The site specific DCP was submitted to Council for consideration in September 2020 before being reported to Council's Design Excellence Panel on 23 October 2020.</p> <p>The Panel was satisfied that the DCP achieved a majority of the objectives listed in the Gateway Determination but suggested a number of changes.</p> <p>The DCP was then further modified at Council's request before being formally considered by Council on 27 April 2021 and placed on public exhibition.</p>
	(d) exhibit the revised Development Control Plan for the site concurrently with the planning proposal.	<p>The site specific DCP was exhibited concurrently with the PP between 10 May 2021 and 7 June 2021.</p>

2.	Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:	Refer below
	(a) the planning proposal must be made publicly available for a minimum of 28 days; and	The planning proposal and site specific DCP were concurrently placed on public exhibition between 10 May 2021 and 7 June 2021(30 days).
	(b) 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 of A guide to preparing local environmental plans (Department of Planning and Environment, 2018).	The PP met satisfactory compliance 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 and Environment, 2018)
3.	<p>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:</p> <ul style="list-style-type: none"> <li>• Transport for NSW;</li> <li>• NSW Health; and</li> <li>• Environment, Energy and Science Group.</li> </ul>	<p>Letters were sent to all the public authorities/agencies outlined in the table who were given 30 days to comment on the proposal. Submissions were received from NSW Health and the EES group.</p> <p>During the course of the exhibition period a meeting was held with staff from Transport for NSW. Regardless of any submission that might be made by Transport for NSW, it is considered appropriate to include a clause within the CLEP 2015 requiring the concurrence of the Secretary of the Department on any major future development on the site. This approach was used by DPIE to address similar issues regarding the need to upgrade major RMS roads for the site at 22-32 Queen Street, Campbelltown. This requirement will ensure that the Department will be provided with the ability to provide conditions at the development stage, that directly or indirectly (by imposing a SIC levy) relates to the upgrade of regional infrastructure.</p> <p>In addition the inclusion of a satisfactory arrangements provision within the CLEP 2015 may also be applied to any new major development.</p>

4.	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).	Noted.
5.	The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.	The timeframe for completing the amendment is therefore August, 2021. This is subject to the outcome of this meeting.

### Conclusion

A PP, draft site specific Development Control Plan and supporting information for the Kellicar Road Precinct, Campbelltown, were publicly exhibited from 10 May 2021 to 7 June 2021. There were 4 submissions received from the public, 7 submissions made by the 'have your say' page on Council's website and another 2 from State Government Agencies.

While 2 of the submissions supported the proposal, the rest of the submissions raised concerns with the proposal. The main concerns raised related to traffic, views, flooding and active transport. The concerns related to traffic can be reasonably addressed through the implementation of a satisfactory arrangements clause relating to future development applications on the site. The active transport concerns are able to be addressed by amendments to the site specific DCP. The concerns related to views have been carefully evaluated against the principles of the Reimagining Campbelltown City Centre Master Plan.

The concerns of EES Group in regards to flooding are significant and require further investigation. To achieve the Gateway deadline, these are not able to be resolved before this report to Council. A meeting between EES group, DPIE, the applicant and Council was held and it was agreed that if Council were willing to support the proposal, then these matters could potentially be resolved before the PP is finalised. In this circumstance, DPIE was open to consider a Gateway extension to resolve these issues, but would not guarantee that a Gateway extension would be provided. If a Gateway extension is not provided, a new Gateway determination could be requested, but only after these issues had been resolved. In response to EES concerns changes have been recommended to the site specific DCP and these changes are highlighted in attachment 15 to this report.

Having regard to these circumstances, it is recommended that Council forward the PP at attachment 1 to this report to the Minister for Planning and Public Spaces and request that the amendment to the Campbelltown Local Environmental Plan 2015 be made, noting that such request is subject to the resolution of the issues with DPIE.

It is also recommended that the Draft Development Control Plan at attachment 2 be adopted with the changes identified in attachments 14 and 15 to this report, and commence once it has been notified in accordance with the legislative requirements.

**Attachments**

1. Exhibited Planning Proposal - Kellicar Road Precinct (contained within this report)
2. Site Specific DCP - Kellicar Road Precinct. (contained within this report)
3. Gateway Determination - Kellicar Road Planning Proposal. (contained within this report)
4. Council Report (9 June 2020) - Kellicar Road Planning Proposal (contained within this report)
5. Council Report (27 April 2021) - Kellicar Road Planning Proposal (contained within this report)
6. Submission - NSW Health (contained within this report)
7. Submission - Environment, Energy and Science Group (contained within this report)
8. Submission - Lendlease (contained within this report)
9. Resident Submission (contained within this report)
10. Resident Submission (contained within this report)
11. Resident Submission (contained within this report)
12. Resident Submission (contained within this report)
13. Have Your Say - Results (contained within this report)
14. Recommended changes in response to NSW Health submission (contained within this report)
15. Proposed amendments to address flooding concerns (contained within this report)



**Planning Proposal Kellicar Road**

**Precinct**

**April 2021**

**1. Introduction**

This Planning Proposal explains the intent of, and justification for, proposed amendment to *Campbelltown Local Environmental Plan 2015* for the following sites:

- 1 Bugden Place, Campbelltown (Lot 1, DP 882496)
- 1 Tindall Street, Campbelltown (Lot 1, DP 747811)
- 3 Bugden Place, Campbelltown (Lot 2614, DP 262484)
- 6 Bugden Place, Campbelltown (Lot 22, DP 862080)
- 4 Tindall Street (Lot 2341, DP 830786)

The site occupies three city blocks located between Kellicar Road (to the south), Gilchrist Drive (to the west), Menangle Road (to the north) and Narellan Road (east). The combined parcel has a total area of approximately 6.4 ha, not including the public roads that it spans.

The whole of the site, except for a sliver of land adjacent to Menangle Road, is zoned B4 Mixed Use under *Campbelltown Local Environmental Plan 2015 (CLEP 2015)*. Part of the land with frontage to Menangle Road is zoned for road widening. The planning proposal suggests that this land is best used for open space purposes, as part of a ‘green link’ connecting Macarthur to Campbelltown.

The planning proposal seeks to amend the CLEP 2015 maximum Height of Building Map to increase the maximum permissible building height from 32 m to 80 m. No change to the land’s current B4 zoning is proposed.

The proposed building height adjustment allows for a master-planned arrangement of buildings across the site, intermixed with a pedestrian ‘walk’ and various pockets of open space, including a civic plaza, a central park and a park at the eastern end of the site which serves to accommodate stormwater from Birunji Creek in extreme and/or intense flood events. It is proposed to ensure the provision of the open space through a local provision in CLEP 2015.

The masterplan seeks to enable a total gross floor area of 224,000 m<sup>2</sup>, at a floor space ratio (FSR) of 3.5:1. CLEP 2015 does not currently incorporate FSR controls for this site. This proposal seeks to include a FSR control on the Floor Space Ratio map. It is also proposed that the future development of the site be guided by a site-specific DCP.

*Table 1: Summary of Existing and Proposed LEP Controls*

<b>Control</b>	<b>Existing</b>	<b>Proposed</b>
<b>Height</b>	32 m	80 m
<b>FSR</b>	NA	3.5:1

The inclusion of a specific clause in ‘Part 7 Additional local provisions’ of the CLEP 2015 is also proposed to ensure that the site’s development incorporates a reasonable provision of open space and is capable of accommodating extreme and/or intense flood events.

**2. Local Planning Panel’s Recommendation and Council’s Previous Consideration in accordance with ‘Reimagining Campbelltown’**

The Planning Proposal was considered by the Campbelltown Local Planning Panel on 25 March 2020. The Panel noted the strategic importance of the site and recommended that Council

consider the Planning Proposal following the adoption of the Reimagining Campbelltown City Centre Master Plan.

The Panel also noted that the Planning Proposal raises a wide range of matters relating to development in the Campbelltown-Macarthur centre (mainly relating to traffic and transport issues) and suggested that these matters be investigated further should a Gateway determination be achieved.

Council resolved to exhibit the Reimagining Campbelltown City Centre Master Plan (RCCC Master Plan) at its meeting on 14 April 2020. Council considered the Planning Proposal, including its consistency with the exhibited RCCC Master Plan on 9 June 2020.

The RCCC Master Plan provides a strategic vision for the City Centre as the *"capital of opportunity and culture for the Macarthur region ... [accommodating] compact, walkable and well-connected clusters of activity ... united along the Bow Bowing Creek spine."*

Further, the area around the subject site, which sits between the university and health campuses, is identified by the RCCC Master Plan as an "intensive living and knowledge precinct".

The Planning Proposal aligns with the vision of the RCCC Master Plan. It presents a high quality, master-planned approach that encompasses three city blocks and envisages a mix of residential, retail, hospitality and commercial floorspace that is suited to health, education, innovation and start-up workspace, consistent with the future role of Macarthur under the 'Reimagining' framework. The proposed master-planned approach will provide further opportunities, particularly at its ground level, which features an enhanced public domain and generous communal open space areas.

### **3. Matters for Further Consideration**

The studies provided in response to the Gateway determination have identified the following issues:

- Drainage – Birunji Creek runs through the car park of the existing Market Fair site and is contained in a closed culvert system which effectively accommodates 1 per cent AEP flows. Additional consideration of residual flood risk (for extreme/intense flood events) will be necessary for the area between Tindall Street and Narellan Road; and has been the subject of detailed consideration by the proponent's hydraulic consultant using Council's flood model. Current modelling indicates that the proposed inclusion of a 26 m wide overland flow path has the potential to accommodate extreme floods on site, resulting in minor impacts on adjacent roads, which are presently affected by such events under pre-development conditions. Additional controls are recommended as part of the site-specific DCP which has been prepared to guide development across the precinct.
- Traffic and transport – the proponent's traffic and transport impact study seeks to ensure that the project will not sterilise other future development within the Campbelltown and Macarthur centres. A key objective of the Planning Proposal is to transition the area from a car dominated environment to a more people and pedestrian friendly destination.

This aligns with the future vision in the RCCC Master Plan and relies heavily on measures introduced for the subject site to increase pedestrian activity and encourage public transport usage across the whole of the city centre. A number of road and intersection upgrades, adjacent to the site, have been identified in the applicant's traffic and transport assessment to respond to the impacts of the potential future development of the site.

The Kellicar Road Planning Proposal highlights the need to consider the function of roads both within the precinct and, more broadly, within the city centre. As delivery of the project will occur over a 15-20 year period, this is able to be managed over time as the site develops.

This issue will also require ongoing dialogue with Transport for NSW (TfNSW) and other stakeholders and the public exhibition of the planning proposal, site specific DCP and studies will facilitate further discussion in regards to these matters.

- City connectivity – this Planning Proposal currently suggests a connection between Macarthur and Campbelltown stations via an extension of Menangle Road – under the Narellan Road overpass. The concept could deliver a sophisticated 'city link' that enhances the sense of arrival for city visitors/commuters and has the potential to activate key land parcels either side of the overbridge. Whilst consistent with the 'city centre stitch' theme of the RCCC Master Plan, the concept still requires concurrence from TfNSW.

The Planning Proposal also recommends that the Bugden Place cul-de-sac be extended through to Menangle Road, providing a public thoroughfare and improved pedestrian accessibility at this end of the precinct. Various approvals are required for this component to be endorsed and further consideration of its merits is required by Council.

A distinct advantage of the Planning Proposal's progress to public exhibition is that these issues can be further considered from a city-wide perspective.

While the Planning Proposal raises broader questions relating to the city centre it is not solely responsible for their solution. A key outcome of further investigations will be to ensure that the function of the city centre is not compromised by the project as a result of any future redevelopment of the subject sites.

#### **4. Gateway Determination and Requirements**

The relevant benchmark for Council to progress the subject Planning Proposal is to consider whether the following requirements of the issued Gateway Determination have been met.

The Gateway determination required that: -

*Prior to public exhibition, the Planning Proposal must be amended to:*

- a) *include the findings of a detailed flood impact assessment for the site and update the consistency of section 9.1 Direction 4.3 Flood Prone Land;*

- b) *reflect the transport and traffic assessment;*
- c) *update proposed Clause 7.23 by removing any provisions that are more appropriate for inclusion in the Development Control Plan and update the consistency with section 9.1 Direction 6.3 Site Specific Conditions; and*
- d) *exhibit the revised Development Control Plan for the site concurrently with the Planning Proposal.*

In this regard, this planning proposal has been amended in response to requirements (a), (b) and (c) above. In response to requirement (d) a site specific DCP has been prepared to be advertised concurrently with this planning proposal.

Feedback from the public exhibition is expected to inform a range of matters which are relevant to the subject Planning Proposal and future development of the city centre including, but not limited to, the intended role of Menangle Road and Tindall Street in addition to the potential for a direct connection to be provided between Macarthur and Campbelltown stations (under Narellan Road).

It is anticipated that several engineering and traffic issues raised in the Planning Proposal will require further consideration and discussion with Council's engineering division and TfNSW.

This is typical of city-making projects, which often need to overcome many challenges to deliver positive change. This point was made clear in Council's Planning Proposal attachment to the report that was considered at its Ordinary Meeting on 9 June last year, which included the following comment: -

*"Importantly, whilst the Planning Proposal raises broader questions relating to the city centre, it is not, of itself, solely responsible for their solution.*

*A key outcome of further investigations therefore is to ensure that the function of the city centre is not compromised by the project and that future development is not sterilised as a result of the proposal."*

On that basis, exhibition of the documentation was unanimously supported.

**5. Site and Project Context**

The site context and location of individual properties that comprise the Planning Proposal is depicted below.

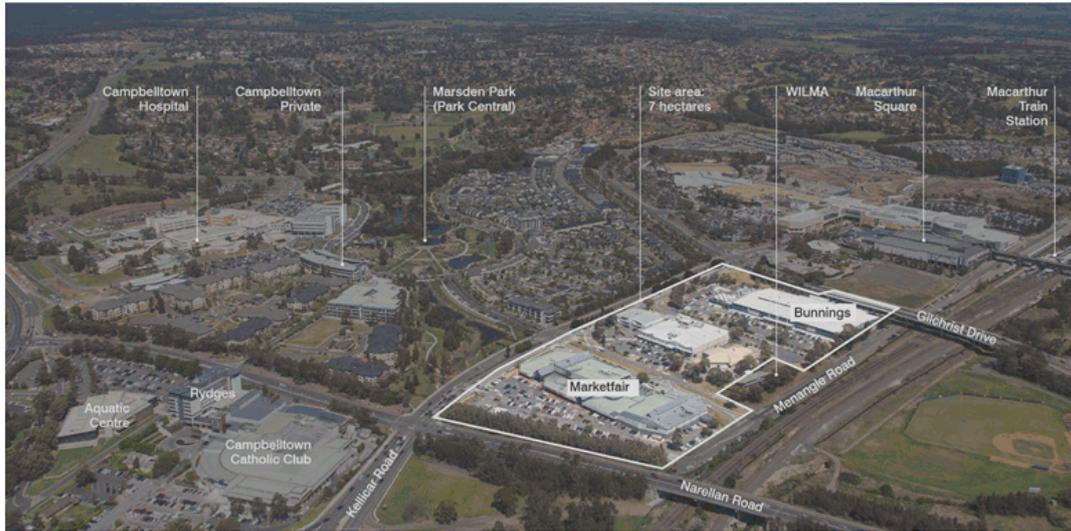


Figure 1: Location Map - Subject site and its immediate locality

The site is one of few large, unconstrained 'mixed-use' sites in the city centre – a pivotal site that links the Campbelltown and Macarthur centres and the existing health and education campuses.



Figure 2: Site Ownership

The site is identified as having 'Mixed Use & Residential' potential under the Macarthur Precinct Plan issued by NSW Planning & Environment in November 2017. Under the RCCC Master Plan, Macarthur is identified as evolving into a regionally significant 'Health, Knowledge and Innovation Precinct'. The site's development, as suggested by the Planning Proposal, is consistent with both hypotheses. It proposes:

- 62,300 m<sup>2</sup> of non-residential floorspace, suited to a range of retail, commercial and innovation employment and co-work space, with a partial allocation to community uses, including the re-housing of WILMA - generating approximately 1,600 jobs for the precinct.
- 161,700 m<sup>2</sup> of residential floorspace, providing approximately 1,800 new homes close to transport and city centre services.

The Kellicar Road Precinct will be developed over a 15-20 year horizon, subject to market interest, with development occurring in stages as current site leases expire.

A site-specific DCP is proposed to ensure that development proceeds in accordance with predetermined outcomes. The development scheme for the site is shown below.



Figure 3: Planning Proposal – Illustrative Masterplan

## 6. Legislative Requirements for the Preparation of a Planning Proposal

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.

### Part 1 – Objectives or intended outcomes

The objective or intended outcomes of the Planning Proposal are:

- To nominate a building height and floor space ratio that provides for an appropriate built form and land use intensity across the site,
- To ensure that the scale of development is suitable to the locality,
- To facilitate the provision of additional housing and employment opportunity close to transport services,
- To consolidate the role of Macarthur as a mixed-use centre that supports its progression to a regionally significant health and innovation precinct,
- To promote Campbelltown-Macarthur as the key south-west metropolitan centre,
- To ensure that future residents and workers have access to a sufficient quantum and quality open space within their reach, and
- To ensure that public domain improvements are delivered in context with the site's future development

### Part 2 – Explanation of provisions

#### 2.1 Proposed amendments to CLEP 2015

It is proposed to amend the CLEP 2015 'Height of Building Map' to achieve an increase in maximum building height from 32 m to 80 m for the site and to introduce a floor space ratio limit for the site of 3.5:1. These provisions will be supported by a site-specific DCP.

Further, a new inclusion under 'Part 7 Additional Local Provisions' to ensure that the site's development incorporates a reasonable provision of communal open space and is capable of accommodating extreme flood events.

The new clause is proposed to incorporate the following:

#### **Part 7 Additional Local Provisions**

7.23 *Development within the Kellicar Road precinct*

- (1) *This clause applies to land at Lot 1, DP882496, Lot 1, DP747811, Lot 2614, DP262484 and Lot 2341, DP830786, bound by Kellicar Road, Gilchrist Drive, Menangle Road and Narellan Road, Macarthur.*
- (2) *The objectives of this clause are to -*
  - (a) *to facilitate the provision of additional housing and employment opportunity in a manner that promotes Campbelltown-Macarthur as the key south-west metropolitan centre*

*(b) to ensure that the density of land uses across the precinct is integrated with nearby transport infrastructure and encourages travel by public transport, walking and cycling*

*(c) to achieve a high-quality urban form by ensuring that new development exhibits design excellence and responds to the character of the local area*

*(d) to ensure that quality open space is incorporated with development within the precinct and includes a civic park, a central pedestrian walkway and other open provisions*

*(e) to promote ecologically sustainable development*

*(3) The consent authority must not consent to development on land within the Kellicar Road precinct unless it is satisfied that the development delivers the following outcomes:*

*(a) open space has been provided at the ground level comprising a minimum 30% of the site area.*

*(b) a development format that provides an overland flow path to satisfactorily accommodate extreme flood events.*

### **Part 3 – Justification**

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

##### **1. Is the Planning Proposal a result of any strategic study or report?**

No, the Planning Proposal was initiated by the owners of the site.

The site is identified for urban renewal in several key planning strategies including the Glenfield to Macarthur Urban Transformation Corridor (Macarthur Precinct), the Greater Sydney Region Plan, the Western District Plan.

The Planning Proposal relates to land that is a key site in the transformation of Campbelltown-Macarthur as a metropolitan centre. It is identified in the Greater Sydney Commission's 'Campbelltown-Macarthur Place Strategy' (March 2020) and in Council's RCCC Master Plan as having high-density mixed-use potential that supports the future role of Macarthur in a twin-city context.

The proposal to increase the permissible building height complements state and local government strategies and will facilitate the provision of new housing and jobs close to transport services.

##### **2. 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 other city-centre capacity issues.

The Planning Proposal presents a master-planned approach that encompasses three contiguous city blocks. The scale of the site allows for an enhanced public domain outcome, together with a mix of residential, retail, hospitality and commercial floorspace that is suited to health, education, innovation and start-up workspace.

The Planning Proposal paves the way for new private investment in Macarthur and presents unique opportunities for greater connectivity and accessibility to a higher level of amenity, services and experiences for more people.

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

#### **3. 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)?**

Yes.

The Planning Proposal is consistent with the relevant objectives and actions outlined in Greater Sydney Region Plan and the Western City District Plan.

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

Key forecasts of the Region Plan include 725,000 additional dwellings for Sydney from 2016-2036 and 817,000 additional jobs for this same period.

The Plan identifies the site as falling within the Western 'Parkland' City District which will contribute 29.2% of the total dwelling growth across Sydney by 2036. The proposal contributes to the achievement of several of the objectives of the plan, specifically the achievement of a metropolis of three 30-minute cities through four key themes – infrastructure and collaboration, liveability, productivity and sustainability.

- Infrastructure and collaboration – the proposal is proximate to Macarthur and Campbelltown stations, Campbelltown Hospital, the Western Sydney University and the city centre's cultural facilities. The site is also less than 30 km to the Western Sydney Airport.
- Liveability – the concept masterplan supplied with the Planning Proposal demonstrates a significantly enhanced public domain with a variety of public open spaces. Additional private open space in the form of activated rooftops will supplement the site's public provisions, ensuring an attractive, activated and liveable environment in the heart of Macarthur.
- Productivity – the proposal incorporates approximately 62,300 m<sup>2</sup> of employment floorspace with an FSR of 1.25:1. This floorspace is eminently suited to educational, health and knowledge intensive pursuits which require and are attracted to districts of high amenity. The employment floorspace could generate approximately 1,600 jobs for the precinct and consolidate Macarthur's role as a regionally significant health and innovation precinct.

- Sustainability – the Planning Proposal outlines a range of possibilities to achieve a Green Star Communities rating for the project. The proponent will work closely with Council to incorporate energy renewal, waste and grey water recycling, and integrated waste removal.

The Planning Proposal is an appropriate means of achieving additional housing and employment opportunities close to and supporting each other. It presents a 'kick-start' opportunity for the implementation of the vision outlined for Campbelltown-Macarthur in the GSC's Collaboration Area Place Strategy and in Council's RCCC Master Plan.

### **Western City District Plan**

The Western City District Plan sets out priorities and actions for the Western Parkland City which are structured on the key themes presented in the Greater Sydney Region Plan.

The District Plan sets a 5-year housing target for the Campbelltown LGA of 6,800 and a 20-year District target of 184,500. The Plan recognises the critical role that urban renewal in strategic centres will play in achieving these targets.

The District Plan also sets a jobs target for the combined Campbelltown-Macarthur centre of 27,000-31,000 by 2036, representing an increase of around 6,600-10,600 jobs.

The District Plan identifies Campbelltown-Macarthur as a health and education precinct, designated as a 'Collaboration Area' – which also includes Macarthur Square, Campbelltown Mall and surrounding areas. The Kellicar Road precinct is central to this area.

The Plan suggests that the Collaborative Area has the potential to grow up to 31,000 new jobs (a 32% increase) by 2036 and identifies the need to review current planning controls to create capacity accordingly.

The proposal contributes fittingly to create this capacity.

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

The Strategy identifies that urban renewal will be key to meeting housing and employment targets over the next 20 years (664,000 homes and 689,000 jobs) in the South West.

Accordingly, the strategy aims to accelerate urban renewal within the Glenfield to Macarthur rail corridor by identifying those areas where additional density can be achieved, particularly near to train stations (400 m-800 m).

The final Macarthur Precinct Plan, released in November 2017, is shown below. Notably, the whole of the Kellicar land parcel is identified as being located within a 'Mixed Use Retail & Residential (7 storeys and over)' zone.

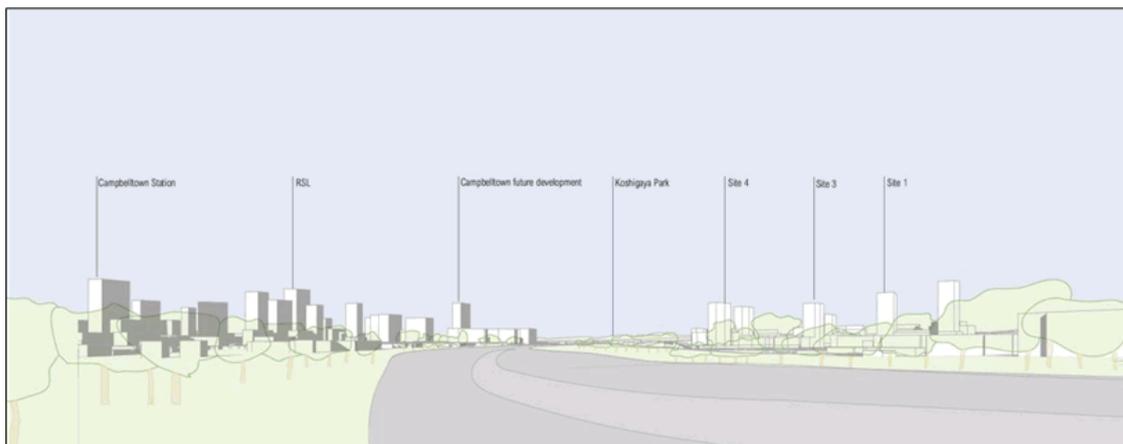
The Precinct Strategy applies the assumption that mixed use development (80 per cent residential / 20 per cent retail) will require a FSR of between 2:1 - 4:1 and that high-rise development (7+ storeys) will require an FSR of between 3:1 - 4:1. This is consistent with the density proposed in the

Planning Proposal, noting that building height has since been revisited by Council’s RCCC Master Plan and as demonstrated in the approval of the RSL redevelopment concept at 85 m.



Building height at the Kellicar site is addressed in detail within the *Urban Design Study* prepared by CHROFI and Architectus (dated 07 June 2019). This report documents the public domain contributions of the Planning Proposal and provides a detailed solar access, overshadowing and visual impact analysis of the proposal having regard for views from neighbouring sites and district vantages, and the complementary roles of the Campbelltown and Macarthur centres.

The Urban Design Study remains relevant but has been partially superseded by the site specific DCP which has been prepared to guide development outcomes across this precinct. The DCP incorporates updated commentary regarding the vision for this precinct and incorporates new controls which reflect the drainage and traffic studies submitted by the proponent.



The Planning Proposal appropriately responds to the Glenfield-Macarthur Corridor Strategy.

**Draft Greater Macarthur 2040 Interim Plan**

In November 2018, the Department of Planning and Environment released a 20-year vision, entitled *Greater Macarthur 2040: An interim Plan* for the Greater Macarthur Growth Area (the draft Plan 2040) that sets out the strategic planning framework for the Growth Area. This is the most recent state-government strategy that relates specifically to the site of the Planning Proposal.

The draft Plan aims to provide new homes and local centres in addition to improving transport connections, providing open space and parks and protecting koala habitat.

Its key actions include the rezoning of precincts as agreed with Council, specifically identifying an opportunity for land owners to bring forward the release and rezoning of land where there is no financial impost on Government.

Under the 2040 Strategy Campbelltown-Macarthur is recognised as:

- o a metropolitan city cluster that will provide substantial housing and employment growth for the Western City District.
- o an important health and education precinct that is critical to the region’s growth in knowledge intensive jobs, building education and skills and servicing the employment needs of its growing population
- o one of several rail-oriented precincts identified in the Greater Macarthur 2040 as ready for development, subject to its consistency with the long-term vision for the precinct and growth area

Greater Macarthur 2040 recognises the strategic importance of Campbelltown-Macarthur as the region’s primary centre:

*“The Greater Macarthur Growth Area pivots on Campbelltown-Macarthur” (page 2)*

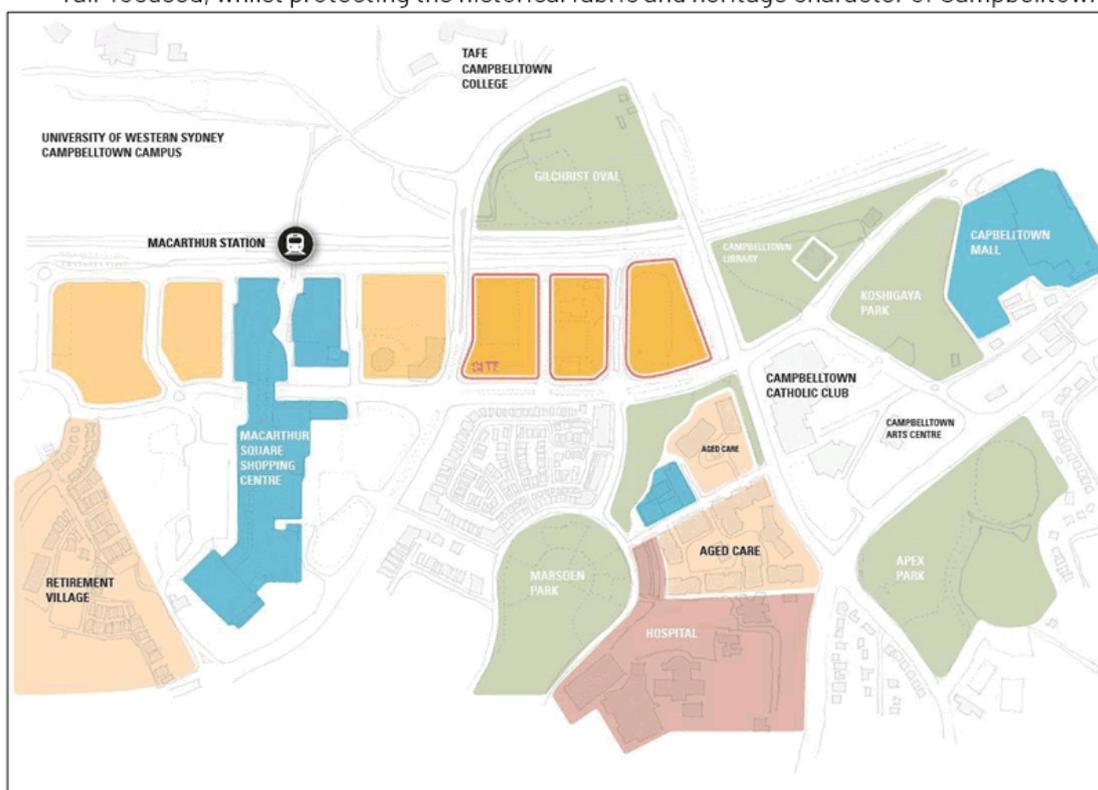
*“Campbelltown-Macarthur will thrive as part of the burgeoning metropolitan cluster. With*

*further investment in tertiary education and health and connection to the Western Sydney Airport via a new rail line, the centre will grow to provide an economic and social hub for the Growth Area and region.” (page 7)*

Importantly, under the Strategy, Campbelltown-Macarthur is the only major centre identified. No other metropolitan centre is required, although other centres will evolve to fulfil different functions.

Pursuant to the strategy’s intentions, the Kellicar Road precinct presents a unique opportunity to:

- Consolidate Campbelltown-Macarthur as twin centres with complementary roles; and to
- Realise higher density mixed-use development on unconstrained and available land that is rail-focused, whilst protecting the historical fabric and heritage character of Campbelltown.



***The site adjoins an important retail, health and education precinct and is proximate to key open spaces and rail transport.***

The future development of Macarthur, of which the Kellicar Road precinct is a major component, is further identified under Greater Macarthur 2040 as:

- Provide a range of building heights, with taller buildings close to the station to maximise pedestrian activity and increase trade for local businesses.
- Retain the existing character of areas east of Gilchrist Avenue, with a mix of detached dwellings, townhouses and terraces.

- Built-form shaped to ensure sunny public spaces in winter combined with 'cooling' public domain treatments for pedestrian amenity during the summer months
- City-scale homes and offices near transit nodes – a variety of building forms will include multistorey development near train stations and centres and along transport corridors
- Compact walkable neighbourhoods – towns within the Growth Area will be attractive places where it is easy to walk and cycle to schools, open space, services and employment.

The Strategy suggests that further precinct planning will seek to create innovative and creative places, improve public space, and deliver a high-quality public domain.

The Kellicar Road Planning Proposal proposes a built form outcome that is consistent with these objectives. It proposes a series of buildings that range in height (some tall, others more of a campus-style) that have been carefully sited to minimise the effect of shadow and to maximise solar access at the ground level. The proposal is supported by a retail curation strategy that identifies appropriate ground and upper floor land uses to interface with the generous north-south pedestrian spine that binds and connects the site to adjacent developments.

Overall, the Planning Proposal is considered to be consistent with the desired outcomes expressed in the Kellicar Road precinct Plan (2017) and the broader Greater Macarthur 2040 Interim Plan (2018).

#### **4. 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-focused strategic plan guiding Council's policy initiatives and actions.

The Planning Proposal is consistent with this Plan's overarching objectives, which include:

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

The proposed increase in building height anchors the site's enhanced public domain and provides the opportunity for the site's revitalisation. The master-planned approach delivers a permeable and high-amenity outcome that would otherwise not be achievable across the of the three-block precinct. The Planning Proposal is unique in this aspect.

The Planning Proposal presents an early opportunity for Campbelltown-Macarthur to achieve its 'confident and self-driven' aspirations. The proposal delivers future housing and employment opportunity and embeds community floorspace within its provisions.

- Plan for a large floor plate, campus-style office park west of the station.

The submitted Planning Proposal for the Kellicar Road precinct is considered to be consistent with these objectives and is expected to assist in enabling the achievement of other key elements of the 2040 strategy that seek to encourage:

- transport-oriented development in urban renewal precincts
- homes in a variety of forms to meet the needs of people of different ages and incomes
- a highly accessible transport corridor
- public open space and amenities for new communities
- walkable neighbourhoods for all age groups
- cycle paths connecting neighbourhoods with public transport, jobs, education and open space
- economic opportunities through an economically strong Campbelltown-Macarthur

Greater Macarthur 2040 identifies that the Macarthur precinct could accommodate a housing yield of 4,650 new dwellings based on an initial assessment of suitable locations for higher, medium and low-density development, although noting that precinct planning will allow this estimated yield and capacity to be further refined.

Greater Macarthur does not explicitly nominate job targets for each of its rail-based centres or for the new release precincts south of the primary Campbelltown-Macarthur city centre. Instead it references a *City Deal* focus on “supercharging the Aerotropolis and delivering industry precincts to create 200,000 new jobs across Western Sydney” and suggests that the Strategy itself provides opportunity for employment and social services, “creating 40,000 local jobs, with opportunities for small business ownership in and around local centres and more intensive employment activities in designated areas” (page 24).

The Kellicar Planning Proposal incorporates provision for approximately 1,800 dwellings and 1,600 jobs across key retail, commercial, hospitality, health and education sectors and contributes considerably to the Greater Macarthur 2040 housing and job targets.

The built form vision for Greater Macarthur 2040 incorporates the following key principles, each of which is consistent with the public domain and innovative built form focus of the Kellicar Planning Proposal:

- High quality urban design of the public and private realm (to) complement areas of conservation to provide high amenity
- A connected urban community (where) people can come together in public places in streets, plazas, parks and recreation spaces providing opportunities for community events, markets and festivals
- Engaging, well designed places – better design, guided by green and sustainable planning controls and complemented by innovative approaches by the private sector (to) create places where people want to live and work
- Great streets with taller buildings set-back behind human scale street edges

**Campbelltown Local Planning Strategy 2013**

The Strategy is a background document used to inform the preparation of the CLEP 2015. It seeks to guide future planning decisions to realise a community-shared vision. Its intentions remain relevant, albeit now updated via the recent Reimagining Campbelltown process and outcomes.

The Planning Proposal is consistent with the directions of the Local Planning Strategy.

**Campbelltown Residential Development Strategy 2014**

The 2014 Strategy is a background document which informed the preparation of the CLEP 2015. The proposal assists in the provision of affordable, well-placed housing by increasing the availability of housing options in proximity to transport services.

The Residential Strategy notes that the LGA's changing demographic will continue to require new housing that is both sustainable and accessible, particularly for its ageing component. The Planning Proposal offers a range of housing possibilities within the city centre and is consistent with the objectives of the Residential Strategy.

**Reimagining Campbelltown City Centre Master Plan (RCCC Master Plan)**

The RCCC Master Plan applies to Campbelltown-Macarthur and extends to include Leumeah due to its regional role as the hub of sports and events.

The RCCC Master Plan provides a framework for the future planning of the city centre.

Specifically, of relevance to the Planning Proposal, the master plan identifies Macarthur as a mixed-use wellbeing precinct with private health, education, research and high density mixed residential living. It is further identified under commitment 3.2 of the 'City of Opportunity' pillar as "Intensive, Innovative Macarthur", noting that its health, knowledge and innovation potential crosspollinates business, research and ideas through higher intensity mixed use development.

Notably, Commitment 5.3 under the 'City and Bush' pillar includes a schematic building height map which identifies the subject site as having a 'tall' (but not the tallest) height potential. The building height of the Planning Proposal is consistent with this guidance map.

The Planning Proposal seeks to achieve additional height on the site to allow for an FSR of 3.5:1, consistent with the role of Macarthur as envisaged in state-government precinct and growth area strategies and with those being achieved at comparable strategic centres.

The proposed varied height approach (5-25 levels) enables a built form that maintains district sight lines and is in keeping with the 'city in a valley' aspiration of the RCCC Master Plan. Tower buildings at the Kellicar Road precinct have been designed with a slender form to allow solar access and views between buildings.

The building height proposed by the Planning Proposal is addressed in detail by the *Urban Design Study* (by CHROFI and Architectus) and submitted to Council with the amended proposal in June 2019.

The Design Study and site specific DCP justify the provision of tall towers on the 7 ha site by considering the views of the property from key vantage points at city approaches.

Equally the importance and the value of views from these buildings to the green and bush fringes can not be understated and will strengthen the cities genuine association with the City and Bush identity.

With respect to other matters and to further inform ongoing decision-making for the city centre, the Reimagining Campbelltown Master Plan identifies a series of further foundational studies to consider, inter alia, active transport options, parking strategies and city connections. The exhibition of the Planning Proposal will provide a broader consideration of these issues.

### **Campbelltown Strategic review of Employment Lands Strategy 2020**

The Campbelltown Strategic Review of Employment Lands of 2020 seeks to ensure an adequate supply of appropriately zoned land is available to accommodate the future employment needs of the Campbelltown LGA.

Of relevance to the Kellicar Road precinct, this Review highlights that introducing residential uses in business centres can facilitate supporting their viability, boost business vibrancy and increase associated revenue. The study notes that 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. The Review also recommends that further consideration be given to increasing building height in the city centre to further incentivise redevelopment.

The subject Planning Proposal does not seek to amend the B4 Mixed Use zoning of the site and is consistent with the study's observations.

The Kellicar Road Precinct occupies 7 hectares of strategically located urban land that is suited to a range of employment and new housing opportunities. The Planning Proposal demonstrates how the precinct can be developed to achieve these outcomes and facilitate improving connections to the nearby city centre.

### **Campbelltown Local Housing Strategy 2020**

The Campbelltown Local Housing Strategy was endorsed by Council in September 2020 but requires formal endorsement by the DPIE before being formally implemented as a Policy.

Similar to the Employment Lands Strategy, this document seeks to ensure an adequate supply of appropriately zoned is available and located on land which meets the future housing needs of the Campbelltown, noting that up to 36,000 additional dwellings will be required across the LGA by 2036.

This Strategy also highlights that the LGA's current housing supply includes significant amounts of detached housing with a significantly below average proportion of residential units and apartments. The study notes that the growing number of smaller households and declining affordability suggests that more households will be seeking smaller dwellings in the future or cheaper housing options to ensure that applicable families and elderly households are able to seek affordable housing with good amenity and less home maintenance. Providing a choice of housing types, sizes and price points is identified by the Strategy as key to supporting the diversity of housing needs in the Campbelltown LGA.

Further, as knowledge-based jobs increase through the implementation of the RCCC Master Plan, the Strategy also acknowledges that demand for more 'executive' housing may increase, including further demand for higher quality apartments.

Of relevance to the Kellicar Road Planning Proposal, the Strategy adopts the following key points:

- To support urban containment by providing housing within the existing urban area and the Greater Macarthur Priority Growth Area.
- To provide for housing that meets the needs of all households.
- To encourage the provision of new housing in locations that support the 30-minute city principle established by the Greater Sydney Commission and the vitality of local centres and Campbelltown regional centre.
- To encourage the planning of housing within neighbourhoods that offer sufficient, high quality and accessible civic, open and community spaces to achieve high liveability and amenity for the LGA's residents.
- To facilitate the urban renewal of walkable catchments in the Glenfield to Macarthur Corridor to increase housing diversity and maximise the efficient use of existing infrastructure.
- To support housing growth in the Campbelltown CBD consistent with the vision of Reimagining – Campbelltown City Centre Master Plan.
- To promote high quality and environmentally sustainable residential environments that contribute to a vibrant and liveable Campbelltown and do not have adverse urban heat island impacts.

The Kellicar Road Planning Proposal appears to align and is consistent with the directions identified in this Housing Strategy as the subject precinct offers opportunities for both 'executive' and affordable housing to be provided in a high-amenity location which is in close proximity to public transport and central to city centre services.

The Strategy identifies the following high priority actions in relation to the provision of affordable housing:

- Prepare an Affordable Housing Policy to make clear to industry that Council supports the delivery of affordable housing as part of certain development proposals.
- Adopt an affordable housing target which is consistent with the Greater Sydney Commission's position in the District plan that requires between 5 and 10 per cent of all residential GFA should be nominated as affordable housing.

It is noted that the subject Planning Proposal does not propose increase the existing development yield, which is achievable across the Kellicar Road Precinct, and only seeks to amend the existing building height limitation that applies to the site from 32 m to 80 m in order that an urban form that is more suited to its location can be delivered.

The provision of affordable housing at this precinct will be considered in context with the current policy at the time of the project’s delivery (over a 15-20 year period) as part of each development application and is not required to be addressed as part of the current Planning Proposal.

**5. 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.

<b>State Environmental Planning Policies</b>	<b>Comment</b>
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 33 – Hazardous or Offensive Development	Not relevant to the proposal.
SEPP 36 – Manufactured Home Estates	Not relevant to the proposal.
SEPP 47 – Moore Park Showground	Does not apply to land within Campbelltown.
SEPP 50 – Canal Estate Development	Not relevant to the proposal.
SEPP 55 – Remediation of Lands	Future development of the site will need to address the requirements of SEPP 55.
SEPP 64 – Advertising and Signage	The Planning Proposal is consistent with the SEPP. Future development of the site would need to take the SEPP into consideration.
SEPP 65 – Design Quality of Residential Apartment Development	The Planning Proposal seeks to facilitate high rise residential development. The proposal’s masterplan has considered the various design specifications of the SEPP – relating to solar access, overshadowing and building separation and is consistent with its requirements.
SEPP 70 – Affordable Housing Schemes	Future development on the site may incorporate affordable housing provisions. The proponent will work with Campbelltown Council in this regard.
SEPP 71 – Coastal Protection	Not relevant to this proposal.
SEPP (Concurrences and Consents) 2018	This SEPP has no provision that affect this proposal

SEPP (Building Sustainability Index: BASIX) 2004	Future development of the site will have regard for the requirements of the SEPP.
SEPP (Activation Precincts) 2020	This SEPP does not apply to the land
SEPP (Aboriginal Land) 2019	This SEPP does not apply to the land
SEPP (Educational Establishments and Child Care Facilities) 2017	The Planning Proposal is consistent with the SEPP. The proposed commercial floorspace is conducive to educational and child care use.
SEPP (Affordable Rental Housing) 2009	The proposal is consistent with the SEPP. Future development on the site may incorporate affordable housing provisions.
SEPP (Exempt and Complying Development Codes) 2008	Not relevant to the Proposal.
SEPP (Gosford City Centre) 2018	This SEPP does not apply to the land
SEPP (Infrastructure) 2007	Future development of the site may constitute traffic generating development and trigger an assessment under this SEPP. Agency input into the post-gateway assessment of the proposal is necessary.
SEPP (Housing for Seniors or People with a Disability)	The Planning Proposal does not nominate specific residential uses. Any future proposal for seniors housing would be assessed according to the SEPP.
SEPP (Koala Habitat Protection) 2020	This site does not include any koala habitat
SEPP (Koala Habitat Protection) 2021	This site does not include any koala habitat
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 (Major Infrastructure Corridors) 2020	The subject land is more than 25 metres from the SP2 zone identified on map sheet 21 under this SEPP and therefore outside the area to which clause 11(1)(b)-(d) apply.
SEPP (Mining, Petroleum 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 (Primary Production and Rural Development) 2019	Not relevant to the proposal.
SEPP (State and Regional Development) 2011	Future development of the site may constitute 'regional development', requiring assessment and determination by the regional 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 Aerotropolis) 2020	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 located within a built-up urban area and is currently developed. The proposal does not impact any significant vegetation.

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

Consideration of Deemed SEPPs	Comment
Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment	Consistent. The proposal does 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.

### 6. Section 9.1 - Applicable Ministerial Directions

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

Consideration of s9.1 Directions	Comment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	The proposal is consistent with this Direction as the amendment to the Height of Building Map and the inclusion of a Floor Space Ratio Map would not seek to reduce the amount of commercial/retail floor space available within the Campbelltown CBD.  The proposed amendment seeks to allow an increased provision of retail/commercial floorspace consistent with the site's B4 zoning.
1.2 Rural Zones	Not applicable.

1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.
1.5 Rural Lands	Not applicable.
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	Not applicable.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	Not applicable.
2.4 Recreation Vehicle Areas	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP's	Not applicable
2.6 Remediation of Contaminated Land	The proposal does not include a change to the current zone (B4) nor does it include a change to the permissible land uses within the B4 zone. Therefore it is considered that no further action is required in regards to this direction. Future development application on the site will need to satisfy the requirements of SEPP 55.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Consistent. The subject site is not located within a residential zone, although shop-top housing is encouraged within the B4 Mixed Business zone. The proposal is consistent with this Direction as additional dwellings will be provided close to existing infrastructure and services.
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 400 m of the Macarthur rail station and other transport services.
3.5 Development Near Licensed Aerodromes	Not applicable.
3.6 Shooting Ranges	Not applicable.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulphate Soils	Not applicable.
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	See separate comment on this issue following this table.

4.4 Planning for Bushfire Protection	Not applicable.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Not applicable.
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5 – 5.7	Repealed
5.8 Second Sydney Airport	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	Not applicable.
5.11 Development of Aboriginal Land Council Land	Not applicable
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	The Planning Proposal does not trigger the need for any additional concurrence, consultation or referral to a Minister or Public Authority.
6.2 Reserving Land for Public Purposes	The Planning Proposal suggests that part of the Bunnings and Wilma sites, with frontage to Menangle Road, and zoned SP2 for road widening would be best utilised for open space purposes, incorporated with the site's provisions. The proposal suggests that Menangle Road could be converted to a pedestrian-cycle-bus only connection between Macarthur and Campbelltown stations. This part of the Planning Proposal will require agency consideration post-Gateway although it is noted that the proposal is not dependent upon the change in status of Menangle Road. Its primary objective to alter building height and floor space ratio provisions can be considered regardless of the future role of Menangle Road.
6.3 Site Specific Provisions	The proposal is relating primarily to building height, and therefore is consistent with this Direction.
<b>7. Metropolitan Planning</b>	
7.1 Implementation of a Plan for Growing Sydney	This direction has been revoked.
7.2 Implementation of Greater Macarthur	This direction has been revoked.

Land Release Investigation	
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
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	<p>The proposal is consistent with this Direction as it allows for the revitalisation and intensification of land within the Macarthur Precinct.</p> <p>The 7+-storeys building height assigned to high-density precincts by the Corridor Strategy is tested by the Planning Proposal's <i>Urban Design Study</i> (by CHROFI and Architectus). The Design Study provides justification for the proposed building heights (from 5-25 storeys) having regard for the proposal's substantial public domain and the lack of impact associated with its tower buildings. The project's thin building towers are limited in number, well-spaced, do not shed unreasonable shadow and complement the 7 ha site's central location and proximity to transport services.</p> <p>The concept masterplan suggests a range of building heights that is appropriate to the site's central location and to the future metropolitan role of Campbelltown-Macarthur. The proposal incorporates a substantially improved public domain and will incorporate community uses within the precinct.</p>
7.8 Implementation of the Western City Aerotropolis Plan	The proposal is consistent with this direction.
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable
7.11 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable

<p>7.12 Implementation of Greater Macarthur 2040</p>	<p>The proposal is consistent with Greater Macarthur 2040 and assists in the achievement of all of the visions related to place, landscape, built form, land use and movement. This proposal is adjacent to the existing rail line and is designed with a city form. The proposal includes a range of building heights and maximises pedestrian opportunities and includes public plazas and activated main streets. The flood risks have been assessed as required by Greater Macarthur 2040 and the development footprint adjusted and identified in the draft site specific Development Control Plan to respond to the overland flow path for large flood events. The lodgement of individual planning proposals by proponents is consistent with the planning pathways identified in Greater Macarthur 2040. The planning proposal is consistent with the Macarthur Precinct Plan in the Glenfield to Macarthur Renewal Strategy (consistency is a requirement of Greater Macarthur 2040)</p>
<p>7.13 Implementation of the Pymont Peninsula Place Strategy</p>	<p>Not applicable</p>

**Direction 4.3 Flood Prone Land**

The objectives of this direction are:

- a) *to ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.*
- b) *to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

The direction applies when a relevant planning authority prepares a Planning Proposal that creates, removes or alters a zone or a provision which ultimately affects flood prone land.

The subject Planning Proposal does not technically “create, remove or alter a zone or a provision that affects flood prone land”. The Proposal seeks to amend the height of building limit that applies to the land in order to allow for the development of a mixed-use precinct with buildings of a varying height and up to 80m (25-levels).

Notwithstanding, Birunji Creek runs through the site, between Tindall Street and Narellan Road, as a closed culvert system within a 10m wide drainage easement. Additional consideration of flood risk has been given in relation to the impact of extreme flood events. This is consistent with the

objectives of the Floodplain Development Manual 2005 which requires consideration of floods up to the PMF.

These events have been modelled, based on the precinct's illustrative masterplan and assumed building locations.

The modelling demonstrated that:

- The site is not affected by mainstream flooding for events up to the 1 per cent AEP event.
- The development does not cause significant flood impacts to other properties for events up to and including the PMF.
- The site is capable of being developed in accordance with the illustrative masterplan through implementation of appropriate flood risk management measures.

To ensure that proper consideration is given to the site's flood potential, further need to provide an overland flow path for extreme flood waters is recommended under a 'local provisions' clause and specific controls are proposed to be incorporated in the site-specific DCP for this precinct.

The following response to the requirements of Planning Direction 4.3 - Flood Prone Land is provided:

- *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).*

**Comment:** The Planning Proposal incorporates specific local provisions to guide the future development of the site. Consideration of a range of flood events up to the PMF has been undertaken which is consistent with the objectives of the Floodplain Development Manual 2005.

- *A Planning Proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.*

**Comment:** The Planning Proposal does not rezone land. It will amend the maximum height of building and set a FSR for the precinct.

- *A Planning Proposal must not contain provisions that apply to the flood planning areas which:*
  - i. *permit development in floodway areas;*
  - ii. *permit development that will result in significant flood impacts to other properties,*
  - iii. *permit a significant increase in the development of that land;*
  - iv. *are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services; or*

- v. *permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.*

**Comment:** The illustrative masterplan demonstrates that development of the precinct is able to be accommodated in a manner that is cognisant of and responsive to the site's residual flood risk and without adverse impact on adjoining lands. Part of the site is proposed to be allocated specifically to the passage of flood waters during extreme events and related uses that are consistent with this aim.

- *A Planning Proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

**Comment:** No additional controls are proposed other than those incorporated in the local provisions. These aim to ensure that the future development of the site is aware of and responds to the need to accommodate an overland flow path for extreme flood events.

- *For the purposes of a Planning Proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).*

**Comment:** The flood planning level is not proposed to be altered, although special consideration of the site's residual flood risk is necessary given Birunji Creek flows through the site. This approach appears to be consistent with the recently published 'Draft Flood Prone Land Package' that was issued in June 2020.

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

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

No.

The subject site does not contain any known critical habitat or threatened species, populations' or ecological communities, or any other habitat. The proposal will not impact upon any ecological communities.

**8. 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 seeks to increase the maximum building height across three blocks of land that are centrally located within the Macarthur centre. The site of the proposal is not environmentally or heritage-constrained, but the proposal will have various impacts relating to urban design, traffic management, drainage, solar access and sustainable building outcomes that require careful and ongoing consideration.

The traffic and drainage implications of the Planning Proposal are the subject of specific studies undertaken by the proponent and will be exhibited as part of the Planning Proposal. The intention of these investigations is to help ensure that the function of the city centre is not compromised by the project and that future development is not sterilised as a result of it.

A site specific DCP is also proposed to reinforce the design principles and associated measures to ensure a consistent project quality over the project's duration. The site specific DCP includes a number of public domain objectives and nominated development outcomes which will facilitate with achieving appropriate built form, land use, streetscape, building setbacks, overshadowing, deep soil and sustainability outcomes.

**9. Has the Planning Proposal adequately addressed any social and economic effects?**

The Planning Proposal is supported by social or economic assessments undertaken by expert consultants.

The *Community Needs and Social Impact Assessment* by Architectus (May 2018) considers the demographic characteristics of the locality and benchmarks the provision of community facilities and open space.

A substantial provision of open space is planned for the precinct, commensurate with its future population, involving 30 per cent of the site and including a central park (3,000 m<sup>2</sup>), an under-bridge park (1,600 m<sup>2</sup>), a fountain park (1,690 m<sup>2</sup>), a civic piazza (1,300 m<sup>2</sup>), Macarthur Walk (6,500 m<sup>2</sup>), an optional linear park (2,800 m<sup>2</sup>) along the Menangle Road corridor and a new urban park and overland flow area adjacent to Narellan Road (3,900 m<sup>2</sup>). These spaces will be complemented by a series of roof-top green spaces and ground-level communal areas for the enjoyment of residents and workers.

The proposed public domain and open space provisions exceed comparable renewal precincts in other parts of Sydney, which generally deliver between 10-15 per cent of site area as public space (e.g. Green Square, Victoria Park, Central Park, Rhodes West).

Other communal facilities/uses can be incorporated within project's commercial floorspace allocation - whether this involves specific provisions (e.g. a library, multi-functional meeting rooms or the re-housing of WILMA) or dedicated recreational facilities. Details of a VPA offer for

the project will be informed by ongoing discussions with Council. It is also expected that a public domain strategy will form part of a site-specific DCP for the site.

Based on the early projections of Reimagining Campbelltown, the Planning Proposal’s residential offering will contribute less than 15% of the city centre’s required housing yield.

Housing Strategy	Dwelling Targets (dwellings)
<b>Kellicar PP</b>	<b>1,800 new apartments</b>
<b>Greater Sydney Regional Plan 2056</b>	+ 725,000 additional dwellings
<b>Western City District 2036 – District target</b>	+ 184,500 additional dwellings +
<b>Western District Plan – Campbelltown LGA</b>	+6,800 additional dwellings
<b>0-5-year housing supply target 2016-2021</b>	
<b>Reimagining Campbelltown – Macarthur Region</b>	+ 186,000 additional dwellings
<b>Reimagining Campbelltown – CBD Study Area</b>	16,000 (+11,000) dwellings, accommodating 35,500 CBD residents

It is noted that the Western City District Plan’s 5-year housing target of 6,800 new dwellings by 2021 (for the Campbelltown LGA) is a minimum target. This target reflects existing development pipelines and existing planning circumstances.

Council’s recently endorsed Local Housing Strategy nominates a preference to provide new housing at Campbelltown within the LGA’s current urban footprint (and within the Greater Macarthur Growth Area) and identifies the need for housing diversity. The Strategy suggests that urban renewal of walkable catchments in the Glenfield to Macarthur Corridor is well suited to achieving Council’s future housing demands.

The scale and mix of the Planning Proposal’s retail/commercial floorspace provisions are confirmed by a separate assessment undertaken by MacroPlan (2018) which identifies market demand for its various components. Key findings from this work demonstrate that:

- The projected growth in the local population within the Campbelltown-Macarthur city centre (using TPA projections) will drive demand for an additional 20,000 m<sup>2</sup> of traditional retail floorspace by 2036, whilst projected growth in the broader main trade area served by Campbelltown-Macarthur is estimated to require an additional circa 250,000 m<sup>2</sup> of traditional retail floorspace by 2036.
- The projected growth in the local workforce within the Campbelltown-Macarthur centre alone is estimated to drive demand for a further 2,000-3,000sqm of retail floorspace by 2036.
- A recommended quantum of around 20,000-25,000sqm of (replacement) retail GFA is proposed for the precinct, representing a small portion of the additional floorspace required by 2036.
- The workforce within the Campbelltown-Macarthur city centre is projected to grow by around 5,000+ workers to reach around 22,000 by 2036 (using TPA figures), an increase of 30-35per

cent. This additional workforce will require an additional provision of 125,000-150,000 m<sup>2</sup> of employment floorspace.

- For the Kellicar Road precinct a minimum provision of around 45,000 m<sup>2</sup> of general commercial and health/educational floorspace is recommended, with additional potential for a city-based hotel offering.

The mix and scale of non-residential floorspace has been carefully selected for the site. It represents a small portion of the total additional GFA expected of the centre over the next 15-20 years. These forecasts are modest and will be driven significantly higher with the advent of a North-South Rail connection at Campbelltown-Macarthur.

The Planning Proposal has the potential to contribute up to 5 per cent of the Reimagining Campbelltown’s jobs projection.

<b>Employment Strategy</b>	<b>Job Targets</b>
<b>Kellicar PP</b>	<b>1,600+ jobs (ret/com + other) – 62,300 m<sup>2</sup></b>
<b>Greater Sydney Regional Plan 2036</b>	+ 817,000 additional jobs
<b>Western City District 2036 – Campbelltown-Macarthur Strategic Centre (pg.84)</b>	27,000-31,000 jobs
<b>Reimagining Campbelltown – Campbelltown CBD Study Area (jobs)</b>	+6,000-10,000 jobs (from 21,000 current)
<b>Reimagining Campbelltown – CBD employment floorspace</b>	55,500 (+ 38,000) jobs (servicing a regional population of 800,000 people)
	1,600,000 m <sup>2</sup> GFA (current 525,000 m <sup>2</sup> incl. approx. 250,000 m <sup>2</sup> retail/commercial GFA)

**Section D – State and Commonwealth Interests**

**10. Is there adequate public infrastructure for the Planning Proposal?**

Yes, however further improvements are necessary.

The site is within walking distance of the Macarthur rail station and is accessible by existing bus services. Road network improvements will be required, however, to accommodate the project. Additional public open space will also be required to meet the needs of residents and workers attracted to the site.

Other community services are available in the vicinity of the site although there is opportunity for some new and some existing services to be housed within the project, including accommodation for the Macarthur Women’s Health Centre (WILMA).

A specific desired outcome of the Planning Proposal is to encourage greater use of the public transport services that are available to the site. Further transport investigations, as identified by Reimagining Campbelltown, will seek to develop an integrated transport and parking strategy that reduces reliance on private vehicles. Ultimately, through its improved permeability, enhanced

ground level environment and co-location of housing and employment floorspace, the proposal seeks to encourage a modal shift to public transport.

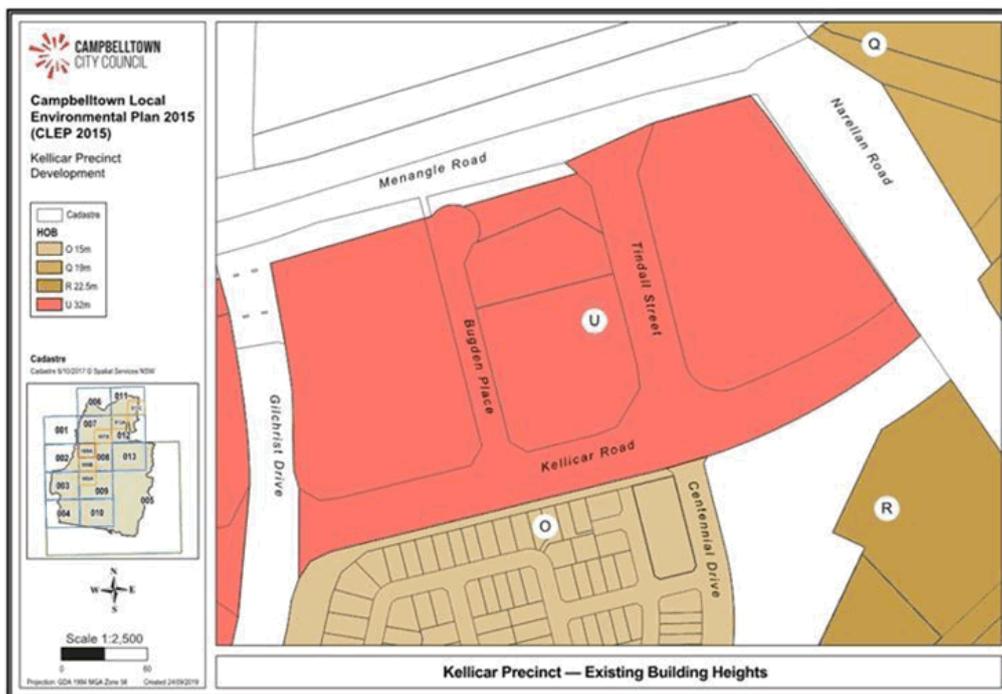
**11. What are the views of the State and Commonwealth public authorities consulted in accordance with the Gateway Determination?**

Consultation will occur with the public authorities identified in the Gateway Determination, including Transport for NSW, NSW Police and the Office of Environment and Heritage.

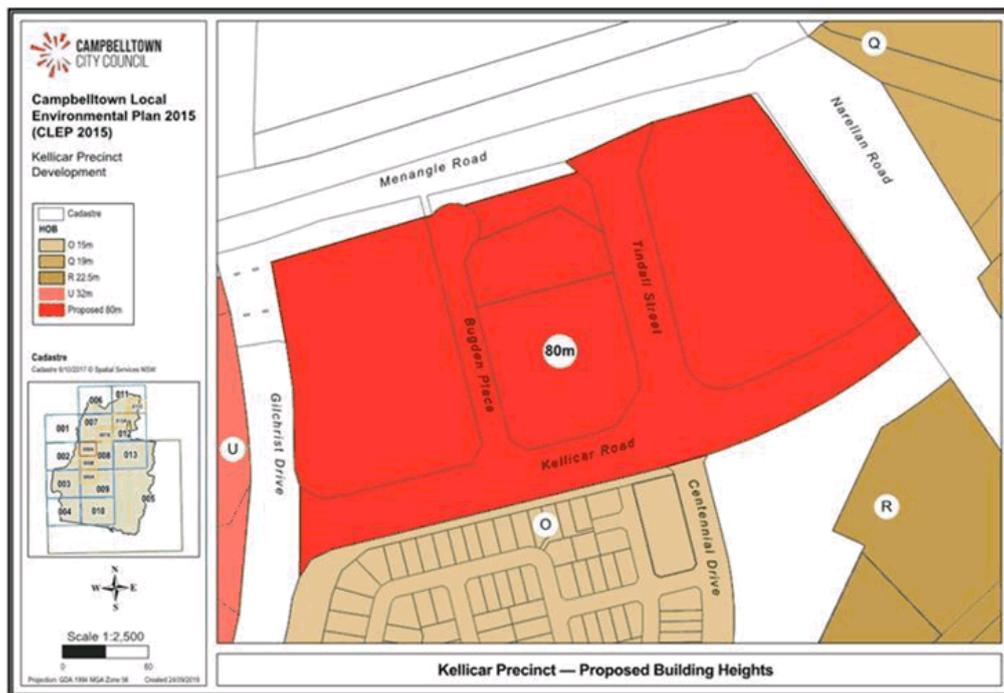
**Part 4 – Mapping**

The Planning Proposal seeks to amend the Campbelltown LEP Height of Building Maps as proposed below: -

Map	No	Requested Amendment
Height of Buildings Map	Sheet HOB_008 Date 11 March 2016	Amend the height of building map for properties located between Gilchrist Drive, Menangle Road, Narellan Road and Kellicar Road, Macarthur from 32 m to a maximum of 80 m.



Current CLEP 2015 Height of Building Map



Proposed CLEP 2015 Height of Building Map

The Planning Proposal also seeks to incorporate a floor space ratio limitation by introducing a city centre limitation for the subject site as described below:

Map	No	Requested Amendment
Floor Space Ratio Map	Sheet FSR_008 Date 11 March 2016	Amend the Floor Space ratio Map by introducing a limit of 3.5:1 for the subject site, bounded by Gilchrist Drive, Menangle Road, Narellan Road and Kelliecar Road, Macarthur.



Proposed CLEP 2015 Floor Space Ratio Map

**Part 5 – Community consultation**

In accordance with “A guide to preparing local environmental plans” prepared by the Department of Planning and Environment (2016), the consultation strategy would include:

**Advertisement on the Council website**

The Planning Proposal would be exhibited on Council’s website ([www.campbelltown.nsw.gov.au](http://www.campbelltown.nsw.gov.au)). Council’s libraries also have access to the website.

Documentation relating to the Planning Proposal will be available online (Council’s web site and the NSW Planning Portal) for the duration of exhibition period.

**Letters to affected owners**

A letter will be sent to all owners of land within Park Central and within 200m of the Site, advising of the exhibition. The letter will invite submissions to be made on the site specific DCP, Planning Proposal and associated studies.

**Part 6 – Project Timeline**

<b>Date</b>	<b>Item</b>
Complete	Gateway Determination
May, 2021	Exhibition Start
June, 2021	Exhibition End
July, 2021	Report to Council on outcome of public exhibition
July, 2021	Request draft instrument be prepared
August, 2021	LEP amendment made

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Prepared for: Campbelltown City Council  
Date: 6th April 2021

Site-Specific Development Control Plan

# Kellicar Road Precinct

**DRAFT**

Project and report	Kellicar Road Precinct DCP
Date	28th January 2021
Client	Dumarchand Pty Ltd
Document no.	K:\160052.00\Docs\C_Client\Development Control Plan
Version and date issued	Issue A (Draft to Council) - 04/09/20 Issue B (Draft to Council) - 16/10/20 Issue C (Draft to Council) - 16/11/20 Issue D (Final Draft to Council) - 28/01/21 Issue E (Final Draft to Council) - 19/03/21 Issue F (Final Draft to Council) - 06/04/21
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# 1 Introduction

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## Introduction



Figure 1. The Site

01 Note: Land indicated is under Gilchrist Drive

### 1.1 Land to which this part applies

This Development Control Plan (DCP) applies to all land within the Kellicar Road Precinct that is bound by Menangle Road to the north, Narellan Road to the east, Kellicar Road to the south and Gilchrist Drive to the west, as illustrated in Figure 1.

### 1.2 Purpose of this part

The purpose of this part is to identify the planning, design and environmental objectives and development controls against which Campbelltown City Council will assess future Development Applications (DAs) within the Kellicar Road Precinct as identified above.

### 1.3 Aims and objectives of this part

This DCP has been prepared to provide a set of guidelines and development controls that will apply to future development of the Kellicar Road Precinct.

This DCP includes objectives and controls for ensuring well designed, quality land use and built form outcomes within the Kellicar Road Precinct and provides guidance for future DAs at the site.

The aims and objectives of this DCP are:

1. To ensure that future development within the Kellicar Road Precinct aligns with the principles and objectives of this part.

2. To promote high quality design and public domain outcomes.
3. To ensure development is economically, socially and environmentally sustainable.
4. To ensure the timely delivery of necessary infrastructure.
5. To create a vibrant, successful and attractive precinct.
6. To maximise opportunities for future residents to access and enjoy the open space within the precinct.
7. To offer opportunities for local employment and business.

### 1.4 Relationship to Campbelltown City (Sustainable City) DCP 2015

This DCP should be read in conjunction with Campbelltown (Sustainable City) DCP 2015.

When a development control is not specified in this part, development should be consistent with all other relevant controls of Volume 1 Campbelltown (Sustainable City) DCP.

If there is any inconsistency between this part and the Campbelltown (Sustainable City) DCP 2015, this part applies to the extent of the inconsistency.

The development controls within Part 1, Volume 1 of the SDCDP shall be relied on in the instance where relevant provisions have not been provided for certain types of development in this DCP.

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## 2 Site context

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Site context

2.1 Strategic planning overview

The Kellicar Road Precinct is located in an area that has been identified for significant change in the coming years. The key strategic directions relevant to the site are:

- Campbelltown-Macarthur is identified as a **Metropolitan City Cluster** in the **Western City District Plan**. The subject site is only a 5-minute walk from the Macarthur Train Station and at the centre of the Regional City Centre.
- The **North-South Rail Link** proposes a **rapid transit rail line** linking Campbelltown-Macarthur with Western Sydney Airport, the Aerotropolis and beyond to St Marys. This presents **opportunities for growth and intensification** within Campbelltown-Macarthur.
- In November 2017, the **Macarthur Precinct Plan** was adopted which forms part of the broader **Glenfield to Macarthur Urban Renewal Corridor Strategy**. This study identifies the potential for **high density, mixed use development** on the site.
- The site will play a significant role in fulfilling the **Re-imagining Campbelltown** vision for Campbelltown-Macarthur to accommodate an anticipated 4,500+ new full time jobs and a dwelling forecast of 17,200 over the next 80 years.

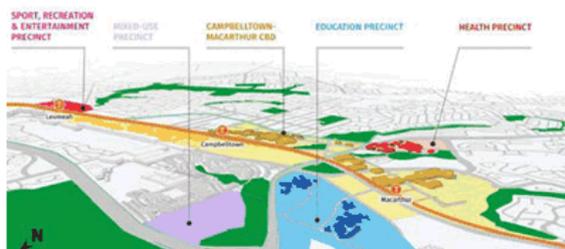


Figure 2. Extract from the Greater Sydney Region Plan. This figure shows the close relationship between the two centres and the importance of the site.

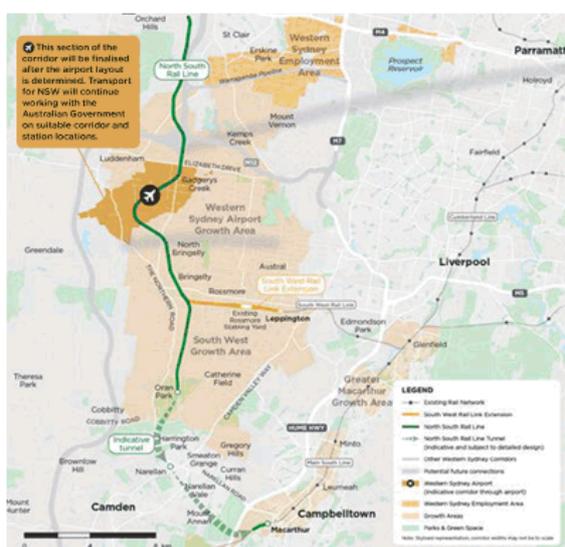


Figure 3. The North-South Rail Link is proposed to connect Macarthur-Campbelltown with Western Sydney Airport and the Aerotropolis. Source: Transport for NSW.



Figure 4. Extract from The Macarthur Precinct Plan. Identifies the site as an appropriate location for Mixed Use Retail/Residential uses, located between the commercial cores at Macarthur and Campbelltown Stations.

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Site context

## 2.2 Re-imagining Cambelltown City Centre

Re-imagining Campbelltown City Centre aims to kick start new employment and investment by attracting and supporting the next generation of jobs, homes and lifestyle, to create Australia's greenest and most sustainable city.

Commencing in 2017, Phase 1 of the project developed a city centre vision following a series of engagement events with community members and stakeholders to establish what the community most value and want to see in the future.

Phase 2 of the project allowed for further community engagement and resulted in a master plan which was released in mid-2020.

The master plan presents a 'Place Framework' and 'Growth Pillars' which capture the community's values and aspirations.

- These include:
- Confident and Self Driven
  - Connected Place
  - Centre of Opportunity
  - No Grey to be Seen
  - City and Bush
  - The Good Life

The document also provides a 'Delivery Framework' of City Making Moves and actions that will unlock the potential of the city centre as the master plan is implemented.

Importantly the Kellicar Road Precinct offers a unique opportunity to deliver early on the vision established in Reimagining Campbelltown. It is identified within the master plan as a City Centre Living and a Health, Knowledge and Innovation Precinct.

Council endorsed the Illustrative Master Plan's consistency with the vision and objectives of Reimagining Campbelltown at its Ordinary Meeting on 9th June 2020.



Figure 5. Extract from Reimagining Campbelltown City Centre Master Plan 2020 showing the Kellicar Road Precinct.

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### 3 Vision and objectives for the precinct

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## Vision and objectives for the precinct



Figure 6. Artists impression of the Civic Plaza space

### 3.1 Vision

The vision for the Kellicar Road Precinct is for a new generation mixed use centre with a strong, high quality public domain that contributes positively to the wider health and education hub at Macarthur.

The objective is to transition the area from a car dominated environment to a more people and pedestrian friendly destination with plazas, laneways, shopping and outdoor dining within a landscaped urban setting.

### 3.2 Objectives for the precinct

The objectives of the precinct are:

- A. To facilitate the provision of additional housing and employment opportunities in a manner that promotes Campbelltown-Macarthur as the key south-west metropolitan centre and strengthens the health and education precinct.
- B. To ensure that the density of land use across the precinct is integrated with nearby transport infrastructure and encourages travel by public transport, walking and cycling.
- C. To achieve a high quality urban form by ensuring that new development exhibits design excellence and responds to the character of the local area.
- D. To ensure that sufficient and quality open space is incorporated with development within the precinct and includes a civic park, a central pedestrian walkway and other public open spaces.
- E. To promote ecologically sustainable development.
- F. To allow for the timely delivery of infrastructure, public domain enhancement and open space to support the orderly development of the precinct.

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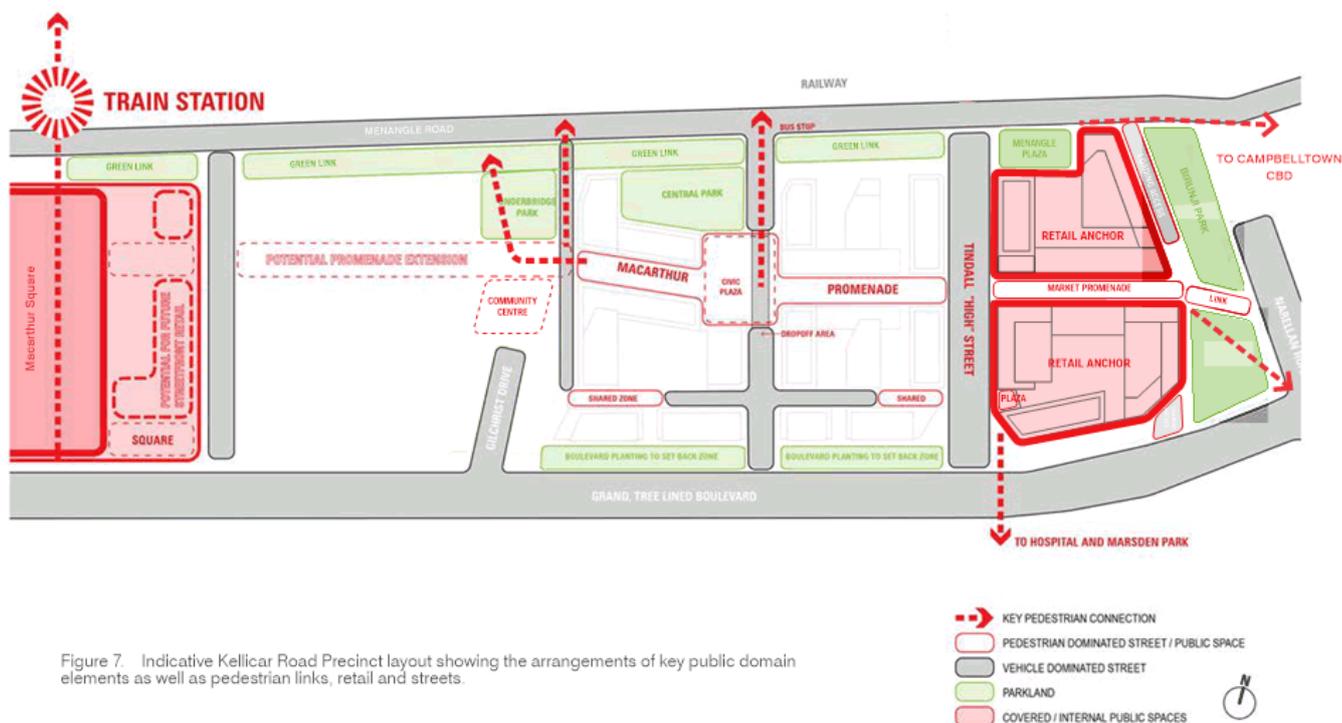


Figure 7. Indicative Kellicar Road Precinct layout showing the arrangements of key public domain elements as well as pedestrian links, retail and streets.

### 3.3 Design principles

The precinct is to be master planned in accordance with the following urban design principles:

1. A mix of land uses including residential and employment (retail and commercial). A high quality public domain with Macarthur Walk as a central pedestrian spine, book-ended by retail anchors.
2. Kellicar Road to define the southern edge of the precinct as a grand boulevard with consistent street wall height and avenue planting.
3. Menangle Road and rail corridor to define the northern edge incorporating a green linear park with pedestrian and cycle link.
4. A generous provision of green parkland spaces to cater for different recreational needs, tree canopy and stormwater.
5. Tindall Street and Bugden Place with parking and street planting to provide for convenience shopping.
6. Towers setback from street edges, consistent with the street hierarchy.
7. Towers spaced apart and aligned north-south to maintain sunlight and views of the sky between.
8. A laneway strategy to provide service access.
9. Minimise car parking in line with increased public transport utilisation and active travel.

## Vision and objectives for the precinct



Figure 8. Illustrative Master Plan

### 3.4 Illustrative Master Plan

A primary premise of the Kellicar Road Precinct’s development is that it is best undertaken via a master-planned approach. This allows for the component sites to be considered as a single precinct, for local streets to be treated on a hierarchical basis and for a substantial investment in the site’s public domain.

The Illustrative Master Plan at Figure 8 has been prepared to guide development outcomes for the precinct. It is the basis of this site-specific DCP and is illustrative of the built form and public domain outcomes that the DCP’s objectives, principles and controls seek to achieve.

Importantly, the Illustrative Master Plan is indicative of how a varied height format can be achieved across the site.

The master plan is intended to be interpreted and applied, however, with a degree of flexibility. As individual residential buildings are subject to a finer layer of assessment under SEPP 65, for instance, their building shapes and/or their position on the site may change. Any adjustments to residential towers will necessarily be subject to compliance

with the building performance and siting requirements of the Apartment Design Guide (ADG),

Should a substantial departure from the master plan be proposed, an alternate master plan which treats the site as a whole is required to be submitted for Council’s endorsement and separate approval.

As the site is large and is likely to be developed in stages, it may also be required to re-visit the masterplan to ensure that it remains valid and receptive to surrounding development. Council may require the illustrative masterplan to be updated as staged development occurs.

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## Vision and objectives for the precinct



Figure 9. Illustrative Master Plan indicative built form modelling

### Objectives

- A. To provide a framework for the future high quality renewal of the site that supports a range of mixed land uses including residential, commercial, retail, public open space and community uses.
- B. To ensure future development prioritises open space and a high quality public domain.

### Controls

1. Development of the site should generally be consistent with the Illustrative Master Plan as shown in Figure 8.
2. Where variation from the Illustrative Master Plan is proposed, the applicant is to demonstrate that the variation is consistent with the objectives and principles set out in Part 3 of this Part of this DCP.
3. Any such variation shall not result in the reduction of the overall size of the open space, public plaza and other elements of the public domain to be provided across the precinct, nor should such change have a greater (more adverse) impact on adjoining sites.
4. Any variation to the master plan shall be fully justified and supported by a statement illustrating that the variation will achieve a similar or a better outcome when measured against the objectives and the principles contained in this Part of the DCP.
5. Future Development Applications shall demonstrate consistency with the provisions of the State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development (SEPP 65) and the accompanying Apartment Design Guide (ADG).

# 4 Local infrastructure and street network

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### Local infrastructure and street network

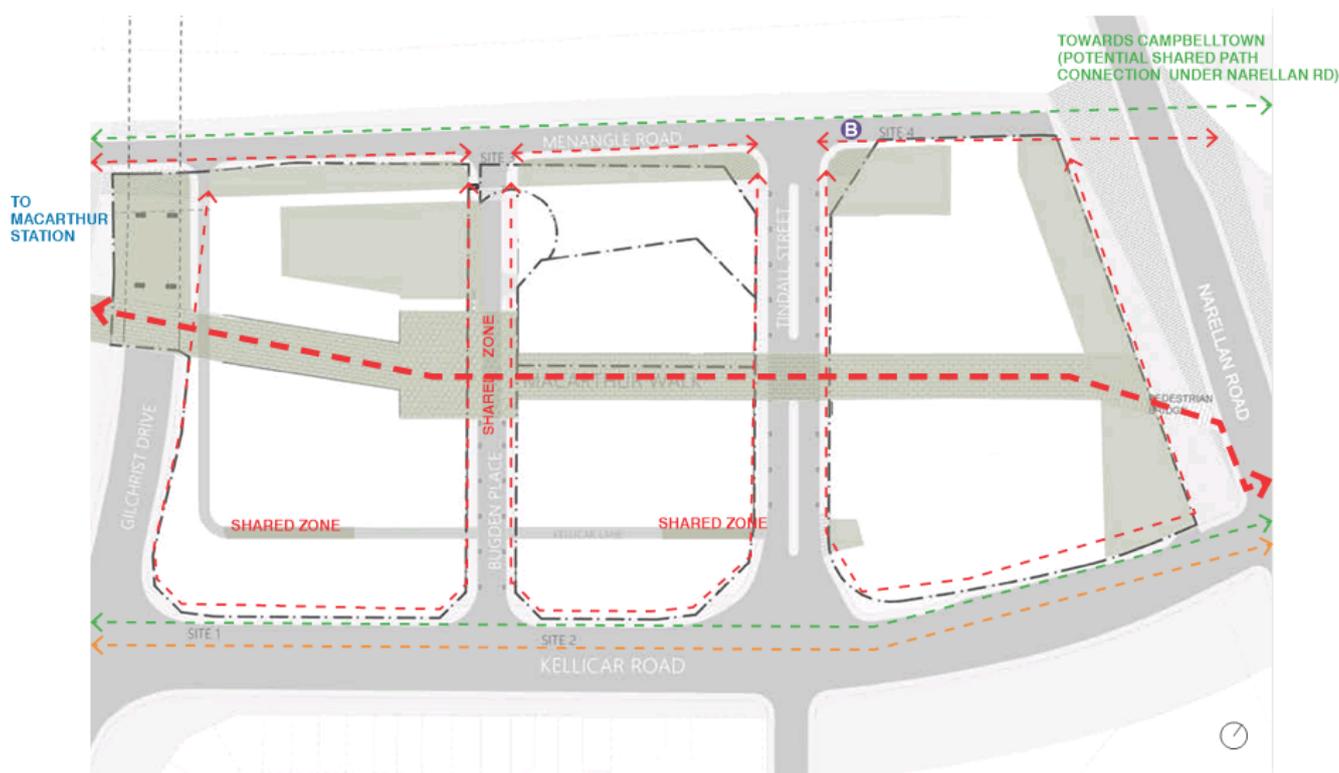


Figure 10. Public Transport, Walking and Cycling

- ← Key pedestrian connection
- ← Proposed active transport corridor
- ← RMS recommended cycle route
- ▒ Pedestrian dominated street/public space
- ← Internal pedestrian connection
- ⓑ Bus stop

## 4.1 Public transport, walking and cycling

### Objectives

- A. To establish east-west and north-south connections to create a clear, legible and permeable network of streets that connect the Kelliecar Road Precinct to:
  - Macarthur Station to the west; and
  - Campbelltown Station to the east; and
  - The University to the north; and
  - Marsden Park and the Hospital to the south.
- B. To enhance connectivity to public transport, open space and nearby amenities.
- C. To create a network of walking and cycling connections throughout the site that also connect with surrounding networks and destinations including Macarthur Station, Campbelltown Station and Marsden Park.
- D. To promote a walkable and active pedestrian environment for all users.
- E. To minimise vehicular and pedestrian conflict.
- F. To encourage a modal shift from vehicular usage to more public and active modes of transport.

### Controls

1. In general, the design of new streets, and shared zones should be delivered in accordance with Figure 10.
2. If a direct pedestrian connection to Macarthur station is not established on the adjacent site (Lot 500, DP817216) then a pedestrian link to the station is to be provided utilising land under or adjacent to Gilchrist Drive and within the footpath/verge on Menangle Road.

Note: Ongoing consultation with TfNSW and Council regarding a future active transport corridor along Menangle Road will inform future controls.

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Local infrastructure and street network

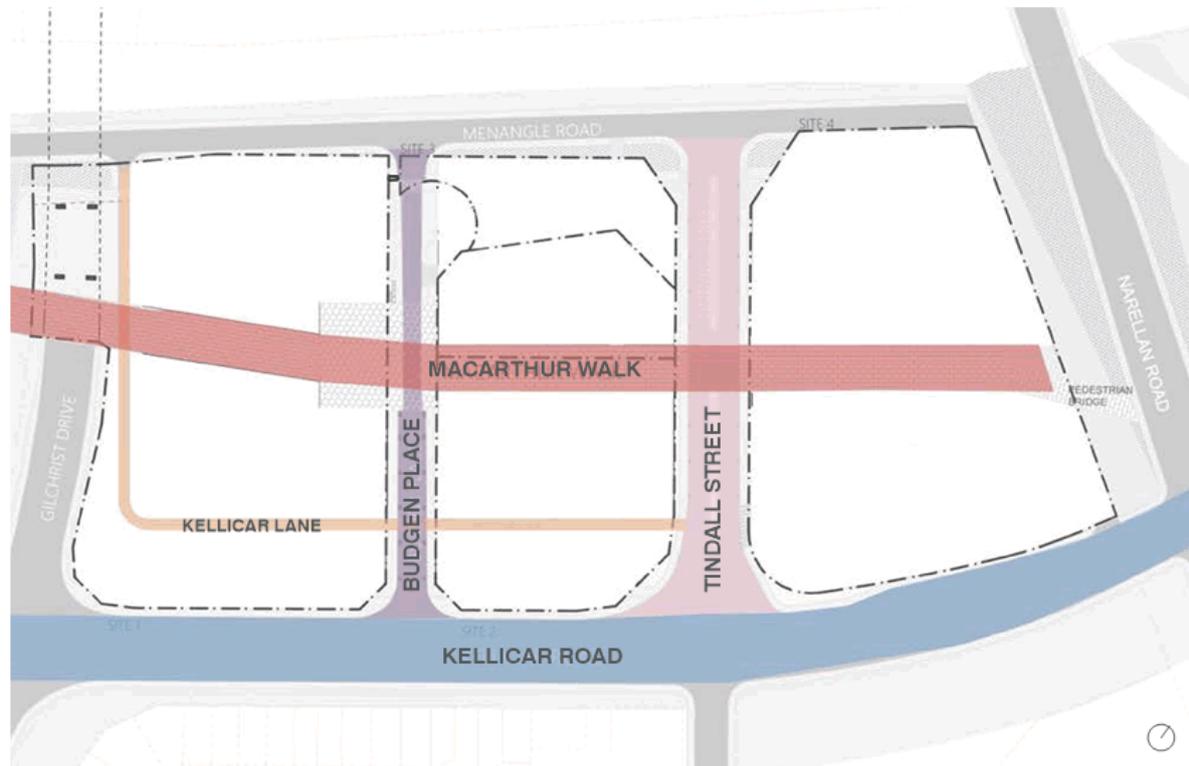


Figure 11. Street hierarchy

- Kellicar Road: Significant vehicular thoroughfare with tree lined boulevard
- Tindall Street; The main street
- Macarthur Walk: Key pedestrian, retailed lined boulevard
- Budgen Place: A local street
- Kellicar Lane: A laneway with pedestrian footpaths

## 4.2 Street hierarchy

This DCP and its Illustrative Master Plan present the Kellicar Road site as an activated and urbanised precinct.

### Objectives

- A. To establish a clear and defined street hierarchy for pedestrian and traffic movement.
- B. To provide a street network with a high level of amenity, safety and permeability for all users.
- C. Ensure that the street network facilitates the efficient provision of waste and other services for the commercial and residential uses within the precinct.
- D. To introduce Macarthur Walk as a new east-west pedestrian promenade.
- E. To prioritise pedestrian amenity throughout the precinct.
- F. To ensure the design of the local road network can service local traffic demand.

### Controls

1. The new street network, including streets, laneways, and through site links, should generally be provided in accordance with the street hierarchy in Figure 11.
2. New streets are to be designed in accordance with the relevant street section diagrams in Section 4.3.
3. Introduce a new east-west pedestrian connection (Macarthur Walk) to create a clear direct line of sight through the Precinct.
4. Utilise Budgen Place and Tindall Street as activated local streets.

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## Local infrastructure and street network

### 4.3 Street sections

#### Macarthur Walk (pedestrian only)

- Establish a tree lined east-west 20m wide pedestrian promenade which allows for vehicles to cross at Tindall Street and Bugden Place, subject to traffic calming treatment.
- Provide a minimum clear width of 6m to allow for some servicing and emergency access if required but with an intent to maintain a car-free environment.
- Provide for and maintain safe pedestrian crossings of Tindall Street and Bugden Place through appropriate road and footway treatments.

#### Bugden Place

- Establish Bugden Place as a local street to increase permeability and access through the development and increase passive surveillance.
- Provide on-street car parking where possible to help street activation.
- Provide a planted verge adjacent to street parking for tree planting.
- Provide footpaths with a minimum dimension of 3.5m on both sides of the street.

#### Kellicar Road

- Create a green and landscaped boulevard that provides a sense of arrival to the Kellicar Precinct.
- Provide a generous building setback (a minimum of 8m) along Kellicar Road.
- Provide for tree planting, where possible, within the road median and its verges.

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### Local infrastructure and street network

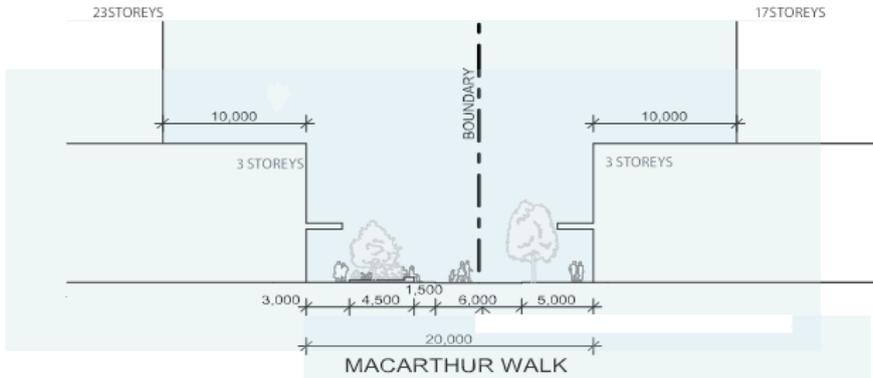


Figure 12. Typical Macarthur Walk Street Section

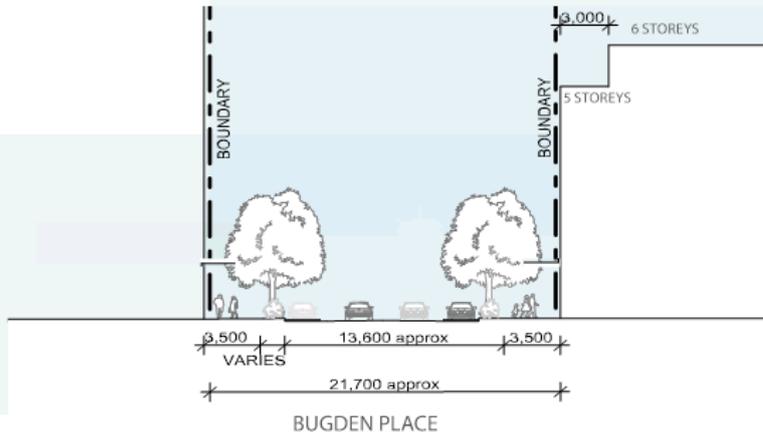


Figure 13. Typical Bugden Place Street Section

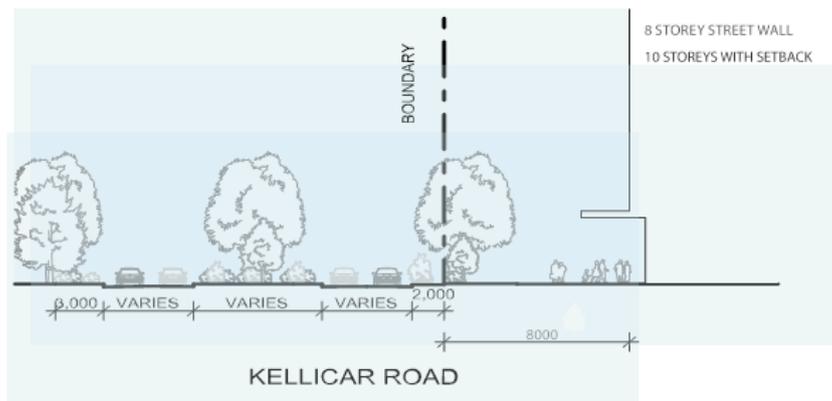


Figure 14. Typical Kelliecar Road Street Section

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## Local infrastructure and street network

### Tindall Street

- Establish Tindall Street as a local street with a 'main street' character.
- Provide on-street car parking where possible to help street activation.
- Provide a planted verge adjacent to street parking for tree planting and a planted median strip.
- Provide a sufficient road width to allow for local buses.

### Kellicar Lane

- Create a new laneway with pedestrian footpaths with a minimum width of 3.5m.
- Provide access to vehicular basement and service entrances.
- Parts of the laneway can be a shared car and pedestrian environment, with traffic calming provisions.
- Provide access for service vehicles in the laneways. Access may be restricted during the day to facilitate shared spaces.

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### Local infrastructure and street network

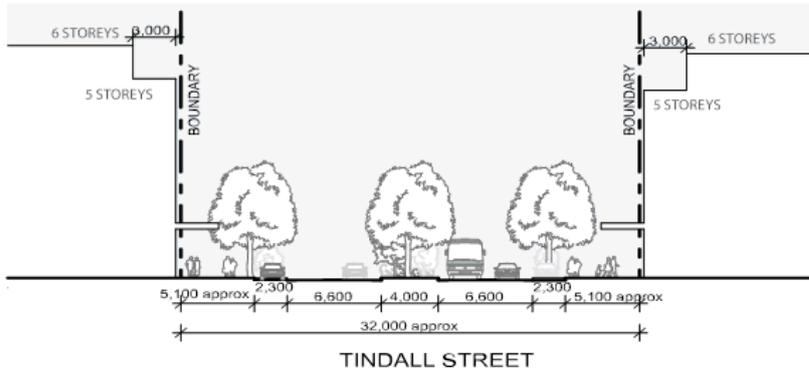


Figure 15. Typical Tindall Street Section

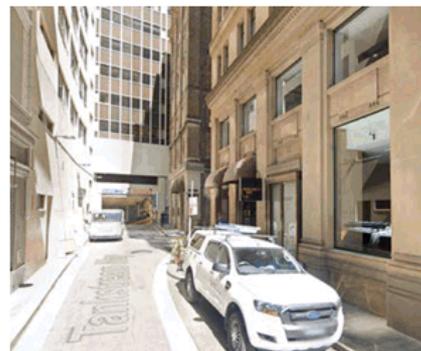
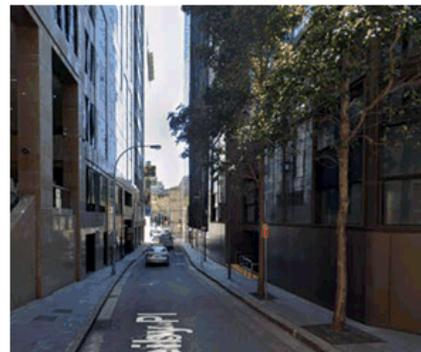
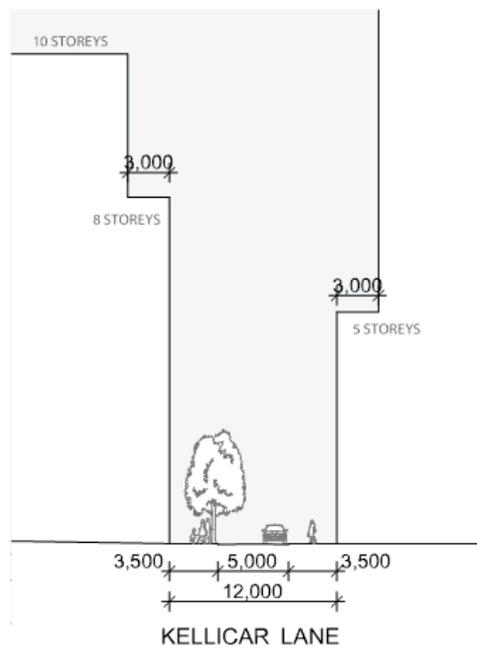


Figure 16. Typical Kellicar Lane Street Section and examples of character showing loading areas, planting and some active frontages - Tanksteam Way and Reiby Place, Sydney

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# 5 Public domain

Public domain

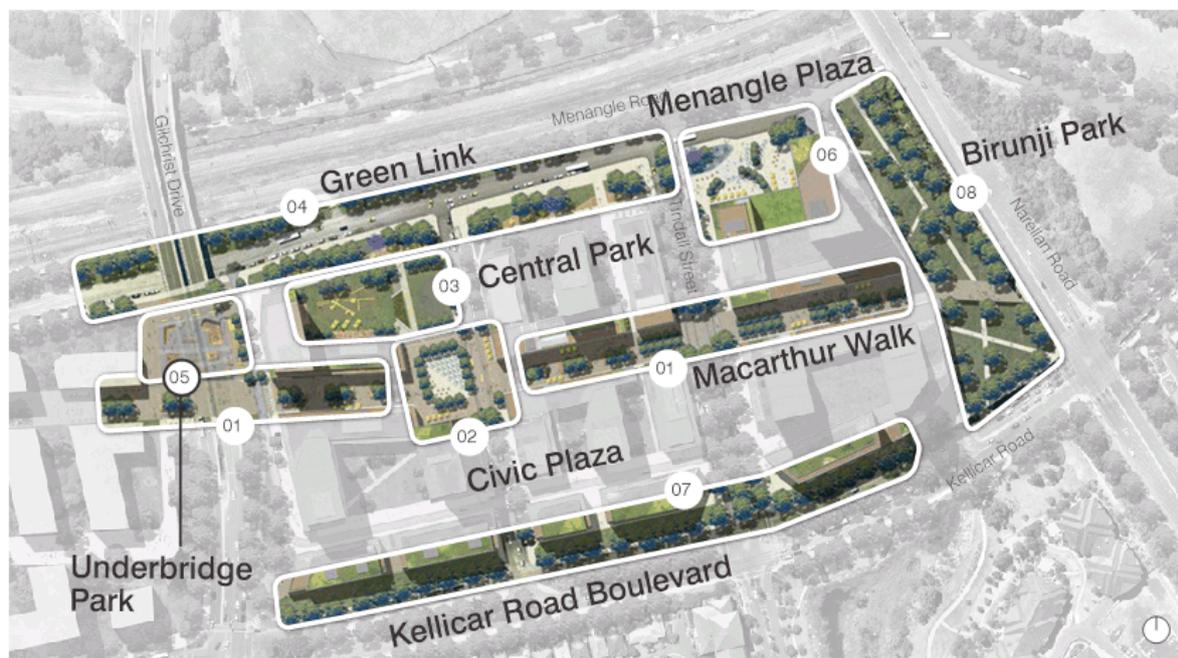


Figure 17. Indicative key public domain spaces

### 5.1 Public domain and open space

**Objectives**

- A. To provide a hierarchy of high quality and accessible open spaces.
- B. To ensure the design of open space provides for variety of uses, appropriate to its location.
- C. To provide open space that meets the needs of the local community.

**Controls**

- 1. Deliver new open space that is generally in accordance with the public domain and open space strategy in Figure 17.
- 2. Incorporate principles contained within Councils 'Our Voice Our Place Aboriginal Interpretation Strategy'
- 3. Provision of the public domain by the developer is to include:
  - A new 20m wide east-west pedestrian spine (Macarthur Walk) that provides a direct line of sight through the precinct and enhances connectivity (refer to concept plan at Figure 18).
  - A new Civic Plaza, with a minimum area of 1,000m<sup>2</sup> (excluding Bugden Place) and a minimum dimension of 30 metres. The plaza should function as a vibrant square, with a focus on food and beverage with outdoor dining (refer to concept plan at Figure 20).

- A new large Central Park that has a minimum area of 3,000m<sup>2</sup>. The new central park must be visible from the street and be predominately landscaped (refer to concept plan at Figure 21).
- A Green Link along Menangle Road with a minimum width of 20m (from kerb to development) that can accommodate an attractive and strategic pedestrian and cycle link between the two centres of Campbelltown and Macarthur (refer to concept plan at Figure 22).
- A new Under-Bridge Park, located under the Gilchrist Drive road bridge, with opportunity for youth activities such as an urban skate park (refer to indicative concept plan at Figure 23).
- A new retail plaza (Menangle Plaza) that will link Tindall Street, Menangle Road and the Green Link featuring high quality landscaping and outdoor seating, activated by retail uses overlooking the plaza (refer to concept plan at Figure 24).
- A generous landscaped building setback and tree-lined boulevard to the Kellicar Road (refer to concept plan Figure 25).
- A significant linear green space buffering the development from Narellan Road and which is also a key part of the local stormwater strategy (refer to concept plan Figure 26).

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Public domain



Figure 18. Indicative concept plan for Macarthur Walk

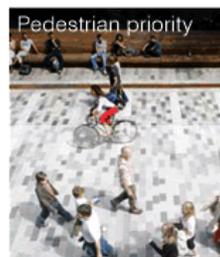
--- Property boundary



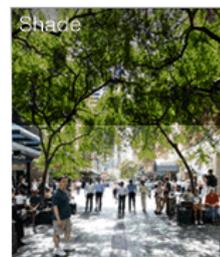
High quality paving and street furniture



Cafe spill-out seating



Pedestrian priority



Shade



Places to meet

### 5.2 Macarthur Walk

A wide (20m) east-west pedestrian spine with a signature avenue of feature trees. Macarthur Walk will provide a comfortable and convenient public link through the site away from busy surrounding roads to Macarthur Station and Macarthur Square.

Adjacent ground floor uses will address the linear space to create activity and natural surveillance combined with high quality paving, lighting, planting and street furniture. Cross streets at Tindall Street and Bugden Place provide additional casual surveillance and improve activation.

- 01 Shared zone/crossing at Bugden Place
- 02 Raised planters with feature seat walls, lawn, planting and feature avenue trees
- 03 Outdoor dining/cafe spill-out
- 04 Feature grid of shade trees and informal seating/chairs
- 05 Pedestrian priority crossing/shared zone at Tindall Street
- 06 Access to retail/covered mall
- 07 Steps/level change



Figure 19. Indicative elevation along Macarthur Walk

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Public domain

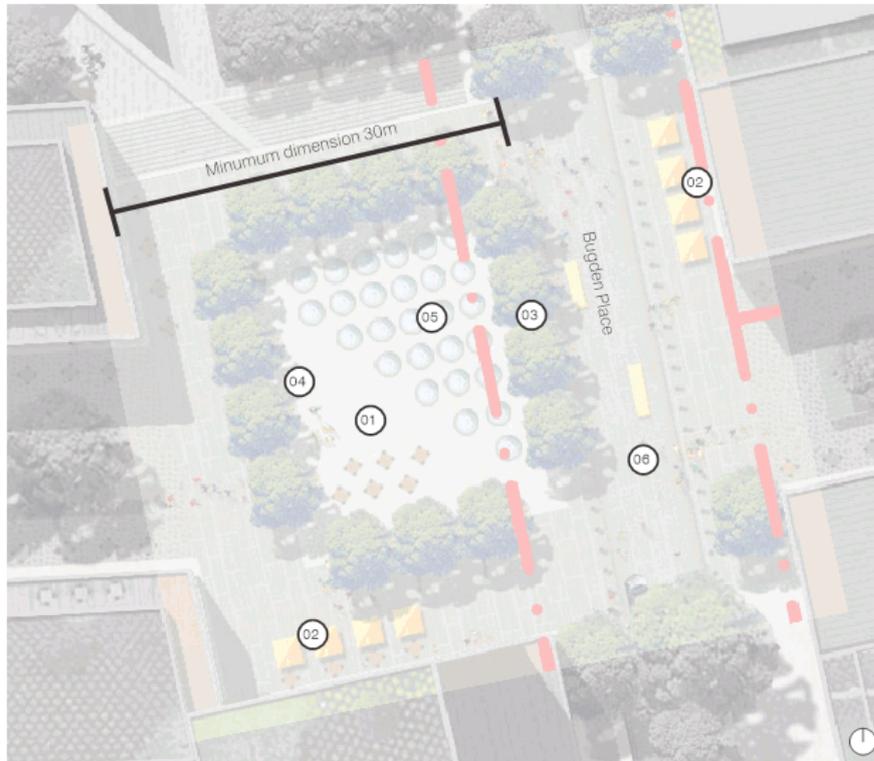


Figure 20. Indicative concept plan for Civic Plaza

--- Property boundary



### 5.3 Civic Plaza

A formal public square at the centre of the precinct is located strategically along Macarthur Walk and linking with the Central Park to the north.

Active edges flank a central flexible space defined with avenue shade trees. This space may accommodate a range of community uses from small markets, community gatherings and displays or simply function as a high quality public plaza and meeting place.

Recessed water fountains will provide a playful and cooling feature that may be turned off during events.

- 01 Central flexible space (approx 1000m<sup>2</sup>)
- 02 Outdoor dining/cafe spill-out
- 03 Avenue shade trees in paving
- 04 Informal seating under shade trees
- 05 Recessed water fountains
- 06 Pedestrian priority crossing/shared zone

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Public domain



Figure 21. Indicative concept plan for Central Park

--- Property boundary

### 5.4 Central Park

A large 3,000m<sup>2</sup> community park that offers a range active and passive uses for exercise, play and relaxation. Its north facing aspect allows for good sunlight whilst also offering scenic views out to the north-west.

A feature adventure play area will provide an exciting focal point for families. Ground floor retail and cafés will allow for convenient passive surveillance.

A flat kickabout lawn will occupy the lower area of the site which allows for stepped and terraced viewing areas for spectators.

- 01 Adventure play area with bespoke equipment
- 02 Family BBQ areas
- 03 Cafe seating/terraces
- 04 Lawn terraces kickabout space
- 05 Stairs
- 06 Lawn kickabout space



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Public domain



Figure 22. Indicative concept plan for Green Link

### 5.5 Green Link

A wide landscape setback to Menangle Road (20m from kerb) will provide for an attractive and strategic pedestrian and cycle link between Campbelltown and Macarthur stations alongside the rail corridor.

A shared path will use an improved Narellan Road underpass for pedestrian, cycling and local traffic.

The Green Link will incorporate native vegetation and landform to define a series of smaller more intimate spaces for exercise, rest and social interaction with intermittent scenic views to the north.

- 01 Improved underpass connection
- 02 Pedestrian/cycle priority crossing
- 03 Informal seating
- 04 Native landscaped and sculptural landforms
- 05 Intimate spaces for exercise, rest and socialising
- 06 Underpass below Gilchrist Drive



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Public domain

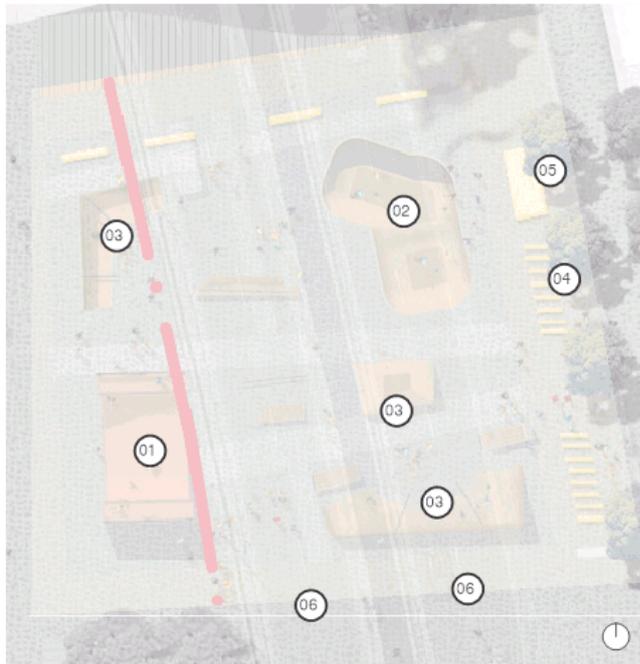
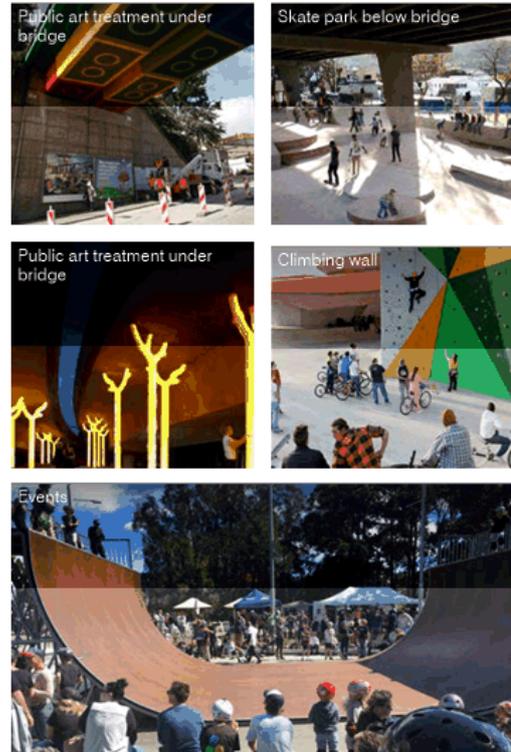


Figure 23 Indicative concept plan for Underbridge Park - - - Property boundary



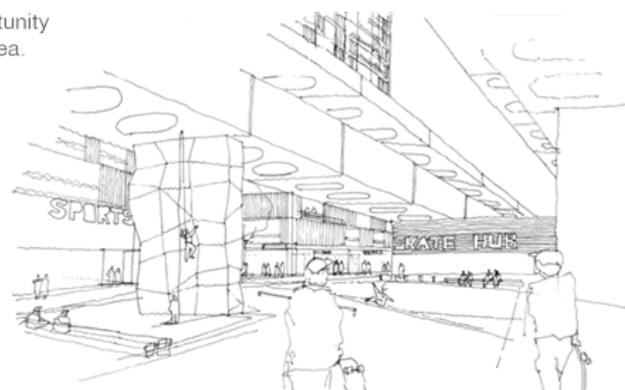
### 5.6 Underbridge Park

The site boundary includes a significant space located beneath the Gilchrist Drive road bridge. The space has generous clearances to the underside of the road and offers a great opportunity for youth activities such as an urban skate park.

The skate park will be partially covered by the road ensuring good weather protection from excessively hot or rainy days. Surrounding streets and development will offer good passive surveillance.

The underside of the road bridge offers a great opportunity for public art as part of a community project for the area.

- 01 Half pipe
- 02 Skate bowl
- 03 Various ramps and rails
- 04 Cycle storage
- 05 Toilet facilities
- 06 Road bridge above



Artists impression of Underbridge Park

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Public domain



Figure 24. Indicative concept plan for Menangle Plaza

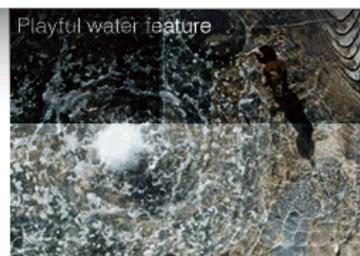
### 5.7 Menangle Plaza

This north facing plaza will link Tindall Street, Menangle Road and the Green Link with the covered retail mall.

A signature water feature and fountains will combine with high quality paving, street furniture, public art and avenue trees to create an attractive place for alfresco dining.

Paving, lighting and public art will carry through into the retail mall to help emphasise and encourage pedestrian movement between the spaces.

- 01 Water feature
- 02 Informal seating
- 03 Avenue tree planting in paving
- 04 Recessed water fountains in paving
- 05 Cafe/restaurant outdoor dining
- 06 Internal retail mall



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Public domain



Figure 25. Indicative concept plan for Kellicar Road Boulevard

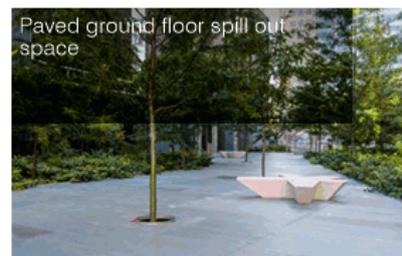
### 5.8 Kellicar Road Boulevard

Kellicar Road is a significant vehicular thoroughfare, and the function of this road is unlikely to change over time as the population increases. It is noisy and not as inviting for pedestrians, or dining and retail as other streets.

It is, however, how many people arrive at Macarthur. The road has potential as a grand landscaped boulevard with judicious street plantings matched by a generous building setback with potential ground floor retail/showrooms and selective landscaping.

A boulevard of feature trees will help to soften the impact of traffic volumes and provide an attractive gateway to Macarthur.

- 01 Generous landscape verge with feature avenue shade trees (species to be determined in consultation with Council)
- 02 Generous pedestrian and cycle path to be accommodated connecting along the length of the Kellicar Road frontage.
- 03 Safe and convenient pedestrian crossings/desire lines at Bugden Place and Tindall Street.
- 04 High quality paved surfaces adjoining ground floor commercial/retail/showroom spaces along the Kellicar Road frontage.



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Public domain



Figure 26. Indicative concept plan for Birunji Park

### 5.9 Birunji Park

This linear park will provide a passive green open space that buffers the development from Narellan Road. It will contain pedestrian and cycle paths with informal seating and shade trees.

It will create a continuation of the the public space and pedestrian links alongside Birunji Creek to the south connecting to Menangle Road and will function as part of the local stormwater network during extreme flood events.

- 01 Pedestrian link
- 02 Significant tree planting
- 03 Passive open spaces
- 04 Pedestrian pathways



Credit: McGregor Coxall

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# 6 Land use within the precinct

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### Land use within the precinct



Figure 27. Preferred land use strategy

- Retail ground floor with commercial above
- Retail ground floor with residential above
- Residential ground floor with residential above where building does not address Bugden Place, Tindell Street or Macarthur walk
- Active ground floor frontage
- Ground Floor Retail Podium

## 6.1 Land use

The proposed floorspace across the precinct is no greater than could be achieved under current planning controls. The Kelliecar Road Precinct Planning Proposal, however, allows for an increase in building height, which in turn warrants an enhanced public domain that is befitting of the future urban precinct.

### Objectives

- A. To create a high quality mixed use precinct with a range of land uses including residential, retail, commercial and community uses.
- B. To establish an appropriate land use and dwelling mix for the site.
- C. To encourage employment uses with a range of floor plate sizes, that allow for a premium commercial offering.
- D. To ensure an active street frontage is provided along primary streets.
- E. To ensure sufficient provision of public open space and community uses to meet the future needs of the population.

### Controls

1. The preferred land use strategy is provided in Figure 27. The suggested land use mix across the site is to achieve a minimum of 25% non-residential uses.
2. Ground floor frontages to Macarthur Walk, Tindall Street, Bugden Place are to be activated with retail or other suitable uses.
3. Commercial development including short term accommodation is encouraged along Kelliecar Road.
4. Community uses are to be accommodated in the ground and lower floors of mixed use buildings and co-located with public open space.
5. Any variation to the land use strategy must demonstrate that development will provide:
  - A diverse, balanced mix of uses that support Campbelltown-Macarthur as a regional centre.
  - An activated ground plane with non-residential uses on key streets and adjacent to open space.
  - Additional jobs and housing to support the growth of Campbelltown-Macarthur.

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Land use within the precinct



Figure 28. Example of an activated ground plane



Figure 29. Example of an active retail ground plane with residential above



Figure 30. Example of an active retail ground plane with residential above



Figure 31. Example of community uses located in the podium level and designed to activate the public domain



Figure 32. Example of community uses integrated with mixed use buildings

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# 7 Built form

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## Built form

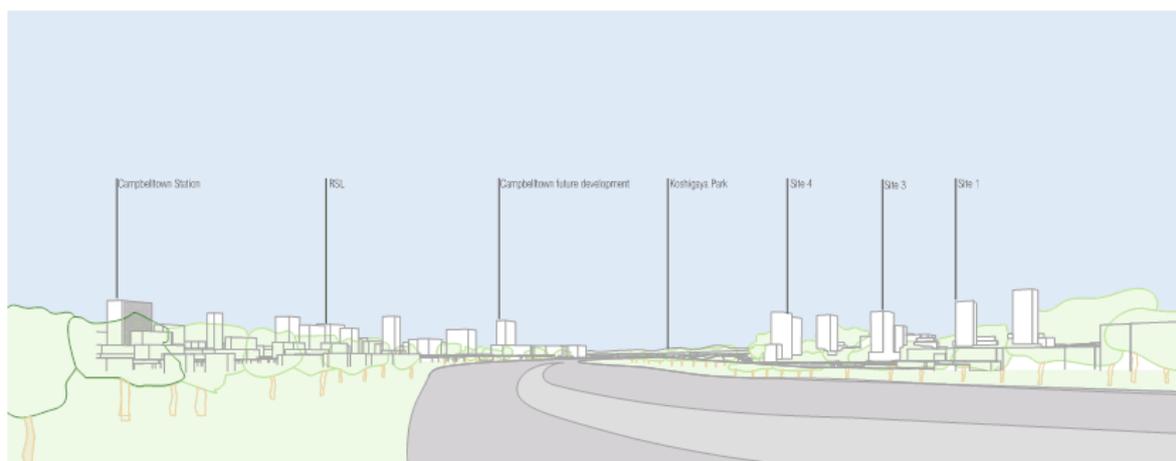


Figure 33. Indicative illustration of the future built form and skyline of the twin centres.

## 7.1 Overview

This DCP has an overall approach to built form and height that has been summarised in this section and applied to the objectives and controls of this DCP. The following key principles are to apply:

- A. The Re-imagining Campbelltown Strategy states “Building height across the city is not considered a fixed and definitive datum, rather, variations in height enhance the city’s legibility, visual interest and to ensure solar access to public spaces. Building heights should be varied. Where two taller buildings are provided on one site, their height above ground level should have a minimum 15% variation.”
- B. The diagram above presents an indicative illustration of the future built form and skyline of the Campbelltown-Macarthur twin centres. This has considered the vision for Campbelltown-Macarthur as provided by the Re-imagining Campbelltown City Centre Master Plan.
- C. As outlined in this DCP the building heights have been designed to create a low scale Macarthur Walk, sunlit public open spaces, and to create human scaled streetscapes.
- D. Tower forms range between 17 and 25 storeys (32% variation), with a slender form oriented to allow for sun access and views between buildings. There are three different street-wall height conditions (between 3-8 storeys) to create variety, visual interest and enhance the character of the different public spaces. These include:
  1. 8-storey city scale edge for Kellicar Road to strongly define the CBD,
  2. 5-storey European scale for Tindall Street and Bugden Place to create density at a human scale,
  3. 3-storey traditional ‘High Street’ scale to create an intimate pedestrian environment for Macarthur Walk.
- E. The proposed building heights seek to maintain the character of local streets while delivering housing and employment in a well serviced location, making the most efficient use of the strategically positioned site. The proposed varied height approach enables an enhanced urban form outcome with high amenity, solar access and permeability.

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Built form

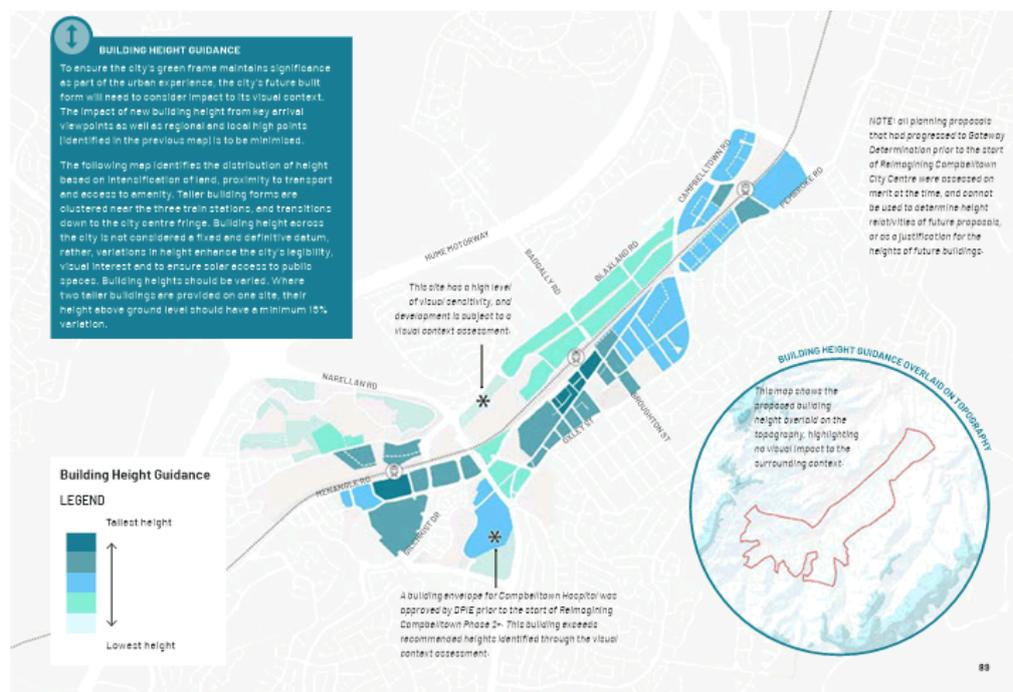


Figure 34. Re-imagining Campbelltown Strategy - Commitment 5.3 p89

- F. The master plan envisages a new skyline for the Campbelltown-Macarthur centre, promoting the centre visually as an economic and social cluster. This is balanced with the need to ensure slender, well spaced towers; maintain landscaped setbacks and a green podium; and provide for a diversity of building heights.
- G. A combination of controls for variable heights, maximum tower footplates, podiums and setbacks to encourage a high quality built form and public domain outcome.

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Built form

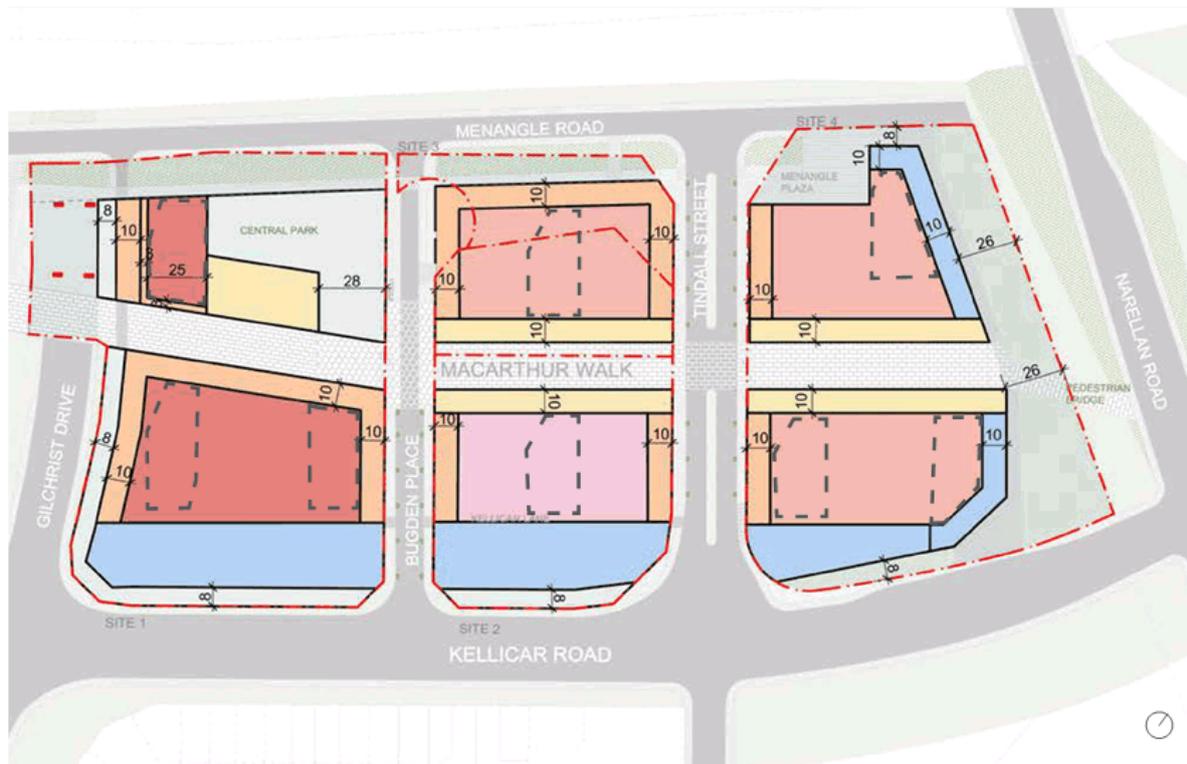


Figure 35 Building height with indicative tower locations

0 storeys	5 storey street wall with 3m setback to 6 storeys max	17 storeys	25 storeys
1 storey	8 storey street wall with 3m setback to 10 storeys max	24 storeys	
3 storeys	Indicative tower position		

7.2 Building height

Objectives

- A. To provide a range of building heights and forms which respond to the hierarchy of streets, open space and public domain.
- B. To ensure buildings provide an appropriate scale to the street and enhance pedestrian amenity.
- C. To create a consistent street wall height and built form edge that frames the public domain.
- D. To ensure that tower heights enhance residential amenity with regard to solar access, natural ventilation and privacy.

Controls

- 1. Building height including street wall and tower heights should generally be in accordance with the building height diagram shown in Figure 35.
- 2. The minimum ground floor height for retail development is 4.5m (floor to floor).
- 3. The minimum floor to floor height for ground floor residential is 4.1m and above ground residential is 3.1m (minimum floor to ceiling height is 2.7m)
- 4. Variation to the preferred tower locations as detailed in the Illustrative Master Plan must meet the objectives of Section 7.1 and be supported by an urban design analysis.

Definitions

**Street wall height:** Refers to the height of a building as it addresses its street frontage measured from ground level up to the top of the podium, where there is a podium, or to the top of the building.

**Tower:** Refers to a building that is above 10-storeys in height, including its podium levels.

**Note:** Storeys noted are above natural ground level.

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Built form

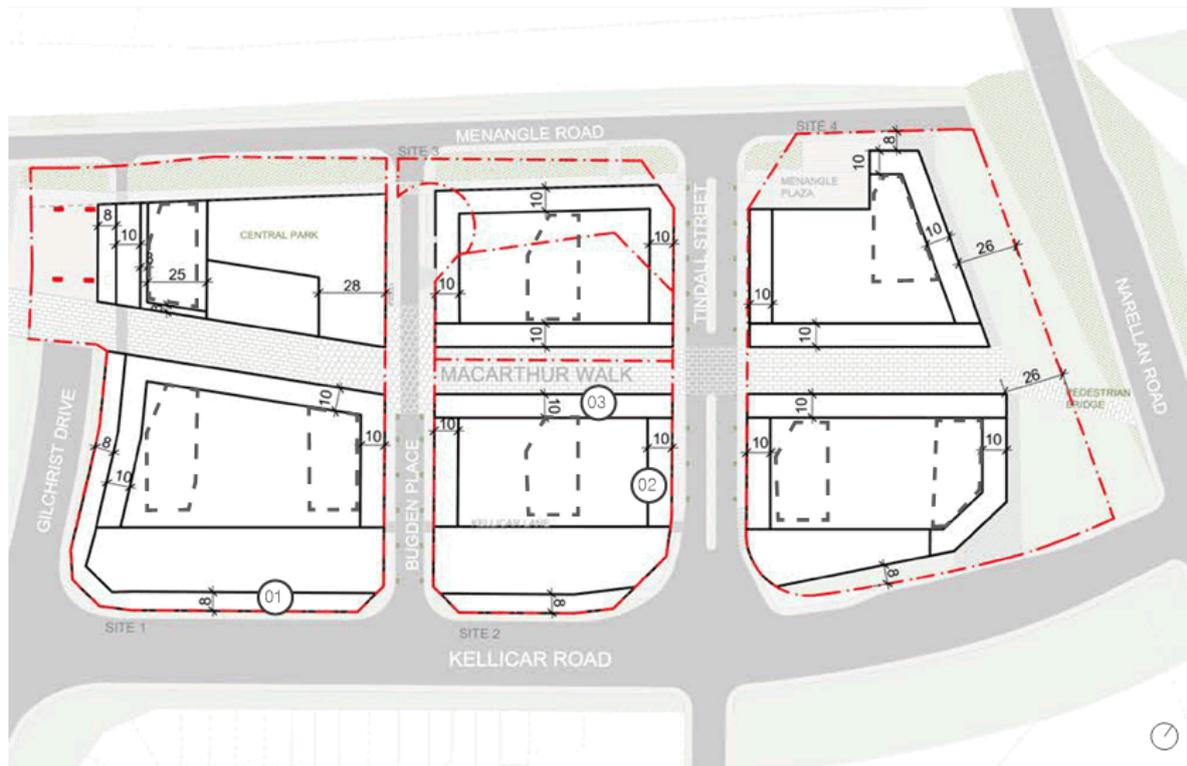


Figure 36. Indicative setbacks plan

□ indicative tower position

- 01 8m typical setback to boundary on Kelliecar Road, Narellan Road and Gilchrist Drive
- 02 10m typical setback to towers from street boundary
- 03 3m typical setback for levels above the street wall (excluding towers)
- 04 26m typical setback to Narellan Road boundary

### 7.3 Setbacks

**Objectives**

- A. To provide a significant setback to development along Kelliecar Road.
- B. To ensure that towers are appropriately setback above podium levels to achieve transition to the streetscape and to allow solar access.
- C. To create an active and defined pedestrian spine along Macarthur Walk.
- D. To minimise unnecessary bulk and scale.
- E. To minimise the impacts of development on adjoining properties with regard to views, privacy and overshadowing.
- F. To provide an adequate setback to Narellan Road that can accommodate residual flows in extreme flood events.

**Controls**

- 1. Setbacks should generally be in accordance with the setbacks plan in Figure 36 and street section diagrams in Section 4.3.
- 2. Provide a generous building setback of 8 metres along Kelliecar Road.
- 3. Establish a consistent street wall along Macarthur Walk, and all streets.
- 4. Towers are typically to be set back 10m from street boundaries and a minimum setback of 3m is to be provided above street wall height.
- 5. Ground level setbacks are to be landscaped and planted with appropriate species suited to the site conditions.

Built form

## 7.4 Building layout, form and design

### Objectives

- A. To provide a range of building heights, types and architectural styles to create architectural diversity and visual interest.
- B. To ensure appropriate building lengths, building articulation and individual ground floor entries to reduce the scale of the buildings as perceived from the public domain.
- C. To ensure buildings provide the highest level of residential amenity.
- D. To ensure the design of buildings contribute to activity and provide passive surveillance to streets and open spaces.
- E. To ensure towers are slender and well separated so as not to compromise solar access.
- F. To encourage buildings that enhance significant views to, from and within the precinct.
- G. To avoid elongated or unnecessarily large building footprints that dominate the streetscape.

### Controls

- 1. Building layouts and location are to generally reflect those shown in the Illustrative Master Plan.
- 2. Development is to be designed to address all key street frontages and open spaces (refer to figure 26).
- 3. Development is to provide an active ground plane where possible. This should include either retail or commercial spaces, as well as clearly defined building entrances to residential apartments.
- 4. Non-residential uses at the ground floor are to provide clear glazing to primary streets and open space.
- 5. Blank façades at ground floor are generally not permitted along primary street frontages and adjacent to public open space.
- 6. Continuous awnings must be provided along all primary street frontages (Kellicar Road, Macarthur Walk, Tindall Street and Bugden Place).
- 7. Towers are to be slender to reduce visual impacts, with a maximum residential floor plate of 750m<sup>2</sup> GFA and a maximum building length for towers of 45m.
- 8. Towers are to be generally north-south oriented to maximise solar access and minimise overshadowing;

- 9. Towers are to achieve a minimum separation distance to adjacent towers of 24m to allow for views between buildings and a sense of openness.
- 10. Buildings are to be articulated in length with regular vertical breaks, limiting the overall mass and sense of scale from the public domain.
- 11. Floor plates are to be designed to ensure the building length is acceptable, and the internal amenity of residential apartments can be generally consistent with SEPP 65 and the Apartment Design Guide.
- 12. Larger floor plates may occur in the podium base where there are two street frontages.
- 13. Residential façades are to be architecturally distinguished from commercial façades utilising balconies, planters and materials that clearly differentiate them from commercial glazed façades.
- 14. In designing a floor plate, relevant ADG considerations to be considered include facade articulation, solar access, cross ventilation, number of apartments per floor and number of apartments per core.
- 15. Building façades are to be articulated by variations in materials, finishes and colours, use of blade or fin walls, sun shading devices or by varying façade elements.
- 16. Building services such as mechanical ventilation, roof plant and lift overrun should be integrated with the façade and building design and screened from the public domain.



Figure 37. Example of high quality architectural design



Figure 38. Example of continuous awnings and activated ground floor retail uses.

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Built form



Figure 39. Indicative residential and commercial entries

- ▶ Residential entry
- ▶◻ Residential entry on podium above
- ▶ Commercial entry

### 7.5 Residential and commercial entries (pedestrian)

**Objectives**

- A. To achieve a fine-grain street character supported by multiple residential, retail and commercial entries.
- B. To prioritise pedestrian access throughout the precinct.
- C. To ensure new development brings life to the street with individual entries clearly identifiable along the ground plane, and to provide passive surveillance and opportunities for social interaction.
- D. To provide residential entries along streets, squares and Macarthur Walk to help activate the public domain.
- E. To ensure a high level of security and natural surveillance for people who reside in or are visiting the precinct.

**Controls**

- 1. Residential apartment entries are generally to be provided in accordance with the building entries plan shown in Figure 39.
- 2. Building entries are to be clear, visible and easily identifiable from the street.
- 3. Provide appropriate lighting along pedestrian paths between public spaces and building entries.

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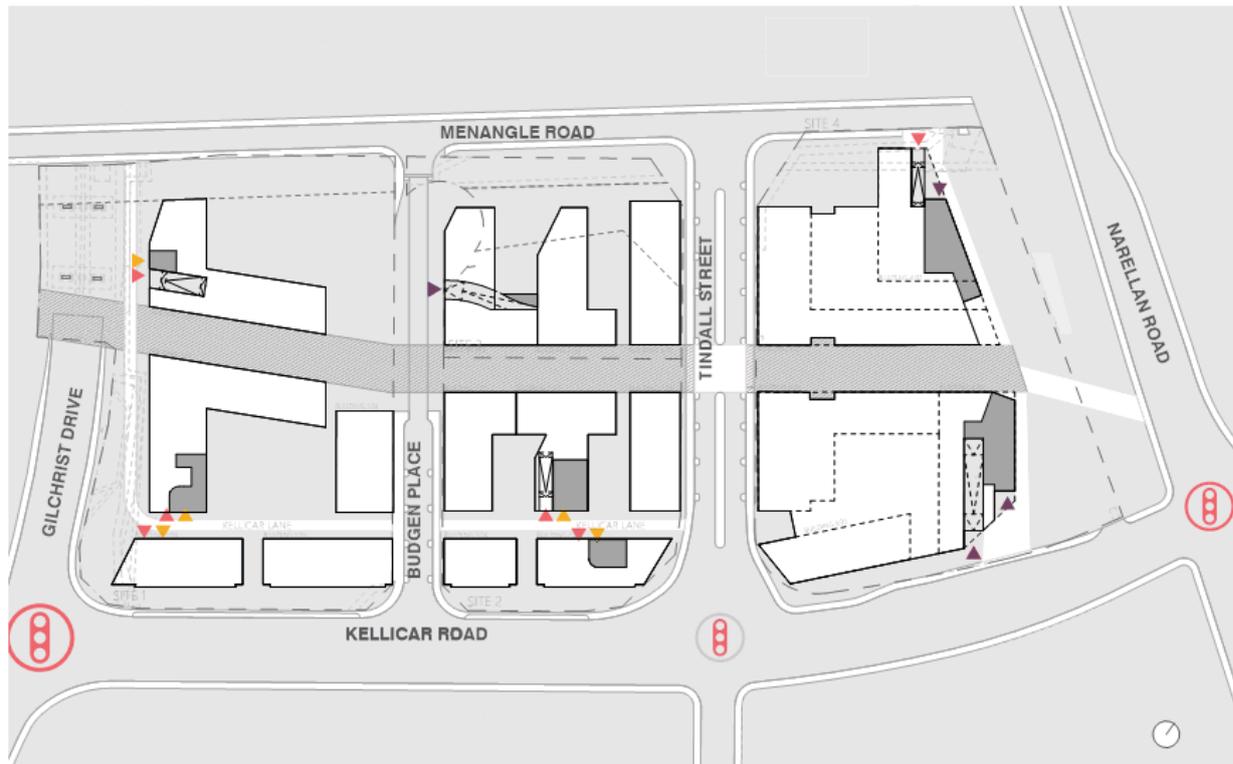


Figure 40. Indicative car parking and basement entries/exits

- ▶ Vehicle entry: parking only
- ▶ Vehicle entry: loading entry
- ▶ Vehicle entry: loading and parking
- ◻ Shared zone
- ▨ Pedestrian spine: Macarthur Walk
- Loading/plant
- Ⓡ Signalized intersection
- Ⓢ Secondary signalized intersection

### 7.6 Mobility, access and parking

Transport, mobility and car parking services for the Kellicar Road Precinct will be further informed by current and ongoing traffic modelling and assessment. Whilst study outcomes are expected to identify broader influences and/or works beyond the frame of the precinct, they will also advise specific site design elements such as desired access points and internal street hierarchy.

Indicative access points are included in the illustrative diagram at Figure 40 but could be varied as a result of further transport analysis.

A key design element of the precinct is a public domain that is 'future-proofed' to the changing nature of mobility services – providing effective shared zones, kiss and ride options and EV charging facilities.

The need for effective community transport services is envisaged – including the provision of kiosks, information, e-mobility options, car sharing and a public infrastructure that enhances active transport and connectivity.

It is expected that each stage of development will incorporate controls to embed state-of-the-art mobility features into the design of the public realm, street edge and built form, accompanied by supporting data and communications infrastructure.

#### Objectives

- A. To ensure the location, size and design of vehicle access minimises pedestrian and vehicle conflicts and disruption of traffic on public roads.
- B. To support the reduction of private vehicle dependency and to encourage the use of sustainable transport.

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## Built form

### Controls

1. Car parking should be provided in accordance with the following rates:

Land Use	Parking Rates for Kellicar Road Precinct
Commercial	1 space per 70m <sup>2</sup> GFA
Retail	1 space per 40m <sup>2</sup> GFA
Residential	<ul style="list-style-type: none"> <li>- 0.5 spaces per 1 bedroom apartment</li> <li>- 1.2 spaces per 2 bedroom apartment</li> <li>- 1.8 spaces per 3+ bedroom apartment</li> </ul>
Residential Visitors	1 space per 10 dwellings
Other uses	To be justified in a transport and parking study, with reference to parking rates contained in the Campbelltown City Council (Sustainable City) DCP 2015

Note. Over time, it may be possible to reduce car parking provision as the use of public transport (including the opening of the new metro station) increases and private car use changes. Any variation to car parking provision should be justified by a traffic analysis, prepared by a qualified traffic engineer.

2. Parking should be underground and located within the extent of the building floor plate above.
3. Short term on-street car parking, car share spaces and kiss and ride facilities are to be provided along Tindall Street and Bugden Place, in accordance with the street sections in Section 4.3 of this DCP.
4. Provision for car share spaces is to be provided in each basement.
5. Car parking design is to include provision for electric vehicle recharge facilities.
6. Basement entry points are to generally be in accordance with Figure 40.
7. Basement entries and cross-overs are to be located and designed to minimise impacts on streetscape, amenity, pedestrian safety and to maintain an active ground floor frontage to primary streets.
8. Data and communication infrastructure is to be incorporated to support mobility as a service provisions.
9. End-of-trip facilities are to be provided for buildings which do not comprise any residential uses.

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## 7.7 Solar access

### Objectives

- A. To ensure development results in a good level of sunlight to the key public open spaces where people will be encouraged to spend time.
- B. To ensure an adequate amount of solar access to communal open space (including communal roof gardens).
- C. To ensure residential apartments have a good level of solar access and residential amenity.
- D. To minimise impact on solar access to surrounding residential properties.

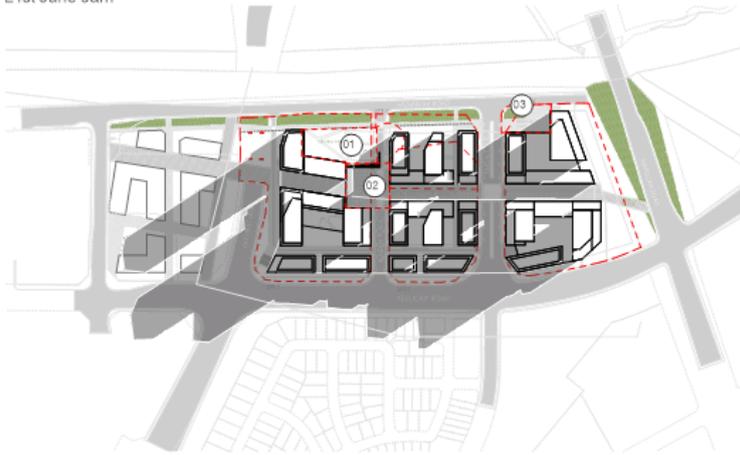
### Controls

- 1. A minimum of 4 hours of solar access must be provided to at least 70% of the area of the Central Park, Central Plaza and Menangle Plaza between 9am and 3pm on the 21 June (mid-winter).
- 2. Residential development should be generally consistent with the objectives of SEPP 65 and the Apartment Design Guide.
- 3. Surrounding residential properties are to receive a minimum 2hrs of direct solar access between 9am and 3pm on 21st June (mid-winter) as per NSW Apartment Design Guide.
- 4. All development applications must include solar diagrams that at a minimum demonstrate compliance with SEPP 65 and the Apartment Design Guide.

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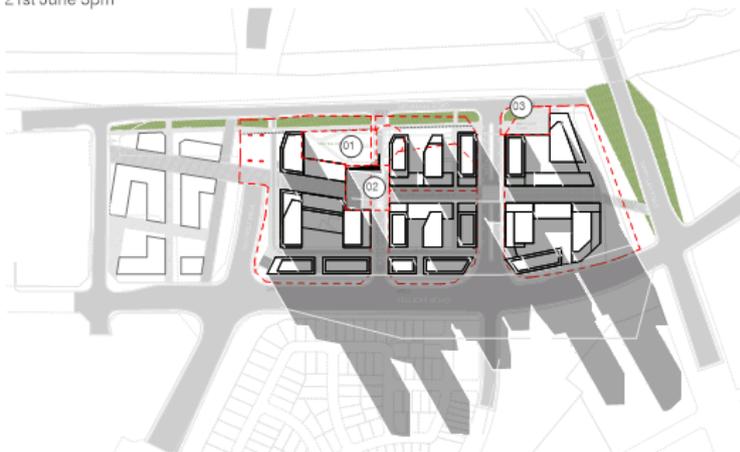
21st June 9am



21st June 12pm Midday



21st June 3pm



- 01 PUBLIC SPACE - CENTRAL PARK
- 02 PUBLIC SPACE - CENTRAL PLAZA
- 03 PUBLIC SPACE - MENANGLE PLAZA

Figure 41. Indicative overshadowing plans 21st June (mid-winter) based on the Illustrative Master Plan showing solar access to key public spaces.

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Figure 42. Indicative locations for communal open space

- Communal open space
- Communal roof garden

## 7.8 Communal open space

### Objectives

- A. To provide usable communal open space areas for residents and workers.

### Controls

1. Residential communal open spaces to be designed to be consistent with the objectives of SEPP 65 and the Apartment Design Guide.
2. Communal open space should generally:
  - Be located at the ground or podium level of buildings wherever possible.
  - Utilise roof gardens for additional open space and access sunlight.
  - Have a frontage to internal streets to maximise casual surveillance and activation.
  - Be accessible, usable and safe.
  - Include recreational facilities for residents and workers such as BBQ facilities, appropriate seating and furniture.
  - Include appropriate landscaping and tree plantings.

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Figure 43. Indicative locations for deep soil

■ Indicative area available for deep soil planting (subject to basement and landscape design)

### 7.9 Deep soil, landscaping and green roofs

**Objectives**

- A. To maximise opportunities for mature healthy landscape planting including significant tree canopy cover.
- B. To ensure there is sufficient area for landscaping and deep soil.
- C. To encourage green roofs which reduce overall urban heat island effect, improve air quality, building efficiency and storm water run-off.

**Controls**

- 1. Deep soil should generally be located within public open space or along key pedestrian routes that will benefit from significant tree canopy cover.
- 2. Deep soil is to be consistent with objectives of SEPP 65 and the Apartment Design Guide.

- 3. A detailed deep soil and landscape plan must be submitted with all future development applications.
- 4. Green roofs are encouraged for both residential and commercial development.
- 5. Green roofs do not have to have communal access, but should contain suitable plants such as succulents, herbaceous perennials originating from dry land habitats.
- 6. The design of green roofs should be by a qualified landscaped architect and provide details on:
  - The location of proposed structures
  - Drainage, irrigation and waterproofing details
  - Selection of plant species and soil details
  - An accessibility and management plan outlining accessibility requirements and the required and ongoing maintenance for the green roof.

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## Built form

### 7.10 Wind mitigation

Windy conditions can cause discomfort and danger to pedestrians, and downdrafts from buildings can inhibit the growth of street trees. Conversely, moderate breezes that penetrate the streets can enhance pedestrian comfort and disperse vehicle emissions and air conditioning plant exhausts.

#### Objectives

- A. To ensure that new development satisfies nominated wind standards and maintains comfortable conditions for pedestrians.
- B. To ensure that moderate breezes are able to penetrate the streets within and surrounding the precinct.

#### Controls

Site design for tall buildings (towers) should:

1. Set tower buildings back from lower structures built at the street frontage to protect pedestrians from strong wind downdrafts at the base of towers.
2. Ensure that tower buildings are well spaced from each other to allow breezes to penetrate the precinct.
3. Consider the shape, location and height of buildings to satisfy wind criteria for public safety and comfort at ground level.
4. Ensure usability of open terraces and balconies.

### 7.11 Reflectivity

Reflective materials used on the exterior of buildings can result in undesirable glare for pedestrians and potentially hazardous glare for motorists. Reflective materials can also impose additional heat load on other buildings. The excessive use of highly reflective glass should be discouraged. Buildings with a glazed roof, facades or awnings should be designed to minimise hazardous or uncomfortable glare arising from reflected sunlight.

#### Objectives

- A. To restrict the reflection of sunlight from buildings to surrounding areas and buildings.

#### Controls

All new development shall incorporate the following measures:

1. New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers.
2. Visible light reflectivity from building materials used on the facades of new buildings should not exceed 20%.
3. Subject to the extent and nature of glazing and reflective materials used, a Reflectivity Report that analyses potential solar glare from the proposed development on pedestrians or motorists may be required.

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## Built form

### 7.12 Sustainability and resilience

Integrating sustainability and resilience in the built environment is a key foundation of a re-imagined Campbelltown and presents as a trademark opportunity for the Kellicar Road Precinct.

The multi-use precinct will combine new generation working and living environments with active and green spaces designed to deliver a new regional benchmark for sustainable urban renewal development.

The Kellicar Road Precinct commits to benchmark the precinct using the 'Green Star Communities' rating at a 'best practice environmental standard', which is the equivalent of a 4-star certified rating.

The Green Star Communities rating recognises a project's achievements across a broad spectrum of elements – buildings, utilities, public realm and transport systems. Delivery is flexible but structured in line with the opportunities presented with these categories.

#### Objectives

- A. To achieve a Certified Nominated Green Star Communities Rating for the precinct prior to any construction commencing.
- B. To foster a sustainable, liveable and healthy community.
- C. To encourage energy and water efficiency.
- D. To ensure that all development is resilient to climate change including reducing the impacts of urban heat island effect.
- E. To 'design in' support for healthy and active living.

#### Controls

1. The Kellicar Road Precinct is to be designed and built to achieve the nominated minimum Green Star Communities 4-Star Rating.
2. Relevant certification from a Green Building Council of Australia (GBCA) approved professional is to be provided prior to any DA that seeks to initiate the master plan.

Without dictating how certification will be achieved, it is expected that development across the precinct may incorporate the following:

- Best practice environmental management through construction
- Climate adaptation strategies to mitigate urban heat island effect.
- The application of CPTED principles in support of safer public places.
- Access to key services and amenities for residents (such as retail, banking, health services, community facilities and fresh food outlets).
- The provision of diverse employment opportunities within the precinct.
- Celebration and interpretation of local and indigenous heritage in the project design and public domain interpretation.
- High quality broadband and public wireless connectivity.
- Integrated water cycle management.
- Energy efficiency design and precinct energy strategies to reduce GHG emissions.
- Design standards to reduce the impact of materials on embodied emissions and resource depletion.
- Non-vehicular transport facilities and active mobility infrastructure (for pedestrians and cyclists).
- Mobility-as-a-service infrastructure including shared and digital mobility and autonomous transport solutions, connecting residents and workers to and around the precinct.
- Support for urban biodiversity through species selection and green spaces.
- A precinct waste management plan in support of advanced waste separation and recycling.

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**7.13 Stormwater management**

Birunji Creek runs through the car park of the Marketfair site and is contained in a closed culvert system within a 10m wide drainage easement that runs in a south-north direction.

Council's existing 2 x 3.6m pipes presently accommodate 1% AEP Birunji Creek flows and have been noted by Council to be working effectively.

Council's LEP 2015 and the Campbelltown (Sustainable City) DCP 2015 define the requirements for the design of roads, stormwater drainage and flooding. These documents require a free board of 500mm above the mainstream 1% AEP level as the flood planning level.

The DCP does not currently set out provisions for the design of underground car parks. Council Engineering Guidelines require design for underground car parks to ensure that ingress of flow does not occur in the 1% AEP event. Consideration of the PMF (Probable Maximum Flood) is not currently required for underground spaces.

For the subject site, additional consideration of flood risk due to flood events exceeding the flood planning level is prudent for the area between Tindall Street and Narellan Road, especially given the location of Birunji Creek and the extent of flood liability of the site during extreme events. This includes new controls to ensure that basements are not flood affected by all floods up to the PMF.

Additional controls to those already incorporated in Council's DCP 2015 are necessary in order to ensure that development within this part of the Kellicar Road Precinct may proceed without adverse impact on other lands and with due consideration to any necessary evacuation procedures during extreme flood events.

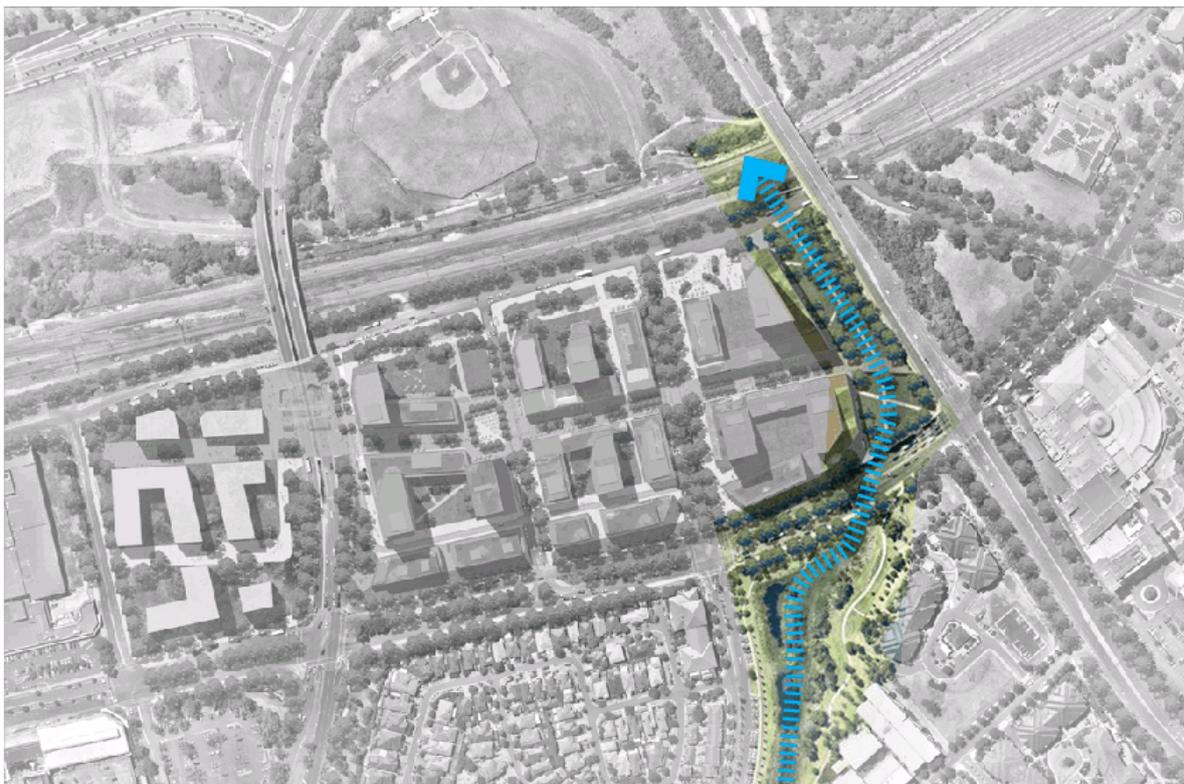


Figure 44. Indicative stormwater strategy to manage residual flood risk relating to Birunji Creek

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### Objectives

- A. To minimise the impact of flooding on nearby lands.
- B. To allow the passage of flows during very rare and extreme events.
- C. To ensure that development at the eastern end of the precinct is developed in consideration of flood risk management measures.
- D. To ensure a precinct wide approach to the management of stormwater.

### Controls

#### Floor Level Controls

- Floor level controls are to achieve a 0.5m free board above the 1% AEP flood event.
- Provision of a publicly accessible refuge area is to be provided above the PMF level for developments below the FPL.

#### Building Components and Methods

- All structures are to have flood compatible building components below the FPL.
- Demonstration that structures below the FPL can withstand the forces of floodwater, debris and buoyancy is required
- Provision of overland flow paths for events exceeding the capacity of the stormwater system are required for all development types.
- Staff and contractor access to culvert systems is to be considered.

#### Car Parking

- Basement car parking and other underground spaces shall be protected from inundation for events up to the PMF;
- Flood free pedestrian access to parking areas shall be provided.

#### Evacuation

- Rising DDA access is required from all areas of the development to a refuge area above the level of the PMF;
- Rising DDA access is required from public spaces and roads surrounding the development to a refuge area above the level of the PMF;
- Flood free access is to be provided to areas outside of the floodplain, above the level of the PMF;
- The development is to be consistent with the relevant local flood evacuation strategies;
- The evacuation requirements of the development are to be considered up to the PMF level;

#### Management and Design

- A site-specific flood risk management plan is to be prepared for development on land below the FPL.
- Site-specific Flood Emergency Response and Evacuation Plans are to be prepared for development on land below the FPL.

#### On-site Stormwater Management

- Stormwater management for the precinct is to be undertaken in accordance with Section 2.10 of the Campbelltown (Sustainable City) DCP 2015.

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would be enhanced by it. Obtaining agency endorsement, however, may take some time and could impact the delivery of works along Menangle Road associated with the project.

Likewise, it is proposed to extend the Bugden Place culs-de-sac through to Menangle Road, providing a public thoroughfare and improved pedestrian permeability at this end of the precinct. Various approvals are required for this component to be endorsed. The Planning Proposal does not depend on this road opening but would be enhanced by it. If it does not proceed, a lesser amount of 'work' would be required in association with the development of adjoining land parcels.

### Potential Staging Scenario

Development within the Kellicar Road Precinct, involving a total GFA of 224,000m<sup>2</sup>, will be delivered in stages. Whilst this DCP anticipates a potential staging sequence (as per Fig 44 left), the suggested staging needs to be approached with some flexibility as, ultimately, the project's delivery will be driven by market forces.

It is expected that the Kellicar Precinct will be developed over a 5-15-year horizon, potentially commencing construction in 2025.

The 7ha site is presently occupied and leased. As leases expire individual sites will become available for redevelopment, presenting the most logical scenario for the project's gradual delivery.

The current lease for the ex-Bunnings site (i.e. Lot 1, DP 882496) expires in October 2022, prior to other leases across the rest of the precinct.

A potential scenario for development across the precinct is provided below along with a description of the associated infrastructure expected to be provided by the developer.

### Stage 1 – ex-Bunnings site (Lot 1, DP 882496)

Associated public infrastructure is to include:

- The western portion of Macarthur Walk.
- The Underbridge Park.
- Central Park.
- Civic Plaza including the planned extension/opening of Bugden Place (from Macarthur Walk to Menangle Road) if separate approval is granted for this work.
- The first tranche of the green link across site's frontage to Menangle Road if separate endorsement is obtained for this work.
- Related upgrades to adjacent roads to accommodate traffic flows.

This site is likely to be developed in 2 phases, north and south of Macarthur Walk, with the northern portion adjacent to Menangle Road being developed first.

**Stage 2 – the ex-RMS site (Lot 2614, DP262484) – this site encompasses adjacent land owned by NSW Health at 6 Bugden Place (Lot 22, DP862080).**

The development potential of the ex-RMS site has been 'bundled' with the NSW Health site in order to achieve a developable portion of sufficient size to accommodate development in the form proposed. The NSW Health site is currently occupied by the Macarthur Women's Health Centre (WILMA).

Associated public infrastructure is to include:

- The proposed green link across the site's frontage to Menangle Road.
- Related upgrades to adjacent roads to accommodate traffic flows.

### Stage 3 – the Fit HQ site (Lot 1, DP747811)

Associated public infrastructure is to include:

- The extension of Macarthur Walk.
- Related upgrades of adjacent roads to accommodate traffic flows as well as the landscaped setback to Kellicar Road (on private land).

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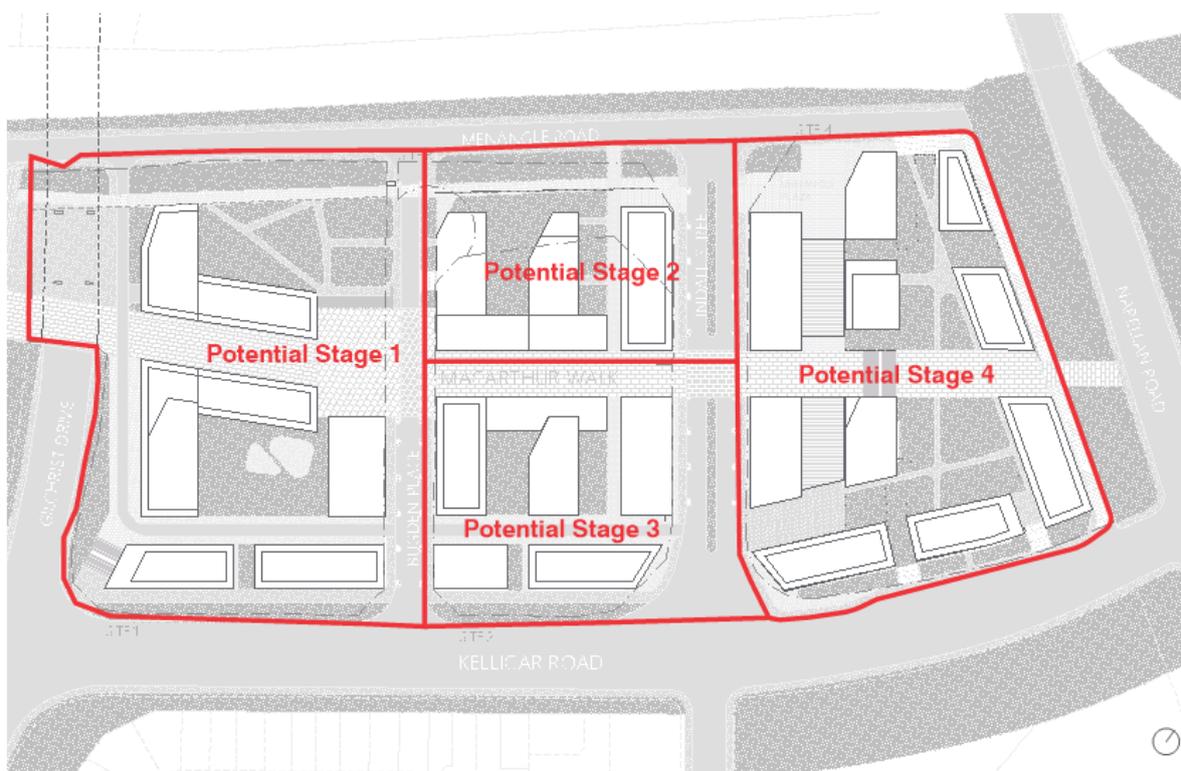


Figure 45. Indicative development staging scenario

7.14 Delivery and staging

A stated objective for the precinct (at Section 3.2) is to allow for the timely delivery of infrastructure, public domain enhancement and open space to support its orderly development.

The purpose of this section is to describe the likely staging of development and the commensurate delivery of public domain and related infrastructure that is expected to be associated with it.

**Precinct Infrastructure and Related Works**

Section 4 of this DCP outlines a precinct and local street network that is intended to encourage active travel within the precinct and to ensure a high level of amenity, safety and permeability. This street network will either be delivered as part of the precinct’s development or upgraded in response to it.

Section 5 of this DCP outlines the scope of public domain works expected to be provided as part of the precinct’s development, including:

- A new 20m wide east-west pedestrian spine (Macarthur Walk) of approximately 400m in length
- A new 1,000m<sup>2</sup> Civic Plaza
- A new 3,000m<sup>2</sup> Central Park
- A new 1,500m<sup>2</sup> Under-bridge park (beneath Gilchrist Drive)
- A new 300m long, 20m wide Green Link along Menangle Road
- A new 1000m<sup>2</sup> Menangle Plaza that connects Tindall Street, the proposed green link and retail development at the eastern end of the precinct

The Illustrative Master Plan and public domain strategy that are the basis of this DCP suggest a pedestrian-cycle-bus (and possibly local traffic) connection between Macarthur and Campbelltown stations. The concept proposes a sophisticated ‘city walk’ that enhances the sense of arrival for city visitors and commuters and activates key land parcels. Whilst consistent with the ‘city centre stitch’ theme of Reimagining Campbelltown, the concept relies upon a direct connection beneath the Narellan Road rail overpass and clearly requires transport agency support.

The Planning Proposal and the precinct’s development is able to proceed without the proposed connection but

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**Stage 4** – the 'Marketfair' shopping centre site (Lot 2341, DP830786) – this site presents as the final stage of the precinct's development and, like the initial stage of development which is similar in size, is likely to be developed in 2 phases.

Associated public infrastructure is to include:

- The construction and embellishment of the proposed Menangle Plaza.
- The completion of the Green Link along Menangle Road.
- Provision and embellishment of a new park and emergency overland flow path for Birunji Creek.
- The completion of Macarthur Walk as well as the completion of the landscaped setback to Kellicar Road (on private land).
- Related upgrades to adjacent roads to accommodate traffic flows.

#### Securing Infrastructure Provision

This DCP 'locks in' the development outcomes expected of the precinct and establishes a likely delivery framework to ensure that these outcomes are achieved.

To secure the delivery of the required infrastructure the landowners/developer may choose to enter into a Voluntary Planning Agreement (VPA) with Council. Alternatively, Council may require that a Concept Development Application under Division 4.4 of the EP&A Act be submitted, outlining the staging and delivery of required works. Either approach requires landowner agreement and ongoing discussions with Council.

The landowners/developer may also seek to enter into a VPA with the State Government to offset any potential State Infrastructure Contribution (SIC) that may be applied to the site.

Any VPA with Council and/or State Government will likely address a range of matters, including provision for:

- The dedication of public open spaces and their embellishment.
- Pedestrian connections to other parts of the CBD.
- Necessary roadworks and associated infrastructure
- Detailed public domain design and delivery.
- Community facilities, such as child-care, meeting spaces, WILMA and recreational space (indoor/outdoor).
- Active transport infrastructure.

Details of any VPA offer will be informed by ongoing discussions with Council and the State Government.

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## Gateway Determination

**Planning proposal (Department Ref: PP\_2020\_CAMPB\_003\_00): to enable increase in building heights up to 80m on land Kellicar Road, Campbelltown.**

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 enable increase in building heights up to 80m on land Kellicar Road, Campbelltown should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal must be amended to:
  - (a) include the findings of a detailed flood impact assessment for the site and update the consistency of section 9.1 Direction 4.3 Flood Prone Land;
  - (b) reflect the transport and traffic assessment;
  - (c) update proposed Clause 7.23 by removing any provisions that are more appropriate for inclusion in the Development Control Plan and update the consistency with section 9.1 Direction 6.3 Site Specific Conditions; and
  - (d) exhibit the revised Development Control Plan for the site concurrently with the planning proposal.
2. 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 and Environment, 2018).
3. 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:
  - Transport for NSW;
  - NSW Health; and
  - Environment, Energy and Science Group.

4. 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).
5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 11<sup>th</sup> day of August 2020.

**Catherine Van Laeren**  
**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**



### 8.3 Kellicar Road Planning Proposal

#### Reporting Officer

Executive Manager Urban Centres  
City Development

#### Community Strategic Plan

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

#### Officer's Recommendation

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

### Executive Summary

- This report considers a Planning Proposal Request (PPR) over lands addressed to both Bugden Place and Tindall Street, Campbelltown. The subject lands are bounded by Menangle Road, Narellan Road, Gilchrist Drive and Kellicar Road.
- The PPR seeks to increase the maximum height of buildings for this site to enable including 3 buildings x 25 levels, 2 x 23 levels, 1 x 22 level and 1 x 17 level building, with all other buildings at 10 storeys or less. The PPR also seeks to apply a maximum floor space ratio of 3.5:1 to the site.
- The site is within the area covered by the Macarthur Precinct Plan in the NSW Government's Glenfield to Macarthur Urban Renewal Corridor Strategy (Corridor Strategy). The proposal is considered generally consistent with the precinct plan.
- The site is also within the area covered by Council's draft Reimagining Campbelltown Master Plan (RCMP) which is currently on public exhibition. The progress of the subject planning proposal has been on hold while Council prepared the RCMP. A review of the final draft of the RCMP found that the proposal was generally in alignment with the principals (pillars) detailed in RCMP. The heights proposed by the planning proposal introduce both challenges and support to the commitments made in the RCMP when having regard specifically to the principles of 'City in a Valley' and 'City & Bush'. This report includes a detailed discussion on the alignment, or otherwise, between the RCMP and the Proposal.
- On balance, the PPR is considered to have strategic merit and therefore a Planning Proposal has been prepared and is Attachment 1 to this report.
- There are matters that need further investigation in regards to this proposal, the most important of which is traffic. Traffic is able to be addressed post gateway, but prior to public exhibition, in a detailed traffic study considering short, medium and long term implications of the proposal. Further details also need to be provided in regard to the development of the site including a detailed public domain plan and site specific development control plan. It is recommended that the planning proposal not be placed on exhibition until these have been prepared and are suitable for exhibition concurrently with the planning proposal.
- After consideration of the PPR, the RCMP and the context of the site within the valley it is proposed to apply a maximum height of 80m to the whole site but further control its future development by a site specific clause to limit the number of towers, limit the floor plate size of these towers to 700sqm, require a minimum tower separation of 24m, require variation in the vertical height plane, set a maximum podium height of 3 storeys, set a 10m setback for towers, set a minimum FSR for employment uses and ensure the provision of open space in the manner detailed in the planning proposal. These controls are considered to assist in achieving a more considered, sensitive and a lighter weight urban design response, and provide for a reduced visual impact than that which might be developed under the current planning controls that apply to the site.
- The proposed FSR would be further examined after Gateway Determination and prior to public exhibition to ensure that it correlates with the proposed heights across the site.

Ordinary Council Meeting

09/06/2020

- Subject to the above requirements, it is recommended that Council forward the planning proposal at attachment 1 to this report to the Department of Planning, Industry and Environment and request a Gateway Determination.

## Purpose

To inform Council of a Planning Proposal Request for land at Nos. 1, 2, 3 and 6 Bugden Place; and 4 Tindall Street, Campbelltown, which is collectively identified as the Kellicar Precinct, provide an assessment of that proposal and inform Councillors of the advice of the Campbelltown Local Planning Panel in this regard.

<b>Property Description</b>	1 Bugden Place, Campbelltown (Lot 1, DP 882496) 2 Bugden Place, Campbelltown (Lot 1, DP 747811) 3 Bugden Place, Campbelltown (Lot 2614, DP 262484) 6 Bugden Place, Campbelltown (Lot 22, DP 862080) 4 Tindall Street (Lot 2341, DP 830786)
<b>Application No</b>	2267/2018/PP
<b>Applicant</b>	Memphis Strategic
<b>Owners</b>	Dumarchand Holdings & Dankur Pty Ltd; Sen Khun Two Pty; Fort Street Pty Ltd, Morad Group Pty Ltd and NSW Department of Health
<b>Date Received</b>	8 June 2018

## History

- On 8 June 2018 Council received a Planning Proposal Request (PPR) from Memphis Strategic which sought an amendment to the Campbelltown Local Environmental Plan 2015 (CLEP 2015) - Height of Buildings Map to increase the permissible building height for the subject sites from 32m to 84m, 90m and 112m (approx. 35 storeys) over various parts of the site. The original PPR suggested building heights up to 35 floors and a floor space ratio (FSR) of 4:1, which included 260,000sqm of GFA distributed across the precinct.
- The applicant briefed the Councillors on the PPR on 17 July 2018. Following feedback from the Councillors, and as a result of ongoing discussions between Council and the proponent, the proponent revised its PPR and resubmitted it in June, 2019. Progress of the consideration of the PPR was adjusted pending the substantial completion of Stage 2 of the Reimagining Campbelltown masterplan (RCMP) which would better inform Council's future strategic decisions for this precinct. The RCMP is currently on public exhibition for a period of 90 days.
- The proponent's revised PPR seeks to increase the permissible building height for the subject sites from the current maximum height of 32m to enable the construction of 3 buildings x 25 levels, 2 x 23 levels, 1 x 22 level and 1 x 17 level building over various parts of the site. The PPR includes a proposed maximum building height of 80m and a floor space ratio (FSR) of 3.5:1, which includes 224,000sqm of GFA distributed across the precinct.

- In February 2020, the applicant met with council staff and was briefed on the anticipated outcome and directions of the RCMP. This was to assist the progression of the PPR in an attempt to ensure alignment of the Proposal with the RCMP.
- The revised PPR was presented to the Councillors on 25 February 2020 and is located at attachment 2 to this report.

## Report

### The Site – Kellicar Precinct

The Kellicar Precinct consists of Nos. 1, 2, 3 and 6 Bugden Place; and No. 4 Tindall Street, Campbelltown, and has a total area of approximately 64,000sqm, which excludes land along Menangle Road that is currently zoned SP2 (Infrastructure) as a road widening reservation.

The site gradually falls from east to west. The Kellicar Precinct is irregular in shape and currently accommodates several street trees as well as denser vegetation coverage located along its eastern (Narellan Road) boundary.

The combined sites are part of an existing retail precinct which is bounded by:

- Narellan Road (East)
- Gilchrist Drive (West)
- Menangle Road (North)
- Kellicar Road (South)

The State Government owned land presently occupied by a women's health care facility known as the WILMA Centre forms part of this Proposal.

These combined sites also contain a Bunnings Warehouse, Discount Party Warehouse, Fit HQ, Hogs Breath Café, a disused RMS building and the Market-Fair Shopping Centre.

The site has respective 460m and 360m frontages along Kellicar Road and Narellan Roads in addition to being serviced by Tindall Street and Bugden Place which are both existing public roads that run north-south, connecting Menangle Road to Kellicar Road.

The site is approximately 300m from Macarthur Station and 1.3km from Campbelltown Station.

The site has a slight fall from west (Bunnings) to east (Market-Fair) and is generally constraint free with the exception of the part of the site that is located above Birunji Creek, and is flood affected.

### Existing Zoning and Building Height

The site is currently zoned B4 Mixed Use under Campbelltown Local Environmental Plan 2015 (CLEP 2015) and has a maximum building height of 32m (approximately 10 storeys) with no current FSR restrictions.

### **Purpose and details of the Revised Planning Proposal Request**

Ongoing discussions with the proponent regarding key elements of the PPR including its scale, proposed building heights and open space provisions resulted in the submission of a revised PPR in June 2019.

The revised PPR reduced the overall height of all proposed buildings, in addition to the scale of the project, in order to incorporate more substantial open space areas on site.

Originally, the Proposal incorporated:

- 260,000sqm of GFA distributed across the precinct, with an FSR of 4:1
- Seven out of the 27 proposed buildings on site exceeded 25 storeys (i.e. two x 35 levels, two x 28 levels and three x 26 levels) while the remaining 20 were less than 10m in height

In June 2019, the PPR was scaled back to provide:

- a total GFA of 224,000sqm, with an FSR of 3.5:1
- a total of 27 buildings on site which range in height up to a maximum of 25 levels – with three buildings x 25 levels, two x 23 levels, one x 22 levels, one x 17 levels, 10 x 10 levels, one x 8 levels, eight x six levels and one x five level building
- a central park of approximately 5,000sqm, an enlarged civic plaza and central pedestrian spine proposes that a minimum 30 percent of the entire site will now be used as open space and/or public domain

The PPR submitted by the proponent is shown as attachment 2 to this report. The framework of a relevant DCP has been included within the PPR. It addresses public and communal open space, street setbacks, sustainability and other measures but requires further refinement before being in a suitable form that could be publicly exhibited. The draft Development Control Plan needs to be reported to Council's Design Excellence Panel before being submitted to Council for endorsement for public exhibition.

A maximum FSR of 3.5:1 has also been requested for this site, noting that CLEP 2015 does not currently specify FSR controls for these sites.

The proposed scheme has been arranged to share building floorspace between four individual sites/allotments, with land owned by the Morad Group and NSW Health being consolidated into a single site (i.e. Site 3). This arrangement allows for specific sites within the precinct to be developed individually or as a single staged project.

Under the suggested scheme, buildings are purported to have been arranged in accordance with the solar access and the building separation provisions specified in State Environmental Planning Policy No. 65 (SEPP 65) – Design Quality of Residential Apartment Development, and the associated Apartment Design Guide (ADG). Further, the highest proposed buildings have been positioned toward the Macarthur Railway Station end of the site.

The PPR advocates that the subject site is suitable to accommodate higher buildings primarily due to its unconstrained nature and strategic location between Campbelltown and Macarthur.

The PPR's proponent suggests that the height of buildings proposed in the Kellicar Precinct should be consistent with other building heights recently approved by Council on the Campbelltown RSL Club site and reflect the intended future appearance of constructed development in close proximity to Macarthur Station.

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

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

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

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

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

The PPR is considered to be consistent with the actions and objectives of 'A Plan for Growing Sydney' as the Proposal will facilitate high density mixed use and residential development within the Campbelltown CBD.

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

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

Four key components have been identified within the document:

- Infrastructure and collaboration
- Liveability
- Productivity
- Sustainability

The most relevant aspects of the vision statements to this PPR relate to liveability and productivity. Increasing the residential densities and employment opportunities as proposed would provide a platform for future residents to live closer to jobs and to be located within a walking distance from public transport and services.

##### **Western City District Plan**

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

- 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.
- Planning Priority W11 - The Planning Proposal supports investment and business activity in local centres and the creation of local jobs.

The Proposal is considered to be consistent with the objectives and planning priorities for the Western City District Plan.

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

The Campbelltown Local Strategic Planning Statement (LSPS) came into effect on 31 March, 2020. All planning proposals are now required to demonstrate consistency with the LSPS. Of particular relevance to this Proposal are the following actions identified in the LSPS:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The proposal has been assessed against all the relevant state and local planning policies, and is not considered to work adversely to the stated objectives of any of these strategies.

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

The Corridor Strategy was released by the State Government for the purposes of revitalisation of existing urban centres through good design, providing jobs, open space and improved movement networks. The subject site is within the Macarthur precinct which is one of the identified precincts for revitalisation and future rezoning as part of the Corridor Strategy.

The Macarthur Precinct Plan identified this site as “mixed use retail and residential” and describes this area in the following way:

“This area could accommodate a mix of retail and residential uses that would complement the character of the local area and would be carefully designed to integrate into the surrounding landscape. Buildings would have ground floor retail that would provide local services for residents and commuters, with apartments ranging from 7+ storeys in height. Detailed planning would be required to identify appropriate height and built form outcomes for development in this area”.

More detailed planning work has been undertaken through the Reimagining Campbelltown project and preparation of RCMP which is currently on public exhibition. The proposed uses described in this PPR are considered not inconsistent with the draft Reimagining Campbelltown Master Plan (RCMP) and provide the opportunity for not only retail uses but also other medical and educational uses permissible in the B4 mixed use zone that already applies to the site. The draft RCMP provides an assessment basis for the evaluation of the proposed heights which under the Corridor Strategy have no specified upper limit. The issues of height and urban design are discussed later in this report.

Section 9.1 (formerly Section 117) of the EP&A Act allows the Minister for Planning to provide direction to Council in relation to the preparation of draft local environmental plans.

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

- Direction 1.1 Business and Industrial Zones
- Direction 3.4 Integrated Land Use and Transport
- Direction 4.3 Flood Prone Land
- Direction 5.10 Implementation of Regional Plans
- Direction 6.2 Reserving Land for Public Purposes
- Direction 7.1 Implementation of a ‘A Plan for Growing Sydney’
- Direction 7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor

The planning proposal at attachment 1 to this report provides more detail on the assessment of the proposal against these directions. The planning proposal is considered to be generally consistent with the relevant Section 9.1 Directions (or considered justifiably inconsistent).

**Consideration of State Environmental Planning Policies (SEPPs)**

The following SEPPs are applicable and their effect on the future development of the site is explained in the planning proposal at attachment 1 to this report.

- SEPP 55 - Remediation of Land
- SEPP (Infrastructure) 2007

**Consideration of the Campbelltown Local Environmental Plan 2015**

The Proposal seeks to amend the CLEP 2015 by increasing the maximum height of buildings applying to the land and apply a maximum floor space ratio to the site. Other existing clauses in the CLEP 2015 will apply to future development. In particular clause 7.13 which requires design excellence will apply to the assessment of any future development applications.

**Campbelltown Community Strategic Plan 2027**

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

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

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

**Advice of Campbelltown Local Planning Panel**

The PPR was considered by the Campbelltown Local Planning Panel at its meeting on 25 March, 2020. The table below identifies their advice in the column on the left and provides a response in the column on the right.

Panel's advice	Response
Without the benefit of considering the Reimagining Campbelltown CBD master plan and any recommended hierarchy of centres within that plan, the Panel, at this time, does not have sufficient information to form a view on the strategic and site specific merit of the proposal.	Councillors have seen and considered the draft RCMP and are in a position to form a view on whether or not the proposal has strategic and site specific merit.
The panel recommends that the Council considers the Planning Proposal following the adoption of the Reimagining	The RCMP is on public exhibition, but not yet adopted. The assessment of a planning proposal has many steps. The PPR is

<p>Campbelltown CBD master plan, noting that its exhibition is imminent.</p>	<p>considered to be generally consistent with the RCMP on public exhibition. Further consideration of the proposal will occur post exhibition of RCMP as further reports will be required for Council consideration prior to the exhibition of a site specific Development Control Plan and post its concurrent public exhibition of the planning proposal. In other words the planning proposal will again be considered by Council after the completion of public exhibition at which time Council will be able to consider the proposal in the light of the adopted RCMP and having regard to any submissions received from members of the public.</p>
<p>The panel recognises the strategic importance of the site.</p>	<p>Noted.</p>
<p>The panel acknowledges the Council's and State Government's aspirations for the locality as expressed in the Western City District Plan, the Glenfield to Macarthur Urban Renewal Corridor Strategy and Reimagining Campbelltown Phase 1. The panel notes the Council officer's advice of the need for further investigation into a wide range of matters. In the event that the Council resolves to support the Planning Proposal proceeding to a Gateway determination the Panel suggests to the Council that considerably more investigation is required.</p>	<p>Noted. It is agreed that further investigation of a number of matters is required should a positive gateway determination be received.</p>
<p>If the proposal does proceed to a Gateway Determination, the panel recommends that the Council give consideration to appropriate mechanisms to deliver affordable housing across the site.</p>	<p>Noted. This has been incorporated into the recommendation.</p>
<p>The panel does not have sufficient information to form a view on the site and strategic merit of the proposal and notes that this needs to be included in a report to Council before a decision is made on the proposal.</p>	<p>This report considers the merits of the proposal.</p>

**Reimagining Campbelltown CBD**

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

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

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

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

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

Commitments	Key Outcomes	Assessment of Planning Proposal
<b>Pillar 1 – Confident and Self Driven</b>		
1.1 Seek and act upon opportunities	<ul style="list-style-type: none"> <li>• Innovative attitude</li> <li>• Seeks and acts on opportunities</li> <li>• Align opportunities with strategic directions</li> </ul>	The proposal is consistent with this commitment.
1.2 Smart City approach	<ul style="list-style-type: none"> <li>• Data as a community asset</li> <li>• Better monitoring and reporting the delivery of Master Plan</li> <li>• Improved insights and better decisions</li> <li>• Evidence driven advocacy</li> </ul>	The future development of the site is able to be accomplished in a manner that is consistent with this commitment and contributes to the gathering of evidence and the achievement of the identified indicators.
1.3 Collaborating for change	<ul style="list-style-type: none"> <li>• Valuing our diversity</li> <li>• Partnering with industry</li> <li>• Collaboration with agencies</li> <li>• Partnering with State and Federal Government</li> </ul>	The site is of a scale that is able to contribute to the diversity of the city but is also able to do that in a manner that complements the role of the Macarthur precinct under RCMP. The progression of this proposal is an opportunity to partner and collaborate with state agencies particularly in regards to road infrastructure. This can be investigated in further detail should a positive gateway determination be received.
1.4 Reduce shocks and stresses	<ul style="list-style-type: none"> <li>• We integrate resilience into planning and design</li> <li>• We plan for disruptions</li> <li>• We invest in resilience</li> <li>• We connect for strength</li> </ul>	The future development of the site is able to be done in a manner consistent with this commitment. These matters can be suitably addressed in the site specific development control plan and future development applications.

<b>Pillar 2 – Connected Place</b>		
2.1 Streets for people	<ul style="list-style-type: none"> <li>• Vibrant high street</li> <li>• Healthy local streets</li> <li>• City boulevards</li> <li>• Intuitive wayfinding</li> <li>• East-west rail connections</li> </ul>	The future development of the site is capable of being undertaken in a manner consistent with this commitment, however additional details of how this will occur need to be incorporated into a site specific development control plan. In particular the site specific development control plan will need to address how these issues should be managed during a staged development of the site. The future development of this site does need to occur within the confines of the B4 mixed use zone so that it does not attract the types of uses that should be directed to the B3 commercial core zone along Queen Street where they would contribute to the creation of a vibrant high street. This proposal does not seek to rezone the land.
2.2 Optimise connectivity and servicing	<ul style="list-style-type: none"> <li>• Seamless connections between the three centres</li> <li>• Efficient freight/loading and servicing</li> <li>• Effective city centre parking management</li> <li>• Future-proof for emerging technologies</li> <li>• Flexible event mode</li> <li>• Convenient bus layover</li> </ul>	These issues have not yet been fully addressed. It is recommended that a detailed traffic study, and any other studies required to address these issues, be provided post gateway determination but prior to the exhibition of the planning proposal. The site is well placed to facilitate a seamless connection between Campbelltown and Macarthur due to its position between Kellicar Road and Menangle Road and it is recommended that details of how the future development of the site will facilitate and interact with this connection need to be detailed as controls for development within a site specific development control plan (DCP). An effective parking arrangement will also need to be detailed within the site specific DCP.
2.3 Enhance connections to Macarthur	<ul style="list-style-type: none"> <li>• Expanded city-shaping network</li> <li>• Connected personal mobility network</li> <li>• On demand services for equitable and convenient access</li> </ul>	These issues have not yet been fully addressed. It is recommended that a detailed traffic study, and any other studies required to address these issues, be provided post gateway determination but prior to the exhibition of the planning proposal. The site is well placed to facilitate and contribute to enhanced connections to Macarthur.
2.4 Connect to greater Sydney	<ul style="list-style-type: none"> <li>• Efficient connections to Greater Sydney</li> <li>• Connecting the city centre to the regions</li> <li>• Inviting transport gateways</li> </ul>	The site is well placed to benefit from enhanced connections. The proposal is able to contribute to overall connectivity between Campbelltown and Macarthur including access to Macarthur railway station providing the opportunity for efficient connections to Greater Sydney.

<b>Pillar 3 – Centre of Opportunity</b>		
3.1 Cluster business	<ul style="list-style-type: none"> <li>• Core CBD</li> <li>• World class health, knowledge and innovation precinct</li> <li>• Sports and entertainment precinct</li> <li>• Cultural precinct</li> <li>• Tech and city servicing innovation precinct</li> </ul>	The proposal is well placed to assist the delivery of this commitment particularly in regards to creating a world class health, knowledge and innovation precinct. This will be facilitated through the sites B4 mixed use zone.
3.2 Intensify land use	<ul style="list-style-type: none"> <li>• High intensity core CBD</li> <li>• Intensive innovative Macarthur</li> <li>• High intensity health</li> <li>• A transition from low to medium intensity</li> </ul>	This proposal would enable the intensification of an innovative Macarthur and high intensity health precinct by encouraging a greater density of development in a setting attractive to this type of industry due to its location between the WSU and the Campbelltown Hospital and due to its high quality network of open space.
3.3 Increase local jobs	<ul style="list-style-type: none"> <li>• Increased number of jobs</li> <li>• High amenity</li> <li>• Attractive business environment</li> <li>• Entrepreneurial ecosystem</li> </ul>	The proposal is well placed to assist the delivery of this commitment by providing significant additional floor space for employment uses in a location with high amenity through the construction of a network of high quality open spaces on the site. This high quality public domain will help attract jobs to this location which is well located to the health and education precinct. Combined, quality public domain and location will assist in the attraction of employers/businesses which offer high value health and education jobs.
3.4 Upskill local residents	<ul style="list-style-type: none"> <li>• Extensive education offer</li> <li>• Build on existing sector strengths</li> <li>• Pathways for learning</li> </ul>	The proposal will provide additional floor space which, being within the B4 mixed use zone, is available for use for education purposes.
<b>Pillar 4 – No Green be seen</b>		
4.1 Connected green grid	<ul style="list-style-type: none"> <li>• Active and healthy people places for urban liveability</li> <li>• An accessible and connected network of green</li> <li>• Growing our native urban forest</li> <li>• Green and blue not grey infrastructure</li> </ul>	The proposed public domain and open space areas account for 31% of the site area. The connection of the green network and the extent of any opportunities to grow a native urban forest need to be further considered as part of a more detailed public domain plan and the site specific development control plan.
4.2 Enhanced and resilient blue grid	<ul style="list-style-type: none"> <li>• Attractive, healthy and accessible waterways</li> <li>• Bow Bowing</li> <li>• Resilient water management</li> <li>• A water smart city centre community</li> </ul>	The future development of the site is able to reasonably cater for resilient water management and provide a water smart environment. The measures to be incorporated into the development in this regard need to be detailed in the controls to be included in the site specific DCP.

4.3 Low resource, low carbon, low waste	<ul style="list-style-type: none"> <li>• Improve resources recovery</li> <li>• Low energy and carbon technologies are embedded throughout the city</li> <li>• Use water efficiently</li> </ul>	The future development of the site is able to reasonably cater for the achievement of these commitments. The further explanation of the controls to be applied to the future development of this site needs to be detailed in the draft site specific development control plan.
4.4 Reduce urban heat	<ul style="list-style-type: none"> <li>• A city centre that works with water</li> <li>• Materials that cool</li> <li>• Shading and protection</li> </ul>	Measures are able to be incorporated to reduce urban heat. The further explanation of the controls to be applied to the future development of this site needs to be detailed in the draft site specific development control plan. The controls will need to detail matters including landscaping and solar access requirements, how water will be used to cool spaces, how shade will be provided to pedestrian walkways and material choices for external paved surfaces.
<b>Pillar 5 – City and Bush</b>		
5.1 Multi-use open space	<ul style="list-style-type: none"> <li>• Gathering, events and celebration</li> <li>• Cultural education and learning</li> <li>• Passive recreation and community life</li> <li>• Discovery and adventure play</li> <li>• Active and programmed recreation</li> <li>• Different times and seasons</li> </ul>	The proposal provides for an appropriate amount of multi-use open space relative to the scale of the proposed development with the total area of public domain and open space provided being 31% of the site. The site specific development control plan will need to detail how this space and also explain how the space it to be provided if the development is staged.
5.2 Active urban spaces	<ul style="list-style-type: none"> <li>• The cultural precinct as a site for creativity</li> <li>• Great civic spaces</li> <li>• Small scale spaces</li> <li>• Fine grain connections</li> </ul>	The proposal is able to achieve this commitment, through its combination of open spaces and ability to provide fine grain connections through the site. However further detail is required in the public domain plan and controls will need to be included in the site specific DCP.
5.3 A city in a valley	<ul style="list-style-type: none"> <li>• A city skyline framed in green</li> <li>• Memorable green arrivals</li> <li>• A city centre infused in green</li> <li>• Place-responsive buildings and spaces to navigate the city centre</li> </ul>	A detailed discussion of heights and visual impacts is provided below this table. The proposal, on balance, is considered a reasonable approach to achieving this commitment. However it is recommended that a site specific clause be included to limit the height of the podium to 3 storeys, limit the total number of towers, require a separation between towers of at least 24m and to require a minimum street setback above the podium of 10m to be consistent with this commitment. Further, it is recommended that this clause also set a maximum floor plate for towers of 700sqm to ensure that a slim tower design is achieved for future developments. Further, the generous provision of 31% of the site as open space and public domain provides opportunity for the site to be infused in green.

5.4 Campus city	<ul style="list-style-type: none"> <li>• Dense urban core</li> <li>• Hillside campus</li> <li>• Valley campus</li> <li>• Tech and city servicing</li> <li>• Buildings in landscape</li> </ul>	The proposal represents an urban design outcome that will be more consistent with this commitment than development that could occur under the current planning controls applying to the site. The controls proposed in this report to limit the floorplate of towers to 700sqm and limit the podium height to 3 storeys are required to ensure that the buildings sit in the landscape, allow views through the site and ensure that podiums are within the scale of landscaping that can be provided within the open space on the site.
5.5 Design excellence	<ul style="list-style-type: none"> <li>• Design excellence framework</li> <li>• Contextual responses</li> <li>• Cultural values embedded in design</li> <li>• Functional and adaptive</li> <li>• Innovative and inspiring</li> </ul>	The future development of the site, and any proposed controls for a site specific development control plan will be considered by Council's Design Excellence Panel and will also need to comply with Clause 7.13 of the Campbelltown Local Environmental Plan, 2015. Further controls are also recommended as detailed in response to commitment 5.3.
<b>Pillar 6 – The Good Life</b>		
6.1 A city you can call home	<ul style="list-style-type: none"> <li>• Three distinct neighbourhoods</li> <li>• Density done well</li> <li>• A city for everyone</li> </ul>	The future development of this proposal would be consistent with this commitment as it will provide an example of density done well. The future development has the potential to be part of a city for everyone, however further work is required to identify how affordable housing will be provided on site as recommended by the Local Planning Panel.
6.2 Regional facilities which are the pride of the Macarthur	<ul style="list-style-type: none"> <li>• A bustling City Centre community hub</li> <li>• Leumeah Live</li> <li>• An upsized arts centre</li> <li>• Future proofed facilities</li> </ul>	The proposal does not directly provide the facilities listed. The proposal is able to be future proofed and built in a way that is able to be adapted to other land uses over time. Additionally the site itself if of sufficient scale that land uses of a regional scale, including health and education uses, would be able to be established on the site.
6.3 A city of energy and enchantment	<ul style="list-style-type: none"> <li>• City of playfulness</li> <li>• Activity spine</li> <li>• Concentrated creative energy</li> </ul>	The future development of this site is able to be done in a manner that is consistent with this commitment. The combination of open spaces will provide opportunities for playfulness for all ages.
6.4 Telling our stories old and new	<ul style="list-style-type: none"> <li>• Aboriginal cultural connections</li> <li>• Heritage at the heart of the city</li> <li>• Our stories told in new ways</li> <li>• Spaces to gather</li> </ul>	While the site does not include any heritage items, there are opportunities for spaces to gather within the open space provided across the site. These spaces also provide opportunities to include public art and site features that tell a range of stories suitable for each particular element of the development. The way these matters are incorporated into the future development of the site needs to be further detailed in the site specific development control plan and public domain plan.

**Important Issues concerning the Planning Proposal Request:****Height and Urban Design**

This planning proposal seeks to increase the maximum height of buildings permissible on the subject land above the current maximum height of 32m. As discussed above the strategic context is that the Corridor Strategy promotes heights of seven plus storeys with no prescribed maximum height identified.

Currently the maximum height permissible within the Campbelltown CBD Central Core is 45m (approx. 14-15 storeys) on a group of sites bounded by Hurley Street, Railway Street, Short Street, Coogan Lane and Dumaresq Street with the remainder of the Campbelltown CBD (majority) limited to 32m (approx. 10 storeys).

The success of the CBD's Central Core area to provide higher order civic, cultural, employment, residential and retail opportunities is dependent on the concentration of development in close proximity to railway stations and other existing retail, government and service industry land uses. Therefore, care needs to be taken to ensure that any development further from the traditional centre of the CBD does not act in an adverse way against these goals.

The heights proposed under the PPR lodged by the proponent for the Kellicar Precinct are similar to those which were supported by Council on 14 August, 2018 in its consideration of the draft Planning Proposal for the Campbelltown RSL site in Queen Street, Campbelltown. The draft Planning Proposal for the RSL site seeks a maximum permissible building height of 85m on the rear of the site and 45m towards Queen Street. The Campbelltown RSL Planning Proposal has since received a positive gateway determination generally as lodged.

Having regard to the above, and when considering the relevant pillars of the RCMP, the heights proposed within the proponent's proposal for the Kellicar Precinct may act to dominate the future building heights within the CBD core which includes the RSL. Even though the subject planning proposal will arguably provide the opportunity for much needed additional housing and employment opportunities between the centres of Macarthur and Campbelltown, it also has the potential to compete with the areas targeted for the highest and densest level of development in the RCMP. This aspect needs to be carefully considered as the city moves forward under RCMP.

Notably, Council has also considered and supported a planning proposal to increase building height at No. 22-32 Queen Street (known as the Former Direct Factory Outlet (DFO)) from 26m to 45m (approx. 14-15 storeys). A separate report to Council considers whether the proposed height limit for the DFO site should be increased to 50m (approx. 15-16 storeys). The former DFO site is located at the northern end of Queen Street, has an area of approx. 2ha and is about 1km north of the Campbelltown Railway Station. The planning proposal for that site has also been issued with a positive Gateway determination.

However, when comparing the north Queen Street sites against the Kellicar Precinct, it is considered that with its higher visibility from a wider area of the LGA and in particular the western gateway to the City; its relatively unique large site proportion; its position between the centres of Macarthur and Campbelltown and its cultural precinct; its strategically important link and close and walkable proximity to the health and education precinct within the bounds of the Campbelltown Hospital and the Western Sydney University; and its location in respect to greater employment opportunities close to home ranging through but not limited to business, retail, tourism, health and education in such a compact area, the

redevelopment of the Kellicar Precinct is expected to play a more pivotal and catalytic role in the revitalisation of the Campbelltown/Macarthur CBD area than the northern end of Queen Street.

The unique opportunity that the Kellicar Precinct provides the city is that it is ideally located to show case design excellence and set a new bench mark for the future redevelopment of Campbelltown/Macarthur CBD. As such, it is arguable that with a considered, innovative and contemporary and collaborative planning and urban design focus, the Kellicar Precinct could deliver an outcome of exemplar proportions and one that is very desirable for both industry, workers and future home owners.

Notwithstanding the above, the submitted PPR includes plans which demonstrate a thoughtful and considered building configuration with a range of building heights providing five and six storey buildings at street edges with strategically positioned slim taller towers interspersed across the entirety of the site. This design mix of building heights, with less bulky building massing at higher levels, has been designed so as to not adversely impede the important distant view corridors of the city, through to and from its valuable and defining green edges, whilst attempting to deliver a skyline that emotes opportunity, progress, and diversity and importantly a proposal that both delivers a new style of built form to the city but protects and actively responds to the theme of City in a Valley being a key theme in the reimagining Campbelltown master plan. However, this element of the proposal is inconsistent with the examples for place sensitive outcomes in reimagining Campbelltown commitment 5.3 which suggests a street edge (podium height) should be a max of three storeys with towers set back 10m from street frontages. Additionally the proposed maximum floor plate in the proponent's PPR for the towers of 1000sqm leaves open the possibility of designs that appear bulky from some elevations and instead a maximum floorplate for towers of 700sqm is preferred to ensure that towers are slimline. It is recommended that these elements be incorporated into a site specific clause in the CLEP 2015. This clause should also detail how the height of towers will vary across the site to provide variation.

Another nearby site that is important to consider alongside this proposal, and in particular it's relative building height and scale, is the Campbelltown Hospital expansion which is currently under construction. This site is within close proximity to the Kellicar Precinct. The Campbelltown Hospital Redevelopment will deliver a building of significant bulk and scale, with a height of 52.4m when measured from the ground level.

The height of the hospital relative to the Australian Height Datum (AHD) is approximately 83.2m AHD at ground level and 135.6m AHD at its highest point (52.4m building height).

**AHD:** The Australian Height Datum (AHD) is the official national vertical datum for Australia and is taken as a value of 0.000m at the average sea levels at various points around Australia. To establish relative heights at different sites across a town, city, or even the Country, all levels are quoted relative to a single datum (or starting point) being the Australian Height Datum. Relating the heights of a series of buildings to such a datum can be useful when attempting to compare the actual relative heights of those buildings across a visual landscape.

In comparison to the hospital site, the proposed building heights when measured Above Ground Level (AGL) for the Kellicar Precinct, range from 70m AGL (approx. 23 storeys) at the Narellan Road end of the site to 84m AGL (approx. 28 storeys) at the Gilchrist Drive end of the site. Relative to the Australian Height Datum, these heights range from 137m AHD to 160m AHD respectively compared to the hospital building height of the hospital being 135.6m AHD.

As noted previously, the draft Planning Proposal for the RSL site within the Campbelltown CBD has been issued a Gateway approval with a maximum building height of 85m which when related to the Australian Height Datum, has a relative proposed building height of approximately 160m AHD.

In the circumstances where the building heights proposed on the Kellicar Precinct site were set at a level that did not exceed the maximum relative height plane of the buildings currently being constructed on the hospital site (135.6m AHD), the maximum building height of the buildings on the Kellicar Precinct site when measured above the existing ground level would need to be limited in height at the Narellan Road end of the site to approximately 69m AGL (approx. 23 storeys) through to approximately 59m AGL (approx. 20 storeys) at the Gilchrist Drive end of the site (to allow for topographical differences across the site), instead of 23 to 28 storeys AGL as proposed.

Notwithstanding the above, the Proposal, including the proposed demolition of all existing buildings on site, is generally supported. The Proposal will provide a unique opportunity to redesign the interface between the Kellicar Rd, Narellan Rd, Menangle Rd and Gilchrist Dr frontages by significantly improving the urban design and built form on these sites and provide a designed visual interruption to the bulky massing of the future hospital building when viewed at a distance from the west.

### **Visual Impacts**

The applicant has prepared a diagrammatic visual analysis to examine the visual impacts of the proposed building heights on the Campbelltown CBD which also includes a view corridor to the commercial core.

This analysis demonstrates that the proposed development would be obvious and visible from various key view locations across the Campbelltown area, but quite limited from others. The impacts would not be insignificant when viewed from areas within close proximity to the site, such as numerous closer vantage points along Narellan Road and Gilchrist Drive while heading toward Campbelltown.

Given the previous discussion on building heights, and the potential for buildings of taller heights to have an increasingly adverse impact on the current view corridors and the wider Campbelltown CBD skyline, the proposed distribution of the residential towers and a designed variation in building heights across the site at targeted locations is considered a more favourable response, and should be incorporated in site specific controls for the site within the CLEP 2015. Such an approach is considered an appropriate response by further protecting important view lines and setting the desired character for the precinct and the wider Campbelltown CBD. However, whilst the proposed buildings would have an impact on currently uninterrupted view corridors, this design approach is not considered to have an impact that would result in a significant and/or irretrievably adverse influence on the wider view corridors to, and from the scenic hills and the natural landscape of the surrounding areas. This is particularly evident when comparing the proposal to the view corridors outlined in the RCMP.

Breaking the building mass in the horizontal plane and introducing deliberate variances in the vertical plane, would not only deliver and promote a visually interesting landscape when viewed from a distance, but would also provide practical and amenity advantages by way of maximising solar penetration to the lower areas of the site and beyond. This response is considered to be a highly superior response to that of providing a simple linear and bulky building mass that would tend to dominate the landscape, adversely impact on valuable view corridors, and only delivers a minimum in terms of amenity to the occupiers and community of Campbelltown.

Notwithstanding the above, it is important to note that the view corridor that is considered to be impacted most by this proposal is the important entry view corridor enjoyed when travelling east along Narellan Road towards Campbelltown from the freeway. It is the case that without any development on the subject site, the new hospital building currently being constructed at the hospital site will dominate the same view corridor as it will be the largest building of greatest massing for the short to medium future.

By way of its operational nature and requirements, the form of the new hospital building is extremely large in scale and bulky in mass with minimal opportunities for significant articulation to reduce its massing or relative scale from a visual context both at day-time and night-time. Despite the facility and the hospital expansion being greatly welcomed, and all efforts made through the design phase to lessen the buildings impact on the day-time and night-time visual landscape, the building will still weigh heavy on a landscape that is very important to the Council and its community.

With this in mind, the subject planning proposal is considered to provide an excellent opportunity to significantly reduce the dominating impact and bulkiness of the hospital development when viewed from the Narellan Road view corridor through considered design and architecture. In this regard, it is considered that on balance and despite the discussed challenges that the proponents building height proposal might pose to the wider Campbelltown CBD, in the circumstances allowing strategically placed and well-designed slim-line buildings of a height well above the existing permissible height plane, are design responses that can all work in unison to reduce the bulkiness and perceptible scale of the hospital building across all hours of the day/night. Having said this, it is considered that a maximum floor plate for towers of 700sqm will deliver a superior design outcome compared to the 1000sqm requested by the proponent. Slim towers resulting from an increase in building height will enable views through the site which compares favourably to a development complying with the current planning controls which have no restriction on building floor plate and no street setback to towers resulting in development that hides distant views.

One of the most significant strategic contexts of the draft RCMP is the theme of "City in a Valley". Campbelltown's celebrated natural surrounding landscapes and the setting of the city within the valley are one of the city's greatest assets and the foundation upon which the city's structure will continue to evolve. Campbelltown is where the city meets the bush, and it is expected that decisions being made moving forward are made with a mind and the objective to strengthen, validate and proudly communicate the strategic context and importance of being A City in a Valley. Accommodating good growth and thoughtfully planned intensification within the city centre that respects, enhances and champions the city's natural beauty and green assets is key to shaping its identity, enriching its lifestyle offer and defining its competitive edge.

In support of this strategic context, Pillar 5 of the draft RCMP (City & Bush) is there to protect the Campbelltown CBD's natural and bush-like character and setting, but also embrace growth and innovation as it relates to city life. The visual character of A City in a Valley includes the powerful and distinctive themes of green, natural and wide open, but at the same time the visual character holds and deliver a long term visual response that is more in line with the desires and objectives of the RCMP.

Buildings of innovation and excellence will create an optimistic and inspiring urban setting. Similar to that of all future development sites, future controls for this site should articulate controls that encourage an optimistic and inspiring urban form. All proposed site specific controls for the future development of the site that will be contained in the site specific DCP will be reported to Council's Design Excellence Panel for advice before they are reported to Council for consideration.

### **Traffic, Parking and Access**

The proposed increase in permissible building height from 32m to 80m would accommodate approximately 15 additional storeys of residential apartments. This change would result in a significant increase in vehicle movements accessing and egressing the site. This would be in addition to vehicles (including heavy vehicles) servicing the commercial component of the completed development.

The applicant has submitted a Traffic and Parking Impact Assessment, prepared by Arup Engineering, which 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 DA stage. The Report evaluates the geometries of three intersections that will be particularly affected and suggests appropriate upgrades to ensure acceptable intersection performance as the staged development is realised in the future. These intersections include Kellicar/Narellan Roads, Kellicar/Gilchrist Roads and Kellicar/Centennial Roads.

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

Councils' engineers reviewed the applicant's traffic assessment report and identified the need for further in-depth studies to be undertaken to test and understand more clearly current and future road network capacities and the relationship with that of the traffic generated by the development; consideration of changes to regional road networks and their influence on traffic capacity over the 15-20 year life of the delivery of the project including the Spring Farm Parkway connection to the M31, the Spring Farm Parkway Link Road and the Outer Sydney Orbital; and potential staging of the development to evolve in step with the delivery of required road infrastructure and/or increases in capacity.

It is clear from the above that the road network surrounding the wider Kellicar Precinct is in need of further investigation to address the traffic impacts generated by not just the redevelopment of this site but also the redevelopment of Menangle Park, Gilead to the south and any future development within Macarthur and Campbelltown CBDs.

The redevelopment of the site is able to contribute to the provision of pedestrian and cycle linkages to Campbelltown and Macarthur Railway Station. This is a key feature of the Proposal and one which would be considered in more detail following a positive Gateway determination.

### **Private and Public Open Space**

The revised Proposal proposes a number of parks/open space areas that would have various functions including a central park with an area of 46,800sqm, a linear park of 1,800sqm (currently zoned for road widening), a fountain Park of 1,690sqm and a civic plaza of 2,293sqm. The proposed public domain and open space areas account for 31 percent of the site area. The applicant states that this is far exceeding comparable renewal precincts in other parts of Sydney, which generally deliver between 10-15 percent of site area as public space (e.g. Green Square, Victoria Park, Central Park, Rhodes West). Additionally all of the proposed dwellings will be within 200m of publicly accessible open space.

Further detailed analysis is required in respect to the resultant overshadowing impacts on the surrounding public domain, adjoining properties and open space. The proposal to use road widening reserves for a linear park is also yet to be investigated and relies heavily on the outcome of further studies and the surrounding road networks where the planning proposal was to be issued with a positive gateway determination. The traffic management investigations and solutions for this proposal will be considerably complex and given the extent of work that will be required, this matter is not reasonably expected to be resolved until after a positive gateway determination but potentially could also impact on the overall quantity of private and public open space.

Should the proposal proceed to the Gateway for a determination, it is recommended that a detailed Public Domain Plan be prepared for the site which provides further consideration to the open space and place making requirements on site and addresses the matters raised throughout this report. It is also proposed that the site specific DCP detail how the open space is to be provided across the site and how public access to this open space will be guaranteed.

### **Drainage and Flooding**

Councils' engineers reviewed the applicant's proposal and identified the need for further in-depth studies to be undertaken to test and understand more clearly the flooding impacts that the proposal would have on the operation of Birunji Creek and the local area, up to and including flood controls for the Probable Maximum Flood (PMF).

This would need to give full regard to the changes to the amount of impervious areas across the whole of the site and consideration of water quality works as part of the development.

It is considered that these matters can be adequately addressed through the requirement of further detailed technical studies being undertaken post gateway.

**Site Specific Development Control Plan**

The proponent submitted an urban design study which also included concept plans. These are provided at attachment 2 of this report.

Site specific development control plans (DCP) can be used to guide the design of a development as a means of achieving a satisfactory outcome which corresponds to the surrounding locality of a subject site. The implementation of a site specific DCP would promote excellent design outcomes which address potential design issues such as overshadowing, view lines, pedestrian spaces, etc. and would provide a mechanism for providing greater certainty that commitments made by the proponent can and would be delivered at the Development Application and delivery phases of the proposal.

A site specific DCP would also complement the site specific controls proposed to be incorporated into the CLEP 2015. A site specific DCP may also be required to address issues raised in any Gateway Determination.

It is intended for a site specific DCP to be prepared and publicly exhibited at the same time that the planning proposal is exhibited. The site specific DCP will detail planning controls for the site as discussed throughout this report.

**Special Infrastructure Contributions (SIC)**

According to the Greater Macarthur 2040: An Interim Plan for the Greater Macarthur Growth Area, two separate draft Special Infrastructure Contributions (SIC) schemes have been developed; one for the land release precinct in the south of the Growth Area and the Glenfield to Macarthur corridor in the north. The Department of Planning Industry and Environment has exhibited both schemes and is currently considering submissions. It is expected that a SIC will be adopted and will apply to future development on this site. The result of the SIC is that as part of the future development of this site contributions would need to be paid to the NSW government for state infrastructure, including improvements to state roads.

**Local Development Contributions/ Voluntary Planning Agreement**

The Campbelltown Local Infrastructure Contributions Plan 2018 was adopted on 19 December 2018 and sets contribution rates for both residential and non-residential development.

The proponent has indicated a willingness to look into the potential benefits of a voluntary planning agreement (VPA) to both parties. Were the proponent to offer to enter into a VPA with the Council, the draft VPA would be separately reported to Council for consideration.

If a VPA is the chosen path for developer contributions, matters that can be potentially addressed include:

- Land dedication for open space
- Road widening and road infrastructure upgrades
- Active transport infrastructure and increased connectivity to public transport
- E-vehicle charging and car sharing
- Allocation of facilities for the community, such as child-care, a women's health centre (i.e. WILMA) and recreational space (indoor/outdoor)
- Pedestrian connections to other parts of the CBD

- A public domain strategy
- Contributions to CBD-wide traffic modelling and other studies

### Conclusion

The revised PPR seeks to achieve an increase in height for the lands identified as the Kellicar Precinct. The Kellicar Precinct is considered to have significant strategic importance to the future of the Campbelltown CBD given its location and size. The proponents proposed planning height introduces both challenges and opportunities for the area, however when considered against the important matters of enhancement of view corridors and the like, and that many facets of the proposal align well with and support the draft Reimagining Campbelltown masterplan (RCMP), the proposal is considered to have sufficient merit for it to continue through the Gateway process and for subsequent in depth investigation.

While an increase in height is supported, the application of a variable height plane is considered more appropriate when addressing the community's priorities of visual enhancement and scenic values across the Campbelltown LGA. This variable height plane needs to be included in a site specific clause within the CLEP 2015 that also provides controls for tower separation, maximum tower floor plates of 700sqm, maximum podium height of 11m, street setbacks for towers of 10m and minimum floor space ratios for employment uses. Therefore while the height of buildings maps will show a maximum height of buildings of 80m, the site specific clause will detail how the physical height of the buildings will vary across the site.

The Kellicar Precinct is an opportunity to provide a very large population access to a diversity of affordable and premium living options and a diverse range of close-to-home employment and business opportunities. This precinct is in a location that is extremely well serviced and within easy walking distance of major public transport modes; major shopping centres, restaurants/entertainment districts; a major hospital and supporting services; major education institutions; a major club; active and passive open spaces; two regional parks; and culture and tourism facilities. The benefits of this location need to be given equal importance in balancing the merit of height and scale across the Kellicar Precinct. Equally, important consideration and balance must be given to the priority of the Campbelltown CBD core against the powerful synergies of the wider health and education precinct. The use of different land use zones (B3 commercial core for the Campbelltown CBD core and B4 Mixed Use for the Kellicar Precinct) ensures that each site performs its own role and function within the broader context of the city.

Aside from the matter of height, the urban design principles of the proposal are considered sound, and complementary to the strategic context and pillars of RCMP. In this regard, the Proposal is considered to hold sufficient merit at this point in time, to allow progression to the Gateway. Further investigation and work is required on this proposal and accordingly it is recommended that Council request that these be incorporated as conditions of any Gateway determination.

### Attachments

1. Planning Proposal Kellicar Road (contained within this report)
2. Revised Market Fair (Kellicar Precinct) Planning Proposal (due to size) (distributed under separate cover)



#### 4. REPORTS FROM OFFICERS

##### 4.1 Request to Exhibit Site Specific Development Control Plan with the Kellicar Road Precinct Planning Proposal

###### Reporting Officer

Executive Manager Urban Centres  
City Development

###### Community Strategic Plan

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

###### Officer's Recommendation

1. That Council seek public input into draft amendment No 13 to the Campbelltown (Sustainable City) Development Control Plan 2015 as shown in attachment 1 to this report by placing it on exhibition with the Kellicar Road Precinct Planning Proposal.
2. That Council note the content of the detailed traffic and transport assessment and the flood study provided by the applicant in accordance with the conditions of the Gateway approval for the Kellicar Road Precinct Planning Proposal and seek public comment by exhibiting these with the draft amendment to the Campbelltown (Sustainable City) Development Control Plan 2015.
3. That Council seek public comment on the amended Planning Proposal shown in attachment 2 to this report which has been modified in response to the studies provided, the Gateway determination and by the refinement of the proposal over time.
4. That the outcome of the public exhibition process be reported back to the Council.
5. That all land owners be advised of this decision.

###### Executive Summary

- At its meeting on 9 June 2020 Council considered a Planning Proposal (the Proposal) relating to land bounded by Kellicar Road, Narellan Road, Menangle Road and Gilchrist Drive, Campbelltown (the Site).
- The Proposal sought to increase the maximum permissible height of buildings on the Site under the Campbelltown Local Environmental Plan (2015) from 32 m to 80 m.

- A report on the proposal was provide to the Council's Local Planning Panel for its review and comment, prior to the Proposal being reported to the Council for its initial consideration.
- Council was subsequently provided a report on the Proposal, which included the comments and advice of the Local Planning Panel, and resolved to allow the Proposal to progress through to the NSW Department of Planning, Industry and Environment (DPIE) for a Gateway determination.
- A Gateway determination was issued by the DPIE on 11 August 2020, and is included as attachment 3 to this report. It requires that a site specific development control plan (DCP) be publically exhibited concurrently with the Proposal. The Gateway determination also requires the adjustment of the Proposal to reflect the outcome of the required flood study and traffic/transport study.
- The applicant provided a draft site specific DCP which has been subject of detailed review by Council staff and has also been reviewed by the Campbelltown Design Excellence Panel (CDEP) at its meeting on 23 October 2020. The CDEP recommended that a number of amendments be made to the draft site specific DCP which have been incorporated into the draft site specific DCP included as attachment 1 to this report.
- In accordance with the requirements of the Gateway determination issued by the DPIE, the applicant has undertaken and submitted a detailed transport/traffic and flood study, in support of the Proposal.
- The outcomes of the studies have resulted in the need for the layout of the proposed development to be adjusted, with the draft site specific DCP being updated to reflect the adjustments.
- As per the regulated process and sequence of managing a Planning Proposal, it is now considered appropriate to formally engage with the community and publicly exhibit and call for submissions on the Proposal and all of its supporting documents in accordance with the requirements of the Gateway determination.
- This report recommends that the draft site specific DCP and supporting studies be placed on public exhibition with the revised Planning Proposal in accordance with the Gateway determination.
- Subject to the decision of the Council, the outcome of the public exhibition and all submissions made will be reported back to the Council for its consideration.

### **Purpose**

The purpose of this report is to seek Council's approval to proceed with the public exhibition of a Planning Proposal (the Proposal) for the Kellicar Road Precinct (the Site), a draft site specific Development Control Plan (DCP) and the technical studies provided by the applicant in support of the Proposal.

Extraordinary Council Meeting

27/04/2021

<b>Property Description:</b>	1 Bugden Place, Campbelltown (Lot 1, DP 882496) 1 Tindall Street, Campbelltown (Lot 1, DP 747811) 3 Bugden Place, Campbelltown (Lot 2614, DP 262484) 6 Bugden Place, Campbelltown (Lot 22, DP 862080) 4 Tindall Street, Campbelltown (Lot 2341, DP 830786)
<b>Applicant:</b>	Memphis Strategic
<b>Owners:</b>	Dumarchand Holdings & Dankaur Pty Ltd, Sen Khun Two Pty Ltd, The Trust Company (Australia) Pty Ltd, MM Holdings (NSW) Pty Ltd and Health Administration Corp.

### History and Context

On 8 June 2018 Council received a formal Planning Proposal Request (PPR) from Memphis Strategic, on behalf of land owners of the Site, which sought an amendment to the Campbelltown Local Environmental Plan 2015 (CLEP 2015) – ‘Height of Buildings Map’ to increase the maximum permissible building height for the subject sites from 32 m to 110 m.

Aspects of the PPR were modified in June 2019 in response to various concerns raised by Council which resulted in a reduction in the maximum building height to 80 m and a maximum floor space ratio (FSR) of 3.5:1.

Following advice from the Campbelltown Local Planning Panel, the progression of the revised Proposal was formally supported by Council at its meeting on 9 June 2020 and the proposal was forwarded to the NSW Department of Planning, Industry and Environment (DPIE) for a Gateway determination.

The Planning Proposal attached to the Council report at its normal meeting on 9 June 2020, included a request for a ‘local provision’ clause to address podium heights, building separation, floor plate sizes and building setbacks in response to the Reimagining Campbelltown City Centre Master Plan. It is of note that the Reimagining Master Plan was still on public exhibition at that time.

The Council resolution also included the following:

3. That Council request the following be required as conditions of any Gateway Determination:
  - a. A detailed traffic study that identifies short, medium and long term traffic solutions for the precinct
  - b. A flood study considering the impacts of flooding from Birunji Creek
  - c. A comprehensive public domain plan
  - d. An evidence based site sustainability and resilience strategy
  - e. A site specific Development Control Plan
  - f. A study/strategy/plan that details how affordable housing will be provided within the future development of this site

A positive Gateway determination was ultimately issued by the DPIE on 11 August 2020 and is included as attachment 3 to this report. The Gateway determination did not adopt all of the conditions requested by Council, but did include the following condition:

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Prior to public exhibition, the Planning Proposal must be amended to:

- (a) include the findings of a detailed flood impact assessment for the site and update the consistency of section 9.1 Direction 4.3 Flood Prone Land
- (b) reflect the transport and traffic assessment
- (c) update proposed Clause 7.23 by removing any provisions that are more appropriate for inclusion in the Development Control Plan and update the consistency with section 9.1 Direction 6.3 Site Specific Conditions; and
- (d) exhibit the revised Development Control Plan for the site concurrently with the planning proposal.

In accordance with requirements (a) and (b) of the Gateway determination, the applicant has undertaken and submitted the detailed transport/traffic assessment and flood study reports. The main details of which are discussed below.

Requirement (c) is addressed by the discussion within this report and the draft site specific DCP prepared by the applicant.

Requirement (d) is the recommendation of this report.

## Report

### 1. Summary of the planning proposal originally endorsed by Council

The planning proposal supported by Council on 9 June, 2020 sought to increase the maximum permissible building height for the subject sites from the current maximum height of 32 m to 80 m and introduce a floor space ratio (FSR) of 3.5:1.

The planning proposal does not seek to amend any other aspect of the zoning of the site which will remain 'B4 - Mixed Use' under the CLEP 2015.

The planning proposal also seeks to include a 'local provision' clause to address podium heights, building separation, floor plate sizes and building setbacks.

### 2. Study Outcomes

#### 2.1 Flood Impact Assessment

In response to Council's request and the requirements of the Gateway determination the applicant has undertaken and submitted a flood study which is included as attachment 4 to this report.

The flood study identified that if development proceeded in accordance with the extent of the indicative building layouts shown on the supporting master plan, the buildings located on the site of the current Marketfair shopping centre would adversely restrict the flow of water along Birunji Creek in large flood events creating an unreasonable flood impact to Kellicar Road and potentially to properties on the other side (Park Central side) of Kellicar Road.

In response to the findings of the flood study, the layout of the proposed development has been amended by the applicant to address the issue, which now provides a substantial flow path over the Marketfair site, as open space located adjacent and parallel to Narellan Road for large flood events on Birunji Creek. This revised site layout is reflected in the draft site specific DCP which is included as attachment 1 to this report.

The Proposal has also been adjusted by the applicant to accommodate the findings of the flood study and has provided additional commentary on the section 9.1 direction for flood prone land.

The revised Proposal is consistent with the revised site layout and controls now incorporated into the draft site specific DCP.

**2.2 Transport and Traffic Assessment**

The applicant has undertaken and provided a detailed traffic and transport assessment in support of the proposal. The concerns raised with the applicant, by the Council and Transport for NSW that any additional development, enabled by the Proposal, would have an impact on the traffic network surrounding the development has been acknowledged within the assessment and study findings

The assessment identifies that mitigation measures are required to offset the impacts of the future development of the site and these are listed in the table below.

Note: Site references 1, 2, 3 and 4 in the table below are per those sites referenced on the maps within the Detailed Traffic and Transport Assessment included as attachment 5 to this report and Section 7.14 of the draft site specific DCP included at attachment 1 to this report.

- Site 1 = Bunnings (Western Site)
- Site 2 = Gym and other Commercial (Central Site South)
- Site 3 = RMS, WILMA (Central Site North)
- Site 4 = Marketfair (Eastern Site)

<b>Mitigation</b>	<b>Description</b>	<b>Recommended staging</b>
Mitigation 1: Kellicar Road/ Bugden Place	Conversion of Bugden Place/Kellicar Road intersection to Left-in / Left-Out only	Concurrent with the development of Site 1 or at the time Bugden Place is extended through to Menangle Road.
Mitigation 2: Kellicar Road/ Tindall Street	Creation a double right turn from Kellicar Road (westbound) into Tindall Street (northbound) and a dedicated left turn lane from Tindall Street (southbound) into Kellicar Road (eastbound)	Concurrent with the development of Site 2
Mitigation 3: Kellicar Road/ Gilchrist Drive	Creation a double right turn from Kellicar Road (westbound) into Gilchrist Drive (northbound)	Concurrent with the development Site 1
Mitigation 4: Kellicar Road eastbound traffic lane	Creation of an additional traffic lane along Kellicar Road (eastbound) between Bugden Place and Narellan Road	Concurrent with the development of Site 2 or 3, whichever comes later

Mitigation 5: Kellicar Road/ Narellan Road	Creation a left turn slip lane from Kellicar Road (eastbound) into Narellan Road (northbound)	Concurrent with the development of Site 4
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The applicant’s traffic and transport assessment details the impact of the proposed development on the Level of Service (LoS) of each intersection. The applicant has engaged with Transport for NSW (TfNSW) on the matters of impact on State roads and intersections, as the impacted roads and intersections are predominantly state controlled roads/intersections. However, and notwithstanding any prior communication on this matter, where the Council approves the public exhibition of the Proposal, TfNSW will also be formally notified of the public exhibition and provided all information relating to the Proposal for its review and comment. Any response from TfNSW would also form part of any post public exhibition report tabled before the Council.

The mitigation measures described in the table above have been referenced in the draft site specific DCP in a general (objective) sense, rather than a specific sense. This approach reflects the indicative nature of a Planning Proposal.

It is important to note that a Planning Proposal is not the same and does not operate in the same way as a Development Application. Imagery of buildings, etc and therefore the densities included with a Planning Proposal are only provided as an indication of how development could take place if the requested amendment to the Local Environmental Plan was allowed. As such, it is considered more appropriate to develop a DCP with performance objectives in mind, and one that can more appropriately respond to a range of development outcomes that could still eventuate across the site, whether that be due to market influences or the changes in the needs of the community over longer term time frames. It is expected that development across the whole of the Site will occur over a 15-20 year horizon, and as such, a DCP must be appropriately flexible to respond to changes over time.

In this regard, relevant references to sequencing and timing of the various infrastructure aspects within the Precinct can be found in section 7.14 Delivery and Staging, of the draft site specific DCP. Each stage includes advice that the public infrastructure works associated with the particular stage will include “related upgrades to adjacent roads to accommodate traffic flows”. As noted before, the general reference is necessary as the actual content of any future development application for the site is not yet known.

The actual content of any particular application within each stage is expected to vary and is not yet determined. The physical condition of the state controlled roads and the level of traffic will vary over time and therefore it will be necessary with every future development application for construction works to provide an individual detailed traffic study, specific to the development and the nature of traffic flows current at the time, to ensure that not only are the individual impacts of the particular development ameliorated, but the cumulative impacts resulting from development across and external to the site are accounted for.

Additionally, there is the potential that a Special Infrastructure Contribution (SIC) will be adopted by the NSW Government for the Glenfield to Macarthur corridor precincts. If this does occur, then the future development of the site would contribute to the improvement of the local state road infrastructure through contributions, in addition to the direct works attributable to the development as identified in the detailed transport and traffic assessment provided by the applicant.

State owned and yet to be delivered infrastructure and responsibilities that will have a major and positive influence on traffic and transport moving to/from and through the Campbelltown area include the completion of the Spring Farm Parkway (stages 1 and 2); the provision of southern freeway ramps at the soon to be constructed Spring Farm Parkway freeway interchange; the upgrade of Menangle Road; the delivery of the Stage 2 portion of the Outer Sydney Orbital between Appin and the freeway; and the provision of an east-west arterial connection connecting Appin Road to the Spring Farm Parkway interchange.

### 2.3 Changes to Open Space

The outcome of the flood study identified the need to provide a flow path for larger flood events across the site of the current Marketfair Shopping Centre. The layout of the development has been revised to provide this flow path parallel to Narellan Road in a new area of open space referred to in the draft Site Specific DCP as 'Birunji Park'. The consequence of creating this space was that the proposed configuration of the site, including potential building locations, needed to be adjusted. This has had flow on consequences for the arrangement of open space across the site.

Upon request, the applicant has provided the following table to compare the open space arrangement as originally reported to Council with the open space arrangements across the site that they now seek. The Draft site specific DCP is based on the 'applicant's revised proposal' column shown below. There have been concerns expressed during the process that some of the areas portrayed as open space are actually set aside for road widening. The table below therefore details these areas separately to assist in the analysis of the open space proposed.

Public Domain Item	Council Report June 2019	Applicant's revised proposal April 2021	DCP reference	Reason for Change
Macarthur Walk	7,704 m <sup>2</sup>	6,351.99 m <sup>2</sup>	20 m wide	Updated design due to changes on site 4 - road and other park crossings not included
Civic Plaza	2,290 m <sup>2</sup>	1,306.7 m <sup>2</sup>	1,000 m <sup>2</sup> min.	Updated design - area of Bugden Place not included in calculation
Under Bridge	1,800 m <sup>2</sup>	1,271 m <sup>2</sup>	1,500 m <sup>2</sup>	New measure excludes road widening part of Menangle Road
Central Park	4,670 m <sup>2</sup>	3,018 m <sup>2</sup>	3,000 m <sup>2</sup>	New measure excludes road widening part of Menangle Road
Fountain Park (now referred to as Menangle Plaza)	1,690 m <sup>2</sup>	1,414.95 m <sup>2</sup>		Updated design with new flood option. Some areas in front of building now in Birunji Park
Birunji Park	0	4,306.99 m <sup>2</sup>		Additional area - new dual purpose open space and extreme flood passage
Linear Park - Green Link	1,800 m <sup>2</sup>	3,326.3 m <sup>2</sup>		Includes all 3 sites now for consistency

Additional open space Menangle Road Site 2	0	650.16 m <sup>2</sup>		Part of 'green link' not affected by road widening
Kellicar Road frontage		2,565.73 m <sup>2</sup>		Proposed open space on private land for boulevard.
<b>Total Open Space inc road widening</b>	19,954 m <sup>2</sup>	24,211.82 m <sup>2</sup>		
<b>Total Open Space exc road widening</b>	18,154 m <sup>2</sup>	20,885.52 m <sup>2</sup>		
Total Site Area	63,990 m <sup>2</sup>	63,990 m <sup>2</sup>	63,990 m <sup>2</sup>	
<b>% Open Space with all parks</b>	31%	38%	30%	Precinct objective, excluding communal areas for residents/workers
<b>% Open Space with all parks excluding linear park</b>	28%	33%		

The table above refers to 2565.73 m<sup>2</sup> of open space as the Kellicar Road frontage (the draft site specific DCP refers to this as Kellicar Road Boulevard on page 26). While this is available as open space, it is primarily required as a suitable building setback to Kellicar Road to preserve and protect the future streetscape and urban design character of Kellicar Road and reduce the impacts of overshadowing residential properties in Park Central.

This Kellicar Road frontage area will predominantly be in the shade as it is south of the proposed buildings (see diagrams on page 47 of attachment 1). The typical street sections show that this area will be publicly accessible as part of the requirement to have active street frontages to Kellicar Road, instead of having a sheer wall or services at this location. The proposed layout is therefore considered a superior design option, but would not ordinarily be counted as open space.

The information in this table was provided very late in the process and has been provided for the purposes of clarification and to ensure transparency through the public exhibition process. It is noted however, that the now proposed size for the underbridge park does not satisfy the size requirement listed in the table, although this size is not specifically mentioned in the draft site specific DCP. Notwithstanding this discrepancy, this matter is required to be addressed and be further investigated and considered during the public exhibition period. It is generally considered that the larger size would help achieve the stated vision for this park.

The proposed increase in the height limit across the site has been justified on the basis that this will enable improved amenity, solar access, visual interest and open space options. The assurance that the public open space will be provided in the manner proposed is therefore essential to the creation of the environment detailed in the vision for the site detailed in the applicant's original urban design report. To achieve this it is considered necessary to include a local provision within the CLEP 2015 that requires the quantity of publicly accessible open space detailed in the table above. This approach has been taken in other locations, for example in the Parramatta LEP, 2011 and is intended to be additional to any private open space or deep soil zones required for residential apartment buildings or shop top housing.

#### **2.4 Proposed floor space**

When the planning proposal was reported to Council on 9 June, 2020 it was reported with an expected gross floor area of 224,000 m<sup>2</sup> of development. This remains the case. There has been some adjustment in the anticipated components of residential and non-residential gross floor area, with an increase in the residential component and a corresponding decrease in the non-residential component, but the overall quantum of development has remained the same.

#### **2.5 Draft Site Specific Controls**

A draft site specific DCP has been prepared and includes controls that are proposed to form Part 16 of Volume 2 of the SCDCP. The purpose of these controls is to provide a clear vision for the site and controls to guide development to achieve the vision. The draft site specific DCP also details the outcomes sought across the precinct so that each site works together to achieve the desired outcome.

Where suitable controls are not specified within the draft site specific DCP, any proposed development will need to be consistent with the requirements of the SCDCP. The controls outlined in the site specific DCP at attachment 1 include:

- revisions made in response to the CDEP advice
- revisions in response to Council staff advice
- revisions in response to the flood study

##### **2.3.1 Layout/Master Plan**

The draft site specific DCP includes a masterplan for the site which specifies the building footprints, public open space areas, pedestrian and vehicle access, open space and green links. These are reinforced through illustrative figures (eg Figures 8 (Illustrative master plan) and 9 (Illustrative Master Plan indicative built form modelling), on pages 14 and 15 of attachment 1.

### 2.3.2 Building Separation

The revised layout was designed to reflect compliance with the building separation requirements specified in the State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP65) and the related NSW Apartment Design Guide (ADG), in addition to incorporating a 24 m separation distance between the proposed towers which is consistent with Council's previous support for the planning proposal at the meeting on 9 June 2020. The ADG however does not apply to buildings that are only used for commercial or educational purposes.

DPIE has recently placed on exhibition an explanation of intended effect for a proposed Design and Place State Environmental Planning Policy (Design and Place SEPP). The Design and Place SEPP will replace SEPP 65 and the ADG and will provide a new standard for good design of development including, but not limited to, residential apartment buildings. The Design and Place SEPP will apply to all types of development, including buildings only used for commercial or educational purposes and to open space. In these circumstances it is appropriate that building separation controls be located in the site specific development control plan, rather than in a clause in the CLEP2015, as ultimately it is anticipated that the requirements will be set by the Design and Place SEPP.

### 2.3.3 Height of Buildings

The planning proposal seeks to amend the CLEP 2015 to increase the maximum permissible building height from the current maximum height of 32 m to 80 m across this master-planned site. However it is not proposed that all buildings will be constructed to the maximum height.

There are controls and plans within the draft site specific development control plan to demonstrate how the floor space and towers can be distributed across the site. A variety in building heights is proposed and this is assisted by the presence of the maximum FSR control of 3.5:1.

### 2.3.4 Street Hierarchy and Setbacks

The draft site specific development control plan seeks to establish a defined street hierarchy for pedestrian and vehicle movement through the precinct by incorporating a street network with high levels of amenity, safety and permeability. This is important to deliver the vision for the precinct and ensure that there is harmony in the public domain across the individual sites and individual future developments.

The masterplan introduces 'Macarthur Walk' as a new east-west pedestrian promenade, which links Bugden Place and Tindall Street, in addition to focusing Kellicar Road as a landscaped boulevard which is intended to provide a sense of arrival when approaching the southern frontage of this precinct.

The draft site specific DCP proposes the following street hierarchy and setbacks from the surrounding road frontages:

- 'Macarthur Walk' is proposed as a 20 m wide tree-lined, pedestrian spine which traverses in an east-westerly direction through the site with all adjacent building towers being setback varying distances to provide some solar access into this thoroughfare.

- Bugden Place and Tindall Streets, which are internal to the site, will be designed to calm traffic movements by incorporating 3.5 m wide footpaths and street plantings on both sides of the street. The vision includes the potential for Bugden Place, which is currently a cul de sac, to be extended through to intersect with Menangle Road to increase permeability in the precinct. This will need to be carefully managed at DA stage to prevent Bugden Place being used as a rat run.
- Kellicar Road has a 35 m wide carriageway with central median plantings. Buildings shall be set back at least 8 m from their Kellicar Road frontage with the ground floor intended to be activated with retail uses and outdoor dining with additional street planting proposed between the buildings and the carriageway.
- Kellicar Lane is proposed as a service lane that is also able to be activated by ground floor retail uses.
- Buildings will be set back a minimum of 26 m from Narellan Road to not only provide an overland flow path for large flood events but also to enable significant landscaping as shown on page 34 of attachment 1.
- Menangle Road is proposed by the applicant as a new city link between Macarthur and Campbelltown railway stations with all buildings located adjacent to a linear park (Green Link) being adequately separated from the site and the adjoining public road reserve. However the draft DCP does not include a typical street section for Menangle Road. While this is not essential, it would be helpful and this will be a matter for further discussion with the applicant during the public exhibition process.

Attachment 6 contains copy of a letter from the applicant entitled "Kellicar Precinct – Built Form" (dated 25 January 2021) which outlines the building design principles that were employed by the architect during the preparation of this DCP in addition to demonstrating how the proposed mixed use development will align with the relevant 'pillars' described in Reimagining Campbelltown.

One concern raised in the previous report to Council was the height of the street wall. Since the master plan was last reported to Council there have been some adjustments to the master plan by increasing the open space adjacent to Narellan Road (in response to the flood study) and other changes to the buildings fronting Kellicar Road to address this issue.

The draft site specific DCP still however shows an 8 storey street wall height for all buildings adjacent to Kellicar Road. While the topography of the site assists to some extent with creating visual interest for the Kellicar Road frontage, and the 8 m setback from Kellicar Road enables landscape embellishment, careful consideration should be given to whether or not this creates the streetscape desired by the Reimagining Campbelltown City Centre Master Plan and to consult with the community on the impacts associated with the shadows cast by the development (see page 49 attachment 1) Rather than delay public exhibition, which prevents timely community consultation, it is recommended that the draft site specific DCP be exhibited as attached and if necessary adjustments to this aspect of the draft site specific DCP be made after, and with the benefit of, community consultation.

### 2.3.5 Interface with Public Domain

As described in Part 5 (Public Domain) of the draft site specific DCP, a large proportion of the site is proposed as open space which has been specifically designed to include:

- A new 20 m wide east-west pedestrian spine through the site which provides a direct line of sight through the precinct in addition to enhancing connectivity
- A 3,000 m<sup>2</sup> central park
- A 1,000 m<sup>2</sup> central square which will function as a civic plaza with a focus on outdoor dining
- A "Green Link" along Menangle Road
- A new underbridge park located under the Gilchrist Drive road bridge
- A new fountain plaza that will link Tindall Street and the Menangle Road "Green Link" is also anticipated to activate any retail uses overlooking the central plaza.

This public domain is a major component of the site's masterplan and represents a significant value to the community. It is achieved through the increase in building height which enables floor space to be selectively distributed across the site to ensure attractive streetscapes are and an interesting skyline are provided.

### 2.3.6 Parking

The car parking provisions in the draft site specific DCP only provide car parking provision rates for some land use types (commercial, retail and residential apartments). All other land use types will need to provide car parking as otherwise required in the SCDCP. The car parking rates that currently apply to residential apartment buildings in the SCDCP are a minimum of one space per dwelling and an additional space per 4 additional dwellings. The proposed approach in the draft site specific DCP is a more refined approach that links the amount of parking with the number of bedrooms in the dwelling.

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

These proposed controls apply only to the development within the Kellicar Road Precinct.

These controls do not repeat or replace controls expressed elsewhere in SCDCP, except where they provide a standard that applies to this site only, eg car parking rates. Where development controls are not specified within the draft site specific development control plan, the development is required to be consistent with the requirements outlined in Volume 1 of the SCDCP.

## 3. Design Excellence Recommendations

In accordance with Clause 21A of Environmental Planning and Assessment Regulations 2000, Council cannot approve a draft development control plan containing provisions that apply to residential development unless it has taken into consideration any comments made by the Campbelltown Design Excellence Panel (DEP).

The subject draft site specific development control plan was reported to the CDEP on 23 October 2020.

The advice of the CDEP was required on whether the proposed draft DCP satisfactorily addressed the matters listed in Clause 7.13 (4) of the CLEP 2015. Future development applications submitted for the precinct will also need to satisfy this Clause, which states:

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

The CDEP considered the draft DCP material and advised that the document provides a satisfactory guidance for development over the precinct.

Specifically, the CDEP expressed concern with the following matters which were required to be, and have been, addressed in a revised DCP:

**Overshadowing** – the location and distribution of some of the built form and its overshadowing impacts, in particular the 2 south-western blocks. The arrangements did not achieve the stated design principles.

**Comment:** Based on a remodelling of the shadow impacts, the proponent has made several amendments to the built form which have now been incorporated into the revised draft site specific DCP with the shadows identified on page 49 of attachment 1.

**Building bulk and proposed floor plate sizes** – recommended that these be considered in the context of overshadowing and building separation.

**Comment:** In response, the proponent revised the proposed 'residential tower' controls by including a 750 m<sup>2</sup> floorplate and a maximum building length of 45 m. Towers will be positioned with a north-south orientation to maximise solar access and achieve a minimum building separation of 24 m.

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Extraordinary Council Meeting

27/04/2021

The privacy and overlooking aspects between the defined apartment's habitable areas have been maintained in accordance with the ADG requirements with larger floor plates being restricted to the lower-level commercial podiums.

**Street frontage heights** – some of these required review with overshadowing impacts and human scale issues to be considered.

**Comment:** Further controls have now been included in the revised draft site specific DCP (attachment 1) which clearly differentiate between the commercial and residential facades in addition to providing a greater level of building articulation and improved surveillance of the civic plaza.

The proposed street walls now provide a visual barrier to the residential towers which have been set further back into the site to ensure that a human scale will also be achieved at street level. Notwithstanding this, it is considered that careful review of the Kellicar Road presentation of the future development is appropriate and should occur in consultation with the community during the public exhibition.

**Long-term sustainability of retail components** – active retail at night and its importance with CPTED issues was raised, suggesting that Macarthur Walk needs to be activated at all times.

**Comment:** Retail is proposed to be anchored by a sizeable retail podium at the eastern end of the site which is supported by a range of commercial uses on the ground floor and accessed from Macarthur Walk which provides a pedestrian connection between the site and Macarthur Square. A range of other retail and commercial uses are envisaged along Macarthur Walk.

The NSW Police Service's publication entitled "Crime Prevention through Environmental Design" (CPTED) has been addressed in the SCDCP 2015 and all future DAs submitted for this precinct will be required to meet satisfactory compliance with this document. (CPTED is a multi-disciplinary approach to crime prevention that uses urban and architectural design through the strategic management of built and natural environments)

**Public Domain** – a place making character statement and early and ongoing activation strategy statement is required along with diagrams and sketches describing how the proposed buildings will connect and provide adequate access to the public domain.

**Comment:** While the illustrative masterplan is indicative of future development in this precinct, it is anticipated that additional refinement of any open space areas will occur at the Development Application stage(s) of assessment.

The revised masterplan and DCP still present a reasonable level of detail to guide the next stage of project delivery. In particular, the controls included will provide scope for the community and Council input into the detail of the planned public spaces.

#### **4. Re-imagining Campbelltown City Centre Master Plan**

The subject site is within the boundaries of the Reimagining Campbelltown City Centre Master Plan (RCCCMP). The project's compliance with the long-term intentions and aspirations of the RCCCMP was addressed in the report considered by the elected Council on 9 June 2020. While the RCCCMP was still on public exhibition at that stage, no changes were made to the RCCCMP following public exhibition that directly relate to this proposal.

The planning proposal and draft site specific DCP are generally in alignment with the principals (pillars) detailed in RCCCMP. The heights proposed by the planning proposal support the commitments made in the RCCCMP when having regard specifically to the principles of 'City in a Valley' and 'City & Bush'.

#### **5. Public Participation**

This report seeks to enable detailed community consultation on the proposal. The Gateway determination for the planning proposal requires that the draft site specific DCP be exhibited concurrently with the planning proposal. It is proposed to also exhibit the applicants flood study and the transport and traffic assessment with the planning proposal so that the community are fully informed of the impacts of the proposal as well as the proposed works to mitigate those impacts.

The public exhibition period will also be used for formal consultation with the state government agencies listed in the Gateway determination.

The public exhibition will occur in accordance with the Community Participation Plan. In addition to the normal public exhibition it is proposed to write to all people who own land within a 200 m radius of the site, and all land owners within the Park Central area.

#### **Conclusion**

Council has previously endorsed a planning proposal which seeks to increase the maximum permissible building height for the Kellicar Road Precinct from the current maximum height of 32 m to 80 m and set a maximum floor space ratio (FSR) of 3.5:1.

Council supported the planning proposal on the basis that a local provisions clause would be included to incorporate controls relating to floor plate size, street wall heights, building separation and the number of towers. The Gateway determination requires consideration of whether these controls are more appropriately provided within a site specific DCP which is to be advertised concurrently with the planning proposal. To comply with the Gateway determination adjustments have been made to the planning proposal. The revised planning proposal is at attachment 2 to this report. The applicant's draft site specific DCP addresses the matters that Council originally sought to include in the CLEP 2015.

The draft site specific DCP has been considered by the CDEP on 23 October 2020 and provided advice on changes that were required to be made to the draft site specific DCP. The changes have been made.



**Health**  
South Western Sydney  
Local Health District

SWD21/056526

Ms Lindy Deitz  
General Manager  
Campbelltown City Council

Dear Ms Deitz,

Thank you for the opportunity to comment on the Kellicar Road Precinct Planning Proposal, Site Specific Development Control Plan, and Traffic and Transport Assessment.

South Western Sydney Local Health District (SWSLHD) recognises that the built and social environment can significantly influence health outcomes and acknowledges the important role the Kellicar Road Precinct will have in creating a healthy, liveable and connected community in the Macarthur area.

SWSLHD note the precinct plan proposes for the Health Site at 6 Bugden Place (WILMA Women's Health Centre) to be a central park. Whilst we understand the identified need for public open space, we recognise that there are multiple potential uses for this prominent Health site, which could contribute significantly to a range of important health outcomes. SWSLHD is exploring its options and would like to maintain the current land use functionality for future Health related services.

The Campbelltown-Macarthur Collaboration Area has identified the Healthy Streets Approach within its Place Strategy, so this is an excellent opportunity to use the Healthy Streets indicators and design metrics to achieve a highly walkable and cyclable development, and stronger active travel connections for the Campbelltown Health and Education precinct.

Please find attached a detailed list of comments and recommendations on the Kellicar Road precinct. Should you require any further information, please contact Mandy Williams, Acting Director Population Health, SWSLHD, on 8738 5718 ([Mandy.Williams@health.nsw.gov.au](mailto:Mandy.Williams@health.nsw.gov.au)).

Regards

**Amanda Larkin**  
Chief Executive  
Date: 11 June 2021

South Western Sydney Local Health District acknowledges the traditional owners of the land.

General Correspondence  
Email: [SWSLHD-ESU@health.nsw.gov.au](mailto:SWSLHD-ESU@health.nsw.gov.au)  
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**Detailed comments & recommendations for Planning Proposal April 2021**

Page number/Section	Comments/Recommendations
Page 9. (b)	<p>The Kellicar Road precinct is in a prime location extremely close to the train station and within an easy walkable distance to the Campbelltown CBD and Health and Education precinct. We recommend this objective is more strongly worded to prioritise public transport, walking and cycling, rather than just encourage these forms of travel.</p> <p>(b) to ensure the density of land uses across the precinct is integrated with nearby transport infrastructure and <u>prioritises</u> travel by public transport, walking and cycling</p>
Page 16. Compact walkable neighbourhoods	<p>Whilst we agree that the Kellicar proposal is consistent with the vision for Greater Macarthur 2040, we do not agree that it will be easy for children to walk and cycle to schools from this precinct.</p> <p>The closest school is Campbelltown Public School, which is 2km away and requires crossing two 6-lane state roads.</p> <p>The Kellicar Precinct, along with new higher density developments near Stowe Avenue and the new suburb of Macarthur Heights are creating the need for a new public school to service children in the local area. Currently, parents in these areas would need to drive their children to school.</p> <p>We recommend this is raised with Schools Infrastructure NSW, to ensure that the vision for children to walk and cycle to local schools is achieved.</p>
General	<p>This new precinct is within close proximity to the Southern Sydney Freight Line (SSFL). Freight trains are typically running hourly, but there may be up to three trains in an hour in the early hours of the morning or late in the night<sup>1</sup>. SSFL noise compliance monitoring does not include a site near Macarthur as there was not any residential housing in close proximity at the time the SSFL was constructed.</p> <p>Passenger trains (city and country) on the lines also generate considerable amounts of noise. The impact of these continuous rail noise events on residents in the proposed high density development should not be ignored.</p> <p>The World Health Organisation have three recommendations for railway noise<sup>2</sup> :</p> <ul style="list-style-type: none"> <li>- For average noise exposure, the GDG strongly recommends reducing noise levels produced by railway traffic below 54 dB Lden, as railway noise above this level is associated with adverse health effects.</li> <li>- For night noise exposure, the GDG strongly recommends reducing noise levels produced by railway traffic during night time below 44 dB Lnight, as night-time railway noise above this level is associated with adverse effects on sleep.</li> <li>- To reduce health effects, the GDG strongly recommends that policymakers implement suitable measures to reduce noise exposure from railways in the population exposed to levels above the guideline values for average and night noise exposure. There is, however,</li> </ul>

<sup>1</sup> SSFL Year 5 Compliance Monitoring, AECOM 21/5/2018 - <https://www.artc.com.au/uploads/SSFL-Y5-Public.pdf>

<sup>2</sup> Environmental Noise Guidelines for the European Region (2018) [https://www.euro.who.int/data/assets/pdf\\_file/0008/383921/noise-guidelines-eng.pdf](https://www.euro.who.int/data/assets/pdf_file/0008/383921/noise-guidelines-eng.pdf)

Page number/Section	Comments/Recommendations
	<p>insufficient evidence to recommend one type of intervention over another.</p> <p>For the Kellicar precinct, traditional noise barriers will be important at street level along the rail corridor, but will have limited effect in controlling transmission of noise to residents in high-rise developments.</p> <p>To manage noise risks and minimise health impacts we recommend:</p> <ol style="list-style-type: none"> <li>1. As a high priority that baseline environmental noise levels are mapped to inform planning actions.</li> <li>2. That environmental noise is included in Social/Health Impact Assessments for state significant and major developments at sites such as Kellicar Road to adequately address noise health risks.</li> <li>3. That high-rise developments adjacent to the rail line are designed to improve sound attenuation, including acoustic controls (e.g. high performance windows, door seals and mechanical ventilation to properties) and locating bedrooms and balconies away from rail line noise sources<sup>3</sup>. These mitigations should be incorporated into the DCP.</li> </ol>
Health site (WILMA)	<p>SWSLHD note the precinct plan proposes for the Health Site at 6 Bugden Place (WILMA Women’s Health Centre) to be a central park. Whilst we understand the identified need for public open space, we recognise that there are multiple potential uses for this prominent Health site, which could contribute significantly to a range of important health outcomes.</p> <p>SWSLHD is exploring its options and would like to maintain the current land use functionality for future Health related services.</p>

<sup>3</sup> The Health Effects of Environmental Noise, Department of Health, Commonwealth of Australia. 2018  
[https://www1.health.gov.au/internet/main/publishing.nsf/Content/A12B57E41EC9F326CA257BF0001F9E7D/\\$File/health-effects-Environmental-Noise-2018.pdf](https://www1.health.gov.au/internet/main/publishing.nsf/Content/A12B57E41EC9F326CA257BF0001F9E7D/$File/health-effects-Environmental-Noise-2018.pdf)

Comments & recommendations for Detailed Traffic and Transport Assessment

Page number/Section	Comments/Recommendations
Page ii. Transport strategy objectives	<p>There is no reference to cycling in the objectives and this subsequently flows through to the lack of reference to spaces for cycling within the transport strategy for the Kellicar Road Precinct.</p> <p>We recommend that the first objective also includes cycling: ‘To establish a clear and defined street hierarchy for walking, cycling and traffic movement’</p>
Page iii. Parking and Page iv. Encouraging mode shift	<p>We support the maximum car parking rates and references to bicycle parking within developments and in the public domain. We also support the aim to reduce car dependence and increase travel by bicycle, however without adequate consideration of space for cycling on the streets within the precinct, people will still not choose to cycle.</p> <p>The streets within the precinct need to take a Healthy Streets Approach<sup>4</sup> and consider lower traffic speeds, allocation of space for cycling, reduced conflicts between cycles and turning vehicles, separation of cycles from vehicles, and reduced turning speeds at sideroad intersections. These are key aspects of streets that can significantly improve safety and comfort for people cycling.</p>
Vehicle access points	<p>To maximise safety and amenity for people walking and cycling we recommend that vehicle access points within the precinct are minimised and vehicles should be secondary to walking and cycling at these points. This involves slowing vehicle turning speeds at access points, removing desire line deviations for people walking and cycling, and ensuring footpath continuation across access points.</p>
Page 17. 3.5.2 On-street parking	<p>We support a small amount of timed on-street car parking, though acknowledge that there are more effective ways to stimulate street activity, manage speed and increase passive surveillance than through street parking. We recommend that a Movement and Place approach is used to address these issues.</p>
Connections outside of Kellicar Precinct	<p>The Traffic and Transport assessment places a strong emphasis on connections to Macarthur Station and Macarthur Square, but somewhat ignores the important role that the Kellicar Rd precinct will play in connecting the Health precinct (public and private hospitals) with Macarthur Station and the Education precinct (WSU and TAFE).</p> <p>We recommend that stronger walking and cycling provisions are made through the Kellicar Rd Precinct to the Health precinct (public and private hospitals) and Campbelltown CBD, which are important for access to employment and other services.</p> <p>Kellicar Road is very wide and acts as a barrier for people walking and cycling. Improved and prioritised crossing points will be required.</p>
Loading access off Menangle Rd	<p>Larger vehicles tend to be more polluting, noisy and dangerous and dominate the street environment contributing to it feeling stressful to walk, cycle and spend time in the street. For these reasons it is important to minimise the presence of large vehicles on the streets within the precinct.</p>

<sup>4</sup> [www.healthystreets.com](http://www.healthystreets.com)

Page number/Section	Comments/Recommendations
	<p>Placing the loading access point for the shopping precinct off Menangle Rd will likely bring more large vehicles down Tindall Street.</p>
<p>Macarthur Walk and green link along Menangle Rd</p>	<p>We strongly support the dedicated walking and cycling provision of Macarthur Walk and along Menangle Rd.</p> <p>We note the potential future walking and cycling bridge across the rail line to the sporting fields and education precinct and recommend that this is included as a priority to ensure greater active travel connections to large sporting fields and the education facilities.</p> <p>We also note that there is inadequate walking and cycling access on the two closest bridges (at Gilchrist Avenue and Narellan Road) over the rail lines.</p>
<p>Page 17. 3.5.4 Bicycle parking</p>	<p>We support provisions for bicycle parking in the precinct and recommend that infrastructure for charging of e-bikes is also included within development parcels and also in the public domain.</p> <p>Ensuring there is secure, accessible public cycle parking convenient to destinations is vital to support people to cycle more. Many people who find walking difficult could cycle short journeys if there was accessible cycle parking (step free from cycleway or carriageway to the parking) close to their destination.</p> <p>Provision of public bicycle parking in multiple, easy to find, accessible locations around the precinct will attract people to cycle for short trips, rather than driving their car. People cycling to the precinct should be able to park their bicycle within 50 metres of their destination, making it an attractive and convenient option.</p>
<p>Page 20. Encouraging mode shift – Healthy Streets Approach</p>	<p>We support the proposed initiatives to encourage mode shift away from private vehicles towards walking, cycling and public transport. We recommend that the planning and design of the transport strategy for the precinct strongly aligns with the Healthy Streets Approach, which Campbelltown City Council is invested in.</p> <p>The design of the streets in the precinct should also align with those in the Western Sydney Street Design Guidelines (Western Sydney City Deal – Planning Partnership – P4 - Uniform local government engineering design standards and telecommunications planning).</p>
<p>Page 41. Mitigation 1.</p>	<p>We support blocking off right turn access from Kellicar Road into Bugden Place, as this will reduce the rat runs and unwanted through-traffic in the precinct.</p>
<p>Page 42. Mitigation 2.</p>	<p>We do not support Mitigation 2 as the proposed design of this section of Tindall Street and its intersection with Kellicar Rd does not support walking and cycling safety or amenity.</p> <p>Tindall Street is a very wide corridor and we would like to see allocation of some of this street space for separated cycle lanes.</p> <p>Increased traffic dominance will make Tindall Street noisy, polluted, difficult to cross, intimidating and stressful to walk, cycle and spend time on. The proposed design allocates additional space to vehicles through slip lanes and traffic lanes and removes the centre space for trees on Tindall St and Kellicar Rd. It does not address the objectives set out on page ii and will create a traffic dominated street with even more vehicle lanes (more</p>

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	<p>vehicles), less space for cycling and increased difficulty for people trying to cross the street and intersection.</p> <p>Additional vehicle lanes will also create issues for people trying to cross Tindall St where the laneways intersect with the street.</p> <p>The opposite side of the Kellicar Rd intersection into Centennial Avenue has tighter corners which slow traffic, a narrower intersection which makes it easier and safer for people to cross, and fewer kerb ramps which is significantly easier for people with disabilities and those in wheelchairs, mobility scooters or prams.</p> <p>We recommend that the street designs apply a Healthy Streets Approach and consider a range of design metrics that will help to address the original objectives.</p>
<p>Page 43. Mitigation 3.</p>	<p>Whilst the addition of another turning lane will not impact on the safety of people walking and cycling in the Kellicar Precinct, it will result in the removal of valuable trees within the median, which impacts on amenity and the coolness of the environment. It also conflicts with one of the key pillars within Reimagining Campbelltown which is 'No grey to be seen'.</p>
<p>Page 44. Mitigation 4.</p>	<p>We do not support Mitigation 4. Whilst the proposed mitigation may improve mid-block traffic capacity, it will have detrimental impacts on amenity for people walking and cycling along Kellicar Rd and at this intersection when trying to cross.</p> <p>Widening Kellicar Rd will make it an even greater distance for people crossing at the intersection, and will increase traffic volumes and speeds down this section of road which will be viewed as a four lane highway.</p>
<p>Page 45. Mitigation 5.</p>	<p>We do not support Mitigation 5. The addition of a left turn slip lane will reduce safety and amenity and increase difficulty for people trying to cross this intersection by walking or cycling. It will increase vehicle turning speeds, pedestrian wait times, and add more kerb ramps, which are difficult for people with disabilities and mobility issues to negotiate.</p>

**Detailed comments & recommendations for Site Specific Development Control Plan**

Page number/Section	Comments/Recommendations
Page 12. 3.2 Objectives for the precinct	<p>The Kellicar Road precinct is in a prime location extremely close to the train station and within an easy walkable distance to the Campbelltown CBD and Health and Education precinct. We recommend Objective B is more strongly worded to prioritise public transport, walking and cycling, rather than just encourage these forms of travel. An example of wording may be:</p> <p>B. To ensure the density of land uses across the precinct is integrated with nearby transport infrastructure and <u>prioritises</u> travel by public transport, walking and cycling.</p>
Page 13. Design principles	<p>Principle 5 incongruously combines vehicle parking and street planting to generate convenience shopping. It is unclear what exactly the principle is here. We recommend that the design principles makes reference to the Healthy Streets Approach which would prioritise the human experience for all people on streets within the precinct. An example would be:</p> <p>5. Streets are designed and managed using the Healthy Streets approach to maximise the human experience for all people.</p> <p>The Healthy Streets Approach considers design aspects for all people on the streets and would achieve street planting, shopping convenience and street parking. It would also maximise human experience for people choosing to walk and cycle in the precinct.</p>
Page 18. Public transport, walking and cycling	<p>We support the objectives outlined here and recommend that the Healthy Streets indicators are used to maximise outcomes for people choosing to walk, cycle and use public transport within and to destinations outside of the precinct.</p> <p>We recommend that Objective D is reworded to prioritise safety and convenience for all people choosing to walk and cycle. An example:</p> <p>D. to prioritise safe and convenient walking and cycling environments for all people</p> <p>The RMS cycle route along Kellicar Road would be not a route of choice for many people as it is a very busy, noisy road and has a long steep hill going up to Gilchrist Drive. It represents an option for adept and fit cyclists, but may not contribute significantly to local cycling routes, as people would consciously avoid this hill.</p> <p>Figure 10 does not consider the objectives well for local cycling options. The precinct is relatively flat and there should be greater allocation of cycle space on the local street corridors. There is a real need for a safe cycle route through the precinct from the station to Marsden Park and the hospitals. Tindall St has a very wide corridor and would be a logical street to allocate separated cycle lanes in both directions.</p>
Page 19. Street hierarchy	<p>Objective A does not include cycling. Cycling is becoming a popular delivery mode for last mile parcels and food. We recommend this objective establishes a clear and defined street hierarchy for walking, cycling and vehicle movement.</p> <p>Objective F considers only local traffic demand and does not require the local streets to serve a function beyond this local demand. It will be</p>

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	<p>important for walking and cycling amenity that this street hierarchy is protected and Tindall St is not made into a busy shortcut route for vehicles through to the station.</p> <p>We recommend that vehicle speeds on all streets within the precinct are slowed to no more than 30km/h. This will be an important strategy for improving the walking and cycling amenity of the precinct and will also ensure through traffic is minimised.</p> <p>Within the controls, we also recommend that the Western Sydney Street Design Guidelines, developed through the Western Sydney City Deal - Planning Partnership, are used as the street design guide for the precinct.</p>
<p>Pages 20-23. 4.5 Street sections</p>	<p><b>Macarthur Walk</b></p> <p>We support the pedestrian only Macarthur Walk and recommend that raised wombat crossings are used at Tindall Street and Bugden Place to provide a prioritised and seamless crossing experience for all people using the Walk. This is important for accessibility for people of all ages and abilities who will call the precinct home, particularly children who need additional levels of safety.</p> <p><b>Bugden Place</b></p> <p>Whilst we understand that some on-street parking may be required, cars parked on a street for half a day will not activate the street – people activate streets. Drop-off zones will increase the number of people arriving/departing on a section of street, but parking stifles people-activity on streets.</p> <p>In order to activate streets, people need to want to be on the street and stay there. Strategies that create ecosystems, places for business, safe spaces, attractions such as artwork and cultural activities, will all have more effect on the number of people on streets than parked vehicles.</p> <p>We recommend using the NSW Walking Space Guide to ensure adequate allocation of space for walking. <a href="https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/documents/guides-manuals/walking-space-guide.pdf">https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/documents/guides-manuals/walking-space-guide.pdf</a></p> <p>To achieve the objective of safe and convenient walking and cycling environments, as per previous comments, there also needs to be provision of space for cycling along Bugden Place. This may be as part of the street space, if vehicle speeds are reduced to ≤30km/hr, or separated cycle lanes.</p> <p>The NSW Cycleway Design Toolbox provides excellent guidance on space for cycling and cycleway design, which is relevant for all streets in the Kellicar Road Precinct. <a href="https://www.transport.nsw.gov.au/system/files/media/documents/2021/Cycleway-Design-Toolbox-Web.pdf">https://www.transport.nsw.gov.au/system/files/media/documents/2021/Cycleway-Design-Toolbox-Web.pdf</a></p> <p><b>Kellicar Road</b></p> <p>As for Bugden Place, there needs to be provision of road corridor space for walking and cycling along Kellicar Road, and ideally these two functions should be separated to avoid conflicts between people walking and cycling, as the gradient will create speed differences between people walking and cycling down/up the hill.</p>

Page number/Section	Comments/Recommendations
	<p>Tree planting should be a priority along all walking and cycling corridors to provide greater shade, comfort and amenity.</p> <p><b>Tindall Street</b></p> <p>We support the objective of this street being a local street with main street character as this will help to activate the street and help to serve both movement and place functions. It is important however that Tindall Street remains a local road and is not required to provide movement functions above this level in the street network, as this will remove its ability to provide high quality place functions.</p> <p>As previously mentioned, we would like to see provision of separated cycle spaces on both sides of Tindall Street, connecting residents and workers to the station and hospital.</p> <p>There should be a requirement for the streets within the Kellicar Road Precinct to match the lower vehicle parking provisions with less road space dedicated to vehicles and more to cycles and buses.</p> <p>Our previous comments under Bugden Place regarding street parking and street activation also relate to Tindall Street.</p> <p><b>Kellicar Lane</b></p> <p>We support the laneway concept as a way to improve vehicle access to residential and retail areas whilst maintaining safety and amenity for people walking on streets.</p> <p>It is unclear in what direction the laneway will operate, and if it will be one-way or two-way. The visual illustrations indicate one-way, but this is not mentioned anywhere in the DCP. We also note that the direction in which the laneway operates will have a big impact on vehicle movements on the streets within the precinct.</p> <p>We recommend that all laneways have continuous footpaths at their entry/exit points to maximise safety and amenity for people walking. Vehicle speeds should also be slowed to 10km/hr to reflect the shared environment with people walking. This would also make the laneway safer and more inviting for people cycling.</p> <p>There should also be cycle access points (separate to vehicles) off the laneway into residential and retail areas, and bicycle parking.</p> <p>We recommend that the minimum footpath provision of 3.5metres is dedicated walking space and is not interrupted by trees, signs, posts, bins, etc. (as depicted in the illustrations on page 23).</p> <p>We also recommend that the laneway corridor is one flat level for all, so that people do not have to step (or wheel) up and down kerbs and kerb ramps. This reduces the risk of people tripping and falling when walking and spending time in the laneway. It is also very important for the ease of cycling and walking with strollers, mobility aids, wheeled luggage and using wheelchairs. Delineation of walking and vehicle spaces may be through different road surface materials or colours.</p> <p>We also recommend that pedestrian crossing points are designed into the streets where the laneway intersects with Bugden Place and Tindall Street. For Bugden Place this may be with kerb extensions to reduce the crossing</p>

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	distance to one lane each way and for Tindall Street this may be kerb extensions to reduce the crossing distance to two lanes each way.
Page 26. 5.1 Public domain and open space	<p>We support the objectives outlined for public domain and open space and recommend that they also address the criteria outlined in the NSW Great Public Spaces Guide – Am I able to get there? Am I able to play and participate? Am I able to connect? Am I able to stay?</p> <p><a href="https://www.dpie.nsw.gov.au/data/assets/pdf_file/0008/357506/final-great-public-spaces-guide-english-march-2021.pdf">https://www.dpie.nsw.gov.au/data/assets/pdf_file/0008/357506/final-great-public-spaces-guide-english-march-2021.pdf</a></p>
Page 27. Macarthur Walk	<p>Macarthur Walk is an excellent public open space feature within the precinct and will provide an important link between the precinct and Macarthur Station. It will also be important to seamlessly link in walking networks east and south of the precinct, through high quality crossings at the major intersections with Kellicar Road.</p> <p>We recommend including cycle parking, drinking fountains and public seating at regular 50m intervals (or less) along the Walk to ensure people have access to drinking water, seating and cycle parking in convenient accessible locations. These features will increase the number of people on the Walk and help to activate the space.</p> <p>We strongly support the provision of shade trees along the walk and also recommend that shelter is also provided so that people can move along the Walk in inclement weather without getting wet. This will ensure that the precinct is walkable in all weather, and remove the inclination for people to drive when it is too hot or rainy.</p> <p>To maximise walkability and movement for all it will also be important to manage the elevation along the Walk seamlessly, so that people who can't use steps don't have to seek out ramps or lifts.</p> <p>As previously mentioned, we recommend that raised wombat crossings are used at Tindall Street and Bugden Place to provide a prioritised and seamless crossing experience for all people using the Walk.</p>
Page 28 & 29.	The civic plaza and central park spaces are excellent open space opportunities for future residents, workers and students. As with all open spaces within the precinct, we recommend that universal access design principles are applied so that all people are able to easily access and use the spaces and facilities.
Page 30. 5.5 Green Link	<p>The proposed Green Link along Menangle Road will be an important walking, cycling and recreational (running) link along the rail corridor and ideally there should be an active travel link north across the rail line to the larger sporting and green spaces.</p> <p>The priority walking and cycling crossings along Menangle Rd will be an important part of the Green Link, and again we recommend that these are seamless crossings on the desire lines and flush with the footpath, so vehicles are required to slow down and people on the crossings do not have to negotiate kerb ramps.</p>
Page 31. 5.6 Underbridge Park	This is an exciting space which would provide a range of physically active and social options for young (and not-so-young) people. In addition to cycle

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	parking and toilet facilities, we recommend a drinking water refill station and ample seating.
Page 33. 5.8 Kellicar Road Boulevard	<p>We strongly support the boulevard concept for its provision of shade and walking/cycling infrastructure. As previously mentioned, it would be preferable to separate walking and cycling as the hill will provide a differential in speeds for people walking and cycling and create potential conflicts.</p> <p>We also strongly support the safe and convenient crossings at Bugden Place and Tindall Street on the desire lines. This however will not be achieved with the mitigations recommended in the JMT Consulting Traffic and Transport Assessment. To achieve safe convenient crossings at both of these intersections we recommend implementing the Healthy Streets design check.</p>
Page 34. 5.9 Birunji Park	<p>The Kellicar Precinct is surrounded on all sides by major state or regional roads and a busy rail line, and this makes it susceptible to associated noise and air pollution. The introduction of these green spaces on three of the four boundaries will assist in mitigating some of these negative health impacts.</p> <p>Improved walking and cycling connections across Narellan Road at the intersection with Kellicar Road will be vital to ensure that the people are not isolated and can easily connect to places outside without getting in a vehicle.</p>
7. Built form	<p>There is increasing evidence that higher density housing and in particular towers, can have negative health impacts on children and young families, including physical health and development, psychosocial wellbeing and mental health, and language/communication skills<sup>5</sup>. Strategies that may improve health outcomes for children living in higher density housing include:</p> <ul style="list-style-type: none"> <li>• Enabling parental supervision of child play areas (e.g. locating family apartments on lower levels with windows facing shared courtyards/play spaces)</li> <li>• Including sufficient family-sized dwellings in high density developments to encourage social interaction and greater housing choices for families.</li> <li>• Incorporating play and social spaces for different ages into building design (e.g. playrooms, playgrounds, gathering spaces for teens and common/multipurpose rooms).</li> <li>• Co-locating family dwellings closer to the ground floor, clustered together, and in low and mid-rise buildings that offer that human scale</li> <li>• Protection of child-focus in strata by-laws to ensure children have the right to safe, age-appropriate play in common areas<sup>7</sup>.</li> </ul> <p>We would like to see these types of strategies incorporated into the objectives and controls for the Kellicar Road Precinct DCP.</p>
Page 46. 7.6 mobility, access and parking	<p>We strongly support the objectives to minimise conflicts between vehicles and pedestrians at vehicle entry points, but would also like this to include conflicts with people cycling as well. The needs of people cycling and their perceptions of safety and amenity may be different to those for walking, and</p>

<sup>5</sup> Heenan, R. 2017. Healthy higher density living for kids. Western Sydney Local Health District. Parramatta, NSW.

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	<p>both are equally important in achieving the objective of reduced private vehicle dependency.</p> <p>We would like to see a similar level of detail applied to bicycle parking and access as there is for vehicle parking.</p>
<p>Page 53. 7.12 Sustainability and resilience</p>	<p>We recommend that streets and public open spaces also incorporate water sensitive urban design to maximise natural watering of street plantings and improve the health of the waterways.</p>



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Steve McDiarmid  
Senior Strategic Planner  
Campbelltown City Council  
PO BOX 57  
CAMPBELLTOWN NSW 2560

Dear Mr McDiarmid,

### **Planning Proposal & Site Specific DCP - Kellicar Road Precinct, Campbelltown**

I refer to your email of 10 May 2021 seeking comments from Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment on the above in accordance with the Gateway determination.

EES has reviewed the exhibited documents and notes the Planning Proposal will significantly increase the development potential of land within the flood planning area by permitting higher density residential development in an area currently used for commercial purposes. EES also notes the Planning Proposal will increase the development of land subject to emergency management considerations (ie land below the Probable Maximum Flood [PMF] level).

EES does not support the intensification of residential development within the flood planning area and considers the inconsistencies of the Planning Proposal with the requirements of Section 9.1 Direction 4.3 Flood Prone Land have not been adequately justified.

EES recommends:

- the Planning Proposal be revised to exclude an intensification of residential development within the flood planning area. To this end, a map showing the extent of the flood planning area is required.
- the NSW State Emergency Service be consulted regarding the residual flood risk of the Planning proposal and its consistency with any relevant local flood evacuation strategies (this issue should not be deferred to the development application stage).
- further detail be provided on the management of residual flood risk, including quantification of the maximum duration of isolation during extreme floods and consideration of medical evacuation.
- clarification be provided regarding the planning control in GRC Hydro flood study proposing the *'incorporation of flood gates to mitigate the ingress of flow once the finished floor level of the building is overtopped'*. It should be noted that EES does not support flood gates to achieve protection to the flood planning level. Similarly, basements should be afforded passive protection to the PMF level.

Should you have any queries regarding this advice, please contact Richard Bonner, Senior Conservation Planning Officer on 9995 6917 or at [richard.bonner@environment.nsw.gov.au](mailto:richard.bonner@environment.nsw.gov.au)

Yours sincerely

8/6/21

Marnie Stewart  
**Acting Senior Team Leader Planning**  
**Greater Sydney Branch**  
**Biodiversity and Conservation Division**  
**Environment, Energy and Science Group**



11 June 2021

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**

This document presents a response to the exhibited Kellicar Road Precinct Planning Proposal (the Planning Proposal) and Draft Site-Specific Development Control Plan (the Draft DCP). 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) and raise a number of major concerns relating to the exhibited planning proposal and site specific DCP provisions.

We understand that the Planning Proposal for the Kellicar Road Precinct aims to amend Campbelltown LEP 2015 as to facilitate a new, mixed use (residential, commercial and retail) development precinct with a number of medium to high rise structures (5 storeys to 25 storeys). This is to be facilitated by raising the maximum building height across 1 – 3 Tindall Street and 1 Kellicar Road to 80m whilst introducing a new 3.5:1 FSR provision. The retained B4 Mixed Use Zoning as well as the draft, site specific DCP is intended facilitate the proposed uses as well as the desired built form and master plan layout. It is understood that the draft DCP establishes a 'flexible' master plan across the precinct which will facilitate separate, staged development applications across the span of 5-20 years.

Lendlease is generally supportive of the concept of facilitating a mixed-use development at the key precinct with a varied built form outcome. We similarly aspire to encourage the growth of the Campbelltown City Centre and the establishment of the twin-city metropolitan cluster. However, the key built form provisions and land use provisions will compromise the sustainable growth and character of the centre.

Lendlease has a long history of investment in the City of Campbelltown. We invested early in the Macarthur Square asset and it has since been functioning as the key, regional shopping centre within the region. Lendlease and our partners are invested in the success of the Campbelltown-Macarthur CBD. We are committed to exploring future development opportunities for Macarthur Square, including the diversification and expansion of services offered and the integration of complementary non-retail uses such as offices, health care, aged care, retail and innovation, education, and residential land uses. The successful delivery and integration of the Kellicar Road Precinct is vital for both the integrity of Macarthur Square as well as the successful growth of the centre in alignment with Council's objectives.

As such, there are a number of draft provisions and controls that need to be amended to ensure the desired Kellicar Road Precinct can be delivered. This will ensure that the development can most effectively support the growth of the centre, especially with consideration of Macarthur Square.

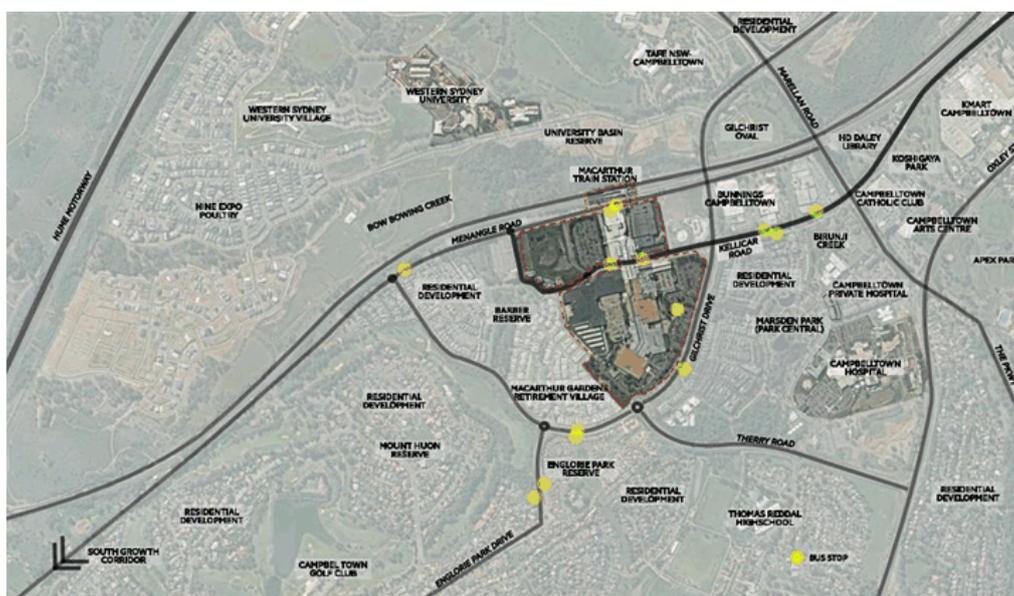
**Lendlease (Millers Point) Pty Limited**, ABN 15 127 727 502  
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**2. Lendlease Investment in Macarthur Square**

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.



**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 recognizes 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. SUBMISSION FOR PLANNING PROPOSAL / DRAFT DCP AND RECOMMENDATIONS**

#### **3.1 Overview**

Lendlease are generally supportive of the plan to amend the LEP controls to facilitate increased density at the Kellicar Road Precinct, primarily as residential apartment development.

Specifically, we support the concept of increasing the building height on the site, to enable improved public domain outcomes, and establish a tower building skyline in the centre. With Macarthur Square occupying the most strategically important location in the centre, with its superior location proximate to the rail station, we would expect at least the same level of building scale afforded in any future master plan proposal.

There are however a number of significant concerns that we have with the proposal which are listed below. The proposal cannot reasonably be supported in its current form owing to the number of issues and uncertain implications it would have on major established centres like Macarthur Square.

To assist Council we have provided recommended amendments to the proposal that aim to ensure that the resultant Kellicar Road Precinct development will best align with the intended outcome for the precinct and the wider strategic centre context of Campbelltown and Macarthur. This will establish the necessary clarity for future development at the precinct, establishing the appropriate precedence for growth across the centre.

#### **3.2 Built Form Controls**

Lendlease supports the provision of a varied built form across the precinct with the intended building heights ranging between 5 to 25 storeys.

However, we do not support the single 'blanket' proposed 80m maximum building height LEP provision and 3.5:1 FSR control across the entire site. The reasons are as follows:

##### **1. Large sites require a level of built form certainty**

The site covers 3 x city blocks with a total site area of some 6.4 hectares of area. This is an extremely large site in an urban centre context. As outlined in the Planning Proposal it is one of the last large landholdings in the centre. With a site of this scale there is ample scope to establish LEP built form controls that guide a masterplan outcome as envisaged in the DCP.

It is good planning practice to establish new planning controls that will deliver a level of certainty as to the control of future built form and massing across the affected area. Otherwise, there is no certainty that there will be a consistent implementation of the design principles outlined in the proposal. Under the proposed LEP amendments there for instance would not be a requirement to submit a clause 4.6 variation to a built form massing proposal that places a 25 storey building component on the site where the DCP envisages 5-10 storeys. Such uncontrolled flexibility has the potential to undermine community trust and expectation of outcomes.

##### **2. Right level of policy control is necessary for long term projects**

The proposal states that the delivery of the project will occur over a 15-20 year period. This may even be an optimistic outcome of the life of a project of this scale. We agree that because it will be a long-term project, a degree of flexibility is appropriate. The site-specific DCP is the right tool to enable that. However, firstly there needs to be a greater level of specificity of



building heights and density across this site. We do not support the concept of 'absolute flexibility' of this proposal which clearly enables the development plan to change and evolve in manner that is established to respond to long term market changes at the given time. This approach does not establish a planning policy framework and built form structure plan that will guide a development outcome that the proponent, council, community and nearby landowners understand and accept.

**3. DCP masterplan is inadequate to guide built form outcomes**

The masterplan incorporates a spatial building massing outcome that incorporates pedestrian links, open space and a range of building heights of between 5 to 25 storeys, as illustrated in the illustrative master plan extract below.



Source: CHROFI + Architectus (draft DCP extract)

It is clear from this illustrative plan that the character of the site is one of perimeter building forms with a range of well-spaced tower forms with a variety of communal and public spaces with bisecting public roads.

As there is no statutory weight to a DCP, the exhibited site-specific DCP planning provisions provide no certainty to the ultimate built form outcome across the site. It is therefore not reasonable to expect that such an outcome could be held (by the Council and relevant consent authority) to be delivered under the circumstances of just a single building LEP height and FSR control across this vast site area.

Further, the Reimagining Campbelltown City Centre Masterplan (RCC Masterplan) identifies within Commitment 5.3 - Create a memorable, legible and green built form which celebrates its 'city centre in a valley' setting, that the resultant development heights of developments are to properly consider views across the valley are maintained and celebrated. Commitment 5.4 similarly identifies that the Macarthur centre is a Hillside Campus which encourages the



protection of regional view within a campus style built form. The blanket 80m maximum building height provision does not provide the required control and management as to ensure that the relevant regional view lines are protected.

It's critical that planning proposal establishes a clear policy framework to deliver on the masterplan proposed and a DCP is grossly inadequate in this instance. It's vital for the local community to understand and have confidence that new planning controls will ensure development will evolve in a coordinated manner in line with expectations. The proposed a single height and FSR LEP control across this large site is thus highly inappropriate and enables total flexibility for the landowner for the project to change its built form and land use year on year.

Given these circumstances, the LEP amendments should more closely reflect the built form massing outcomes contained in the master plan vision, meaning the establishment of multiple building height and FSR controls across the site.

**Our Recommendation:**

We accept that its appropriate to provide a level of flexibility in the LEP heights however significant elements of the masterplan should be managed through the LEP. These include:

- street edge heights
- tower locations
- no building areas – such as open spaces, pedestrian walkways and the like.

Therefore, we request that the planning proposal be amended to change the single maximum building height control of 80m into a more varied height plan across the site, consistent with the built form masterplan diagram within the draft DCP.

The figure extract on the following page from the DCP represents the plan which should guide a more nuanced LEP height control map to ensure the masterplan envelopes in a way that delivers the proposed open spaces, connections and towers in the identified locations.



Source: CHROFI + Architectus (draft DCP extract)

### 3.3 Proposed Retail Land Use

Lendlease supports the intended redevelopment of the Kellicar Road Precinct from the existing low density retail and bulky goods sites (existing Discount Party Warehouse, Fit HQ, Autobarn and Hogs Breath café and the Market Fair shopping centre) to a mixture of residential, commercial and retail/bulky goods across a medium-high density precinct. We note that a new Bunnings warehouse will be developed off Farrow Road, Campbelltown, replacing the existing one on-site. The new development will be 17,000sqm in area, some extra 5,000sqm on the current facility on Kellicar Road.

However, the planning proposal is grossly inadequate in that it fails to incorporate any measures to manage the proportion of residential to non-residential uses across the site. This is a significant concern from a retail centres hierarchy perspective given the site is adjacent to Macarthur Square.

The planning proposal indicates that it proposes approximately 62,300sqm of non-residential floorspace. Furthermore, the draft DCP suggests a minimum of 25% non-residential uses, encourages commercial development along Kellicar Road and that the retail land uses be located at the ground floor.

It is understood that a retail and commercial assessment undertaken by Macroplan (2018) for the applicant identifies that the intended retail provision at the precinct (20,000-25,000sqm) will supply an appropriate portion of the anticipated market demand for traditional retail floor space across the region by 2036. We question the validity of this research, given it is 2018 date, and



the rapidly changing industry factors driving consumer spending patterns and that impact on centres and other planned centres in the catchment.

We have considered the proposal in the context of the strategic planning policy context. The potential quantum of retail on the site is inconsistent with long term strategic planning policy. In summary:

- **Macarthur Precinct Plan (2017)** – provides the following relevant policy position for this site:
  - This area could accommodate a mix of retail and residential uses that the complement the character of the local area and carefully designed to integrated with the surrounding streetscape. Buildings would have ground floor retail that would provide local services for residents and commuters, with apartments ranging from 7+ storeys in height.
- **Greater Macarthur 2040 Interim Plan (2019)**
  - It states on page 57 that another metropolitan centre is not required within Campbelltown-Macarthur area. It further stated that Menangle Park and Gilead are unlikely to require major centres given the proximity to Campbelltown-Macarthur. This signifies NSW Department of Planning policy to protect the established retail hierarchy.
  - Furthermore, it outlined guidance for new centres that will evolve to serve 'local populations'. That included a small supermarket (up to 2,500sqm) and up to 2,000sqm of speciality shops and food services. (page 58)
  - It makes the retail hierarchy position clear in stating that: *Precinct Planning must protect the primacy of Campbelltown-Macarthur in the commercial and retail hierarchy.* (page 59 planning principles).
  - The planning principles also state that: *future planning must establish a strong neighbourhood structure focused on local centres and social hubs with local facilities in easy walking distance to homes.* (page 59 planning principles). This policy position provides key guidance to the appropriate scale of retailing on this site to meet its local population, especially given the sites proximity to Macarthur Square.
- **Reimagining Campbelltown City Centre Masterplan (RCC Masterplan) (2020)**
  - The RCC Masterplan recognises Macarthur Square 's role as the major retail centre in the region and the pivotal role that the Campbelltown City Centre (including Macarthur) will play in the growth of the LGA in its capacity as one of four key metropolitan centres in Greater Sydney's Western Parkland City.
  - The site is identified as within the 'city living precinct' of Macarthur, however only the south-west third of the site is identified for high intensity jobs growth. The jobs growth sought is much greater than retail, with more focus on building off existing health and knowledge and innovation precincts. This suggests retail growth while encouraged is to be proportionate to the role as local convenience.

In the way that this planning proposal seeks to establish new controls, it's conceivable that a large new retail shopping centre of 20,000sqm or greater, could be established on this site. Such a scenario would be highly inappropriate and objectionable because it would significantly undermine the long established centres hierarchy and the role Macarthur Square plays as well as stymie current and future planned investment at Macarthur Square.



The proposal however has no detail or planning policy control to ensure that the timing of any retail floorspace comes on-line relative to the growth of the incoming population on-site. Structural changes in retail trading in recent years has meant there has been a decline in the amount of retail space per person required. This needs to be factored into the policy setting for this site.

It is important for Council to be aware that in order for a full line supermarket to operate (typically 4,500sqm in area), it requires a trading catchment of approximately 9,000-10,000 people. The current planning proposal states that it has to long term potential to accommodate some 1,800 new homes. When applying a generous apartment occupancy rate of 2 per dwelling, that would mean a resident local population of approximately 3,600 people, falling well short of the threshold for a new full line supermarket.

At most it suggested that the scale of retail facilities should comprise a smaller 'metro style' supermarket with a small range of supporting specialty shops. This retail scale would be appropriate for the intended local population and better reflect the strategic planning policy to protect established retail centre hierarchy whilst allowing small local convenience retailing to establish to support the needs of the new communities.

Ultimately, Council has a duty and obligation to manage centre's planning and there is an ability though this planning proposal process to provide the necessary control to avoid such a scenario. Managing the quantum of retail floorspace as outlined above is consistent with the multiple strategic planning and retail policy positions established by Council and DPIE. This is critical to provide the necessary certainty for planned future investment a Macarthur Square so it can continue to evolve to meet the needs of the wider region.

#### **Recommendation:**

We recommend that the planning proposal is amended to insert controls in the proposed Additional Local Provisions LEP amendment to restrict the scale of future retail space on the site.

Accordingly we request that the planned new Clause 7.23 Development within the Kellicar Road precinct clause have the following additional provisions:

- An additional objective:
  - *(f) To ensure that the future retail quantum and uses primarily serve the local residential and workforce population onsite.*
- An additional development control:
  - *(c) the total retail floorspace does not exceed the gross floor area cap of 5,000sqm*

#### **3.4 Inappropriate built form scale fronting Kellicar Road**

Lendlease does not support the proposed built form scale fronting Kellicar Road, as outlined in the draft DCP.

The draft 8 storey street wall height and 10 storey maximum building height at Kellicar Road is inappropriate in the local context. The resultant built form will contradict the existing as well as the intended land use and character at Kellicar Road.

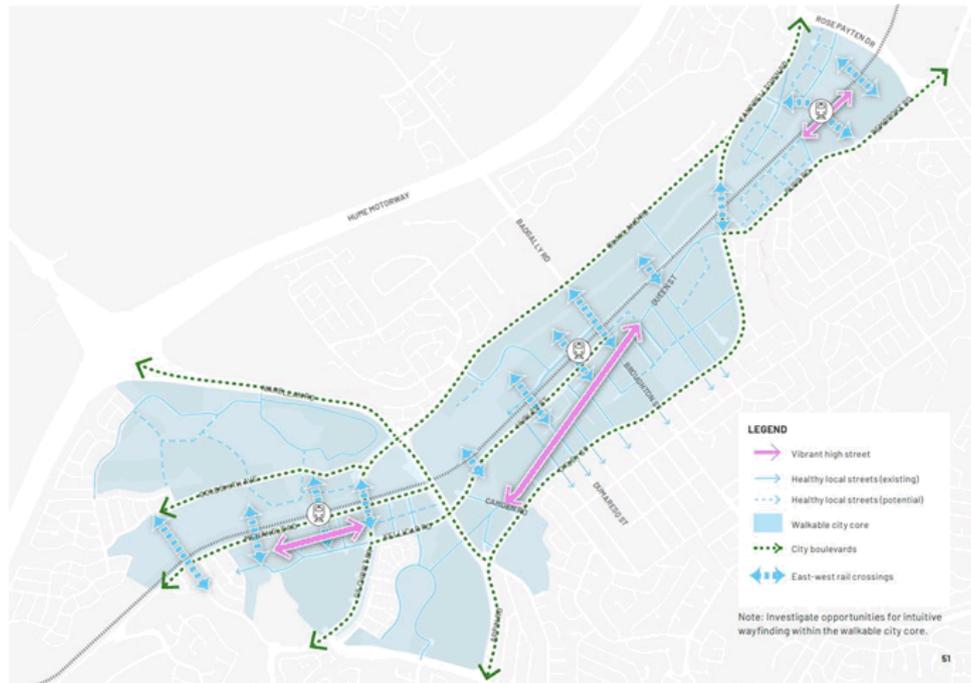
The draft DCP identifies that the consistent, 8 storey street height at Kellicar Road as the intended built form in leu of the existing significant vehicle thoroughfare that is identified as



inappropriate for pedestrian, retail or dining uses. The draft building height and setback provisions is supported by an 8m setback with a significant avenue as to establish Kellicar Road as a vehicular thoroughfare with negligible activation.

The proposed built form settings for Kellicar Road is inappropriate for the following reasons:

1. Inconsistent with the built form vision for the locality outlined in the RCCC Masterplan which seeks to achieve a low scale 'vibrant high street' boulevard on Kellicar Road, as shown in the figure extract below.



Source: RCCC Masterplan - Commitment 2.1 Map Extract

2. Further to the mapping of Kellicar Road under the RCCC, it is noted that the Macarthur Square Precinct Plan (MCCP) identifies the strip of Kellicar Road at the Macarthur Square frontage as the Kellicar Road 'mainstreet'. The MCCP identifies that the mainstreet is to function as a new public square and street upgrade that will facilitate public seating, wide accessible footpaths and supportive utilities and landscaping. The establishment of this new public space is to be accommodated by narrowing Kellicar Road and reducing the vehicular thoroughway to two lanes with a slow speed. As such, it is evident that Kellicar Road is anticipated to see significant changes and a reduction to its function as a high intensity vehicular thoroughfare, contrary to the findings presented in the draft DCP. This published concept plan for this portion of Kellicar Road demonstrates the intent of encouraging the pedestrianisation of this arrival point to the Macarthur town centre. Consequently, the draft site specific DCP needs to be amended as identified in Section 3.4 of this submission.
3. It will result in substantial, adverse environmental impacts to the public domain detrimentally impacting on the human scale and sense of place envisaged for pedestrians along Kellicar Road frontage of the site. The RCCCM includes a commitment (No 4.1) to *Deliver a Highly Connected and Comprehensively Green Grid which Celebrates Place.*



Kellicar Road is to accommodate the appropriate 'built form along these routes offer places to rest and refuel with street level activation providing casual surveillance from neighbouring areas' The proposed 8 storey continuous street wall along the site envisaged under the draft DCP would undermine these adopted commitments.

4. The scale and consistent bulk of the proposed Kellicar Road street height is uncharacteristic and unprecedented in the Macarthur-Campbelltown corridor. It is inconsistent with the existing low-density character of the road and will adversely affect the solar access to existing residential areas to the south. As a major arrival corridor linking Macarthur and Campbelltown, these proposed controls will create a walled precinct, contrary to the planned vibrant high street character and thus are unacceptable.
5. Finally, it appears that the scale of the built form to the street has been established as a way to substantiate the 3.5:1 FSR across the site, rather than designing to deliver on Council's established desired urban character in the locality. This raises legitimate questions as to the validity of the site being capable of supporting the density sought. If Council was supportive of the recommendation to amend the masterplan to reduce the street height scale, the overall FSR of the proposal must also be re-examined commensurate with any changes.

#### **Recommendation:**

We recommend that Council request the following from the proponent:

1. The amend the masterplan to reduce the scale of built form along Kellicar Road to a scale to a maximum of 3 storeys in order to achieve a more complimentary built form outcome and planned character for the locality and street.
2. That the overall FSR of the proposal be proportionally reduced so as to avoid redistributing the mass elsewhere in the masterplan that would likely create urban design issues.

#### **3.5 Timing and Commitment of Infrastructure**

The exhibited planning proposal and draft site specific DCP does not provide the appropriate assurance and detail regarding the delivery of infrastructure in support of the intended, large scale redevelopment. The required infrastructure provisions under the draft DCP does not prescribe any legal requirement for their implementation and delivery. The absence of any formal binding commitment to the delivery of essential infrastructure to support this significant density uplift is unacceptable and must be rectified in the proposal before proceeding further.

Lendlease supports the proposed intention to encourage a mode shift away from private vehicles to travel by public transport, walking and cycling. Lendlease appreciate that the intended improvements to pedestrian accessibility, the 'Macarthur Walk', car share spaces, the mixed-use built form as well as the draft DCP parking rates aim to incentivize the use of alternative transport methods. It is understood that the minimum parking rates afforded by the draft site specific DCP will be reduced for commercial, retail, residential and visitors across the precinct. Such changes are important to implement to manage existing high traffic volumes in the locality which will continue to grow over time.

However, the intended development is anticipated to result in a significant increased traffic generation. This includes a reported forecast increase in the peak AM traffic generation by 674 vehicles as well as an increase in the peak PM traffic generation by 326 vehicles. In accordance



with this identified increase in peak traffic, the exhibited planning proposal identifies 5 potential road upgrades to the Kellicar Road, Bugden Place, Tindall Street, Gilchrist Drive and Narellan Road intersections and laneways as to accommodate this increased traffic. The risk for adverse traffic impacts is compounded with consideration of the intended flexibility of land use development across the next 5-20 years across the precinct. As such, the delivery of the appropriate road infrastructure is vital to ensure the appropriate performance is maintained at the surrounding road network and to mitigate any potential adverse traffic impacts (e.g., queuing).

Whilst the planning proposal outlines some road intersection upgrades, it lacks the required detail and there is no sense of the precise works required, the timing and therefore costs to deliver the required upgrades as the masterplan evolves. In relation to community infrastructure, the draft DCP notes that facilities such as child care, meeting spaces, WILMA and recreational spaces 'could be' provided across the precinct. Again, there is no specified commitment let alone timing to deliver this community infrastructure.

For a masterplan of this scale, it should be a requirement that Council and the community have certainty that the necessary infrastructure upgrades and provisions are provided for a development that will have substantial increased impact and demand. This must be provided via a Planning Agreement. A Planning Agreement, through registration on title, legally binds the landowner to works or monetary contributions (or both) and can include a standing plan or thresholds to deliver on the necessary infrastructure requirements. There are comparable examples of such agreements for long term projects we are aware of in other local government areas if Council requires guidance.

The lack of certainty or timing requirements on the provision of key infrastructure developments for a catalytic development is unacceptable for both the community as well as other affected stakeholders. Given the intensity of the planned development, certainty on the future delivery infrastructure development (such as the establishment of a planning agreement on the land title) is essential.

**Recommendation:**

- That Council and the applicant negotiate terms of a Planning Agreement to ensure that there is sufficient legal binding requirement for the landowner to deliver the necessary contribution (or execution) of works to support the development growth on site.
- The Planning Agreement is exhibited concurrently with the amended planning proposal.

**4. Summary and Next Steps**

We thank Council for the opportunity to provide this submission for consideration. As stated earlier, we support the concept of a mixed use residential development on the site, consistent with established strategic planning policy.

Our review of the proposal has identified that there are a number of fundamental deficiencies that we believe require immediate response and amendment before it could reasonably be reported back to Council for a resolution.

We appreciate the planning for this site has been underway for some years. This however should not fetter the need to ensure that a planning proposal of this scale and significance presents the most appropriate response to the desired vision, and sufficient level of surety on the built form outcomes, land uses and contributions.



In summary, we provide the following recommendations to the planning proposal and draft site specific DCP:

- The proposed maximum LEP height plan be amended. The amendment to the plan needs to reflect the built form masterplan diagram contained in the draft DCP, in order to delineate key elements such as: open spaces and pedestrian links, street and tower form heights.
- The planning proposal amend the proposed Part 7 Additional Local provisions to establish a retail floorspace cap and associated objective to ensure the established retail hierarchy is maintained.
- The proposed site specific DCP provisions be amended to prescribe a 3 storey maximum street wall height at the Kellicar Road Boulevard and all other street edge frontages.
- The proposed FSR in the planning proposal be further examined following the above refinements with a view to reduce the total FSR. Furthermore, Council should concurrently undertake its own independent economic assessment to validate the assumptions that underpin the land use plan to inform an FSR setting appropriate for the site.
- That Council and the applicant negotiate terms of a Planning Agreement to ensure that there is sufficient legal binding requirement for the landowner to deliver the necessary contribution (or execution) of works to support the development growth on site.

Lendlease is supportive of the vision and intent of the Kellicar Road Precinct planning proposal and draft DCP, however we note a number of major concerns with the exhibited planning provisions. It is imperative that the recommendations provided in this submission be implemented as to ensure the Kellicar Road Precinct is delivered in a manner that is more consistent with established strategic planning direction and centres hierarchy policy. This is important to ensure the expectation of the community and neighboring landowners are upheld over this long term development project.

We would welcome any opportunity to discuss the key additions and recommendations in our submission. Please do not hesitate to contact John Snook (+61 488 495 033 [john.snook@lendlease.com](mailto:john.snook@lendlease.com)) with any queries on this submission.

Yours sincerely,

**Gavin Biles**  
Head of Retail Development – Urban Regeneration  
[gavin.biles@lendlease.com](mailto:gavin.biles@lendlease.com)

We wish to register our opposition:-

To any amendment to the “Height of Building” map in the Campbelltown Local Environment Plan 2015

To the Development Control Plan for the site known as the Kellicar Road Precinct, Campbelltown – Planning Proposal No. 2267/2018/E-PP

Dear Sir/Madam

We wish to register with council and all the relevant bodies our strongest opposition to the proposed amendment to the “Height of Buildings” in the Campbelltown Local Environment Plan 2015, increasing the max building height from 32m to 80m or anything in between, in particular for Kellicar Road Precinct Development site.

Such an increase in height of an additional 48m, more than double the existing height. This increase would **steal the sun** from the existing dwelling that would unfortunately be located within the shadow line of these monstrosities. Effectively casting shadows over already existing homes. Residents, who have built and obeyed Campbelltown Council building code, expect the same courtesy from the council to protect their rights to enjoy a happy and peaceful quality of life, without their homes being entombed in the cold shadow of a 32m to 80m high rise building complex.

Also, we have the right to **privacy** in our own residence and yard ie OUR HOME. To be towered over by a 32m to 80m high blocks of units quoted as 1800 dwellings and 62,300square metres of commercial/retail floor space would steal our privacy, our enjoyment of our own backyard, our serenity and have a huge impact upon our mental health.

A 32m to 80m high complex would block out our **existing view** of the surrounding area. A 32m to 80m high building complex would create a solid obstruction between our homes and the surrounding views. This would impact on residences regardless of location in reference to these building complexes.

We draw your attention to the disaster of the Liverpool Council area especially travelling from Casula to Liverpool, creating the slums and ghetto of tomorrow. Such intense population brings with it the social degradation of an area and loss of community identity.

The need for policing, hospitals, schools, green space, public transport, demands upon non existing infrastructure especially roads, parking etc. will place a huge strain on what is available. We are already suffering under the current population in the Parkcentral Precinct. Additional dense population in the Kellicar Precinct would be detrimental to the combined areas.

The **noise pollution** generated by such a large number of additional permanent private residents, private visitors, business employees, retail workers, retail shoppers, vehicle movements associated with these private and commercial ventures will increase. It can only impact adversely upon the current residences well being in the immediate area, who are suffering badly now.

I draw your attention to the situation in the Parkcentral area, which is heavily populated with High Density Building Complexes, has a major medical precinct with two major hospitals, medical offices and radiology facilities it also includes restaurants and retirement village. The residents, visitors and patients would be adversely impacted by the additional strain on the area by developing the Kellicar Precinct.

Parkcentral resident's currently experience a extreme lack of street car parking especially on working days. The parking in the area is horrendous and totally inadequate. Our understanding is the council originally subdivided the area on an allocation that each dwelling would only require one car parking space. There are not many dwellings that have only one car per household so they forced to park additional vehicles on the streets. This is in addition to all the workers, medical staff, patients, and visitors etc. from the public hospital, private hospital, medical facilities, restaurants and offices that need parking. Employees in the medical and restaurant precincts can be taking up available parking from 7am to 9 & 10 at night as there is no other free parking available to them. It is currently common practice for people to park at the Market Fair shopping centre and Bunning's then walk over to their respective destination or appointment.

This is just an indicator as to the lack of planning from council and developers as to the need for car parking and the volume of vehicle movements in a given day.

Currently the intersections at Narellan Road and Blaxland Road, Narellan Road and Kellicar Road are choked in peak hours in the attempt to enter and exit Campbelltown. Additional vehicle movements would extend the peak hours to all day. There would need another rail crossing to be created to help control traffic flow from one side of Campbelltown to the other and access the M5.

Considering the topography of the Campbelltown area, increased population and vehicle movements will impact upon Campbelltown's **air quality**. Air pollution is a major concern for the future wellbeing of ourselves and our children. The construction of 32m to 80m high complex will hamper air flow around this and any other area having the effect of trapping the pollution over head and depositing it on our homes, impacting negatively upon our quality of life and quality of health.

We trust common sense will prevail and Council will put rate paying residents before developers and profits.

Yours faithfully

Vickie                      and

Samuel

Parkcentral

Campbelltown

**From:**  
**To:** [Council](#)  
**Subject:** Planning Oroposal and draft DCP Kellicar Road Precinct 2267/2018/E-PP  
**Date:** Friday, 21 May 2021 11:16:45 AM

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Hi,

In reference to the above, firstly thank you for sending us a letter informing us of the proposal.

Overall I think it will be great, in saying that 15 to 20 years I am not sure if it really will effect us much considering we live at the other of Park Central and will be nearing our 80's.

My only concern is...please do not allow one of the parks to be name 'Central Park'. With Park Central across the road couldn't the developers use their imagination and avoid future confusion and annoyance?

That too us is very silly and honestly will be a pain in the bum when people try to give out directions.

Thank you again.

Get [Outlook for Android](#)

**As owner/occupiers of**

**Park Central  
Campbelltown  
NSW 2560**

**Campbelltown City Council**

**Ref Planning Proposal and draft DCP Kellicar Road Precinct No.  
2267/2018/E-PP**

As owner/occupiers on \_\_\_\_\_, we write  
to express our total opposition to the proposals

- to amend the **Height of Buildings** map to increase the maximum height of buildings to 80 metres; to increase the current maximum height of buildings within our city limits by 2.5 times is, in our opinion, is not needed, reasonable nor acceptable.
- the specific Planning Proposal to develop the area known as the Kellicar Precinct No.2267/2018/E-PP, with a commercial/retail/residential building of the size proposed in draft DCP to house approximately 1800 dwellings, which we regard as outrageous.

Currently, the traffic congestion within that nominated precinct is, in normal peak hours, at breaking point.

The roads and traffic control systems within the area bounded by Kellicar Rd, Manangle Rd, Narellan Rd and the Macarthur Square complex are already beyond maximum load; the neighbouring “hospital precinct” already has unacceptable daylong traffic congestion which will multiply many times once the current building works of the hospital are completed.

To add the vehicular traffic that would be created by adding 1800 more residential dwelling, as well as the proposed extensive commercial/retail development, within a single construction complex, is totally unacceptable.

Then there is the appalling appearance that an eighty metre high building, “dumped” in that part of Campbelltown, adjacent to the magnificent parkland created within the hospital precinct and the well planned and developed University grounds, to be considered.

These proposals have all the hallmarks of unacceptable, high-density living, urban sprawl proposed by financially motivated developers, who create these monsters and move on, leaving current and future residents to cope with the resulting problems forever.

If approved, the actual building development will create an overpopulated, overdeveloped, unacceptable area with our city.

**It is our opinion that these proposals must not be accepted by Council.**

Yours Faithfully



Campbelltown  
NSW 2560

RE Planning Proposal No. 2267/2018/E-PP

We live in Park Central and are, hereby, lodging an objection to the raising of the height of any building in Campbelltown from 32 metres to 80 metres. We do so on the following grounds:

- Scenic and Environmental Protection
- Traffic Congestion
- Health and Safety



- 4 JUN 2021

RECEIVED

**Scenic and Environmental Protection**

For decades Campbelltown City Council has sought to preserve the green belt of the scenic hills to the west of the city centre. It is still possible to look out across the city and see the mostly tree covered green hills with the narrow gateways of traffic up Narellan Road, Badgally Road and Raby Road.

An 80 metre high structure, however, built anywhere near the beating heart of the city will be a visual barrier for most residents within a kilometre radius. Once we have views impeded by tall, concrete structures, we will lose the beauty and serenity of the scenic hills. The vision of our forefathers for a visual backdrop will be forever lost.

The proposed development in Kellicar Road is one of the lowest geographical points in the Sydney Basin and can be a collection point for smog and air pollution generated from greater Sydney. To house another 1800 people in this small area will lead to higher carbon monoxide levels.

**Traffic Congestion**

All the streets surrounding Macarthur Square, Campbelltown Private Hospital and Campbelltown Hospital, bounded by Blaxland Road, Badgally Road, Narellan Road, Kellicar Road, Gilchrist Drive and Therry Road are already heavily congested. From about 8am every weekday morning most of the streets in Park Central are filled by

hospital staff, patients and visitors, construction workers, retail staff, contractors, delivery personnel and local residents. Congestion often lasts 'til early evening, but, even then, there is a constant flow of traffic on all major arteries. If every new resident of the proposed development owns 1 to 1.5 vehicles it would mean a further 2000-3000 people trying to go somewhere or park somewhere. People seeking to use the shopping centre would add a further dimension. Traffic congestion will become increasingly difficult, if not impossible, and an area of grave concern.

**Health and Safety**

With many people living in a building 80 metres tall there will always be issues of health and safety: garbage and garbage collection, spread of disease through air particles, poor air quality, carbon monoxide from exhaust emissions and air subsidence in the Sydney Basin. There will be consequent physical, mental, social and emotional factors affecting people's health and safety. Close living, crowded venues and traffic congestion will add to the seriousness of these concerns.

We have not been able to see any evidence for the increase in height from 32 to 80 metres and in view of the negatives listed above, **we are opposed to any plans for an increase.**

... [redacted] ...  
L 1  
31/5/2021

... [redacted] ...  
G 1  
31/5/2021

### Have Your Say – Results

Survey Response
<b>Please enter your submission</b>
Do not support the increase in building height from 32 m to 80 m.
I have reviewed the documents which are on exhibition and SUPPORT the proposed redevelopment of the Kellicar Road Precinct.
There are far too many people and far too much traffic in the area now. We don't need, or want this development to start with, let alone adding to it.
The proposal to increase the height from 30 m to 80 m is a complete travesty. Our local landscape will be changed forever and the beauty of our town will be lost amongst the urban sprawl. Look at the Liverpool skyline and the units in there. I am ok seeing the town grow and become a part of the Western Sydney Parktown but to increase the height from 6 story buildings to 30 floors is insane. That whole land is on a flood plain and we have seen the outcomes of buildings that are built nowadays. Look at the Opel towers in Olympic park or better yet the poorly built apartment building on Kings street where there are already leaks and cracks and the tenants have not even moved in. Please think of the traffic and congestion that we all face each day on Narreelan Road. If this is not enough, let's consider the impact of packing in that many new families and people into a small section of space that already has limited jobs and opportunities? Let's not let money take the better of our town. Please consider having a cap on the height of these buildings and amount of new people we can fit into this already cramped town.  Cheers, Roy
I don't support this proposal. Looking at Liverpool or Canturbury it's easy to see how tall, high density buildings both destroy the aesthetics of a community and put huge pressure on its shared resources. I challenge you to think about a "beautiful" and well liked local community that has buildings 80 m tall!  My second thought is for the generations that inherit any buildings of that size. Dated. Tired. Ugly. Don't do it, for the sake of Campbelltown.
This proposed development will be a game changer for the area and will transform the Kellicar Road Precinct to a highly desirable area to both live and work in.
I am against the increase of the maximum permissible Height of Buildings development standard from 32m to 80m. Campbelltown is one of the most beautiful green suburbs with open spaces, park lands , amazing views of hills and trees. I moved here many years ago to get away from high density living. I have no issue with progress and affordable living options for young families but don't block our skies and cram people in living on top of each other. 20 + storey buildings and that many people in 1 development will create traffic issues, there aren't enough schools, public transport. Please develop Kellicar Road by all means however keep the high rises out. I live in Park Central I can see hillsides, open skies, fireworks (when we can have them) it fills me with such joy and happiness to live here and experience city life with country views please don't take my views away.

## **Recommended changes to the Kellicar Road Site Specific Development Control Plan in response to NSW Health Submission**

Current words for overall objectives of site specific DCP – public exhibition version:

### **1.3 Aims and objectives of this part**

This DCP has been prepared to provide a set of guidelines and development controls that will apply to future development of the Kellicar Road Precinct.

This DCP includes objectives and controls for ensuring well designed, quality land use and built form outcomes within the Kellicar Road Precinct and provides guidance for future DAs at the site.

The aims and objectives of this DCP are:

1. To ensure that future development within the Kellicar Road Precinct aligns with the principles and objectives of this part.
2. To promote high quality design and public domain outcomes.
3. To ensure development is economically, socially and environmentally sustainable.
4. To ensure the timely delivery of necessary infrastructure.
5. To create a vibrant, successful and attractive precinct.
6. To maximise opportunities for future residents to access and enjoy the open space within the precinct.
7. To offer opportunities for local employment and business.

Recommended words for overall objectives of site specific DCP:

### **1.3 Aims and objectives of this part**

This DCP has been prepared to provide a set of guidelines and development controls that will apply to future development of the Kellicar Road Precinct.

This DCP includes objectives and controls for ensuring well designed, quality land use and built form outcomes within the Kellicar Road Precinct and provides guidance for future DAs at the site.

The aims and objectives of this DCP are:

1. To ensure that future development within the Kellicar Road Precinct aligns with the principles and objectives of this part.
2. To promote high quality design and public domain outcomes.
3. To ensure that the density of land use across the precinct is integrated with nearby transport infrastructure and prioritises travel by public transport, walking and cycling.
4. To ensure development is economically, socially and environmentally sustainable.
5. To ensure the timely delivery of necessary infrastructure.
6. To create a vibrant, successful and attractive precinct.
7. To maximise opportunities for future residents to access and enjoy the open space within the precinct.
8. To offer opportunities for local employment and business.

Current words for precinct objectives - public exhibition version:

### **3.2 Objectives for the precinct**

The objectives of the precinct are:

- A. To facilitate the provision of additional housing and employment opportunities in a manner that promotes Campbelltown-Macarthur as the key south-west metropolitan centre and strengthens the health and education precinct.
- B. To ensure that the density of land use across the precinct is integrated with nearby transport infrastructure and encourages travel by public transport, walking and cycling.
- C. To achieve a high quality urban form by ensuring that new development exhibits design excellence and responds to the character of the local area.
- D. To ensure that sufficient and quality open space is incorporated with development within the precinct and includes a civic park, a central pedestrian walkway and other public open spaces.
- E. To promote ecologically sustainable development.
- F. To allow for the timely delivery of infrastructure, public domain enhancement and open space to support the orderly development of the precinct.

Recommended words for precinct objectives:

### **3.2 Objectives for the precinct**

The objectives of the precinct are:

- A. To facilitate the provision of additional housing and employment opportunities in a manner that promotes Campbelltown-Macarthur as the key south-west metropolitan centre and strengthens the health and education precinct.
- B. To ensure that the density of land use across the precinct is integrated with nearby transport infrastructure and **prioritises** travel by public transport, walking and cycling.
- C. To achieve a high quality urban form by ensuring that new development exhibits design excellence and responds to the character of the local area.
- D. To ensure that sufficient and quality open space is incorporated with development within the precinct and includes a civic park, a central pedestrian walkway and other public open spaces.
- E. To promote ecologically sustainable development.
- F. To allow for the timely delivery of infrastructure, public domain enhancement and open space to support the orderly development of the precinct.

Current words for precinct design principles - public exhibition version:

### 3.3 Design principles

The precinct is to be master planned in accordance with the following urban design principles:

1. A mix of land uses including residential and employment (retail and commercial). A high quality public domain with Macarthur Walk as a central pedestrian spine, book-ended by retail anchors.
2. Kellicar Road to define the southern edge of the precinct as a grand boulevard with consistent street wall height and avenue planting.
3. Menangle Road and rail corridor to define the northern edge incorporating a green linear park with pedestrian and cycle link.
4. A generous provision of green parkland spaces to cater for different recreational needs, tree canopy and stormwater.
5. Tindall Street and Bugden Place with parking and street planting to provide for convenience shopping.
6. Towers setback from street edges, consistent with the street hierarchy.
7. Towers spaced apart and aligned north-south to maintain sunlight and views of the sky between.
8. A laneway strategy to provide service access.
9. Minimise car parking in line with increased public transport utilisation and active travel.

Recommended words for precinct design principles:

### 3.3 Design principles

The precinct is to be master planned in accordance with the following urban design principles:

1. A mix of land uses including residential and employment (retail and commercial). A high quality public domain with Macarthur Walk as a central pedestrian spine, book-ended by retail anchors.
2. Kellicar Road to define the southern edge of the precinct as a grand boulevard with consistent street wall height and avenue planting.
3. Menangle Road and rail corridor to define the northern edge incorporating a green linear park with pedestrian and cycle link.
4. A generous provision of green parkland spaces to cater for different recreational needs, tree canopy and stormwater.
5. Streets within the precinct are designed as 'healthy streets' to maximise the human experience for all people.
6. Towers setback from street edges, consistent with the street hierarchy.
7. Towers spaced apart and aligned north-south to maintain sunlight and views of the sky between.
8. A laneway strategy to provide service access.
9. Minimise car parking in line with increased public transport utilisation and active travel.

Current words for transport related objectives - public exhibition version:

#### **4.1 Public transport, walking and cycling**

##### **Objectives**

- A. To establish east-west and north-south connections to create a clear, legible and permeable network of streets that connect the Kellicar Road Precinct to:
  - Macarthur Station to the west; and
  - Campbelltown Station to the east; and
  - The University to the north; and
  - Marsden Park and the Hospital to the south.
- B. To enhance connectivity to public transport, open space and nearby amenities.
- C. To create a network of walking and cycling connections throughout the site that also connect with surrounding networks and destinations including Macarthur Station, Campbelltown Station and Marsden Park.
- D. To promote a walkable and active pedestrian environment for all users.
- E. To minimise vehicular and pedestrian conflict.
- F. To encourage a modal shift from vehicular usage to more public and active modes of transport.

Recommended words for transport related objectives:

#### **4.1 Public transport, walking and cycling**

##### **Objectives**

- A. To establish east-west and north-south connections to create a clear, legible and permeable network of streets that connect the Kellicar Road Precinct to:
  - Macarthur Station to the west; and
  - Campbelltown Station to the east; and
  - The University to the north; and
  - Marsden Park and the Hospital to the south.
- B. To enhance connectivity to public transport, open space and nearby amenities.
- C. To create a network of walking and cycling connections throughout the site that also connect with surrounding networks and destinations including Macarthur Station, Campbelltown Station and Marsden Park.
- D. To prioritise a safe and convenient walking and cycling environment for all users.**
- E. To minimise vehicular and pedestrian conflict.
- F. To encourage a modal shift from vehicular usage to more public and active modes of transport.

Current words for street hierarchy provisions - public exhibition version:

## **4.2 Street hierarchy**

This DCP and its Illustrative Master Plan present the Kellicar Road site as an activated and urbanised precinct.

### **Objectives**

- A. To establish a clear and defined street hierarchy for pedestrian and traffic movement.
- B. To provide a street network with a high level of amenity, safety and permeability for all users.
- C. Ensure that the street network facilitates the efficient provision of waste and other services for the commercial and residential uses within the precinct.
- D. To introduce Macarthur Walk as a new east-west pedestrian promenade.
- E. To prioritise pedestrian amenity throughout the precinct.
- F. To ensure the design of the local road network can service local traffic demand.

Recommended words for street hierarchy provisions:

## **4.2 Street hierarchy**

This DCP and its Illustrative Master Plan present the Kellicar Road site as an activated and urbanised precinct.

### **Objectives**

- A. To establish a clear and defined street hierarchy for pedestrian, cycling and vehicle movement.
- B. To provide a street network with a high level of amenity, safety and permeability for all users.
- C. Ensure that the street network facilitates the efficient provision of waste and other services for the commercial and residential uses within the precinct.
- D. To introduce Macarthur Walk as a new east-west pedestrian promenade.
- E. To prioritise pedestrian amenity throughout the precinct.
- F. To ensure the design of the local road network can service local traffic demand and the needs of pedestrians and cyclists.

Current words for mobility, access and parking - public exhibition version:

## **7.6 Mobility, access and parking**

Transport, mobility and car parking services for the Kellicar Road Precinct will be further informed by current and ongoing traffic modelling and assessment. Whilst study outcomes are expected to identify broader influences and/or works beyond the frame of the precinct, they will also advise specific site design elements such as desired access points and internal street hierarchy.

Indicative access points are included in the illustrative diagram at Figure 40 but could be varied as a result of further transport analysis.

A key design element of the precinct is a public domain that is 'future-proofed' to the changing nature of mobility services – providing effective shared zones, kiss and ride options and EV charging facilities.

The need for effective community transport services is envisaged – including the provision of kiosks, information, e-mobility options, car sharing and a public infrastructure that enhances active transport and connectivity.

It is expected that each stage of development will incorporate controls to embed state-of-the-art mobility features into the design of the public realm, street edge and built form, accompanied by supporting data and communications infrastructure.

### **Objectives**

- A. To ensure the location, size and design of vehicle access minimises pedestrian and vehicle conflicts and disruption of traffic on public roads.
- B. To support the reduction of private vehicle dependency and to encourage the use of sustainable transport.

Recommended words for mobility, access and parking:

## **7.6 Mobility, access and parking**

Transport, mobility and car parking services for the Kellicar Road Precinct will be further informed by current and ongoing traffic modelling and assessment. Whilst study outcomes are expected to identify broader influences and/or works beyond the frame of the precinct, they will also advise specific site design elements such as desired access points and internal street hierarchy.

Indicative access points are included in the illustrative diagram at Figure 40 but could be varied as a result of further transport analysis.

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It is expected that each stage of development will incorporate controls to embed state-of-the-art mobility features into the design of the public realm, street edge and built form, accompanied by supporting data and communications infrastructure.

**Objectives**

- A. To ensure the location, size and design of vehicle access minimises pedestrian, cyclist and vehicle conflicts and disruption of traffic on public roads.
- B. To support the reduction of private vehicle dependency and to encourage the use of sustainable transport.

Current objectives and controls for building layout, form and design - public exhibition version:

## **7.4 Building layout, form and design**

### **Objectives**

- A. To provide a range of building heights, types and architectural styles to create architectural diversity and visual interest.
- B. To ensure appropriate building lengths, building articulation and individual ground floor entries to reduce the scale of the buildings as perceived from the public domain.
- C. To ensure buildings provide the highest level of residential amenity.
- D. To ensure the design of buildings contribute to activity and provide passive surveillance to streets and open spaces.
- E. To ensure towers are slender and well separated so as not to compromise solar access.
- F. To encourage buildings that enhance significant views to, from and within the precinct.
- G. To avoid elongated or unnecessarily large building footprints that dominate the streetscape.

### **Controls**

- 1. Building layouts and location are to generally reflect those shown in the Illustrative Master Plan.
- 2. Development is to be designed to address all key street frontages and open spaces (refer to figure 26).
- 3. Development is to provide an active ground plane where possible. This should include either retail or commercial spaces, as well as clearly defined building entrances to residential apartments.
- 4. Non-residential uses at the ground floor are to provide clear glazing to primary streets and open space.
- 5. Blank façades at ground floor are generally not permitted along primary street frontages and adjacent to public open space.
- 6. Continuous awnings must be provided along all primary street frontages (Kellicar Road, Macarthur Walk, Tindall Street and Bugden Place).
- 7. Towers are to be slender to reduce visual impacts, with a maximum residential floor plate of 750m<sup>2</sup> GFA and a maximum building length for towers of 45m.
- 8. Towers are to be generally north-south oriented to maximise solar access and minimise overshadowing.
- 9. Towers are to achieve a minimum separation distance to adjacent towers of 24m to allow for views between buildings and a sense of openness.
- 10. Buildings are to be articulated in length with regular vertical breaks, limiting the overall mass and sense of scale from the public domain.
- 11. Floor plates are to be designed to ensure the building length is acceptable, and the internal amenity of residential apartments can be generally consistent with SEPP 65 and the Apartment Design Guide.
- 12. Larger floor plates may occur in the podium base where there are two street frontages.
- 13. Residential facades are to be architecturally distinguished from commercial facades utilising balconies, planters and materials that clearly differentiate them from commercial glazed facades.

14. In designing a floor plate, relevant ADG considerations to be considered include facade articulation, solar access, cross ventilation, number of apartments per floor and number of apartments per core.
15. Building façades are to be articulated by variations in materials, finishes and colours, use of blade or fin walls, sun shading devices or by varying façade elements.
16. Building services such as mechanical ventilation, roof plant and lift overrun should be integrated with the façade and building design and screened from the public domain.

Recommended objectives and controls for building layout, form and design:

## 7.4 Building layout, form and design

### Objectives

- A. To provide a range of building heights, types and architectural styles to create architectural diversity and visual interest.
- B. To ensure appropriate building lengths, building articulation and individual ground floor entries to reduce the scale of the buildings as perceived from the public domain.
- C. To ensure buildings provide the highest level of residential amenity and are designed to achieve appropriate levels of solar access and sound attenuation.
- D. To ensure the design of buildings contribute to activity and provide passive surveillance to streets and open spaces.
- E. To ensure towers are slender and well separated so as not to compromise solar access.
- F. To encourage buildings that enhance significant views to, from and within the precinct.
- G. To avoid elongated or unnecessarily large building footprints that dominate the streetscape.

### Controls

1. Building layouts and location are to generally reflect those shown in the Illustrative Master Plan.
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14. In designing a floor plate, relevant ADG considerations to be considered include facade articulation, solar access, cross ventilation, number of apartments per floor and number of apartments per core.
15. Building façades are to be articulated by variations in materials, finishes and colours, use of blade or fin walls, sun shading devices or by varying façade elements.
16. Building services such as mechanical ventilation, roof plant and lift overrun should be integrated with the façade and building design and screened from the public domain.
17. Development within the precinct shall comply with the acoustic design provisions of the ADG and the NSW Government's *'Development near Rail Corridors and Busy Roads - Interim Guideline'*.

### **.13 Stormwater Management version]**

**[April 2021 public exhibition**

Birunji Creek runs through the car park of the Marketfair site and is contained in a closed culvert system within a 10m wide drainage easement that runs in a south-north direction.

Council's existing 2 x 3.6m pipes presently accommodate 1% AEP Birunji Creek flows and have been noted by Council to be working effectively.

Council's LEP 2015 and the Campbelltown (Sustainable City) DCP 2015 define the requirements for the design of roads, stormwater drainage and flooding. These documents require a free board of 500mm above the mainstream 1% AEP level as the flood planning level.

The DCP does not currently set out provisions for the design of underground carparks. Council Engineering Guidelines require design for underground carparks to ensure that ingress of flow does not occur in the 1% AEP event. Consideration of the PMF (Probable Maximum Flood) is not currently required for underground spaces.

For the subject site, additional consideration of flood risk due to flood events exceeding the flood planning level is prudent for the area between Tindall Street and Narellan Road, especially given the location of Birunji Creek and the extent of flood liability of the site during extreme events. This includes new controls to ensure that basements are not flood affected by all floods up to the PMF.

Additional controls to those already incorporated in Council's DCP 2015 are necessary in order to ensure that development within this part of the Kellicar Road Precinct may proceed without adverse impact on other lands and with due consideration to any necessary evacuation procedures during extreme flood events.

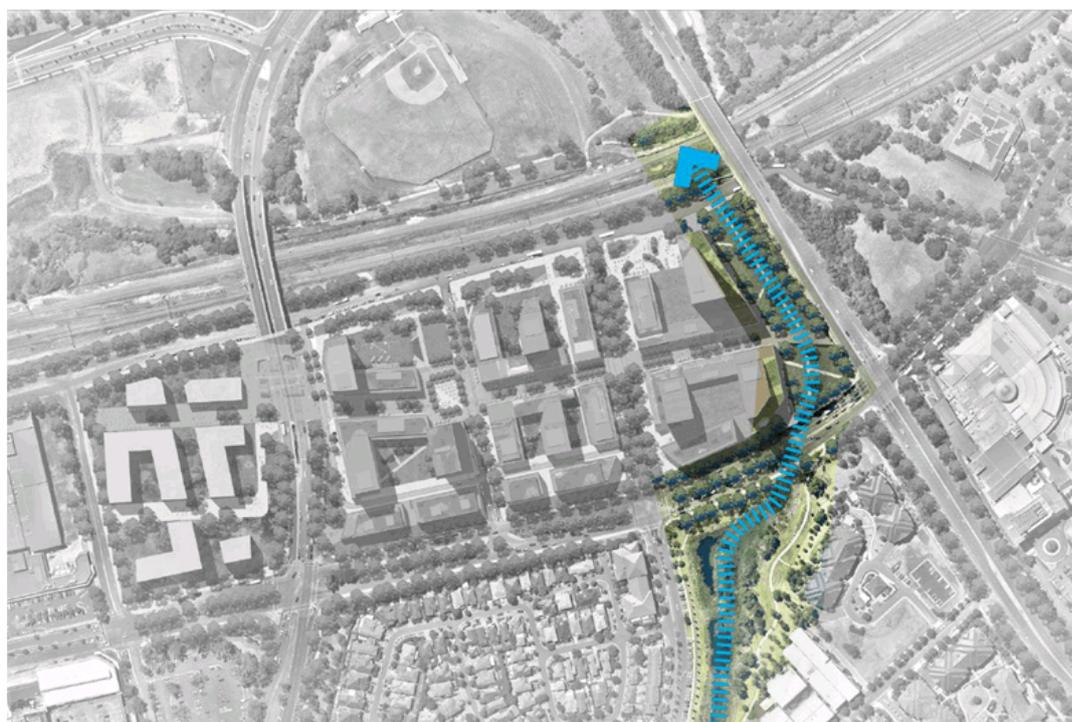


Figure 44.

Indicative stormwater strategy to manage residual flood risk relating to Birunji Creek

#### **Objectives**

- A. To minimise the impact of flooding on nearby lands.
- B. To allow the passage of flows during very rare and extreme events.
- C. To ensure that development at the eastern end of the precinct is developed in consideration of flood risk management measures.

D. D. To ensure a precinct wide approach to the management of stormwater.

### Controls

#### Floor Level Controls

- Floor level controls are to achieve a 0.5m free board above the 1% AEP flood event.
- Provision of a publicly accessible refuge area is to be provided above the PMF level for developments below the FPL.

#### Building Components and Methods

- All structures are to have flood compatible building components below the FPL.
- Demonstration that structures below the FPL can withstand the forces of floodwater, debris and buoyancy is required
- Provision of overland flow paths for events exceeding the capacity of the stormwater system are required for all development types.
- Staff and contractor access to culvert systems is to be considered.

#### Car Parking

- Basement car parking and other underground spaces shall be protected from inundation for events up to the PMF;
- Flood free pedestrian access to parking areas shall be provided.

#### Evacuation

- Rising DDA access is required from all areas of the development to a refuge area above the level of the PMF;
- Rising DDA access is required from public spaces and roads surrounding the development to a refuge area above the level of the PMF;
- Flood free access is to be provided to areas outside of the floodplain, above the level of the PMF;
- The development is to be consistent with the relevant local flood evacuation strategies;
- The evacuation requirements of the development are to be considered up to the PMF level;

#### Management and Design

- A site-specific flood risk management plan is to be prepared for development on land below the FPL.
- Site-specific Flood Emergency Response and Evacuation Plans are to be prepared for development on land below the FPL.

#### On-site Stormwater Management

- Stormwater management for the precinct is to be undertaken in accordance with Section 2.10 of the Campbelltown (Sustainable City) DCP 2015.

## 7.13 Stormwater Management

**[Updated - July 2021]**

Birunji Creek runs through the car park of the Marketfair site (Lot 2341, DP830786) and is contained in a closed culvert stormwater system within a 10m wide drainage easement that runs in a south-north direction. The system presently accommodates 1% AEP Birunji Creek flows and has been noted by Council to be working effectively.

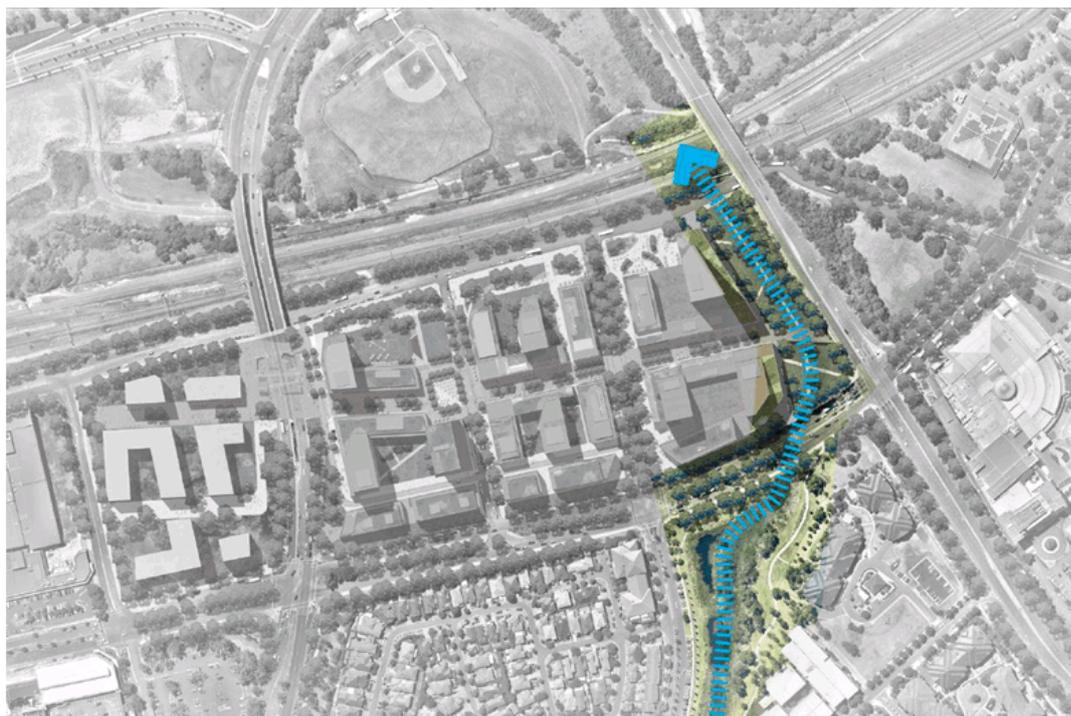
Council's LEP 2015 and the Campbelltown (Sustainable City) DCP 2015 define the requirements for the design of roads, stormwater drainage and flooding.

For the subject site, additional consideration of flood risk due to flood events exceeding the flood planning level (FPL) is prudent for the area between Tindall Street and Narellan Road given the location of Birunji Creek and the extent of flood liability during these events.

The Illustrative Master Plan includes provision for a flow path through this part of the site to accommodate extreme floods.

It is also necessary to incorporate supplementary controls that aim to manage flood risk for all floods up to the PMF. These controls are necessary to ensure that development within this part of the precinct can occur without adverse impact on other lands and with due consideration to any necessary evacuation procedures.

These controls will require, for instance, landscape topography that cannot be altered and the development of flood emergency and evacuation plans for the precinct and will apply in perpetuity.



Indicative stormwater strategy to manage residual flood risk relating to Birunji Creek

Figure 44.

### Objectives

- A. To minimise the impact of flooding on nearby lands.
- B. To allow the passage of flows during very rare and extreme flood events.
- C. To ensure that development at the eastern end of the precinct is developed in consideration of appropriate flood risk management measures.
- D. To ensure a precinct wide approach to the management of stormwater.

### Controls

#### Floor Level Controls

- Floor level controls are required to be consistent with the Campbelltown Development Control Plan (2015) and Table 4.1 of Council Engineering Guidelines.
- Provision of a publicly accessible refuge area is to be provided above the PMF level for development affected by Birunji Creek flooding.

#### Building Components and Methods

- All structures are to have flood compatible building components below the FPL.
- Demonstration that structures can withstand the forces of floodwater, debris and buoyancy is required.
- Provision of overland flow paths for events exceeding the capacity of the stormwater system are required for all development types.
- Unhindered access to the Birunji Creek culvert system that crosses Lot 2341, DP830786 is to be provided at all times for Council staff and contractors.

#### Flood Management

- Development of the precinct shall include provision for an overland flow path to satisfactorily accommodate extreme flood events.
- A site-specific flood risk management plan is to be prepared for development affected Birunji Creek flooding.

- Site-specific Flood Emergency Response and Evacuation Plans are to be prepared for development affected by Birunji Creek flooding. The emergency and evacuation plans shall apply in perpetuity.
- Input from the State Emergency Service is to be incorporated into the site-specific Emergency Response and Evacuation Plans. Regard shall be had for the requirements of any existing local flood evacuation strategies, where relevant.
- The body corporate of buildings located on Lot 2341, DP830786 shall appoint a building manager who shall be responsible for the maintenance of all extreme event flow paths as designed and approved and the updating and effective implementation of flood risk management, flood emergency response and evacuation plans at all times.
- Back-up generators are to be provided to ensure the operation of assets used in the implementation of flood emergency response and evacuation plans are maintained in the occurrence of a power outage. Provision shall be made for the back-up generators to switch on automatically should a power outage occur.
- All mechanical devices required to implement the flood emergency response and evacuation plans are to be maintained in good working order at all times.

#### Car Parking

- Basement car parking and other underground spaces affected by Birunji Creek flooding, shall be afforded passive protection from inundation for events up to the PMF. Passive protection can be achieved by having all access points to underground spaces above the level of the PMF.
- Where it can be shown that passive protection is not feasible, the use of flood gates or other mechanical devices for protection will only be allowed where:
  - appropriate measures are incorporated (e.g. as part of a body corporate's building management requirements) to ensure that they are maintained in good working order.
  - Mechanical components of elevators being located above the PMF
  - Warning systems inside car park to ensure evacuation
  - Mechanisms to prevent people entering a car park should it become flooded
  - Pump out systems to remove water, in the event the car park is flooded. These need to be located above the PMF level.

#### Evacuation

- Site evacuation is to be undertaken and managed in accordance with the site-specific Emergency Response and Evacuation Plans and shall incorporate the following principles:
  - Rising DDA access from all areas of the development to a refuge area above the level of the PMF.
  - Rising DDA access from public spaces within the development to a refuge area above the level of the PMF.
  - Flood free access is to be provided to areas outside of the Birunji Creek floodplain, above the level of the PMF.
- Appropriate provision shall be made for back-up generators to power mechanical devices used in evacuation procedures.
- The emergency and evacuation plans are to incorporate provisions for emergency medical situations.

#### On-site Stormwater Management

- Stormwater management for the precinct is to be undertaken in accordance with Section 2.10 of the Campbelltown (Sustainable City) DCP 2015.

## 8.6 Appointment of Local Planning Panel Chairs

### Reporting Officer

Executive Manager Urban Release and Engagement  
City Development

### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

### Officer's Recommendation

That Council appoint the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs for 3 years, in accordance with the Minister's approval to the Campbelltown City Council Local Planning Panel.

### Report

On 15 June 2021, the NSW Department of Planning, Industry and Environment (DPIE) provided councils with general advice to the effect that notwithstanding the Minister of Planning and Public Spaces' approval of the nominated Local Planning Panel Chairs, the respective Local Council is required to formally appoint Chairs as well as independent expert members to its Local Planning Panel. The operative word in this advice was "appoint".

Council, at its previous Ordinary Meeting of 8 June 2021, considered a report on the appointment of Local Planning Panel members and resolved, in part that:

2. That Council notes the appointment by the Minister of Planning and Public Spaces, The Hon. Robert Stokes of the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs for 3 years.

Having regard to the recent advice received by all councils, and despite the Minister of Planning and Public Spaces' formal approval of the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs for 3 years, the Council is required to formally appoint, by way of resolution, the Minister's approved candidates to the position of Chair and alternate Chairs of its Local Planning Panel.

Based on the advice received from DPIE, and to ensure Council's Local Planning Panel is deemed to be correctly constituted, it is recommended that Council formally "appoint" the Minister's approved candidates to Panel Chairs, by way of resolution.

**Attachments**

Nil

## 8.7 Koalatown - First Year Reporting

### Reporting Officer

Executive Manager Open Space  
City Delivery

### Community Strategic Plan

Objective	Strategy
2 Outcome Two: A Respected and Protected Natural Environment	2.4 - Conserve and care for our city's biodiversity

### Officer's Recommendation

That the reported information associated with the achievements of the first year of Koalatown and projects into the future be noted.

## History

### Background

Koalas are a national icon and their ongoing conservation is of significant importance to the Campbelltown community and Australian's more broadly. In Campbelltown studies show the koala population is growing however there are still many threats to their survival including loss of habitat, disease, climate change, bushfire, vehicle strike and dog attacks.

Council has had a long standing commitment to protecting koalas, beginning with the preparation of our first Koala Plan of Management in 1991 through to the recent adoption of the Campbelltown Comprehensive Koala Plan of Management in 2020 (CCKPoM) as well as the many projects, programs and advocacy in between.

In accordance with CCKPoM, Council is the lead authority to champion sustainable management and conservation of koalas within the Campbelltown Local Government Area. To facilitate this, a range of targeted actions relating to planning and accessing development, delivery of on ground projects such as habitat restoration, monitoring of koala distribution and health and community education are included.

The key actions delivered from the CCKPoM as part of the Koalatown campaign are as follows:

- 3.1(b) To support the harmonious co-existence of the community with koalas
- 3.2(f) Increasing community and public awareness through education programs promoting koala conservation and management

- 3.2(i) Identifying koala welfare and research needs intended to improve and inform long-term management of the Campbelltown Local Government Area's resident koala population
- 11.2 (ii) In collaboration with stakeholders, Council will encourage further and ongoing research into how best to reduce the potential for koala vehicle-strike and attacks on koalas by domestic dogs.
- 11.2(iii) In collaboration with OEH, WSU and other stakeholders, Council will encourage further and ongoing research into various aspects of koala disease and the genetic composition of the Campbelltown koalas.
- 11.2(v) Council will establish permanent vegetation growth and use koala monitoring plots within any area replanted and/or rehabilitated for the purposes of improving habitat connectivity within the lands to which the Plan applies.

In addition to the adoption of the CCKPoM, Council has advocated and implemented many initiatives including facilitating the Greater Macarthur Koala Partnership Forum in 2019 which identified that the preservation of koalas would not be possible without mobilising the community.

Further to this the increase in the number of residents and the number of koalas in the region is increasing potential of human and koala conflicts. Recent data from the University of Sydney's Koala Health Hub shows that more than 50 per cent of koalas presented at the clinic had suffered from either vehicle strike or dog attack. Further to this, the majority (80 per cent) of koalas attacked by dogs or hit by cars die from their injuries.

To address key actions as outlined above within the CCKPoM and issues identified at the Greater Macarthur Koala Partnership Forum, Council's launched the Koalatown campaign.

## Report

In May 2020 to coincide with Wild Koala Day celebrations Council launched the Koalatown Campaign. The campaign recognises the significant need for community led action to protect koalas and the simple steps residents can take to protect koalas from common threats such as vehicle strikes and dog attacks.

A key focus of Koalatown was to bring all projects and programs that Council and the community do for koalas under the one banner to create a greater level of value for each individual project. This includes the benefits of bundling the projects together under one umbrella which makes each initiative part of a larger foundation of projects that are all for the one purpose: to protect and enhance koalas in Campbelltown.

Koalatown has a key focus on a range of aims relating broadly to specific actions within the CCKPoM including:

- To support the harmonious co-existence of the community with koalas
- To ensure the long-term health and viability of a free ranging koala population within the Campbelltown Local Government Area

- To minimise koala deaths due to vehicle strike and domestic dog attacks
- And to increase community and public awareness through education programs promoting koala conservation.

The above aims of Koalatown have been achieved through a range of targeted on ground projects and programs and key messaging and promotion using a diverse range of communication and marketing platforms. This has ensured that the target audience, being all residents in Campbelltown, are both hearing and seeing the messages Council is promoting regularly through multiple sources, which drives a greater chance of adoption.

Over the past 12 months Council has programmed key messages and delivered key projects in line with a program to drive awareness and deliver outcomes that protect Campbelltown's koalas. A breakdown of key deliverables relating to communications and marketing and key projects is below.

### **Communications and Marketing Deliverables**

We developed the Koalatown brand to align with the Campbelltown brand identity to encourage its acceptance and ownership by the local community and optimise its ability to be leveraged as a promotional tool outside of the area for the city.

From day one, our communications strategy has been to unapologetically declare koalas as a significant part of our community, with slogans such as 'Campbelltown is Koalatown' and 'Koalatown - Our locals are wild'.

We announced the launch of the Koalatown campaign in a big way through saturation of our local market, including targeted campaigns across various media platforms such as traditional Council methods and unique marketing streams such as Nine, Spotify and TV screens at petrol pumps.

Beyond the launch of the program, the cross-platform approach with staggered timing continued, ensuring Koalatown maintained an active presence in the market reaching multiple audiences within a few months of the launch.

For example, through Nine we targeted people 18+ in the Campbelltown Local Government Area, which drove 299 clicks to our website, which is a rate of 0.06 per cent - above the industry benchmark of 0.05 per cent.

Our Spotify activity targeted people 16+ narrowing in on Campbelltown postcodes and delivered 10,000 additional impressions (compared to planned), with a 72 per cent ad completion rate, which is exceptionally high and achieved 51 clicks to the website which shows that they were engaged.

Align to the above promotion and marketing, the Narellan Road/Blaxland Road billboard, petrol pumps and bus shelter posters, stickers for bins and cars, brochures at facilities, including the Visitor Information Centre and Macarthur Square promotions were utilised as our 'out of home' channels. These channels align contextually with audiences who are in their cars or have travelled in their cars and aim to deliver the road safety and koala awareness message resulting in nearly 4.5 million impressions of the brand.

Overall, ongoing promotion of the program and key target messaging to drive community participation and positive change resulted in a reach of more than 5.3 million views across marketing platforms. This was through an investment of \$10,000 in the first year of the program to ensure that the brand was a part of households across Campbelltown.

The marketing strategy also included traditional 'in home channels' to duplicate messaging and increase the potential for community uptake including social media and Council's website, rates notice, collectable trading cards for children and the Compass newsletter. For social media streams, including Facebook and Instagram, over the 12 months we completed:

- 110 Koalatown posts reaching 271,837 viewers with more than 5,723 engaged in post links
- And the #Koalatown hashtag was used 279 times showing a minimum external use in the community of 69 posts/tags (as the 110 Council posts used the hashtag).

Further to the above, the wide reach of the updated Koalatown website has demonstrated that the marketing is translating not only into awareness, but also into page visits to where residents can engage with our key koala information. Since the launch, the Koalatown webpage has had 17,310 page views (excluding Council staff). This figure includes:

- 5,997 views on the landing page
- 1,903 views of Koala locations
- 1,267 views of Koalas in Campbelltown
- 1,095 visits to the become a Koalatown Supporter page.

### **Key Project Deliverables**

Since the launch of Koalatown a range of projects, through a combination of Council and grant funding, have been completed, fulfilling key objectives of the CCKPoM and Koalatown. These initiatives have included those related to key threats, significant community education as well as longer term strategic projects such as revegetation and habitat restoration and long term monitoring. A summary of these projects is below:

#### Education and awareness

- Launched the Koalatown room in partnership with the Community Learning and Library Services team at the Visitors Information Centre. This included collating various koala related materials and the design of 12 x A0 education boards which also double for events and exhibitions such as the Wild Koala Seminar and Hello Koalas Sculpture Trail.
- Attracted 883 Koalatown supporters via the website and delivered 720 information packs to residents, which included koala brochures and promotional materials such as stickers and branded dog leads and poo bags.
- Commenced the Koalatown Certified Schools Program (previously Koala Kids) which engaged 17 schools in 26 events with 2,632 students participating.

- Delivered the Wild Koala Seminar – Experts in Koalatown at the Campbelltown Arts Centre on Wednesday 5 May 2021
- Developed a new suite of brochures and completed website updates to reflect Koalatown and the new Council brand.
- Overall facilitated 5 community events and engaged 408 residents.

#### Long Term Monitoring

- Delivered first ever Local Government Area wide baseline study of koala occupancy in accordance with CCKPoM.
- Created 82 permanent monitoring sites across approved private and public lands.
- Results show increase in the Area of Occupancy from 46.42% (2012) to 49.21% (2020), a near 3% increase, which shows our koalas population is expanding. Calculations indicate an increase from  $177 \pm 18$  (95% CI) koalas (2012) to a revised koala population estimate of  $236 \pm 60$  (95% CI)(2020) individuals within the Campbelltown LGA.
- Began works to finalise a long-term monitoring strategy incorporating experts, academics and community which is set to be completed in coming months.

#### Targeting Vehicle Strikes

- Rolled out the Koala specific Variable Message Sign (VMS board) in strategic locations across the Local Government Area to warn motorists.
- Facilitated ongoing installation and maintenance of 26 strategically placed static koala-crossing signs.
- Delivered the “Why did the koala cross the road?” bus shelter and petrol pump awareness programs.
- Designed and constructed temporary A-frame signs to be deployed to locations where koalas are located adjacent to roads upon request from wildlife carers .
- Continued advocacy within Council’s City Development division with regards to regional road upgrades such as Appin Road.

#### Strategic Koala Habitat Restoration

- Planted 21,250 koala habitat trees across 5.3 ha (over 10 football fields) of previously cleared agricultural land (grant funded).
- Completed habitat restoration (weed control etc) across approx. 40 ha of core and supplementary koala habitat (primarily grant funded).
- Provided ongoing support of 7 Bushcare volunteer groups that work within koala habitat.

- Supported annual Wild Koala Day and National Tree Day community planting projects.
- Launched Land for Wildlife Program and Koalatown properties, both of which are informal non-binding agreement to conserve biodiversity on private land and tick box for appropriate koala mitigation measures.

#### Helping Wildlife Carers

- Continued planting koala food trees in urban easily accessible open space areas across the Local Government Area for wildlife carers to harvest for injured koalas in care.
- Worked with wildlife carers to deliver ongoing sustainable maintenance and harvest of koala food tree plantings to assist with koalas in care.
- Wherever possible assist their important work including promotion of their services and fundraising.
- Provided profits from the sale of koala related materials at the Visitors Information Centre and the Wild Koala Seminar to wildlife care groups to provide resources for the often self-funded works they do for koalas.

#### Working with Experts

- Council has partnered with various organisations to monitor the ongoing health, distribution of koalas in the Campbelltown Local Government Area.
- These have included Science for Wildlife to track rehabilitated koalas in partnership with WIRES.
- University of Western Sydney to track koalas and study tree species use and moisture and carbon content in leaves as a result of climate change.
- NSW Department of Planning, Industry and Environmental to track koalas and test for the presence and potential spread pathways of chlamydia.

#### **The Future of Koalatown**

Council has an ongoing role to implement key actions within the CCKPoM that will ensure that we are in the best place to protect and enhance our koalas and their habitat. In addition, following the successful launch and delivery of Koalatown, we recognise that behavioural change in the community is a long-term process and ongoing promotion of key messages is required to inspire this change.

Over the coming 12 months Council has developed a range of programs and targeted messages to deliver on the above actions. Key projects include:

#### Education and awareness

- Designing and installing bus shelter wraps at key locations to educate the community about our koalas and the simple measures they can take to protect them (grant funded).

- Designing and installing signage at key reserve and dog parks to educate community members about the importance of responsible dog ownership (grant funded).
- Continue the delivery of Koala Certified Schools Program, including the 17 schools.
- Continue to deliver key events including Wild Koala Day and National Tree Day.
- Ongoing promotion of Koalatown through a diverse range of communication streams including key threats during the breeding season.

#### Strategic Koala Habitat Restoration

- Completing Bushfire Prone Lands Koala Habitat Revegetation Guidelines to address bushfire concerns and potential increases in Bushfire Attack Level Ratings and associated development costs for adjoining neighbours.
- Continue to restore core koala habitat in key areas through grant funded contract works.
- Continue to support the Bushcare Volunteer Program.

#### Long Term Monitoring

- Finalising and deliver the Campbelltown Long Term Koala Monitoring Plan to ensure that our koalas are monitored into the future utilising approved scientifically rigid methods.

#### Helping Wildlife Carers

- Develop online record portal to assist wildlife carers in accurately recording data relating to their services, enabling council to make informed decisions and accurate monitoring of threats.
- Continue to engage wildlife carers in Council's events and programs and promote the works they do.

#### Corporate Involvement

- Investigation of a community and business sponsorship program to assist with funding koala related initiatives and projects.

### **Attachments**

Nil

## 8.8 International Games Week 2021

### Reporting Officer

Manager Community Learning & Libraries  
City Lifestyles

### Community Strategic Plan

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

### Officer's Recommendation

That the report be noted.

### Purpose

To outline the proposed activities for International Games Week 2021.

### History

International Games Week is a worldwide library initiative to reconnect communities to the educational, recreational and social value of all types of games.

Campbelltown City Library has participated in International Games Week for the past 6 years with activities promoting the value of playing games in all four branches throughout the week, culminating in a day of activities at HJ Daley Library. The week falls at the same time as the Festival of Fisher's Ghost and in the past activities have been included in the Festival program.

Activities which the Library have held in the past include:

- Board Game afternoons
- Online gaming
- Talks and workshops about games and online gaming
- Escape Rooms
- Harry Potter Quidditch demonstration

International Games Week 2020 was not held due to COVID-19 restrictions however the library promoted some online games and encouraged people to play board games at home.

A Notice of Motion was carried at the Council meeting on 9 March 2021 requesting the Library encourage and promote board game activities, particularly Chess and CATAN and that the Library promote these activities during International Games Week. Further to that, a Notice of Motion was carried at the Council meeting on 11 May 2021, requesting a report on the progress of International Games Week, particularly focusing on Australian and Independent content.

## Report

International Games Week this year will be held from 7-13 November. The Library will hold a series of COVID-19 safe events promoting the value of games and game playing in the community. Planning is still in the early stages and activities will be included in the Fishers Ghost Festival program. Activities are planned for all 4 Libraries and will include:

- Provision of tabletop board games with open access, specifically focusing on Australian and Independent content
- Workshops on how to play the game CATAN, as well as CATAN sessions
- Dungeons and Dragons sessions, focused on women
- Publicity events around the value of playing different types of games

The Library has researched Australian and Independent content and has purchased a number of titles that would be appropriate to include in the program.

There will be a day of gaming activities on Saturday 6 November at HJ Daley Library. The final program will be available in September.

The Library has been promoting games in a number of different ways at our locations. Glenquarie Library has started a new social group called Board Games and Biscuits where community members can connect with people through playing old fashioned board games such as Scrabble, Monopoly and cards. This group meets weekly. A Scrabble Club meets weekly at HJ Daley Library and Eagle Vale Library has a Tuesday afternoon Chess Club for all ages.

Board games are a great way to connect community and the Library will continue to promote the benefits of playing games through its activities.

## Attachments

Nil

## 8.9 Investments and Revenue Report - May 2021

### Reporting Officer

Executive Manager Corporate Services and Governance  
City Governance

### Community Strategic Plan

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

### Officer's Recommendation

That the information be noted.

### Purpose

To provide a report outlining activity in Council's financial services portfolio for the month of May 2021.

### Report

This monthly report provides details of Council's investment and revenue portfolio.

### Investments

Council's investment portfolio as at 31 May 2021 stood at approximately \$240 million. 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 continues to outperform the AusBond Bank Bill Index benchmark, however the interest income will not reach the estimated budget by some \$480k as a direct result of the ongoing impact to the economy of historically low interest rates. The impact is significant and adjustments to expected revenue have been reflected in quarterly budget reviews.

For the month of May, Council's return exceeded the benchmark by some 93 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 has been very low, with May's return being 0.004 per cent, 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 5 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 \$46 million to meet short to medium term cash flow needs remains strong with \$25 million held in an at call account, \$8 million in the TCorp Cash Fund and \$3 million in a 30 day notice account and \$10 million in an at call cash accelerator account. The latter 2 accounts are effectively a hybrid of a term deposit and an at call account that attract slightly higher market interest rates. It has been prudent to hold a higher level of funds in the at call account which currently attracts 0.5 per cent per annum compared to a standard 12 month term deposit rate average of 0.4 per cent or less.

The official cash rate is 0.10 per cent, where it has remained since the November 2020 Reserve Board of Australia Board meeting. The Board remains optimistic that in Australia, economic recovery is under way however, it is still expected to be uneven, drawn out and dependant on policy support. The ASX200 closed at 7,161.60 at the completion of May. This represents an annualised monthly performance result of positive 23.19 per cent ex dividend; the monthly change was positive 1.93 per cent.

It is important to note that councils are restricted to conservative investments only in line with the Minister's Investment Order of 17 February 2011 and other relevant legislation including the *Local Government Act 1993* and the *Trustee Act 1925*. Investments in equities are prohibited under the legislation and therefore a benchmark such as the Bank Bill Index is used in line with Council's Investment Policy and the recommendations of the Office of Local Government Guidelines.

## **Rates**

Rates and Charges levied for the period ending 31 May 2021 totalled \$124,603,704 representing 100 percent of the current budget estimate.

The rates and charges receipts collected to the end of May totalled \$111,786,237. In percentage terms 91 per cent of all rates and charges due to be paid have been collected, compared to 90 per cent collected in the same period last year.

The NSW Government set penalty interest charges to zero percent on all unpaid rates and charges for the period between 1 July 2020 and 31 December 2020, this rate changed on 1 January 2021 to 7 per cent.

Debt recovery action during the month involved the issue of 66 Statements of Claim to ratepayers with two or more instalments outstanding and a combined balance exceeding \$1,000. Further recovery on accounts with previous action resulted in 34 Judgments and 43 Writs being served on defaulters that have not made suitable payment arrangements or failed on multiple occasions to maintain an agreed payment schedule.

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 detailed information on support packages offered in the Community and Council's Financial Hardship Relief Application Form. Special consideration is given to support all ratepayers that have been affected by the COVID-19 pandemic.

Positive feedback continues to be received from Pensioners that can now make an application for a Pension Rebate Concession over the phone and via the internet. During the month, 54 applications were made over the phone and 31 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, 21 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

### **Sundry Debtors**

Debts outstanding to Council as at 31 May 2021 are \$2,045,184 reflecting a decrease of \$349,999 since April 2021. During the month 791 invoices were raised totalling \$1,451,530. 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 \$409,028 as at 31 May 2021. The majority of this debt relates to Various Sundry items totalling \$158,253. A significant portion relates to Suez Recycling and Resource Recovery Pty Ltd for \$58,652 regarding an overpayment of compactor charges following clarification of terms of the current contract. An amount of \$32,474 relates to the electricity connection application for "The Billabong" at The Parkway Bradbury for Endeavour Energy, payment of this debt was received in early June 2021. The ongoing recovery of Road and Footpath occupancy fees of \$5,430 for a development in Broughton Street has seen the debtor fail again in their commitment to finalising their debt. Council's agent are now exploring the best recovery method and next step of action.

Also incorporated within the sundry items group is \$11,284, which relates to a ticket sale rebate for the "Crusty Demons Event" at Campbelltown Sports Stadium in August 2019. The company involved has gone into voluntary administration. Council has submitted a proof of debt to the Administrators who have established that the company is insolvent and at their recommendation have placed the company into liquidation. A report to creditors was received in March 2021 advising that no dividends will be declared due to lack of available assets. The account will now be forwarded for write-off following review by Council's auditors. An amount of \$6,964 relates to bin services supplied for events "Eat, Shop, Love Markets". The organiser is not responding to requests for contact. The debt has now been referred to Council's agent for recovery.

Debts categorised in Sports and Field Hire totalled \$96,713 the most significant portion is \$49,450 for "catering sales commission" for events at Campbelltown Sports Stadium. The company involved has defaulted on previous arrangements and as a result Council's debt recovery process has commenced with the issue of a letter of demand. Following no response the account has now been referred to Council's agents for recovery. Also incorporated within this category is a debt of \$38,390 for Macarthur Football Club, this amount has since been paid in early June 2021.

Other significant debts are under Road and Footpath Restoration for \$32,535. An amount of \$13,531 for the company Jemena Gas had identified a few discrepancies but have since made payment of \$10,082 toward their account leaving a balance of \$3,449 this amount is still being investigated. Another amount of \$11,653 for the company Visionstream Australia Pty Ltd was paid in early June 2021. Other significant amounts totalling \$7,349 relate to companies that have become insolvent and gone into liquidation and are under administration, these accounts will be recommended for write-off.

Corporate Administration outstanding debt totals \$15,431 with the most significant amount of \$4,208 for electricity usage associated with field hire. The account is in dispute with Council staff continuing to liaise with committee members and investigations are still ongoing with electricity providers.

Debts categorised within Healthy Lifestyles for \$9,438 consists of various amounts with the most significant relating to one group who hire our leisure centres for services. This debt totals \$2,250 unfortunately the current payment plan of \$50 per week, has defaulted and negotiations have failed. The account will be referred to Council's agents for recovery. Another significant amount within this category of \$5,230 relates to bookings made in advance for the Bicycle Education Centre delivering a customer service outcome allowing bookings to be paid ahead of the relevant event.

Public hall hire fees of \$23,703 are a result of debts raised in advance and in accordance with Council policy do not need to be finalised until 2 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, similar to the Bicycle Education Centre process identified above.

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.

Council's agents were instructed to issue 2 letters of demand for the month.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

### **Attachments**

1. Summary of Council's Investment Portfolio May 2021 (contained within this report)
2. Rates and Charges Summary and Statistics May 2021 (contained within this report)
3. Debtors Summary and Ageing Report May 2021 (contained within this report)

# Summary of Council's Investment Portfolio



Portfolio as at 31 May 2021

Product Type	Face Value	% of Total
At Call Deposits	35,137,026	14.6%
Notice Account	3,026,767	1.3%
Term Deposits - Fixed Rate	75,471,638	31.5%
Term Deposits - Floating Rate	76,000,000	31.7%
Fixed Rate Bond	12,500,000	5.2%
FRN	29,250,000	12.2%
Managed Funds - TCorp	8,568,196	3.6%
<b>Grand Total</b>	<b>239,953,628</b>	<b>100.0%</b>

## Total Term Deposits (Fixed and Floating Rate) by Institution's Long-Term Credit Rating

Credit Rating	Holdings	% of Total
AA+	6,900,000	4.6%
AA-	106,417,284	70.3%
A+	1,000,000	0.7%
BBB+	11,137,945	7.4%
BBB	22,016,410	14.5%
Baa2	4,000,000	2.6%
<b>Total Term Deposits</b>	<b>151,471,638</b>	<b>100.0%</b>

## 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
none	NT Treasury Corp	Aa3	15-Dec-23	0.80% Annually	\$5,000,000
none	NT Treasury Corp	Aa3	15-Jun-25	0.90% Annually	\$2,500,000
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 – May 2021 cont'd

Long-Term Credit Rating	Exposure of Entire Portfolio			
	Actual	Minimum	Maximum	Compliant
AA+, AA, AA- and above (or MTB*)	<b>72.2%</b>	40%	100%	Yes
A+, A, A- and above	<b>79.3%</b>	60%^	100%	Yes
BBB+, BBB, BBB- and above	<b>100.0%</b>	100%	100%	Yes
TCorp MTGF and LTGF	<b>0%</b>	0%	20%	Yes
TCorp Hour Glass Cash Fund	<b>3.6%</b>	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 May 2021	Monthly Return	Annual Return
<b>Campbelltown City Council – Investment Portfolio</b>	0.075%	0.997%
<b>Benchmark – Bloomberg Ausbond Bank Bill Index</b>	0.004%	0.063%
<b>Performance Relative to Benchmark</b>	0.071%	0.933%

## Rates Summary

Statement of all Outstanding Rates and Extra Charges



Rate - Charge	Net Arrears 1/7/2020	Net Levy for Year	Pension Rebates	Extra Charges	Total Receivable	Cash Collected	Net Amount Due	Postponed Rates & Interest	Gross Amount Due
Residential	3,134,057.23	69,315,557.30	1,508,517.51	394,038.26	71,335,135.28	63,613,892.32	7,721,242.96	305,860.31	8,027,103.27
Business	608,426.97	20,114,849.87		44,536.74	20,767,813.58	19,083,010.51	1,684,803.07		1,684,803.07
Farmland	16,104.97	551,706.46	327.51	548.59	568,032.51	536,823.98	31,208.53	276,946.16	308,154.69
Mining	0.00	28,627.08		0.00	28,627.08	28,627.08	0.00		0.00
SR - Loan	525.47	0.00		86.13	611.60	0.00	611.60	130.92	742.52
SR - Infrastructure	368,470.21	6,822,789.73		6,380.92	7,197,640.86	6,391,002.62	806,638.24	58,065.18	864,703.42
<b>Total</b>	<b>\$4,127,584.85</b>	<b>\$96,833,530.44</b>	<b>\$1,508,845.02</b>	<b>\$445,590.64</b>	<b>\$99,897,860.91</b>	<b>\$89,653,356.51</b>	<b>\$10,244,504.40</b>	<b>\$641,002.57</b>	<b>\$10,885,506.97</b>
Garbage	956,513.47	23,102,517.14	891,995.07	25,008.06	23,192,043.60	20,788,325.47	2,403,718.13		2,403,718.13
Stormwater	70,141.68	1,443,228.74		428.80	1,513,799.22	1,344,554.72	169,244.50		169,244.50
<b>Grand Total</b>	<b>\$5,154,240.00</b>	<b>\$121,379,276.32</b>	<b>\$2,400,840.09</b>	<b>\$471,027.50</b>	<b>\$124,603,703.73</b>	<b>\$111,786,236.70</b>	<b>\$12,817,467.03</b>	<b>\$641,002.57</b>	<b>\$13,458,469.60</b>

Total from Rates Financial Transaction Summary	11,714,898.83
Overpayments	-1,743,570.77
Difference	0.00

### Analysis of Recovery Action

Rate accounts greater than 6 months less than 12 months in arrears	610,875.00
Rate accounts greater than 12 months less than 18 months in arrears	97,777.00
Rate accounts greater than 18 months in arrears	39,888.00
<b>TOTAL rates and charges under instruction with Council's agents</b>	<b>\$748,540.00</b>

## Rates Statistics



No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	May-20
Rate Notices	56,941	485		57	3								269
Electronic - DoH	4,929												
Instalment Notices				49,133			48,053			43,328			
Electronic - DoH				4,895			4,836			4,285			
Missed Instalment Notices						10,871			8,388				
- Pensioners > \$15.00						801			618				
Notice to new owner	144	133	119	107	22	44	48	36	41	22	21		16
7-day Letters - Council issued							674		1,151				
- Pensioners > \$500.00							13		126				
7-day Letters - Agent Issued							617		730				
Statement of Claim								227	13	175	66		0
Judgments										64	34		0
Writs										4	43		0
Electronic - eRates & BPAYView	9,019	9,577	9,881	9,935	10,082	10,171	10,265	10,413	10,578	10,929	11,465		8,806
Pensioner applications	149	170	603	486	475	460	134	85	89	70	85		108
Arrangements	199	165	134	98	88	73	63	98	108	177	169		171

**DEBTORS SUMMARY 1 May 2021 to 31 May 2021**



DEBTOR TYPE/DESCRIPTION	ARREARS AT 30/04/2021	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/05/2021	% DEBT RATIO
Corporate Administration	312,980	190,079	15,501	487,558	23.84%
Abandoned Items	2,370	0	410	1,960	0.10%
Education and Care Services	18,710	0	0	18,710	0.91%
Community Bus	89	0	0	89	0.00%
Sportsground and Field Hire	297,586	179,062	164,305	312,343	15.27%
Government and other Grants	1,042,791	488,904	1,005,044	526,651	25.75%
Public Hall Hire	112,990	70,953	65,739	118,204	5.78%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	110,813	300,605	221,266	190,152	9.30%
Healthy Lifestyles	37,309	35,134	42,184	30,259	1.48%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	98,913	32,077	31,305	99,685	4.87%
Pool Hire	22,309	2,327	22,202	2,434	0.12%
Private Works	2,612	0	0	2,612	0.13%
Road and Footpath Restoration	63,450	51,420	55,376	59,494	2.91%
Shop and Office Rentals	48,967	51,379	64,598	35,748	1.75%
Various Sundry Items	221,166	28,631	75,995	173,802	8.50%
Waste Collection Services	40,455	20,958	37,604	23,809	1.16%
	<b>2,395,183</b>	<b>1,451,530</b>	<b>1,801,528</b>	<b>2,045,184</b>	<b>100%</b>

**AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 May 2021**



	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	163,938	29,570	278,619	15,431	487,558	18,620
Abandoned Items	0	421	0	1,539	1,960	1,949
Education and Care Services	18,710	0	0	0	18,710	0
Community Bus	89	0	0	0	89	0
Sportsground and Field Hire	126,842	84,971	3,818	96,713	312,343	60,103
Government and other Grants	455,609	61,871	0	9,171	526,651	611,399
Public Hall Hire	69,725	13,933	10,843	23,703	118,204	29,689
Health Services	0	0	0	350	350	350
Land and Building Rentals	189,821	0	331	0	190,152	0
Healthy Lifestyles	9,488	6,888	4,445	9,438	30,259	10,942
Licence Fees	21,789	9,020	9,277	59,600	99,685	65,496
Pool Hire	1,561	0	0	873	2,434	1,273
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	2,010	24,950	0	32,535	59,494	30,413
Shop and Office Rentals	33,420	2,328	0	0	35,748	0
Various Sundry Items	9,418	3,262	2,869	158,253	173,802	65,013
Waste Collection Services	10,029	13,554	226	0	23,809	0
	<b>1,074,960</b>	<b>250,768</b>	<b>310,428</b>	<b>409,028</b>	<b>2,045,184</b>	<b>896,689</b>

## 8.10 Reports and Letters Requested

### Reporting Officer

Director City Governance  
City Governance

### Community Strategic Plan

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

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### Officer's Recommendation

That the comments and updates to the reports and letters requested be noted.

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### Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 6 July 2021. Please note there are no outstanding letters requested.

### Attachments

1. Reports requested listing (contained within this report)

### Reports requested effective 6 July 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Delivery</b>			
13.10.20 PL	<p>ORD NM 11.1 - Charging for parking within the Campbelltown Local Government Area</p> <p>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.</p>	A briefing was presented to Council in June 2021. The Integrated Movement and Place Strategy is currently in Development with Transport for NSW and expected to be completed in October. A report is anticipated to be presented in December 2021.	December 2021
<b>City Development</b>			
09.04.19 WM	<p>ORD 8.2 - Planning Proposal - Ingleburn CBD</p> <p>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.</p>	A report is anticipated to be presented in August 2021.	August 2021
09.04.19 BT	<p>ORD 8.6 - Submission Report - Amendment to Campbelltown Sustainable City Development Control Plan (Caledonia Precinct)</p> <p>5. That a further report be submitted to Council in regard to the acquisition of No. 306 Bensley Road, Ingleburn for open space purposes.</p>	To be completed as part of the next housekeeping amendment to the Contribution Plan which will likely coincide with update to CSP.	October 2021
10.09.19 KH	<p>ORD 8.1 - Mount Gilead Planning Proposal - Relocation of Proposed Community Hub Building and Additional Permitted Use</p> <p>5. That following an exhibition, a report on submissions be presented to Council.</p>	<p>Extension for Gateway requested December. Request refused by DPIE March 2021 due to exceedance of gateway timeframe caused by Land and Environment Court appeals on associated development applications.</p> <p>Request for issuing of new Gateway Determination made in March 2021.</p> <p>Council awaiting response from DPIE.</p>	December 2021

### Reports requested effective 6 July 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
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 extension granted in May 2021 with requirement to finalise by April 2022. Exhibition to commence in next quarter upon satisfaction by applicant of Gateway conditions.	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 extension granted in May 2021 with requirement to finalise by April 2022. Exhibition to commence in next quarter upon satisfaction by applicant of Gateway conditions.	October 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.	A report to be presented to Council at the July 2021 meeting as Item 8.4 on the agenda.	July 2021
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.	2. Public exhibition ended on 23/12/2020. No public submissions were received. 4. Letters sent 23/2/2021 providing formal notice to the organisations/ groups listed in Recommendation No. 3. A response was received from the Police and updated maps are currently being prepared to be presented to Council.	August 2021

### Reports requested effective 6 July 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
8.12.20 KH	<p>ORD 8.2 - Amendments to the Mount Gilead Stage 2 Biodiversity Certification Application</p> <p>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.</p>	Public exhibition closed on 14/2/2021 with issues and responses being investigated. A report is being drafted and anticipated to be presented to Council at the October/November 2021 meeting.	October/ November 2021
9.3.21 MO	<p>ORD 8.2 - Request to Exhibit amendments to the Campbelltown (Sustainable City) Development Control Plan 2015</p> <p>2. That should Council receive any submissions during the public exhibition of draft Amendment No 11, that a further report be provided to Council following the completion of the public exhibition period.</p>	Public exhibition ended on 7/05/2021. Two submissions were received. Report being tabled at Campbelltown Design Excellence Panel on 17/06/2021 for input and a further report anticipated to be presented to Council in August 2021.	August 2021
11.05.21 MO	<p>ORD 8.2 - Amendment to Campbelltown (Sustainable City) Development Control Plan Volume 2 - The Meadows, Ingleburn Gardens</p> <p>2. That where submissions are received during the public exhibition period, a further report be provided to the Council.</p>	Currently on public exhibition from 31 May 2021 to 28 June 2021.	August 2021
11.05.21 MO	<p>ORD 8.6 - Draft Waste and Resource Recovery Education Strategy 2021-2024</p> <p>2. That where any submissions are received during the public exhibition period, a report be provided to the Council on the outcomes of the public exhibition.</p>	<p>The consultation period expired on 9/6/2021 and no formal submissions were received.</p> <p>As there were no submissions received, the Waste Education and Resource Recovery Strategy 2021-2024 is therefore approved for implementation in accordance with the recommendation as adopted by Council.</p>	Not required

### Reports requested effective 6 July 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Development</b>			
8.6.21 BM	<p>ORD 8.5 - Campbelltown (Sustainable City) Development Control Plan - Tree Permits Housekeeping Amendment</p> <p>2. That where submissions are received during the public exhibition period, a further report be provided to the Council.</p>	Documents currently being prepared for exhibition.	October 2021
8.6.21 MO	<p>ORD 8.6 - Planning Proposal - "Glenlee Estate" Menangle Park</p> <p>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</p>	Documents currently being prepared for DPIE for Gateway Determination.	February 2022
<b>City Governance</b>			
9.06.20 GB	<p>NM 11.1 - Extension of the Sponsorship Policy</p> <p>1. That Council seeks a feasibility report to consider extending the sponsorship policy in relation to the following: 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.</p>	Consultation with the business has commenced and a report is anticipated to be presented to Council at the August 2021 meeting.	August 2021
11.05.21 BM	<p>NM 11.2 - Submissions by Council</p> <p>That a report be presented to Council concerning the establishment of a policy on submissions made by Council to government or community consultation wherein submissions are, as much as possible, reported to full meetings of Council as reports from officers to give the opportunity for community comment and feedback.</p>	Investigations have commenced.	August 2021

### Reports requested effective 6 July 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Growth</b>			
11.12.18 BM	<p>ORD 14.4 - Engagement of Architects for Construction of a New Childcare Centre</p> <p>1. That Council approves the engagement of the preferred Architects based on their fee proposal submitted to Council – subject to legal confirmation that the negotiated contract terms are satisfactory</p> <p>2. That the scope of works and risk mitigation strategies are undertaken in accordance with this report and within the cost estimates</p> <p>3. That a further report be submitted to Council once a Development Approval has been obtained consistent with the analysis contained in this report.</p>	A report to be presented to Council at the July 2021 meeting as Item 14.1 on the agenda.	July 2021
09.07.19 KH	<p>ORD NM 11.1 - Reimagining Campbelltown</p> <p>1. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of installing at appropriate locations electric car charging stations.</p> <p>2. That a report be provided to Council investigating the feasibility and benefit including the costs and potential risks of energy- generating footpaths.</p>	<p>1. A report to be presented to Council at the July 2021 meeting as Item 8.12 on the agenda.</p> <p>2. A report on energy generating footpaths was prepared and presented to Council at the November 2019 meeting.</p>	July 2021
10.03.20 BM	<p>ORD 8.12 - Latest Findings on Climate Change</p> <p>1. That a further report be provided outlining the emission reduction pathways required for Council and the community to transition towards net zero emissions.</p>	This project has been redefined into stages. Stage 1 (data collection) has been completed. Stage 2 will commence in July with further investigations required.	December 2021

### Reports requested effective 6 July 2021

*Date of Decision *Mover	Action Item	Comments / updates	Expected completion date
<b>City Growth</b>			
09.06.20 PL	<p>ORD 8.1 - Development Application Status</p> <p>That Council prepare a feasibility report with regard to the development of a physical and virtual model of the LGA from Macarthur Square to Leumeah to provide a visual perspective of proposed developments in the LGA to be displayed in the foyer of the Council building and placed on Council's website.</p>	<p>An initial feasibility has been undertaken that has indicated that there is significant value in Council developing a digital 3D visualisation and planning tool/model. There are a number of additional considerations required to determine Councils approach to its funding and implementation. A detailed report has been prepared for consideration by the Executive Team on 28 June. The report recommends that a detailed project brief be developed, with input from across the organisation.</p>	November 2021
<b>City Lifestyles</b>			
9.3.21 RM	<p>ORD NM 11.2 - Promotion of Board Game Activities</p> <p>1. That Council, to encourage and promote board game activities in the City, particularly CHESS and CATAN, prepare a report on the feasibility of:</p> <p>a) Trialling a series of events highlighting the game CATAN for beginners and regular players as part of International Games Week in November.</p> <p>b) Holding a Chess Tournament and continuing to support the weekly CHESS Club at Eagle Vale Library.</p>	<p>A report to be presented to Council at the July 2021 meeting as Item 8.8 on the agenda.</p>	July 2021
11.05.21 BM	<p>NM 11.1 - International Games Week</p> <p>That a report be presented to Council on a program to highlight board, tabletop and roleplaying games as part of International Games Week in November, and that this program have a particular focus on independent "indie" games and Australian-made games.</p>	<p>A report to be presented to Council at the July 2021 meeting as Item 8.8 on the agenda.</p>	July 2021

## 8.11 Transfer of Crown Road Reserve - Bardia

### Reporting Officer

Property Coordinator  
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 endorse the transfer of road reserve under the ownership of Department of Industry to Campbelltown City Council by way of NSW Government Gazette in accordance with Section 152i of the *Roads Act 1993* as set out in this paper.

### Purpose

To seek Council approval for the transfer of road reserve under Department of Industry ownership to Campbelltown City Council in accordance with Section 152i of the *Roads Act 1993*.

### Report

Zouch Road is located in Bardia, and is designated as Crown Road.

The existing formed cul de sac (road and kerbing) was constructed under the terms of a Voluntary Planning Agreement (VPA) for the Bardia subdivision by Landcom.

Campbelltown City Council has since then assumed care, control and management of the road. This responsibility considers all aspects relating to appropriate control and maintenance of the road and road reserve.

Zouch Road services the growing residential development in Bardia on the edge of the Campbelltown Local Government Area. The road itself is 1.1km in length stretching from Campbelltown Road (adjacent to the Sydney Water tower) on the border of the Campbelltown Local Government Area to the edge of the Hume Motorway as highlighted on the attached locality plan.

In order to assure appropriate levels of control of the road and road reserve, the transfer of ownership has been sought from the Department of Industry. The Department of Industry have advised Council to file an application to transfer the Crown road from the Department of Industry to Council.

This transfer has the support of City Delivery who assume responsibility for care, control and management of the road.

Dedication of the road is proposed to be sought in 3 portions as the Crown road extends beyond the formed cul de sac:

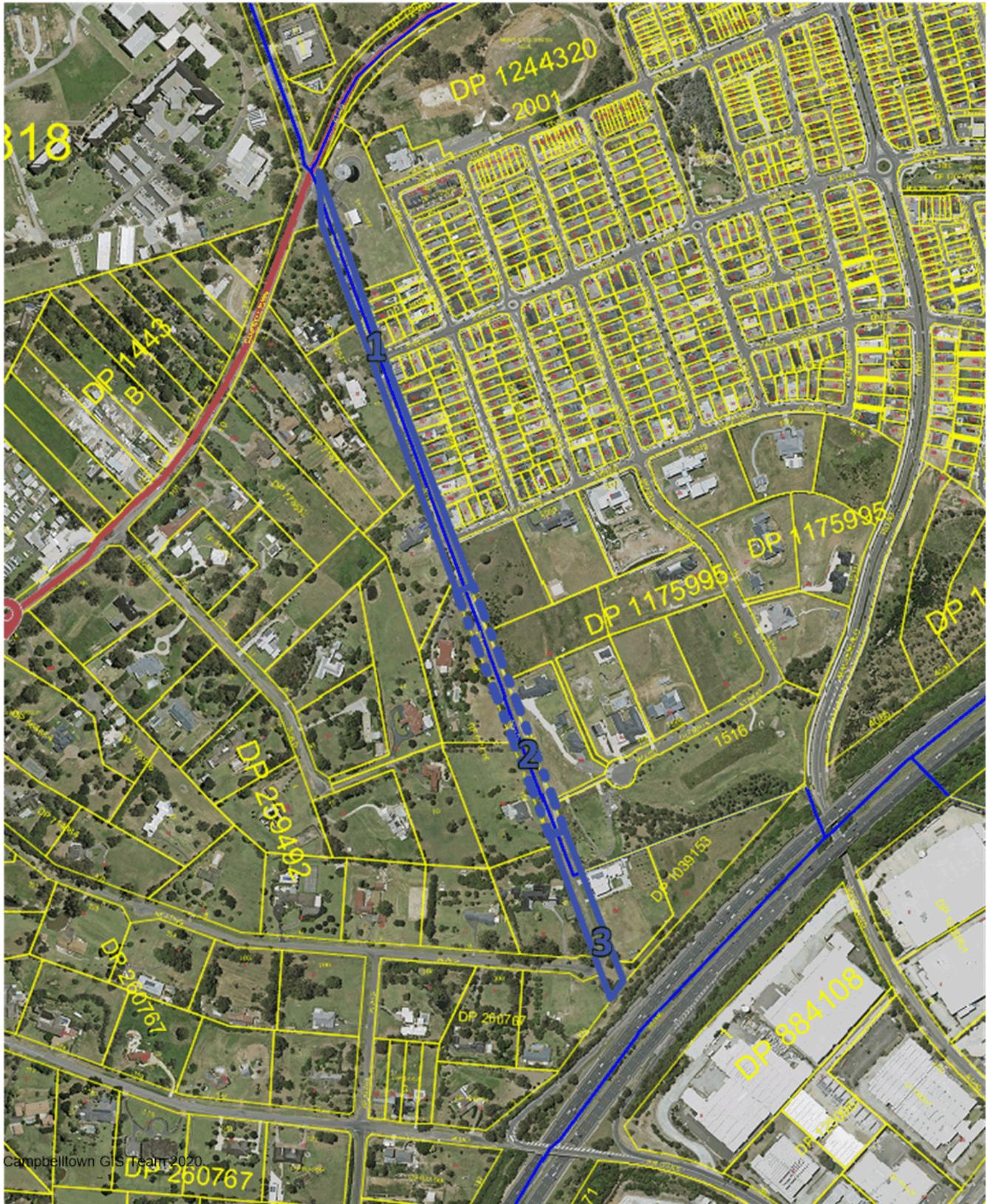
1. Zouch Road from Campbelltown Road to the head of the formed cul de sac – to be dedicated as road reserve
2. Zouch Road from the head of the formed cul de sac to the end of the cycleway – to be dedicated as open reserve
3. Zouch Road from the end of the cycleway to Keating Place – to be dedicated as road reserve.

This methodology has been proposed to ensure that Council's ongoing investment in care, control and maintenance of the road and road reserve is in keeping with the physical form of each portion of the road.

As the proposed transfer of the road is an acquisition of land, such an application must be supported by a Council resolution. It is recommended that Council endorse the transfer of Zouch Road to Campbelltown City Council ownership.

### **Attachments**

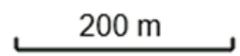
1. Locality Plan - Zouch Road (contained within this report)



Campbelltown GIS Team 2020



- 1. Road Reserve
- 2. Open Reserve
- 3. Road Reserve



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2-July-2021

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## 8.12 Electric Vehicle Charging Stations and Infrastructure

### 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

1. That Council pursue funding opportunities to progress the installation of Electric Vehicle charging stations at the Arts Centre, Campbelltown and Parkside Crescent, Park Central.
2. That Council develop planning controls to be included in the Sustainable City Development Control Plan that encourage the provision of electric vehicle charging infrastructure.
3. That, for all new Council-led developments, Council will make provisions for the inclusion of Electric Vehicle charging infrastructure and, if feasible at the time, install Electric Vehicle charging stations.

### Purpose

To provide Council with information on Electric Vehicle charging stations, including the feasibility and benefit of installing charging stations at key strategic locations across Council owned sites.

### History

Council, at its meeting held on 9 July 2019, resolved 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."

In addition, Council, at its meeting held on 10 March 2020 considered a report which presented the latest findings on climate change. At that meeting, Council resolved in part:

"3. That Council strengthens its commitment to the reduction of emissions as a consequence of its activities, increase the speed and priority of its adopted mitigation and adaptation measures, and continues its innovative and strong

leadership in reducing its impact on the climate by... supporting the use of electric vehicles...”

In accordance with the above recommendations, this report provides information on Electric Vehicle charging stations, as well as the findings of a study investigating the inclusion of Electric Vehicle infrastructure at key strategic locations across Council's portfolio of car parks.

For the purposes of this report:

- electric vehicle charging stations refer to car parking spaces equipped with a charging unit to enable Electric Vehicles to be charged
- electric vehicle infrastructure refers to the electrical connections and other infrastructure required to deploy Electric Vehicle charging stations.

## Report

### Supporting the transition to Electric Vehicles

The New South Wales (NSW) Government's continues to increase its support for the transition to a cleaner and greener transport future. There are currently many key policy directions which support the both uptake of Electric Vehicles (EV's) and the infrastructure required to support them, including the:

- Climate Change Policy Framework
- Net Zero Policy
- Proposed Design and Place State Environmental Planning Policy (SEPP)
- Future Transport 2056 Strategy
- Electric and Hybrid Vehicle Plan

Most recently, on 20 June 2021, the NSW Government announced a financial package of \$490 million to support the transition of new car sales to reach 52 per cent electric by 2030-31. To assist in achieving this target, the following incentives are provided:

- from 1 September, stamp duty will be waived on all new private purchases of EV's priced under \$78,000
- from 1 September, rebates of \$3,000 will be provided for the first 25,000 private purchases of EV's priced under \$68,750
- road user tax for zero and low emissions vehicles will be waived for 6 years or until new EVs make up 30 per cent of new car sales
- \$171 million will be spent on new charging infrastructure to ensure that households with limited off-street parking would be no more than 5 km from an EV charger
- EV chargers will be installed at 100 km intervals along major highways and at 5 km intervals on major roads in Sydney
- EV drivers will also be given access to T2 and T3 lanes for set times.

## Supporting EV infrastructure

In addition to the abovementioned financial package, there are a number of government and industry-led programs supporting the delivery of charging infrastructure, including significant grant funding opportunities for both public and private projects. These programs have committed to a variety of initiatives, with 2 notable initiatives being:

- **Co-investment**  
The NRMA is investing \$10 million in more than 40 fast chargers across NSW and the ACT, with the Hume Motorway identified as a regional priority.
- **Strategic land use planning and guides**  
The Department of Planning, Industry and Environment (DPIE) proposed Design and Place State Environmental Planning Policy, due to be finalised in late 2021, will require new residential and apartment development to be "EV-ready", providing 1) sufficient power to the meter board to enable vehicle charging at every car space, and 2) delivering power supply to each car space for future conversion and adoption.

With such a favourable and fast-moving policy setting, Council is in an ideal position to take a lead role in the transition of its fleet toward a greener and more sustainable future. Council has already introduced an EV as an operational vehicle and has installed a dedicated private charger. In addition, Council is also developing a road map that will demonstrate the activities required (both Council-led and State-led) to transition the whole fleet, including leasebacks, to electric.

### The feasibility and benefits of installing EV chargers at Council-owned sites

Currently, public charging in the Campbelltown Local Government Area (LGA) is limited, with only 2 locations available – Macarthur Square and Willowdale Shopping Centre. There are an additional 2 chargers in close proximity to the LGA – Edmondson Park and the Macarthur Centre for Sustainable Living.

#### 1. The benefits of proactive charger installation

There are several benefits arising from the proactive installation of chargers and prioritising EV's. These include:

- several studies have indicated that the availability of a widespread charging network has a positive impact on the uptake of EV's. Hence, Council supporting EV infrastructure will likely incentivise the earlier adoption of EV's within the LGA
- attracting tourism and generating economic activity by providing an added benefit to visiting Campbelltown and its attractions
- leading Reimagining Campbelltown and the growth of the smart City, and catalysing the expansion of the charging network within Campbelltown.

For Council, the installation of chargers is unlikely to provide a significant revenue stream. Although paid options exist and can be implemented at any stage, initially to realise the benefits outlined, free or very low cost charging is the most suitable option. The costs of installation are examined in site-specific discussions later in this report.

2. Electric Vehicle Charging Options and user needs

A range of charging options currently exist. These options are based on charging type and user behaviour, and combined will present a different opportunity depending on surrounding amenities and the types of drivers seeking to charge there.

**Charging type**

Charging type is defined by the amount of power supplied to the vehicle and the time taken to provide an amount of charge (in km), which ranges from slow overnight charging to fast, top-up charging. When assessing charging options, this is a key consideration as different user groups will require different rates of charge.

The current options are:

<b>Level</b>	<b>Format</b>	<b>Description</b>	<b>Charging Power</b>	<b>Charging Speed (extra range / hour)</b>
<b>Level 1</b>	Single Phase	AC power supplied via standard power point socket	2.0kW – 2.4kW	Up to 15 km / hour
<b>Level 2</b>	Single Phase	AC power supplied using dedicated plug	3.6kW – 9.6kW	Up to 55 km / hour
	Three Phase	AC power supplied using dedicated plug	3.6kW – 22kW	Up to 130 km / hour
<b>Level 3</b>	DC	DC fast charging power using dedicated plug	25kW – 350kW	Up to 2,000 km / hour

**User behaviour**

In planning for the location of chargers, it is important to consider the type of user who would most likely seek a charge in that location, and the reason the charger may be utilised by the driver. The table below presents the most common types of user behaviour of EV chargers.

	<b>Behaviour</b>	<b>Charging Type</b>
<b>Opportunity Charging</b>	<ul style="list-style-type: none"> <li>• Drivers with home charging taking advantage of public charging opportunities while visiting a location (eg a visit to the shops)</li> <li>• This is not essential, but may be because it is free, or cheaper than home charging</li> </ul>	Mid-range power chargers (L2)

	<b>Behaviour</b>	<b>Charging Type</b>
<b>Destination Charging</b>	<ul style="list-style-type: none"> <li>• Drivers without home charging who will specifically plan in charging while completing other tasks, such as visiting their workplace, restaurants, shopping centres or other facilities</li> </ul>	Mid-range power chargers (L2)
<b>Commuter Car Park Charging</b>	<ul style="list-style-type: none"> <li>• Drivers who charge mainly in commuter car parks while they commute</li> <li>• Exclusive parking and special benefits can incentivise use</li> </ul>	Lower power range chargers (L1/L2)
<b>Fast Charging</b>	<ul style="list-style-type: none"> <li>• Drivers who don't have access to home charging or convenient destination charging, or when on longer trips</li> <li>• This is more like the "petrol station" model of Internal Combustion Engine vehicles</li> </ul>	High range power chargers (L3)

### **Suggested Council sites for EV charger installation**

Council commissioned a study in February 2021 to assess its car park portfolio for the potential feasibility and likely cost of EV charger installation.

The study included a desktop assessment of over 300 locations, as well as onsite inspections of the 11 most suitable locations to determine electricity availability and the likely capital cost of works associated with the installation of chargers.

The 11 most suitable locations included:

- Farrow Road Commuter Car Park
- Parkside Crescent
- Macquarie Fields Leisure Centre
- Campbelltown Arts Centre
- Ingleburn Fair
- Stadium Car Park
- HJ Daley Library
- Eagle Vale Central
- Leumeah Railway Station Car Park (South)
- Minto Road Commuter Car Park
- Short Street Car Park

Of the above, the following 2 locations were identified to be the most appropriate for Council to pursue the inclusion of an EV charging station. This was due to the strategic merit of the location, surrounding facilities/amenities, high likelihood of utilisation and the suitability of connecting infrastructure.

#### 1. Campbelltown Arts Centre

The Campbelltown Arts Centre is a central, high profile tourism location with walking access to nearby facilities and amenities including the Arts Centre and Café, Koshigaya Park, The Billabong and Campbelltown Mall. It is also located between key transport links and major roads including the Hume Motorway and Narellan Road. As a result, it is an ideal position to attract

destination and fast charging drivers. The close proximity to the Civic Centre means a fast charger could also be used as a top up station for Council-owned EV's.

The suggested arrangement for this site would be 4 charge points, comprising of 2x fast chargers and 2x Level 2 chargers. Including ground works and installation, this project has a cost of approximately \$60,000.

The real cost of this project is likely to decrease with a detailed investigation into electrical availability and works required to connect the chargers, which currently constitute a significant portion of the indicative cost.

## 2. Parkside Crescent, Park Central

Parkside Crescent is a central, high-profile location in close proximity to the Public and Private Hospital, medical specialists, Macarthur Square, park facilities and local dining options. It is also located between key transport links and major roads including the Hume Motorway and Narellan Road. This location would attract destination drivers visiting the hospital or enjoying local amenities. Opportunity drivers may also utilise the option if they do not currently have chargers at home in the nearby residential blocks.

The suggested arrangement for this site would be one Level 2 charger comprising of 2 charging points. The existing distribution box adjacent to the site could be used, presenting a low cost option with easy installation and connection to electricity. Including ground works and installation, this project has a cost of approximately \$14,000.

## Conclusion

There are significant opportunities for Council to take a leading role in supporting the uptake of EV's and the expansion of the charging network within the Campbelltown LGA. By proactively installing chargers in strategic locations and encouraging future proofing through its planning framework, Council can be a part of the transport transformation, and actively support a low carbon, sustainable future.

## Attachments

Nil

## 8.13 Unsolicited Proposal Policy

### Reporting Officer

Executive Manager Economic and Investment Growth  
City Growth

### 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 adopt the Unsolicited Proposal Policy.

### Purpose

To seek Council adoption of an Unsolicited Proposal Policy (Policy).

### History

The NSW Government has a well-established unsolicited proposals process in the form of a Guide, which was updated in August 2017. The process is designed to encourage non-government sector participants to approach government with innovative infrastructure or service delivery solutions, where the government has not requested a proposal and the proponent is uniquely placed to provide a value for-money solution.

Its key objective is to provide consistency and certainty to non-government sector participants seeking to deal directly with the government. The Guide sets out how unsolicited proposals will be assessed within a transparent framework. The key criteria are uniqueness, value for money and strategic fit with government objectives. It outlines a clear and streamlined process to facilitate the NSW Government and non-government sectors working together to develop and deliver innovative ideas, services and new infrastructure.

The August 2017 update incorporates the recommendations from 2 Performance Audits conducted by the Audit Office of NSW (Managing Unsolicited Proposals in NSW, 2016 and NorthConnex, 2017) and the most recent periodic review (2016), providing greater clarity and public reporting.

From time to time, Council is presented with unsolicited proposals from the community, business or other government agencies.

## Report

An unsolicited proposal is an approach to Council from a proponent with a proposal to deal directly in circumstances where Council has not requested the approach. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction. The approach to assessment of such proposals is set out in the Policy document.

An Unsolicited Proposals Policy has been prepared to provide Council, Executive and key stakeholders with process guidance for unsolicited proposals. The Policy sets out the criteria and assessment process for Council to manage and consider proposals external to the organisation. The Policy is modelled on the NSW State Government's Unsolicited Proposal Guide and has been reviewed to allow for the scale and scope applicable to a local government setting.

For Council, a four-step process is proposed to evaluate any unsolicited proposal:

1. Initial submission and preliminary assessment against Council's Assessment Criteria
2. Detailed proposal
3. Negotiation of final binding offer
4. Formal Council Resolution on final binding offer

### Proposed Assessment Criteria

Proposals are to be assessed against Council's assessment criteria. Assessment will be based on the proposal satisfactorily meeting each of the criteria. The proposed criteria are as follows:

- uniqueness ie what are the unique elements of the proposal that would provide justification for Government entering into direct negotiations with the Proponent? Unique elements may include characteristics such as:
  - intellectual property or genuinely innovative ideas
  - ownership of real property
  - ownership of software or technology offering a unique benefit
  - unique financial arrangements
  - unique ability to deliver strategic outcome
  - other demonstrably unique elements
- value for money
- whole of Council impact – the ability to support or deliver on strategic objectives, plans, visions and goals
- return on investment
- capability and capacity
- affordability
- risk allocation.

The assessment of unsolicited proposals gives consideration to the potential consistency of the proposal with relevant planning and environmental controls, and approvals processes, but is separate to other Council statutory approvals processes.

The NSW Government Premier and Cabinet was contacted requesting assistance in the drafting and peer review of this unsolicited proposal. Following the incorporation of comments/suggestions from the NSW Government Premier and Cabinet the Policy was sent to Council's legal representation for final peer review and legal advice.

### **Attachments**

1. Unsolicited Proposal Policy (contained within this report)

 <b>CAMPBELLTOWN CITY COUNCIL</b>		<b>POLICY</b>
Policy Title	Unsolicited Proposal Policy	
Related Documentation	Unsolicited Proposal Procedure Schedule of Information Requirements Pre-lodgement checklist	
Relevant Legislation	Local Government Act 1993 Government Information (Public Access) Act 2009 Local Government Amendment (Public Private Partnerships) Act 2004 Local Government (General) Regulation 2005	
Responsible Officer	Director City Growth	

**UNCONTROLLED WHEN PRINTED**

**Objective**

The following objectives will guide Council in its consideration of unsolicited proposals:

- 1 Ensuring consistency and certainty for non-government parties seeking to deal directly with Council;
- 2 Promoting the development of innovative ideas to support Council’s role, functions and broad objectives as outlined in its Community Strategic Plan and Reimagining Campbelltown City Centre Master Plan;
- 3 Ensuring an open, transparent and fair process that involves a high standard of probity and public accountability;
- 4 Providing a framework for assessing such proposals with a view to delivering uniqueness, value for money and strategic fit for Council, consistent with Council’s strategic direction and existing suite of policies;
- 5 Maximising the benefit from unsolicited proposals for Council and the community; and
- 6 Ensuring the intellectual property of a party submitting an unsolicited proposal is appropriately protected.

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<b>Record No.:</b>	<b>Minute Number:</b> 000	
	<b>Review Date:</b> 00/00/00	

**Campbelltown City Council**

**Policy Statement**

This Policy provides confidence to our community and potential proponents that all unsolicited proposals presented to Council will be considered in a consistent, transparent and lawful manner to deliver the highest standards of public value.

**Scope**

It is anticipated that Council may be presented with unsolicited proposals from the community, businesses or other government agencies. The purpose of this Policy is to not only stimulate and encourage business investment and innovation in the Campbelltown Local Government Area (CLGA) but also to better assist in appropriately managing governance and probity issues that arise through the provision of a transparent assessment process. It seeks to ensure that unsolicited proposals that are of benefit to the CLGA are pursued and realised.

This Policy applies to all unsolicited proposals submitted by a proponent to Council.

**Definitions**

<b>Term</b>	<b>Meaning</b>
Assessment Criteria	The criteria upon which unsolicited proposals will be assessed
Detailed Proposal	A submission by a proponent to Council
Executive Group	Council’s Directors and General Manager who provide formal recommendations to Council at its meetings.
Final Binding Offer	A formal proposal submitted by the proponent at the conclusion of Stage 3, which meets the minimum requirements for acceptance by Council.
CLGA	Campbelltown City Council Local Government Area
Council	Campbelltown City Council - this includes the elected Council and the administrative organization.
Initial Submission	A submission by the proponent during Stage 1 which briefly describes the unsolicited proposal (in accordance with the Schedule of Information Requirements).
Initial Schedule of Information Requirements	Information to be prepared by proponent in preparation for pre-lodgment meeting with Council.
Intellectual Property	Inventions, original designs and practical applications of ideas protected by statute law through copyright, patents, registered designs, circuit layout rights and trademarks; also trade secrets, proprietary know-how and other confidential information protected against unlawful disclosure by common law and through additional contractual obligations such as confidentiality agreements.
LG Act	<i>Local Government Act 1993</i>
MOU	A memorandum of understanding (not legally binding) signed by Council and the Proponent at the commencement of Stage 2.

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**Campbelltown City Council**

Probity Advisor	An advisor with specialist governance or legal qualifications and experience. This could be an appropriate Council staff member or an appointed external contractor.
Project Director	A Council staff member, specifically appointed for the purpose of ensuring Council's responsibilities at Stage 2 are met. Where appointed, replaces the Proposal Manager as first contact for the unsolicited proposal.
Proponent	The person or organisation that submits an unsolicited proposal.
Proposal Development Workshop	Interactive meetings held between Council and proponent representatives with the aim of progressing proposal development.
Proposal Manager	The person with responsibility for coordinating Council input for the receipt and assessment of an unsolicited proposal.
Steering Committee	A committee of senior Council representatives with responsibility for oversight and preparation of recommendations to the Executive Group of any specific unsolicited proposal.
Unsolicited Proposal	An approach to Council from a proponent with a proposal to deal directly with Council over a commercial proposition, where Council has not requested the proposal. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction.
Value for Money	The overall value of a proposal to Council as outlined in the section criteria below.

**Legislative Context**

Council operates consistent with the LG Act. Under the LG Act, it generally procures projects, goods and services via an adopted procurement framework, which includes the statutory tendering process for projects, goods or services above a specified value.

Council's whole approach to procurement (whether via quotation or tendering) is based on competition in order to achieve value for money in a fair and transparent manner.

This form of procurement is not directly covered by this Policy; however, the statutory requirements under the LG Act are still applicable to procurement decisions above a certain value that are captured by this Policy as unsolicited proposals.

Those statutory requirements under the LG Act also extend to public-private partnerships, as further defined in that Act.

The unsolicited proposals process is not a substitute for routine competitive procurement by Council. The focus of unsolicited proposals is on unique and innovative projects or services with clear and tangible benefits for the CLGA. Similarly, the unsolicited proposals process is not designed to replace applicable environmental and planning assessment processes. If Council decides to progress an unsolicited proposal, that should not be interpreted as any form of explicit or tacit support for planning consents or approvals.

While direct negotiation with a proponent in response to an unsolicited proposal may be pursued in

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**Campbelltown City Council**

justifying circumstances, Council’s usual procurement approach is to test the market. This generally results in the demonstrable achievement of value-for-money outcomes and provides fair and equal opportunities.

Accordingly, Council will generally only consider proposals where both the proposal and its proponent have unique attributes such that others could not deliver a similar proposal with the same outcome. Council will consider directly negotiating with an individual or organisation that presents an unsolicited proposal where circumstances justify this approach and at its absolute discretion, consistent with its statutory responsibilities under the LG Act.

This policy has been drafted in line with the NSW Government’s ‘Unsolicited Proposals: Guide for Submission and Assessment’ dated August 2017.

**Principles**

This Policy represents commitment by Council to the allocation of resources to meet its responsibilities as outlined in this Policy. Through a four step process, proposals will be evaluated against the Assessment Criteria outlined below:

1. Initial Submission and Preliminary Assessment
2. Detailed Proposal
3. Negotiation of Final Binding Offer
4. Formal Council Resolution on Final Binding Offer

Council recognises that a proponent will be entitled to a fair rate of return for its involvement in a project and that outcomes should be mutually beneficial for the proponent and Council. Further, Council recognises the right of proponents to derive benefit from unique ideas. The approach to the identification, recognition and protection of intellectual property (IP) rights will be addressed and agreed with the proponent, as set out below.

Where Council determines a proposal as not meeting the criteria set out below, it reserves its usual right to go to market. The proponent will be provided with the opportunity to participate in that procurement process should the concept be offered to the market, but will have no additional rights beyond those afforded to other market participants. If Council elects to go to market in such circumstances, it will respect any IP owned by the proponent.

The unsolicited proposals assessment process is separate to other Council statutory approvals processes. However, where appropriate, the assessment of unsolicited proposals will give consideration to the potential consistency of the proposal with relevant planning and environmental controls, and approvals processes.

**Assessment Criteria**

Proposals will be initially assessed against Council’s assessment criteria. Assessment will be based on the proposal satisfactorily meeting each of the criteria. Additional criteria relevant to a particular proposal may also be applied at later stages. If so, the proponent will be informed of the criteria in order for these to be addressed in its detailed proposal during Stage 2. The criteria are as follows:

- Uniqueness i.e. what are the unique elements of the proposal that would provide justification for Government entering into direct negotiations with the Proponent? Unique elements may include characteristics such as:

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- Intellectual property or genuinely innovative ideas.
- Ownership of real property.
- Ownership of software or technology offering a unique benefit.
- Unique financial arrangements.
- Unique ability to deliver strategic outcome.
  - Other demonstrably unique elements.
- Value for money.
- Whole of Council impact – ability to support or deliver on strategic objectives, plans, visions and goals.
- Return on investment.
- Capability and capacity.
- Affordability.
- Risk allocation.

**Once an unsolicited proposal has been submitted, proponents must not contact Councillors or Council officers regarding the submitted proposal, outside of the formal assessment process.**

This includes organisations authorised to act on the proponent’s behalf.

**Optimise Outcomes**

By their nature, unsolicited proposals are unlikely to be the current focus of Council’s strategic planning. Proposals must therefore be considered in light of the wider benefits and strategic outcomes that may be derived. In order to proceed, proposals must be broadly consistent with Council’s objectives and plans, and offer some unique attributes that justify departing from a competitive tender process. Outcomes must always be in the best interest of the CLGA.

In order to demonstrate that optimal value for money will be achieved, an “open book” approach to negotiations is to be adopted once the proposal has progressed to assessment. Council will also consider whole-of-council impact and cost.

In order to guide the proponent, Council will look to provide an early indication of an acceptable return on investment and other requirements to be achieved by the proponent in the delivery of its proposal.

**Consultative Process**

Council will manage a consultative process with the proponent at all formal stages of assessment. During the Stage 1 assessment this interaction will be limited to clarification of the proposal by Council to effectively carry out the assessment. It will not be an opportunity to negotiate the details of the proposal. This opportunity will arise in later stages if the proposal proceeds past the Stage 1 assessment.

**Probity**

Council seeks to conduct its commercial dealings with integrity. The assessment of unsolicited proposals must be fair, open and demonstrate the highest levels of probity, consistent with the public interest. The assessment of unsolicited proposals will be conducted through the application of established probity principles that aim to assure all parties of the integrity of the decision-making

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processes.

**Maintaining impartiality**

Fair and impartial treatment will be a feature of each stage of the assessment process. The process will feature a clearly defined separation of duties and personnel between the assessment and approval functions.

**Maintaining accountability and transparency**

Accountability requires that all participants be held accountable for their actions. The assessment process will identify responsibilities, provide feedback mechanisms and require that all activities and decision making be appropriately documented.

Transparency refers to the preparedness to open a project and its processes to scrutiny, debate and possible criticism. This also involves providing reasons for all decisions taken and the provision of appropriate information to relevant stakeholders.

**Managing conflicts of interest**

In support of the public interest, transparency and accountability, Council will require the identification, management and monitoring of conflicts of interest.

Participants will be required to disclose any current or past relationships or connections that may unfairly influence or be seen to unfairly influence the integrity of the assessment process.

**Maintaining confidentiality**

In the assessment of unsolicited proposals there is need for high levels of accountability and transparency. However, there is also a need for some information to be kept confidential, at least for a specified period of time. This is important to provide participants with confidence in the integrity of the process. All proposals submitted will be kept confidential at Stage 1 of the assessment process.

**Obtaining value for money**

Obtaining optimal value for money is a fundamental principle for Council (and the public sector in general). This is achieved by fostering an environment in which proponents can make attractive, innovative proposals with the confidence that they will be assessed on their merits and where Council appropriately considers value.

**Resource Commitments**

In order for an unsolicited proposal to progress, Council and the proponent will be required to commit resources. The staged approach to assessment seeks to balance resource input at each stage in order to reduce the potential for unnecessary expenditure.

While this Policy sets out information and processes to minimise costs for proponents, Council will not reimburse costs associated with unsolicited proposals.

**Governance Arrangements**

Council’s Executive Group will appoint a steering committee to manage the staged approach to assessment of unsolicited proposals, the membership of which will be based upon the nature of the

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**Campbelltown City Council**

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proposal.

Unsolicited proposals must take into account relevant processes and approval requirements in the LG Act in relation to procurement, and where relevant any other related procurement policy document (E.g. NSW Public Private Partnerships Guidelines).

**Memorandum of Understanding**

An MOU provides an agreed (but not legally binding) framework for Stage 2, which will be entered into by Council and the proponent in order to ensure the alignment of expectations regarding participation in the process.

The MOU will outline whether the proposal will be subject to an approval process per Council's procurement policy and/or a project assurance mechanism.

**Council**

Prior to entering into a formal agreement with the proponent, all unsolicited proposals must be reported to Council for resolution, even where it is recommended that due to extenuating circumstances, Council not proceed to tender for the project, goods or services under contemplation as per Section 55A of the LG Act.

It may also be necessary for any proposal, at the conclusion of Stage 3, to be considered under the PPP provisions of the *Local Government Amendment (Public Private Partnerships) Act 2004* and the *Local Government (General) Regulation 2005*.

**Effectiveness of this Policy**

This Policy will be reviewed every three years.

**END OF POLICY STATEMENT**

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## 8.14 Classification of Council Land

### Reporting Officer

Executive Manager Economic and Investment Growth  
City Growth

### 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 parcel of land known as Lot 7 in Deposited Plan 557639 be classified as operational land, in accordance with Section 31 (2) of the *Local Government Act 1993*, and continue to be used as a commuter carpark until higher order uses dictate a review.

### Purpose

To seek Councils endorsement to classify Lot 7 in Deposited Plan 557639 as operational Land.

### Report

Council records indicated that a parcel of land that forms part of a Council operated car park on Dumaresq Street was not formally transferred into Councils ownership back in the 1970s.

A title search found that Council was not listed as the owner of the land. Further investigations uncovered a signed Deed between Council and the original landowners, together with an original Certificate of Title in the name of the original landowners.

It's unknown why this matter was not concluded and the Lot transferred into Councils ownership. There is no record of a Transfer document ever being received from the original solicitor acting for the landowners at the time.

Council's legal team assisted in having this situation rectified and documents lodged with NSW Land Registry Services.

Finalisation of the Transfer between the landowners and Council took place on the 9 June 2021 and the parcel now rests in Councils ownership.

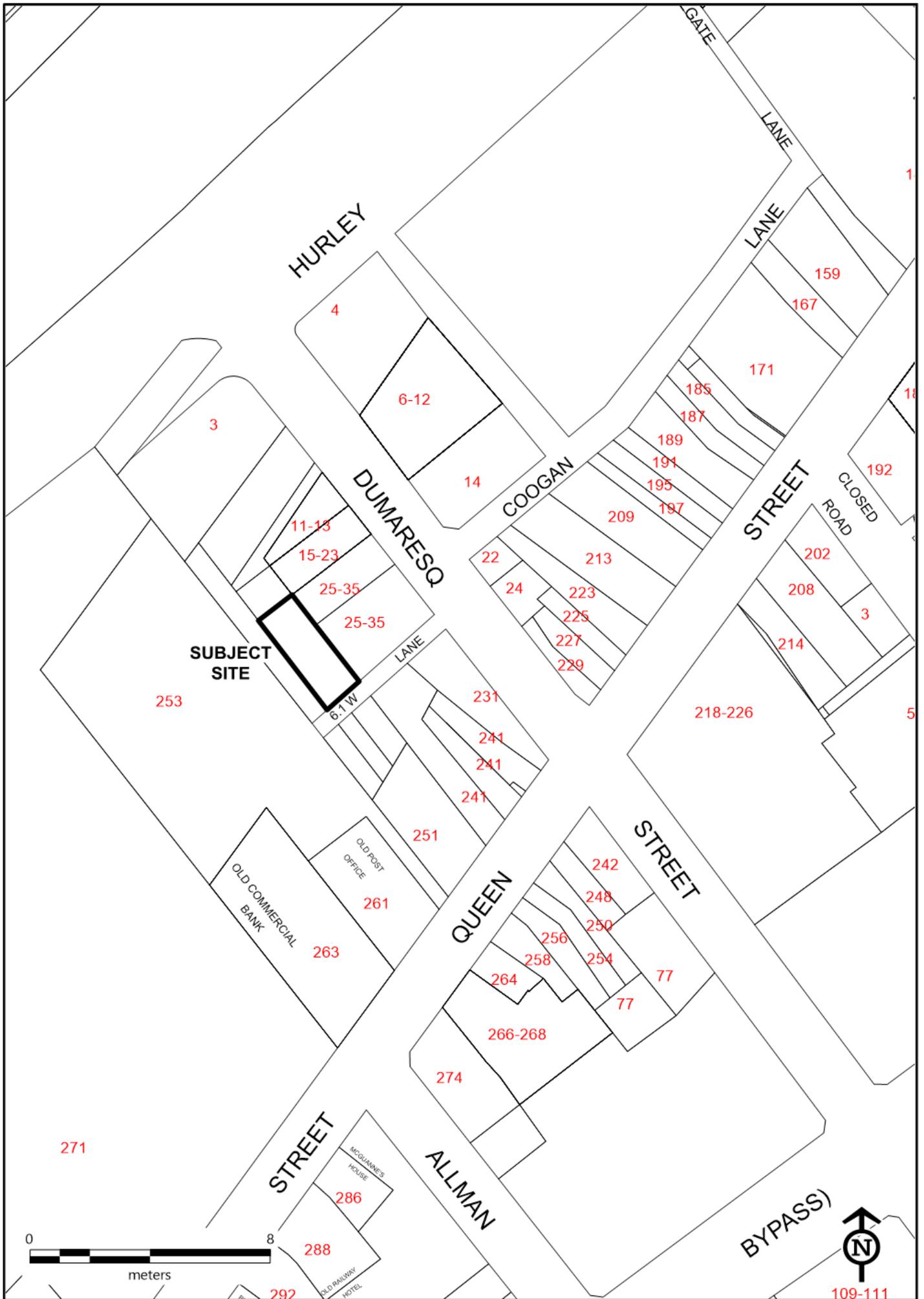
Under the *Local Government Act 1993*, Section 31(2), Council has 3 months to classify the land as operational land from the date of acquisition.

**Recommendation**

That the parcel of land known as Lot 7 in Deposited Plan 557639 be classified as operational land, in accordance with Section 31 (2) of the *Local Government Act 1993*, and continue to be used as a commuter carpark until higher order uses dictate a review.

**Attachments**

1. Locality Plan (contained within this report)



## **9. QUESTIONS WITH NOTICE**

### **9.1 Animal Care Facility**

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Councillor Ben Moroney has given notice of the following Questions with Notice that will be asked at the Ordinary Meeting of Council held 13 July 2021.

1. What contact or cooperation does Council have with Liverpool, Camden and Wollondilly with their animal management programs, which are impacting the Animal Care Facility?
2. Will a volunteer program, separate from the foster program, be getting put in place at the Animal Care Facility? If so, what is the timeframe for this?
3. Has there been a commitment made to implement a foster program and if so, by when?
4. Will further funding be allocated to the NDN program so that it can recommence? If so what will that funding be?
5. Will there be improved security measures put in place to allow the external gates to the facility to reopen? Even if meet and greets with the animals remain by appointment? What will the measures of success be for the new Appointment Only program at the Animal Care Facility?
6. In terms of extending capacity at the facility and building an isolation area for all impounds, what is the plan and timeframe for doing this?
7. Will there be an opex budget increase for the 2021-22 financial year? If so what will it be and where will it be allocated?
8. Will there be any capex/project funding allocated to improvement initiatives at the facility increase for the 2021-22 financial year? If so what will it be and where will it be allocated?

**10. RESCISSION MOTION**

Nil

**11. NOTICE OF MOTION****11.1 Glenalvon House**

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**Notice of Motion**

Councillor Meg Oates has given Notice in writing of her intention to move the following Motion at the next meeting of Council on 13 July 2021.

That Council investigate the potential to provide for a small restaurant/café with industry standard cooking facilities and associated rest rooms in the grounds of Glenalvon House.

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**12. URGENT GENERAL BUSINESS**

**13. PRESENTATIONS BY COUNCILLORS**

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

### **14.1 Council Land Sale - Underutilised Site in Bradbury**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

-

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

### **14.2 End of Exclusivity Agreement - EOI Opportunity on Council Land**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

-

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.





**CAMPBELLTOWN**  
CITY COUNCIL

# **SUPPLEMENTARY BUSINESS PAPER**

**13 JULY 2021**

## COMMON ABBREVIATIONS

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



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## Urgent Confidential Items

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

### **14.3 Commercial Opportunity**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

-

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.



# CAMPBELLTOWN CITY COUNCIL

## Minutes Summary

Ordinary Council Meeting held at 6:30 pm on Tuesday, 13 July 2021.

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**Minutes of the Ordinary Meeting of the Campbelltown City Council held on 13 July 2021**

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

**1.     ACKNOWLEDGEMENT OF LAND**

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

**Council Prayer**

The Council Prayer was presented by the Acting General Manager.

**2.     APOLOGIES/LEAVE OF ABSENCE**

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**Recommendation**

Nil

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

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**3.     CONFIRMATION OF MINUTES****3.1    Minutes of the Ordinary Meeting of Council held 8 June 2021**

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

That the Minutes of the Ordinary Council Meeting held 8 June 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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### **3.2 Minutes of the Extraordinary Meeting of Council held 29 June 2021**

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

That the Minutes of the Extraordinary Council Meeting held 29 June 2021, copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

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## **4. DECLARATIONS OF INTEREST**

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

### **Pecuniary Interests**

Councillor Margaret Chivers – Item 8.3 – Menangle Park – Amendments to Development Control Plan. Councillor Chivers declared she has a pecuniary interest in the area and will leave the meeting.

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

Councillor Warren Morrison – Item 14.3 – Commercial Opportunity. Councillor Morrison declared he has a non pecuniary but significant interest and will leave the meeting.

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

Councillor George Greiss – Item 8.2 – Mount Gilead – Amendments to Development Control Plan. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Greiss will leave the meeting.

Councillor George Greiss – Item 8.3 – Menangle Park – Amendments to Development Control Plan. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Greiss will leave the meeting.

Councillor George Greiss – Item 8.4 – St Helens Park – Outcome of Public Exhibition – Planning Proposal. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Greiss will leave the meeting.

Councillor George Greiss – Item 8.5 – Kellicar Road Precinct – Outcome of Public Exhibition – Planning Proposal and Site Specific Development Control Plan. Councillor Greiss advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Greiss will leave the meeting.

Councillor Darcy Lound – Item 8.2 – Mount Gilead – Amendments to Development Control Plan. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Lound will leave the meeting.

Councillor Darcy Lound – Item 8.3 – Menangle Park – Amendments to Development Control Plan. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Lound will leave the meeting.

Councillor Darcy Lound – Item 8.4 – St Helens Park – Outcome of Public Exhibition – Planning Proposal. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Lound will leave the meeting.

Councillor Darcy Lound – Item 8.5 – Kellicar Road Precinct – Outcome of Public Exhibition – Planning Proposal and Site Specific Development Control Plan. Councillor Lound advised he is a member of the Sydney Western City Planning Panel and due to the potential for this matter to come to the Sydney Western City Planning Panel Councillor Lound will leave the meeting.

Councillor Ben Gilholme – Item 8.2 – Mount Gilead – Amendments to Development Control Plan. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and if this matter does come to the Sydney Western City Planning Panel Councillor Gilholme will decline to attend future meetings regarding ‘Mount Gilead’. With consideration of this, Councillor Gilholme will not leave the meeting.

Councillor Ben Gilholme – Item 8.3 – Menangle Park – Amendments to Development Control Plan. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and if this matter does come to the Sydney Western City Planning Panel Councillor Gilholme will decline to attend future meetings regarding ‘Menangle Park’. With consideration of this, Councillor Gilholme will not leave the meeting.

Councillor Ben Gilholme – Item 8.4 – St Helens Park – Outcome of Public Exhibition – Planning Proposal. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and if this matter does come to the Sydney Western City Planning Panel Councillor Gilholme will decline to attend future meetings regarding ‘St Helens Park’. With consideration of this, Councillor Gilholme will not leave the meeting.

Councillor Ben Gilholme – Item 8.5 – Kellicar Road Precinct – Outcome of Public Exhibition – Planning Proposal and Site Specific Development Control Plan. Councillor Gilholme advised he is an alternate member of the Sydney Western City Planning Panel and if this matter does come to the Sydney Western City Planning Panel Councillor Gilholme will decline to attend future meetings regarding ‘Kellicare Road Precinct’. With consideration of this, Councillor Gilholme will not leave the meeting.

## **Other Disclosures**

Nil

## 5. MAYORAL MINUTE

## 6. PETITIONS

## 7. CORRESPONDENCE

Nil

## 8. REPORTS FROM OFFICERS

### 8.1 Development Application Status

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

That the information be noted.

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

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**Meeting note:** Having declared an interest in Items 8.2, 8.3, 8.4 and 8.5 Councillor Greiss and Councillor Lound left the meeting at 6:39 pm and did not take part in the discussions or vote on the matters.

### 8.2 Mount Gilead - Amendments to Development Control Plan

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

1. That Council endorse the public exhibition of the proposed draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 7 - Mount Gilead for a minimum period of 28 days.
2. That where no submissions are received through the public exhibition period, Council approve the draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 7 - Mount Gilead, and publish the amended Plan on the Campbelltown City Council's website.
3. That where submissions on the amendments are received during the public exhibition period, a further report on the outcome of the public exhibition be provided to the Council.

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

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Voting against the Resolution were Councillor B Moroney.

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

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**Meeting note:** Having declared an interest in Item 8.3 Councillor Chivers left the meeting at 6:42 pm and did not take part in the discussion or vote on the matter.

### **8.3 Menangle Park - Amendments to Development Control Plan**

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

1. That Council endorse public exhibition of the proposed draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 8 - Menangle Park for a minimum period of 28 days.
2. That where no submissions are received through the public exhibition period, Council approve the draft amendments to the Campbelltown (Sustainable City) Development Control Plan 2015, Volume 2 - Part 8 - Menangle Park, and publish the amended Plan on the Campbelltown City Council's website.
3. That where submissions on the amendments are received during the public exhibition period, a further report on the outcome of the public exhibition be provided to the Council.
4. That a further report be presented to Council that includes street names, derived from Table 1.3 of the current Campbelltown (Sustainable City) Development Control Plan, Part 8 Menangle Park, for places of Non-Indigenous Heritage Significance for inclusion on the list of road names approved for Menangle Park.

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

Voting against the Resolution were Nil.

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

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**Meeting note:** At the conclusion of the discussion regarding Item 8.3 Councillor Chivers returned to the meeting at 6:47 pm.

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#### 8.4 St Helens Park - Outcome of Public Exhibition - Planning Proposal

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

1. That Council forward to the Minister for Planning and Public Spaces, the Appin Road and Kellerman Drive - St Helens Park Planning Proposal at attachment 1 to this report, and request that the amendment to the Campbelltown Local Environmental Plan 2015 be made.
2. That affected land owners and all those who made a submission during the public exhibition period be advised of Council's decision.

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, B Gilholme, M Chivers, B Moroney, P Lake, W Morrison, B Thompson and T Rowell.

Voting against the Resolution were Nil.

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

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#### 8.5 Kellicar Road Precinct - Outcome of Public Exhibition - Planning Proposal and Site Specific Development Control Plan

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

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

1. That Council forward to the Minister for Planning and Public Spaces, the Kellicar Road Precinct Planning Proposal at attachment 1 to this report, and request that subject to the matters raised by the Environment, Energy and Science Group of the Department of Planning, Industry and Environment being adequately resolved through the finalisation process, the amendment to the Campbelltown Local Environmental Plan 2015 be made.
2. That Council adopt and notify Amendment No. 13 to the Campbelltown (Sustainable City) Development Control Plan 2015, being the addition of Part 16, which is attachment 2 to this report with the modifications identified in attachments 14 and 15 to this report.
3. That affected land owners and all those who made a submission during the public exhibition period be advised of Council's decision.
4. That options for affordable housing on the Kellicar Road precinct in this planning proposal be presented as a further report to Council, or as part of a wider investigation into affordable housing across Campbelltown.

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, B Gilholme, M Chivers, B Moroney, P Lake, W Morrison, B Thompson and T Rowell.

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Voting against the Resolution were Nil.

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

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**Meeting note:** At the conclusion of the discussion regarding Items 8.2, 8.3, 8.4 and 8.5 Councillor Greiss and Councillor Lound returned to the meeting at 7:02 pm.

## **8.6 Appointment of Local Planning Panel Chairs**

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

That Council appoint the Hon. Terence Sheahan AO as Chair, and Ms Elizabeth Kinkade PSM and Mr Stuart McDonald as alternate Chairs for 3 years, in accordance with the Minister's recommendation and approval to the Campbelltown City Council Local Planning Panel.

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

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## **8.7 Koalatown - First Year Reporting**

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

That the reported information associated with the achievements of the first year of Koalatown and projects into the future be noted.

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

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## **8.8 International Games Week 2021**

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

That the report be noted.

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

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## 8.9 Investments and Revenue Report - May 2021

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

That the information be noted.

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

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## 8.10 Reports and Letters Requested

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

That the comments and updates to the reports and letters requested be noted.

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

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## 8.11 Transfer of Crown Road Reserve - Bardia

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

That Council endorse the transfer of road reserve under the ownership of Department of Industry to Campbelltown City Council by way of NSW Government Gazette in accordance with Section 152i of the *Roads Act 1993* as set out in this paper.

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

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## 8.12 Electric Vehicle Charging Stations and Infrastructure

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

1. That Council pursue funding opportunities to progress the installation of Electric Vehicle charging stations at the Arts Centre, Campbelltown and Parkside Crescent, Park Central.
  2. That Council develop planning controls to be included in the Sustainable City Development Control Plan that encourage the provision of electric vehicle charging infrastructure.
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3. That, for all new Council-led developments, Council will make provisions for the inclusion of Electric Vehicle charging infrastructure and, if feasible at the time, install Electric Vehicle charging stations in accordance with the newly developed DCP.

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

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### **8.13 Unsolicited Proposal Policy**

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

That Council adopt the Unsolicited Proposal Policy.

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

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### **8.14 Classification of Council Land**

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

That the parcel of land known as Lot 7 in Deposited Plan 557639 be classified as operational land, in accordance with Section 31 (2) of the *Local Government Act 1993*, and continue to be used as a commuter carpark until higher order uses dictate a review.

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

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## **9. QUESTIONS WITH NOTICE**

### **9.1 Animal Care Facility**

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Councillor Ben Moroney asked the following Questions with Notice. The responses were provided by Director City Development.

1. What contact or cooperation does Council have with Liverpool, Camden and Wollondilly with their animal management programs, which are impacting the Animal Care Facility?

While there are various reasons for contact between Camden and Liverpool's privately run animal care facilities, currently the Campbelltown and Wollondilly Council run facilities cooperate under an informal, good faith arrangement, with each of the Council's providing assistance to one another in the case of emergency situations.

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2. Will a volunteer program, separate from the foster program, be getting put in place at the Animal Care Facility? If so, what is the timeframe for this?

While we will be looking into a volunteer program, we are currently focusing on the direct resourcing of the facility and structural changes. I couldn't commit to a timeframe while we are under structural change.

3. Has there been a commitment made to implement a foster program and if so, by when?

A commitment has been made to investigate the implementation of a foster program, and these investigations have commenced. However, we are currently focusing on the direct resourcing of the facility and structural changes. A timeframe for its completion is yet to be established.

4. Will further funding be allocated to the NDN program so that it can recommence? If so what will that funding be?

Council has participated in the Animal Welfare League's NDN Cooperative Desexing Program for the past 3 years. Council has endorsed a further \$10,000 in the 2021-22 Budget in order to continue with this program. In addition, Council contributes in kind contribution of staff time, marketing and administration to ensure the program is successful.

5. Will there be improved security measures put in place to allow the external gates to the facility to reopen? Even if meet and greets with the animals remain by appointment? What will the measures of success be for the new Appointment Only program at the Animal Care Facility?

The appointment only program was a temporary measure to mitigate COVID-19 transmission risk and ensure the facility has a strong COVID safe plan. The measure has provided staff with more face to face time with animals, as the fixed-time appointment only measure reduces the staff time usually required to assist customers. We consider this to be a positive initiative, as we have seen a reduction in the number of people attending just for a browse, which takes staff away from attending the animals. While the operation and security at the gates is being considered, in the current climate, it is considered too early to tell when we will be able to remove this temporary measure. First and foremost is the safety and care of our staff and the animals.

6. In terms of extending capacity at the facility and building an isolation area for all impounds, what is the plan and timeframe for doing this?

While we are keeping a close eye on the capacity of the facility, we are also looking at ways of keeping animals away from the shelter and in their homes. While additional cages may assist, they are not a prevention measure and do not go to addressing the root cause as to why animals find their way to the facility.

7. Will there be an opex budget increase for the 2021-22 financial year? If so what will it be and where will it be allocated?

The net operating budget of the facility will increase from \$551,000 to \$611,000 net cost. Whilst this equates to a 10.8 per cent increase, operating expenditure levels are

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consistent with the previous year at \$1.06 million, however the revenue forecasts are decreasing due to support of programs and initiatives to rehome animals at reduced fees. In the last 2 years Council has increased the operating expenditure levels from \$935,000 to \$1.06 million per annum specifically to increase staffing resources at the facility.

8. Will there be any capex/project funding allocated to improvement initiatives at the facility increase for the 2021-22 financial year? If so what will it be and where will it be allocated?

Over \$100,000 has been spent in the previous year to construct exercise yards, pathways and enhance the outdoor areas of the facility. No capital funds have been allocated in this financial year for further improvements at the facility.

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## 10. RESCISSION MOTION

Nil

## 11. NOTICE OF MOTION

### 11.1 Glenalvon House

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

That a report be presented to Council investigating the potential to provide for a small restaurant/café with industry standard cooking facilities and associated rest rooms in the grounds of Glenalvon House.

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

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## 12. URGENT GENERAL BUSINESS

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

That motion be passed to consider the urgent general business foreshadowed by Councillor Moroney.

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

The Mayor ruled that the Item is urgent and may be considered by the Council.

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## 12.1 Local Planning Panels - Statutory Declarations

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

1. That Council write to the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP, asking if the probity checks carried out on the Chair and expert members of the Local Planning Panels across NSW also included whether the statutory declarations of each chair and expert also declared they were not a close relative or associate of a property developer or real estate agent.
2. If not, Council submits a motion to the next LGNSW annual conference recommending to the Minister that this be done as soon as possible.

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

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## 13. PRESENTATIONS BY COUNCILLORS

1. Councillor Meg Oates on 24 June attended Campbelltown Performing Arts High School as the guest speaker on the Inspiring Women Student Forum. The Forum consisted of the guest speaker, interactive videos featuring high performing women who shared their experiences. There were 10 local female speakers, representing various occupations allowing the students to move around in groups gaining valuable networking opportunities and career advice. The forum was attended by 100 female students from a variety of schools across Campbelltown LGA. Councillor Oates noted the forum was exceptionally organised and extremely well received.
2. Councillor Masood Chowdhury on 23 June attended a multicultural day celebration at James Meehan High School, Macquarie Fields. Councillor Chowdhury commended the school for celebrating and embracing multiculturalism.
3. Councillor Paul Lake on 16 June attended the changeover dinner for the Rotary Club of Campbelltown. Councillor Lake thanked former Mayor Paul Hawker as the outgoing president and welcomed incoming president David Symonds. Councillor Lake passed on his congratulations to Josh Cotter who has been appointed Youth & Community Engagement and Marketing Director. The Mayor passed on his wishes to the former Mayor, Paul Hawker and his congratulations to Josh Cotter.
4. Councillor Ben Moroney thanked and passed on appreciation to all the library staff for their lockdown services and the remote activities they are providing to residents. Councillor Moroney noted the disappointment at a NSW Government directive prohibiting the libraries from providing a 'click and collect' borrowing system during lockdown.

5. Councillor Warren Morrison on 9 June with the Mayor, Councillor Brticevic and Councillor Chowdhury attended Event Cinema, Macarthur Square for the premier screening of the movie 'Cousins'. Councillor Morrison congratulated the NSW Council for Pacific Communities and all involved particularly Mal Fruean, Briar Grace-Smith and Ainsley Gardiner.
6. Councillor Warren Morrison on 10 June with Councillor Oates and Councillor Chowdhury attended Campbelltown Arts Centre for the announcement of the Landcom People's Choice Award from the Western Sydney Sculpture Awards and Exhibition. Councillor Morrison passed on his congratulations to Louis Pratt who was announced as the winner.
7. Councillor Warren Morrison passed on his thanks to Councillor Gilholme for representing the Mayor at the launch of the 2021 24 Hour Fight Against Cancer Macarthur. Councillor Morrison thanked the Deputy Chair Sue McGarrity and Dr Stephen Dell-Fiorentina OAM, the Macarthur Cancer Therapy Centre oncologist. Councillor Morrison acknowledged the sponsors and supporters who raised \$99,000 last year.
8. Councillor Warren Morrison passed on his well wishes to all residents in the LGA. As we come close to the start of the Tokyo Olympics Councillor Morrison passed on his well wishes for everyone competing and acknowledged local athletes Ato Plodzicki-Faoagali and Marion Ah Tong who will be representing Samoa in boxing.
9. Councillor Bob Thompson thanked Councillor Morrison on his work with 24 Hour Fight Against Cancer Macarthur.
10. The Mayor, Councillor Brticevic on 16 June with Councillor Gilholme attended Raby Oval where Cricket NSW was holding an all abilities sports day for local schools. Councillor Brticevic was excited to see Bradbury Primary School participating in the day.
11. The Mayor, Councillor Brticevic on 21 June attended the opening of Cook Reserve, Ruse. The official opening scheduled for 25 June had to be cancelled due to lockdown restrictions, however Councillor Brticevic was pleased that the park was completed and open at the start of the school holidays. Councillor Brticevic thanked the City Delivery team for their efforts.
12. The Mayor, Councillor Brticevic on 22 June attended Eschol Park Football Club 2021 Pink & Blue Charity Day. The day involved soccer gala games, there were jumping castles and a variety of good things to eat and a raffle. The club raised \$15,000 to be given to cancer charities. Councillor Brticevic thanked the president, Ralf Bzdega, the vice president for juniors Peter Anjos for organising and Councillor Lound for attending in his capacity as the Chairperson of Macarthur Football.

## 14. CONFIDENTIAL REPORTS FROM OFFICERS

### Confidentiality Recommendation

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

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

**Item 14.1 Council Land Sale - Underutilised Site in Bradbury**

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 End of Exclusivity Agreement - EOI Opportunity on Council Land**

Item 14.2 is confidential in accordance with Section 10A(2)(c) of the *Local Government Act 1993* as the report refers to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

**Item 14.3 Commercial Opportunity**

Item 14.3 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.

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

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**The Ordinary Meeting of Council was adjourned at 8:28 pm and reconvened as a meeting of the Confidential Committee at 8:29 pm.**

### Recommendations of the Confidential Committee

#### 14.1 Council Land Sale - Underutilised Site in Bradbury

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

1. That Council do not develop the subject site and endorse the sale of the subject site through a public auction on the basis outlined within the body of this report.
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2. That the appropriate due diligence required to complete the sale process is undertaken and that this is funded from the proceeds of sale.
  3. That Council provide delegated authority to the Mayor and General Manager to execute all legal documentation associated with the sale outlined within the body of this report, under common seal if applicable.

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

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## **14.2 End of Exclusivity Agreement - EOI Opportunity on Council Land**

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

1. That Council acknowledge the conclusion of negotiations with the proponent outlined in the body of this report.
2. That Council endorse a targeted approach via an Expression of Interest (EOI) to market the site for potential tenants/purchaser in line with Councils Reimagining Campbelltown City Centre Masterplan.

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

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**Meeting note:** Having declared an interest in Item 14.3 Councillor Morrison left the meeting at 8:34 pm and with Item 14.3 being the last item to discuss Councillor Morrison did not re-join the meeting.

## **14.3 Commercial Opportunity**

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

That Council approve the acquisition of the subject property on terms and conditions set out in this paper

1. That Council note that the subject property is consistent with the Primary Criteria of the Investment Property Portfolio – Strategy for Revenue Growth Policy.
  2. That Council provide approval of funds as specified in this paper to acquire the property and approve funding to be allocated from the Property Development Reserve.
  3. That the General Manager be granted delegated authority, once satisfied, to sign all documentation associated with the acquisition of the subject property.
  4. That the subject property is categorised as operational once it is transferred into Council's ownership.
  5. That the existing Property Management arrangements remain in place for a minimum of 18 months to ensure the acquisition reflects an ongoing business concern.
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6. That Council approve an exemption from the tendering requirements in accordance with section 55(3)(i) of the *Local Government Act 1993*, noting that, due to extenuating circumstances, a satisfactory result would not be achieved by inviting tenders for the provision of Property Management Services at this time.
  
  7. That Council notes the reason why a satisfactory result would not be achieved by inviting tenders at this time is due to the need for continuity of service provision during the acquisition and handover phase and to retain a service provider with an intimate working knowledge of the asset until such time as Council stabilises the investment post acquisition.

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

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

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

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

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**At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8:39 pm. The Mayor read the recommendations from the Confidential Committee for Items 14.1, 14.2 and 14.3.**

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

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

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

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There being no further business the meeting closed at 8:44 pm.

Confirmed by Council on

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



## CONFIRMATION OF COUNCIL'S ORDINARY MEETING MINUTES

**At the Council Meeting held 3 August 2021 the following Council minutes were adopted:**

There being no further business at the meeting of 13 July 2021, the meeting closed at 8:44 pm.

Confirmed by the Chairperson:

A handwritten signature in black ink, appearing to read "J. Anticic", is written over the text "Confirmed by the Chairperson:".