

Reports of the Planning and Environment Committee Meeting held at 7.30pm on Tuesday, 14 April 2015.

APOLOGIES

ACKNOWLEDGEMENT OF LAND

DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

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Minutes of the Planning and Environment Committee held on 14 April 2015

Present

Councillor G Greiss (Chairperson)
Councillor R Kolkman
Councillor D Lound
Councillor A Matheson
Councillor M Oates
Councillor T Rowell
Councillor R Thompson
Acting General Manager - Mrs L Deitz
Director Planning and Environment - Mr J Lawrence
Acting Director Planning and Environment - Mr J Baldwin
Manager Community Resources and Development - Mr B McCausland
Manager Compliance Services - Mr P Curley
Manager Waste and Recycling Services - Mr P Macdonald
Manager Sustainable City and Environment - Mr A Spooner
Legal and Policy Officer - Mr M Donachie
Acting Coordinator Animal Care Facility - Mr J Greiss
Manager Governance and Risk - Mrs M Dunlop
Executive Assistant - Mrs D Taylor

Apology Nil

Also in Attendance

Councillor S Dobson - retired from the meeting during discussion of item 2.2.

At the conclusion of the City Works Committee Meeting the following Councillors attended the Planning and Environment Committee Meeting:

Councillor C Mead
Councillor F Borg - retired from the meeting at the commencement of item 2.2.

Acknowledgement of Land

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

DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

1. WASTE AND RECYCLING SERVICES

No reports this round

2. ENVIRONMENTAL PLANNING

2.1 Management Plan for Australian White Ibis at Lake Mandurama, Ambarvale

Reporting Officer

Manager Environmental Planning

Attachments

Draft Management Plan for Australian White Ibis at Lake Mandurama, Ambarvale (contained within this report)

Purpose

To seek Council's support for the public exhibition of the draft Management Plan for Australian White Ibis at Lake Mandurama, Ambarvale and the application for a Section 121 Occupier's Licence to Harm Fauna in New South Wales under the *National Parks and Wildlife Act 1974*.

History

The Australian White Ibis (AWI) is a common native avian species and is therefore protected in New South Wales (NSW) under the NSW *National Parks and Wildlife Act 1974*. The eastern seaboard of Australia is considered an important refuge for AWI populations displaced from traditional inland breeding sites through years of drought and sometimes ecologically damaging water management practices.

Since 2014 Council has received an increasing number of complaints from residents regarding AWI populations at a number of parks and reserves within Campbelltown. Based on public concern and the outcomes of site inspections by Council staff, the priority location of concern is currently Lake Mandurama at Ambarvale.

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

Prior to 2014 AWI at Lake Mandurama were only present in small numbers alongside a range of other bird species and there had been no recorded effects on the environment and/or surrounding residents. During 2014 the AWI population at this location was observed to significantly increase from a small number of birds (<10) to over 70 birds. This rapid population increase within a small area has prompted concern from local residents and park users regarding the damage to vegetation in the area, the loud noises emanating from the nesting birds and the odours generated from concentrated fouling in nesting areas. It is uncertain if this population trend will continue, particularly as a result of changes and reductions in other food resources elsewhere. If an increase in population does continue it would most likely result in even more significant environmental and social impacts. Consequently Council officers are of the view that AWI management action is warranted at this location.

Report

Over the past six months Council officers have consulted with various organisations including the National Parks and Wildlife Service (NPWS), Centennial Parklands Trust and other impacted councils (Camden and Bankstown) to determine appropriate measures to effectively manage the AWI population at Lake Mandurama.

Under the *National Parks and Wildlife Act 1974* Council must obtain a Section 121 *Occupier's Licence to Harm Fauna in New South Wales* prior to any action being undertaken to regulate bird numbers. To qualify for the licence, Council must prepare a draft management plan for the site that includes population survey data and management actions to be delivered over the life of the licence (three years).

Council staff have therefore prepared a draft Management Plan for Australian White Ibis at Lake Mandurama, Ambarvale (see attachment). The plan aims to enable Council to effectively mitigate site-specific negative impacts associated with AWI by providing comprehensive and clear guidelines for on-site management. Objectives of the plan are to:

1. Manage the AWI colony within Lake Mandurama Reserve, in order to achieve/ restore a sustainable balance between the environment, recreational users, and local residents.
2. Increase community understanding of AWI.
3. Address environmental impacts to Lake Mandurama Reserve from AWI.
4. Manage public health impacts of the AWI colony at Lake Mandurama Reserve.
5. Monitor the AWI colony at Lake Mandurama Reserve to ensure appropriate and effective management practices are employed for the colony.

The management plan subsequently identifies a series of management strategies and corresponding actions designed to achieve these objectives, based on experience and advice from relevant agencies (provided in Table 1).

Table 1. Management strategies and actions under Management Plan

Management Strategy	Management Action
Reduce breeding success	Undertake egg oiling program during breeding season
	Undertake nest burning outside breeding season
Reduce exotic vegetation	Undertake bush regeneration and weed treatment
Reduce odours	Remove decaying eggs and carcasses routinely
	Undertake nest burning outside breeding season
Maintain site and surrounds	Manage litter and food waste within the area through inspections, rubbish removal and grass mowing
Control AWI feeding opportunities	Replace bins within Lake Mandurama Reserve with steel caged, covered waste bins
	Encourage residents not to over-fill household bins
Revegetation of native species	Removal of exotic vegetation
	Planting of native species
	Protection of vegetation on floating reed bed
Undertake community education campaign	Design and install signage around the perimeter of the lake discouraging litter and feeding of birds
	Design and distribute brochures for community on AWI, their impacts and appropriate behavioural practices
	Update Council's website to include information about AWI, their impacts and appropriate behavioural practices
Monitor AWI population	Update Council's website to include information about AWI, their impacts and appropriate behavioural practices
	Participate in statewide surveys to assist in national management of species
Support research opportunities	Investigate research opportunities to achieve a better understanding of AWI.

The management plan contains a detailed description of each of the management actions. These must only be performed by adequately trained personnel wearing the necessary personal protective equipment and in accordance with protocol and procedures to be developed under an operational plan.

If at any time, an AWI (of any age) is harmed while performing any of these management actions, they must be immediately taken to a wildlife carer or a registered veterinary surgery. The management plan is proposed to be implemented over the next three years. At the conclusion of this time its need and relevance will be determined. In the interim it will be reviewed on an annual basis and/or when significant changes in legislation or management direction warrant a review.

Due to the public interest surrounding AWI populations in Campbelltown and the proximity of the respective colony to residents it is considered appropriate to consult the community on the draft management plan. It is therefore recommended that the draft management plan be placed on public exhibition via newspaper advertisements and Councils website for a period of 28 days. In addition, letters would be sent to landholders adjoining Mandurama Reserve advising that the draft management plan will be on exhibition and inviting their comment. Written submissions would be received during the exhibition period and for a further 14 days following its conclusion.

During the public exhibition period it is proposed to submit the draft management plan along with a Section 121 Licence Application for determination by the NSW NPWS. Following the conclusion of the public exhibition and review of the licence application by NPWS a further report would be provided to Council considering the outcomes of the public exhibition and seeking adoption of the draft management plan.

At this stage the cost of implementing the draft Management Plan cannot be calculated until such time as the licence and any conditions it may contain have been received from NSW NDWS.

This matter will be considered in further detail in conjunction with any public submission received and reported back to Council.

Officer's Recommendation

1. That Council support the public exhibition of the draft Management Plan for Australian White Ibis at Lake Mandurama, Ambarvale.
2. That Council support the application for a Section 121 Occupier's Licence to Harm Fauna in New South Wales under the *National Parks and Wildlife Act 1974*.
3. That Council receive a further report on the exhibition of the draft Management Plan which also addresses funding options.

Committee's Recommendation: (Thompson/Lound)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 21 April 2015 (Greiss/Lound)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 50

That the Officer's Recommendation be adopted.

ATTACHMENT 1



Management Plan for
Australian White Ibis (*Threskiornis molucca*)
Lake Mandurama, Ambarvale



April 2015

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2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

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1.Executive Summary

The Australian White Ibis (AWI) is a common native avian species, it is therefore protected in New South Wales (NSW) under the NSW *National Parks and Wildlife Act 1974*. The eastern seaboard of Australia is considered an important refuge for AWI populations displaced from traditional inland breeding sites through years of drought and ecologically damaging water management practices.

During 2014 the AWI population at Lake Mandurama Reserve, Ambarvale significantly increased affecting the local environment, public amenity and prompting management action response from Council.

Council has developed this Management Plan for AWI at Lake Mandurama Reserve, Ambarvale to ensure that it is meeting legislative requirements for managing a native species in an urban area and to assist in managing:

- AWI in the area in a strategic and sustainable way
- conflict between AWI and the local community
- impacts of AWI on the local environment.

This plan identifies the site management objectives and makes recommendations for active management of the AWI population at Lake Mandurama Reserve, Ambarvale. Management actions proposed under this plan include population reduction through egg oiling and nest burning, community education, environmental improvement through removal of exotic vegetation and monitoring to understand the AWI population, their impacts and the effectiveness of management actions.

This management plan is proposed to be implemented over the next three years at the conclusion of this time its need and appropriateness will be determined. In the interim it will be reviewed on an annual basis and/or when significant changes in legislation or management direction warrant a review.

2. Introduction

The AWI is distinguishable by its almost entirely white body plumage and black head and neck. The head is featherless with a long black down-curved bill around 16 centimetres in length. Adult birds have a tuft of cream plumes on the base of the neck. During the breeding season the skin on the under-surface of the wing changes from dull pink to dark scarlet. Young birds are similar to adults with slightly smaller, shorter bills.

In flight, flocks of AWI form distinctive V-shaped flight patterns. Breeding season usually occurs from June to February, with between one and three clutches per season. AWI nest in large colonies, often with the Straw-necked Ibis. Eggs incubate for 23 days on average.

The AWI can be observed in all but the driest habitats. Traditional breeding locations for this species were inland wetlands such as the Macquarie Marshes, however modifications to the hydrology of these wetlands over the last two decades have resulted in dramatic reductions in populations in these areas and populations have increased in the Eastern seaboard. Natural preferred habitats include swamps, lagoons, floodplains and grasslands, but it has also become a successful inhabitant of urban parks and gardens.

The AWI traditionally diet on both terrestrial and aquatic invertebrates, however they are increasingly feeding on human food waste. Many AWI populations have learnt to exploit human food waste in urban environments. As a result AWI are becoming more common in urban areas and less common in their natural habitat.



Figure 1. Adult Australian White Ibis and juvenile in nest

3. AWI Management

Since 2004 AWI have expanded their roosting and nesting sites in the Sydney Region. The large number of AWI in urban areas has affected public amenity, aircraft safety, water quality and biodiversity, creating conflict with local communities and prompting the need for management of AWI in the Sydney Region.

During 2009/10 relevant government organisations including local Councils, NSW NPWS and the Centennial Parklands Trust formed an AWI Regional Task Force with the aim of developing a Sydney Regional Ibis Management Plan. This document is now in the form of a working draft plan awaiting adoption by the NSW Government.

The working draft Sydney Regional Ibis Management Plan categorises colonies of AWI into three different types based on their population size with corresponding different management strategies and licensing requirements applicable for each colony category (see Table 1).

As AWI are a native species a licence is required under the *National Parks and Wildlife Act 1974* before any intervention can be undertaken. Where local government authorities, private organisations or landholders determine the need to manage breeding AWI colonies, a Section 121 Occupier's Licence to Harm Fauna in NSW must be obtained from NSW National Parks & Wildlife Service (NPWS). In addition a Section 120, General Licence must be obtained for anyone carrying out works resulting in harm.

For colonies of greater than 50 birds the landowner must also prepare a detailed site management plan.

Table 1. Licence requirements for AWI management

Colony Category	Population size	Management/licensing requirements
Small colony	<50 individuals	<ul style="list-style-type: none"> • A Section 120 General Licence under the <i>National Parks and Wildlife Act 1974</i> for persons harming protected fauna (for contractors undertaking works) • A Section 121 Occupier's Licence under the <i>National Parks and Wildlife Act 1974</i> for landholders, authorising works to be undertaken on specific lands
Medium-large colony	>50 individuals	<ul style="list-style-type: none"> • A Section 120 General Licence under the

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

		<p><i>National Parks and Wildlife Act 1974</i> for persons harming protected fauna (for contractors undertaking works)</p> <ul style="list-style-type: none"> • A Section 121 Occupier's Licence under the <i>National Parks and Wildlife Act 1974</i> for landholders, authorising works to be undertaken on specific lands • Development of a Site Management Plan for the species
Refuge colony	Specific colonies determined by the NSW Government eg Lake Annan, Lake Gillawarna	<ul style="list-style-type: none"> • A Section 120 General Licence under the <i>National Parks and Wildlife Act 1974</i> for persons harming protected fauna (for contractors undertaking works) • A Section 121 Occupier's Licence under the <i>National Parks and Wildlife Act 1974</i> for landholders, authorising works to be undertaken on specific lands • Development of a Site Management Plan for the species, specifying that at least 50% of active nests will be left undisturbed during control activities.

The working draft Sydney Regional Ibis Management Plan recommends that a Sydney Region population of at least 6,500 AWI individuals be maintained. If the population falls below this number the management strategies for colonies will be reviewed.

4. Australian White Ibis Distribution

4.1 Australian White Ibis in South-Western Sydney

Within the South Western Sydney Region large AWI colonies are present at:

- Spring Farm Advanced Resource Recovery Technology Facility
- Lake Annan in Mt Annan, Camden.
- Lake Gillawarna, Georges Hall
- Eastern Creek Advanced Resource Recovery Technology Facility, Eastern Creek.

As waste processing facilities close down or modify their practices the AWI move looking for sources of food and suitable habitat in different areas, thus establishing new colonies which commonly result in community and environmental conflicts.

4.2 Australian White Ibis in Campbelltown

Within Campbelltown emerging colonies of AWI have been observed at Lake Mandurama Reserve, Ambarvale and Eagle Farm Reserve, Eagle Vale.

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale



Figure 2. Australian White Ibis sites in the Campbelltown LGA

AWI have been known to roost within Lake Mandurama Reserve, Ambarvale in small numbers alongside a range of other bird species over the past few years. Until 2014 there have been no recorded effects on the environment, surrounding residents and park users.

However, during 2014 population numbers were observed to significantly increase, prompting concern from local residents and park users regarding the damage to vegetation in the area, the loud noises emanating from the nesting birds and the odours generated from concentrated fouling in nesting areas.

Figure 3. Management area covered under this plan

6.Site Significance

6.1 Historical

The waterbody now known as Lake Mandurama was constructed in or around the 1950's to serve as a farm dam for Bishop's Farm (see Figure 4), which encompassed the area.

The suburb itself was named after the old Ambarvale farm which despite popular belief, actually stood on the other side of Appin Road where the suburb of St Helens Park is now. Still, as Ambarvale was one of the oldest property names to be used south of Campbelltown, the Council decided to apply to use the name and the Geographical Names Board approved it in 1976. It was in March 1972, that the state government first approved the farm land for urban development and, by the end of 1975, the first homes were under construction.

Figure 4. Lake Mandurama as a farm dam as pictured in aerial photography from 1956



In the early 1970's a series of three dams were established on the site and surrounds, in line with what is now called Spring Creek. Council's photography from 1972 shows three dam walls with the largest occurring adjacent to what is now known as Crisparkle Drive (see Figure 5).

Figure 5. The series of three dams in the area as pictured in aerial photography from 1972



In the early 1990's the lake was utilised to ameliorate impacts from construction of the surrounding suburb, to trap sediment and assist in protecting water quality of Spring creek and downstream Georges river. The refuge island was installed at this time to provide a refuge for fauna and to add additional lake edge for macrophyte plants to assist in preventing erosion and to aid water purification.

6.2 Environmental

Lake Mandurama Reserve is home to a significant variety of plants and animals. Plant species found within the area include: She-Oak (*Casuarina Glauca*), Spiny Headed Mat Rush (*Lomandra longifolia*), Honey Myrtle (*Melaleuca decora*), Sydney Green Wattle (*Acacia parramattensis*), Water Gum (*Tristaniopsis laurina*), various Eucalyptus spp. as well as exotic species such as Willow Spp. and African olive. Within the lake there are naturally occurring pockets of reeds (*Juncus*, *Baumea*) which provide ideal roosting habitat for birds. Additionally in 2013 Council constructed floating reed beds within the lake to assist in water filtration, species planted include: *Baumea articulata*, *Phragmites australis*, *Schoenoplectus validus*, *Eleocharis sphacelata*, *Cyperus exaltus* and *Carex appressa*.

In regard to fauna, the area is predominately populated by bird species, including: Black Swans (*Cygnus atratus*), Purple Swamp Hens (*Porphyrio porphyrio melanotus*), Masked Lapwing Plovers (*Vanellus miles*), Domestic Goose (*Anser anser domesticus* or *Anser cygnoides*), Australian Wood Duck (*Chenonetta jubata*) and Little Black Cormorants (*Phalacrocorax sulcirostris*).

The small refuge island within the lake is vegetated with a range of trees and shrubs and offers protection from predators to a range of birds particularly during breeding season for roosting. The

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

island was strategically placed at the inflow of the dam in a central location to disperse the flow of water and reduce short circuiting of the water movement around the lake.

The lake forms part of the highly modified headwaters of Spring Creek, it now serves as a stormwater quality improvement device for the surrounding catchment (60 hectares). Overflow water from the lake immediately proceeds downstream through two water quality improvement devices (one currently under construction), to a modified channel and ultimately to Spring Creek and the Georges River. Water quality monitoring is undertaken routinely within the lake and the results indicate that water quality within the lake is variable but is generally indicative of a small waterbody in an urban catchment.

6.3 Landscape

The site is surrounded by residential housing, suburban roads and a series of detention basins downstream. The natural soil at the site has been highly disturbed, particularly at the time the lake was constructed. Plantings on the refuge island are representative of the Ecological Community of River Flat Eucalyptus Forest, however noxious and exotic weed species have become established on the island also. The surrounding landscape of the site is open parkland with the dominant tree species of the areas bordering the lake being *Eucalyptus Spp* and *Casurina Glauca*. A small remnant of Cumberland Plain Woodland ecological community has been mapped approximately 180 metres upstream of the lake.

6.4 Aboriginal significance

Council is still awaiting confirmation of the aboriginal cultural and heritage significance of the site from the Tharrawal Aboriginal Land Council. As outlined previously, this area has been heavily developed for residential purposes and associated landscaping. However, it is not intended as part of this plan to disturb the soil. If in the future soil disturbance is required consultation and guidance will be sought from the NSW government.

A search of the OEH Aboriginal Heritage Information Management System was undertaken on Tuesday 10 March 2015, it was noted that no aboriginal sites or places were recorded or declared in or near Lake Mandurama Reserve, Ambarvale (Lot 1552 DP 709072).

6.5 Community and Recreation

Recreational use of the reserve is limited to the boardwalk and the perimeter of the lake for passive activities including walking, sitting, and bird watching. There is children's playground equipment within the reserve and a concrete path around the southern and eastern perimeter of the lake. Due to the relative inaccessibility of the refuge island from the mainland there is no recreation activity on the island. The area is predominately used by local residents within walking distance. Aspect depictions of the lake and reserve are provided in Figure 6.

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

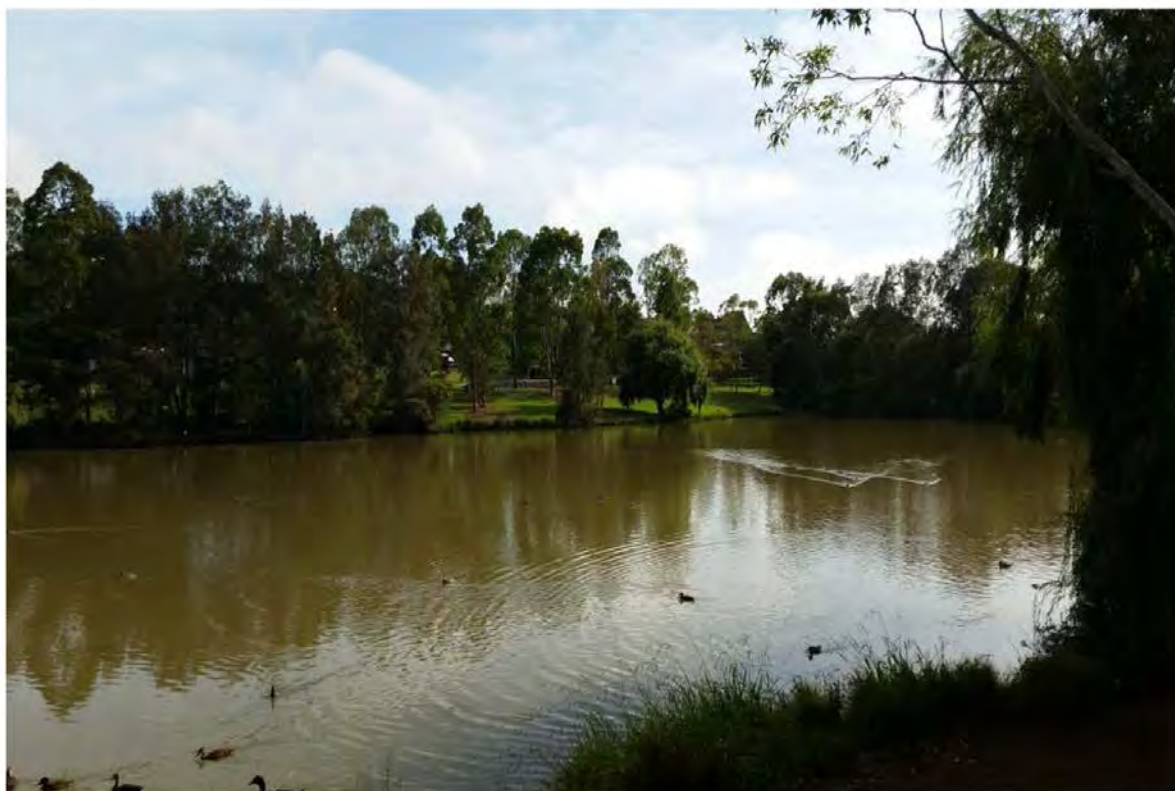


Figure 6 Lake Mandurama as pictured from Cleopatra Drive from wooden boardwalk

7. Site Issues

As stated previously, until 2013 AWI inhabited Lake Mandurama Reserve in small numbers (<10). Since 2013 this number has steadily increased, with counts of around 75 birds recorded on some occasions (see section 8 - Colony Composition).

A significant number of nests have been observed in the trees on the refuge island, particularly in *Willow spp.* AWI have also been observed on the mainland around the perimeter of the lake and in particular foraging through the bins at the reserve and on the floating reedbed, which has been decimated over the last 12 months.

AWI appear to be attracted to the area as it provides safe roosting opportunities, on the refuge island and the floating reed bed as well as ample food sources.

Since AWI numbers have increased at the site recreational activities have been detrimentally impacted by the damage caused to the general appeal of the reserve including aesthetics of vegetation and grassed areas within the reserve and foul smells associated with defecation and roosting/nesting. Whilst water quality results do not presently indicate any recent adversarial impacts from the AWI it is anticipated that over time nutrient levels will increase. Community feedback about the AWI has been negative, Council has received a significant number of complaints from park users and local residents either not wanting to use the reserve or concerned about the direct and indirect impact to their properties.

The following table outlines issues that have been identified as associated with AWI and their current applicability to Lake Mandurama Reserve.

Table 2. Australian White Ibis issues identified at Lake Mandurama Reserve

Potential issues with AWI	Relevant to site?	Comments
Smell	✓	Offensive odours have been experienced at the site, assumed to be associated with bird defecation and decaying organic matter from rotting carcasses/eggs.
Noise	✓	Noise levels have increased at the site. Calls from the birds are observed primarily around sunrise and sunset.
Water quality	x	Water quality monitoring is undertaken on a monthly basis. To date no impacts attributed to the bird population have been observed.
Fauna displacement	x	Avifauna such as Cattle Egret, Little Black Cormorant, Black Swans and Purple Swamp Hens and Masked Lapwing Plovers still co-exist and breed on the island and in the reed pockets within the lake.

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

		Previous numbers are unknown.
Vegetation destruction	✓	Vegetation on the island is being intensively used by AWI to make nests. Many of the larger trees have been stripped bare of foliage. Some residents have reported that AWI have collected large quantities of twigs from their gardens to aid nest building.
Public nuisance	✓	AWI have been observed foraging in local bins. Their presence has been a deterrent to the public using recreational facilities based on perceived aggressiveness and threatening size, particularly towards young children.
Public health	✓	Faecal matter and decaying organic matter poses a risk to public health, in particular children. Increase in nutrients within the lake may result in blue-green algae blooms.
Public image	✓	The presence of AWI (and associated problems) is contributing to a declining image of Lake Mandurama and its public amenity.
Ecological sensitivity	✓	The site is located approximately two kilometres upstream of the natural waters of Spring Creek. At this location the creek is bordered by Shale Sandstone Transition Forest (a critically endangered ecological community). A remnant patch of Cumberland Plain Woodland is also mapped approximately 150 metres upstream. It is possible that water quality impacts from the colony could negatively impact on these ecological assets however given the distance and opportunities for water quality treatment it is unlikely.

8.Colony composition

AWI colony counts are designed to determine the number of AWI colonising at a given site. Council commenced colony counts in September 2014 at Lake Mandurama Reserve. All counts were undertaken from the perimeter of the lake due to WHS restrictions and available equipment. The results of colony counts undertaken to date are provided in Table 3.

Table 3. Results of Australian White Ibis colony counts undertaken at Lake Mandurama Reserve

Date	Time started	Time finished	Total chicks on-site (a)	Total adults on-site (b)	# AWI flying in (c)	# AWI flying out (d)	Total adults (b+c-d=e)	Colony population (a+e)
18/9/14	4.30pm	6.00 pm	12	42	nr	nr	42	54
3/10/14	1.30pm	2.30pm	11	47				58
15/10/14	3.30pm	4.30pm	11	51				62
4/11/14	6.00pm	7.30 pm	9	39	19	4	54	63
19/11/14	11.30am	12.30pm	13	46				59
4/12/14	11.30am	12.30pm	11	52				63
23/12/15	6.30pm	8.00pm	15	44	18	6	56	71
12/1/15	6:45pm	8.15pm	12	48	18	5	61	73
28/1/15	11.30am	12.30pm	11	61				72

nr = not recorded / not observable

9. Site Management & Actions

Council recognises that the AWI colony at Lake Mandurama Reserve is not a geographically isolated issue but part of a South-Western Sydney region-wide AWI population. The working draft Sydney Regional Ibis Management Plan did not acknowledge the Lake Mandurama colony, however based on the colony categorisation under the plan, the colony would be considered a medium colony (greater than 50 individuals).

Due to the environmental damage, public health and nuisance issues arising from the AWI colony at Lake Mandurama, the 'do nothing' approach is not considered adequate. Moreover, as indicated in table 3, the population has increased in one season, it is uncertain if this trend will continue, particularly as a result of changes already implemented by Council which has reduced food resources. If an increase in population does continue it would most likely result in even more significant environmental and social impacts.

9.1 Past Management Actions

In response to resident's feedback Council has undertaken regular colony population counts of the AWI population at Lake Mandurama. Council has also consulted with other affected Council's such as Bankstown, Camden and Fairfield to assist in determining the most effective management actions.

Council's outdoor staff undertake regular maintenance activities of the reserve and grassed areas surrounding Lake Mandurama which also includes the collection of any dead birds, however the data regarding numbers of carcasses removed is unavailable. Once collected the dead birds are taken to a Council facility for collection and disposal by a specialised contractor.

9.2 Site Management Objectives

This site specific management plan aims to enable Council to effectively mitigate site specific negative impacts associated with AWI by providing comprehensive and clear guidelines for on-site management. Objectives of this plan are:

1. Manage the AWI colony within Lake Mandurama Reserve, in order to achieve/ restore a sustainable balance between the environment, recreational users, and local residents.
 2. Increase community understanding of AWI.
 3. Address environmental impacts to Lake Mandurama Reserve from AWI.
 4. Manage public health impacts of the AWI colony at Lake Mandurama Reserve.
-

5. Monitor the AWI colony at Lake Mandurama Reserve to ensure appropriate and effective management practices are employed for the colony.

9.3 Site Management Action Plan

With the above objectives in mind a series of management strategies and corresponding actions have been developed to assist in achieving these objectives. These actions will be delivered over the three year life of the management plan and their effectiveness will be monitored and reviewed on an ongoing basis.

These strategies and actions are specified in the action plan in Table 4 below. Further details about each of the actions are provided in Section 10.

DRAFT

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

Table 4. Australian White Ibis Action Plan for Lake Mandurama Reserve

Objective #	Management Strategy	Management Action	Timeframe	Responsibility	Comment
1	Reduce breeding success	Undertake egg oiling program during breeding season	Fortnightly during breeding season (August –January)	Council to engage contractor	Section 120 and 121 licences to be obtained. Ensure chicks are not present or adjacent to nests.
		Undertake nest burning outside breeding season	March – June each year	Council to coordinate RFS and SES to undertake pile burns on the island.	Application to be made to EPA for an ecological burn. Ensure animals are not present in nests
2	Reduce exotic vegetation	Undertake bush regeneration and weed treatment, particularly on refuge island	April – Dec 2015	Council to engage contractor	To be removed during non-breeding season
3	Reduce odours	Remove decaying egg/ carcasses routinely	Fortnightly inspections and removal during breeding season (August –January)	Council to engage contractor	

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

		Undertake nest burning outside breeding season	March – June each year	Council to coordinate RFS and SES to undertake pile burns on the island.	Application to be made to EPA for an ecological burn. Ensure animals are not present in nests
4	Maintain site and surrounds	Manage litter and food waste within the area through inspections, rubbish removal, bin clearing and grass mowing	Bins are emptied on a daily basis and park maintenance (mowing) undertaken on a monthly basis.	Council	Commenced and ongoing
5	Control AWI feeding opportunities	Replace bins within Lake Mandurama Reserve with steel caged, covered waste bins Encourage residents not to over-fill household bins	April – Dec 2015 Ongoing	Council Council	 Through comprehensive education campaign
6	Revegetation of native species	Removal of exotic vegetation. Planting of native species	April - Dec 2015 Spring and Autumn as needed annually	Council to engage contractor Council or Council Contractor	To be removed during non-breeding season Using species representative of River Flat Eucalypt Forest

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

	Protection of vegetation on floating reed bed	June – August 2015	Council	Explore deterrence options such as bird spikes, cages
	Design and install signage around the perimeter of lake discouraging litter and feeding of birds	June – Dec 2015	Council	
	Design and distribute brochures for community on AWI, their impacts and appropriate behavioural practices	June – Dec 2015	Council	
	Update Council's website to include information about AWI, their impacts and appropriate behavioural practices	June 2015	Council	
	Undertake community education campaign			
7	Undertake population counts of AWI colony at Lake Mandurama Reserve	Population counts undertaken fortnightly during breeding season (August – January) and monthly during the rest of the year	Council Council contractor	
8	Monitor AWI population			

2.1 Management Plan For Australian White Ibis At Lake Mandurama, Ambarvale

		Participate in statewide surveys to assist in national management of species	October/ November annually	Council	Survey of Lake Mandurama Reserve colony undertaken annually in conjunction with statewide survey
	Support research opportunities	Investigate research opportunities to achieve a better understanding of AWI.	Ongoing	Council	Participate in proposed University of Wollongong "Waterbird parasites and pathogens: disease threats in urban wetlands project" if project proceeds

10. Description of Management Actions

A detailed description of each of the management actions is provided below. These should only be performed by adequately trained personnel wearing the necessary personal protective equipment (PPE) and in accordance with protocol and procedures to be developed under an operational plan.

If at any time, an AWI (of any age) is harmed while performing any of these management actions, they must be immediately taken to a wildlife carer or a registered veterinary.

10.1 Reduce breeding success

Egg oiling - involves the coating of unhatched eggs with household cooking oil. The oil blocks air exchange through the pores of the egg preventing it from hatching. Egg-oiling is viewed as an environmentally safe and socially preferable to culling adult birds. Studies have shown that egg-oiling is 98-100% effective at preventing eggs hatching. Oiling can be conducted at any time during the 23 day incubation period and in 30% of cases parent AWI continued to brood the eggs for up to 54 days longer than the normal incubation period. This time spent brooding on unviable eggs reduces the opportunity for further egg laying.¹

Egg-oiling is considered to be a humane method of euthanasia and has been deemed an acceptable method by ecological authorities both nationally and internationally. Locally, egg oiling has been previously undertaken by Bankstown, Camden and Fairfield Councils and they found it to be an effective management strategy. Thus far each council has engaged the services of a qualified contractor to undertake the oiling exercise.

Nest Burning - burning of AWI nests aims to reduce the availability of nesting habitat by destroying unused nests outside of the breeding season with all material piled in strategic locations on the island for pile burning in accordance with the RFS Guidelines for Pile Burning. Nest burning also reduces the amount of odour that is generated from the area, which will provide long term benefit to local residents. The nests that are heavily contaminated with faecal material and abandoned will be targeted as a priority.

Due to the disturbance and loss of nesting materials (once an ecological burn has been implemented), the AWI are likely to disperse and look for food and nesting materials in nearby locations.

¹ Martin et al. 2007, p319

To assist residents in this regard, an education campaign will be implemented simultaneously to provide residents with simple ideas on how they can discourage AWI from visiting their properties, cleaning up vegetation debris from their front yards and making them less attractive to the AWI. This is described in more detail within Section 10.7 – Community Education.

10.3 Reduce Exotic Vegetation

Regular inspections and surveys at Lake Mandurama have identified AWI to be predominately nesting within exotic vegetation such as *Willow Spp.* Removal of exotic vegetation including *Willow Spp.*, African Olive and African Boxthorn from the refuge island will assist in promoting native biodiversity and reducing favourable nesting habitat.

Vegetation removal and weed treatment will be undertaken in a mosaic pattern to ensure that habitat remains for the AWI and other avifauna and to promote the resilience of the remaining native vegetation. Any exotic tree species supporting active AWI nests will be left in situ. All exotic species not supporting AWI and larger than 100mm in diameter that are not in risk of falling into the water will be drilled and injected with Glyphosate herbicide to ensure that they can still provide habitat for fauna species in the short term whilst native species are encouraged to fill the void. All weed species less than 100mm diameter will be cut and painted using Glyphosate herbicide and left on island as habitat piles or placed in open locations for pile burning whilst nest burning is undertaken.

10.4 Reduce Odours

AWI nests are associated with foul odours as they are heavily contaminated with decaying organic material (eg eggs) and faecal matter. In addition when AWI breeding colonies reach high densities, on-site mortality of individuals of any age is inevitable. The resulting carcass decomposition adds to the odour associated with AWI breeding colonies.

Nest burning will assist in removing organic material and faecal matter thereby reducing odours. Prompt removal of decaying carcasses will help to reduce these odours and can be performed while on-site for other activities such as breeding restriction.

Inspection for carcasses and subsequent removal will be undertaken on a fortnightly basis, whilst other management activities are conducted.

10.5 Maintain Site and Surrounds

Council will endeavour to manage litter and waste at Lake Mandurama Reserve and surroundings to ensure that the availability of unnatural food sources for AWI is kept to a minimum. This includes ongoing regular mowing of grassed areas and regularly emptying bins to prevent overflow.

10.6 Control AWI Feeding Opportunities

One of the main sources of food and attraction to the site for AWI is human food waste. Currently the bins provided for the public at Lake Mandurama Reserve are not enclosed allowing birds (especially AWI) to forage for food in the bins. The current general waste bins at the reserve will be replaced with steel caged, covered waste bins to reduce access to the bins from animals other than humans.

10.7 Community education

Community education is an integral part of successful AWI management as many common practices such as feeding wildlife and incorrect disposal of rubbish greatly contribute to increased feeding opportunities. The community education campaign developed under the management plan will address community understanding of the species, human relationship and behavioural change. Education around conservation of native species is also important as many members of the general community may not be aware that AWI are a native species and may not understand why they have taken refuge in urban areas similar to Lake Mandurama Reserve within the Sydney Basin.

A public education campaign will be developed to address issues including:

- Biology of the species
- Impacts of the species
- Council's management actions
- Overfilling of household bins
- Bird feeding and rubbish dumping
- Management of vegetation on private property, to reduce foraging for nesting material.

Actions implemented through the education campaign will include:

- Development and distribution of education material such as brochures, stickers for bins, schools packages and media articles
 - Installation of signage around the reserve area
 - Update of Council's website with recommended behavioural practices for the public to discourage the presence and breeding of AWI
 - Issue of a media release on an annual basis prior to the breeding season to encourage residents to report AWI breeding sites and to increase awareness of the issues associated with urban AWI populations.
-

Creating community awareness of public feeding and general AWI issues can also be integral in communicating important and useful information about foraging, roosting and breeding sites within the area. It will also aid in community acceptance of this Management Plan.

10.8 Monitoring of AWI population

Monitoring of the Lake Mandurama Reserve AWI colony and reporting to the NPWS is required under the conditions of the Section 121 Occupier's Licence under the *National Parks and Wildlife Act 1974*. In addition it is appropriate to evaluate and assess the effectiveness of management actions prescribed within this management plan.

As indicated in the action table Council will engage a contractor to undertake egg oiling and decaying egg and carcass removal on a fortnightly basis during breeding season. The contractor will also collect and record data relating to their activities including roost counts, egg counts, the number of eggs oiled, number of carcasses removed and general population counts. This will be supplemented by monthly population counts by Council staff throughout the year.

An annual census of the colony is to be undertaken in conjunction with the OEH annual community survey of the AWI population across Australia to be held October/November each calendar year. This helps to accurately calculate the population within the Sydney Basin and guide statewide management direction which may impact on licence conditions.

10.9 Support Research Opportunities

Council will endeavour to support research opportunities through local schools, TAFE and universities as they arise. This will greatly assist in better understanding the species whilst also helping to guide appropriate management actions into the future.

11. Review of Australian White Ibis Management Plan

This AWI Management Plan for Lake Mandurama Reserve, Ambarvale will be reviewed annually to ensure that it remains relevant as management techniques, knowledge and ability advance in management of the species. This will also include a review of the efficiency and effectiveness of the management actions specified within Section 9 of this plan.

Significant legislative or policy changes affecting the management of native species and/or changes in recommended practices for the management of native species will also trigger a review of this plan.

DRAFT

12. Glossary

Phrase/Word	Definition
AWI	Australian White Ibis
Dispersal	The moving of individuals away from each other or away from a particular site.
Foraging	The process of searching for and obtaining food or materials for nests.
Roosting	The process of birds congregating overnight at a specific place for rest and protection from predators.
NPWS	NSW National Parks and Wildlife Service
OEH	Office of Environment and Heritage

13. References

Eco Sure (2009), *Sydney Basin Australian White Ibis Regional Management Plan*, Prepared for NSW National Parks and Wildlife Service.

Camden Council (2013), *Australian White Ibis Management Plan for Australian White Ibis at Lake Annan, Mt Annan*.

Martin, JM, French, K, Major, RE (2007), 'The pest status of Australian white ibis (*Threskiornis molucca*) in urban situations and the effectiveness of egg-oil in reproductive control', *Wildlife Research*, 34(4), pp319-324.

DRAFT

2.2 Mt Gilead Urban Release Area - Request Public Exhibition

Reporting Officer

Manager Environmental Planning

Attachments

1. Mt Gilead Locality Map (contained within this report)
2. Draft Mt Gilead Planning Proposal including only Appendices B & C (contained within this report)
3. Draft Mt Gilead Development Control Plan which is identified as Appendix D in the Draft Mt Gilead Planning Proposal (contained within this report)
4. Draft Mt Gilead Infrastructure Services Delivery Plan (contained within this report)

Purpose

To request Council's endorsement to publicly exhibit the draft Mt Gilead Planning Proposal, associated documentation and the draft Mt Gilead Development Control Plan.

History

Council at its Ordinary Meeting held on 3 July 2012 resolved to endorse a planning proposal for the rezoning of rural land at Appin Road, Mount Gilead (as shown in Attachment 1) to permit the development of the site for urban residential purposes, and forward to NSW Department of Planning and Infrastructure (now known as NSW Planning and Environment) for determination by the Gateway Panel.

Property Description: Part Lot 1 and Part Lot 2 DP 807555 and Lot 59 DP 752042

Owner: Mount Gilead Pty Ltd

Property Description: Lot 61 DP 752042

Owner: S and A Dzwonnik

Applicants: Old Mill Properties Pty Limited and Design + Planning

A briefing to the Councillors on the status of the proposed rezoning of land at Mt Gilead for residential purposes was undertaken on Tuesday 26 August 2014.

A report was prepared for the Planning and Environment Committee Meeting held 10 February 2015 requesting Council's endorsement of the draft Mt Gilead Planning Proposal, draft Mt Gilead Development Control Plan and associated planning documentation for public exhibition purposes. The Committee recommended the following:

1. That Council place the draft Mt Gilead Planning Proposal and associated documentation on public exhibition.
2. That upon receipt of community feedback that Council consider adopting the draft Mt Gilead Development Control Plan as an amendment to the Campbelltown (Sustainable City) Development Control Plan 2014 for public exhibition in accordance with the provisions of the Environmental Planning and Assessment Regulation 2002.

When the Planning and Environment Committee Meeting minutes were presented to the Ordinary Council Meeting held 17 February 2015 the Council resolved as follows:

1. That this matter be deferred until Councillors have received all reports in relation to this matter.
2. That Council be provided with a briefing highlighting the holistic approach that is required for this development and further developments in Campbelltown South to proceed.

A copy of all the technical studies prepared to support the draft Mt Gilead Planning Proposal was forwarded to all Councillors in accordance with the abovementioned resolution.

Also the proponents of the draft Mt Gilead Planning Proposal provided Councillors with a briefing on Tuesday 24 March 2015 where they specifically addressed concerns that had been raised by Council. These included the proposed road works to Appin Road and associated funding issues, the proposed fauna corridor through the subject site and the proposed mitigation measures with regard to protecting the visual impact of the any future development on the heritage listed Mt Gilead homestead and mill.

A further briefing was provided on Tuesday 31 March 2015 by representatives of NSW Planning and Environment with regard to the State Government's Urban Capability Study in to the Greater Macarthur South Urban Investigation Area, which includes the Mt Gilead site.

As the Councillors have now had the opportunity to peruse all the Mt Gilead technical reports and have been briefed in accordance with the resolution of 17 February 2015 the following report is resubmitted for Council's consideration.

Report

A copy of the Mount Gilead Planning Proposal and associated planning documentation was forwarded to the NSW Department of Planning and Infrastructure (now known as NSW Planning and Environment) in July 2012 for determination by the Gateway Panel. As a result Council received a positive response from the Panel in September 2012. The Gateway Determination advised that the proposed rezoning of the subject land could proceed under certain conditions. These conditions included the preparation of a number of technical studies to support the planning proposal. The technical studies have now all been completed and form the basis of the final draft Mt Gilead Planning Proposal. A copy of the final draft Mt Gilead Planning Proposal is marked Attachment 2. Please note that the technical studies which are appendices to the draft planning proposal are not part of Attachment 2.

The Site

The subject site includes part Lot 1 and part Lot 2 DP 807555, Lot 59 DP 752042 and Lot 61 DP 752042 Appin Road, Gilead. It is located directly south of Noorumba Reserve, north of the historic Beulah property, and east of the Mount Gilead homestead site which includes the house, outbuildings, dam and old mill.

The total area of the subject site is 210 hectares, approximately half of which is considered to be able to be developed for urban residential purposes. Historically the site has been predominantly used for agricultural purposes, and contains a number of drainage lines and farm dams, with pockets of remnant native vegetation. Whilst a hill with steep slopes is located within the north western corner of the subject site, the rest of the land is generally gently sloping.

The Objectives and Intended Outcomes of the Final Draft Planning Proposal

The primary outcome of the final draft Planning Proposal is to provide for the urban residential development of the 210ha Mt Gilead site that respects the heritage and ecological significance of the adjoining properties and is in close proximity to the social and community assets within the Campbelltown Local Government Area (LGA).

The objectives of the final draft Planning Proposal are to:

- Permit low density residential development as well as public active and passive open space and associated community amenities and facilities
- Provide an opportunity for a small area of retail development
- Protect the heritage significance of the Mt Gilead homestead site
- Protect the environmental significance of the Beulah biobanking site
- Protect environmentally sensitive land and provide an ecological corridor linking Noorumba Reserve with the Beulah biobanking site and the Nepean River corridor
- Reserve land on Appin Road for acquisition by Roads and Maritime Services for future road infrastructure
- Increase the supply of housing within the Campbelltown LGA with the addition of up to 1700 new dwellings.

Zoning

The current zoning of the subject site is Non Urban under the provisions of *Interim Development Order No 15*, with a minimum subdivision standard of 100 hectares. The Final Draft Mt Gilead Planning Proposal aims to rezone the subject land predominantly to Zone R2 Low Density Residential under *Draft Campbelltown Local Environmental Plan 2014* (CLEP) to provide for subdivision into approximately 1500 - 1700 residential allotments with a range of allotment sizes from 375m² to 1000m² resulting in an average allotment size of 600m².

The draft zoning map included in the final draft Planning Proposal indicates the proposed zone boundaries for the various land uses. These include, in addition to the proposed R2 Residential zoning, the following:

- Zone RE1 Public Recreation. This zone would include provision for both active (a sports field) and passive open space (bushland), and would also provide for the development of stormwater drainage infrastructure
-

- Zone RU2 Rural Landscape. Land within this zone is proposed to be retained within the ownership of Mount Gilead Pty Ltd, and would also retain the current minimum subdivision standard of 100ha
- Zone B1 Neighbourhood Centre. This zone would provide for the development of community amenities and facilities and also include opportunities for a small retail outlet
- Zone SP2 Infrastructure. Land within this zone is proposed to be acquired by the Roads and Maritime Services for provision of future widening of Appin Road.

In addition to the above zones it is proposed to include further provisions in the draft CLEP as follows:

- To permit within a specific area (known as Area 13) the subdivision of a maximum of 65 residential lots with a minimum area of 375m² provided that there are no more than three lots in a row, they are within 200 metres of a bus route, open space land or neighbourhood centre and are not located on a bus route
- The inclusion of a Terrestrial Biodiversity clause and map which aims to protect and encourage the recovery of significant flora and fauna and their habitats, and to retain and enhance native biodiversity within certain ecologically sensitive land.

Technical Studies

In accordance with the Gateway Determination a number of technical studies have been prepared to inform the final draft Mt Gilead Planning Proposal. The technical studies covered the following matters:

- Flooding and Stormwater Drainage
- Flora and Fauna Assessments
- Bushfire
- Air Quality
- Noise
- Extractive Industries
- Aboriginal Heritage
- Non indigenous Heritage
- Visual Landscape
- Transport and Access
- Social Sustainability
- Infrastructure Servicing
- Agricultural Investigation.

In preparing the above technical studies initial consultation has been undertaken by Council and the proponents with a number of agencies and service authorities including:

- Aboriginal Cultural Groups
 - Roads and Maritime Services
 - Transport for NSW
 - NSW Office of Environment and Heritage
 - NSW Office of Water
 - NSW Rural Fire Service
 - Sydney Water
 - Endeavour Energy
 - Jemena
 - Telstra.
-

Notwithstanding, all relevant government agencies and service authorities would be consulted as part of any public exhibition/consultation process.

Key Planning Issues

Metropolitan Development Program

The NSW State Government's Metropolitan Development Program (MDP) provides for the management of land and housing supply, and assists in infrastructure coordination throughout the State. The subject site is noted in the MDP as having potential for the development of approximately 1500 residential allotments. However, as a result of the information provided within the technical studies it is considered that a maximum of 1700 residential allotments could be considered for development on the subject land.

Fauna Corridor

Council's resolution to endorse this planning proposal also required investigation into the provision of a fauna corridor between the Georges and Nepean Rivers. As such it is proposed to create significant bushland parks and biodiversity corridors that protect natural assets and scenic values, and promote fauna movement through the site from Noorumba Reserve in the north to Beulah Forest in the south and beyond to the Nepean River corridor. Investigations are continuing with regard to providing fauna crossing links over Appin Road from Noorumba Reserve to extend the biodiversity corridor to the Georges River.

Views and Vistas

The heritage listed Mt Gilead homestead, old mill and dam are located west of the land proposed to be rezoned for residential purposes. It is therefore important to ensure that the integrity of these items is respected in any future development. As such it is proposed to provide tree plantings that screen future housing development from the homestead site. It is also proposed to maintain the views from Appin Road along the route of the original driveway to the homestead and to One Tree Hill in the north western corner of the site.

Beulah Biobanking Site

The southern boundary of the site adjoins land at Beulah which has been established as a biobanking site. In recognition of the environmental significance of this biobanking site, an area of 3.5 hectares of public recreation land has been included on the draft zoning map in order to provide a buffer between the Beulah site and proposed future residential development.

Traffic Access

The Mount Gilead Rezoning – Traffic, Transport and Access Study, prepared by specialist engineering consultants Parsons Brinckerhoff, identifies the transport impacts likely to result from the development of approximately 1700 residential allotments at Mt Gilead, and provides measures that will assist in mitigating these impacts.

It is proposed to provide three traffic access roads into the subject site from Appin Road. To accommodate the additional traffic that would result from future development of the subject land, it is proposed to widen Appin Road from two to four lanes from the central access road to the northern boundary of the subject land. In addition two south bound lanes are proposed from the central access road to the southern boundary of the subject site.

It has also been recognised that due to the increase in traffic as a result of this planning proposal, that some of the existing intersections on Appin Road will require upgrading. These include the following:

- Copperfield Drive/Kellerman Drive and Appin Road
- Fitzgibbon Lane/Kellerman Drive and Appin Road
- St Johns Road and Appin Road.

Council has received joint correspondence from Transport for NSW and Roads and Maritime Services advising that they have no objection to the Mt Gilead Planning Proposal being publicly exhibited on the following conditions:

- Development is set back 20 metres from the existing Appin Road western boundary providing for a future road corridor of 40 metres.
- The land required for road widening (of Appin Road) is dedicated at no cost to Government through an appropriate agreement.
- The land required for road widening is shown as SP2 Infrastructure 'Classified Road' on the Mount Gilead Planning Proposal Land Zoning and Land Reservation Acquisition Maps.

As such the planning proposal maps reflect the above conditions, and as Appin Road is classified as a State Road, the proponents are negotiating a voluntary planning agreement with the traffic authorities, which is proposed to include provisions with regard to dedication of land and funding obligations.

However, Council and the community's best interests would be served by the receipt of an assurance that the State Government will provide the necessary resources needed for the widening of Appin Road. The proposed voluntary planning agreement between the traffic authorities and the proponents would ordinarily include an apportionment of funds payable by the proponents for the road works considered attributable to the need that will be generated by the Mt Gilead URA. This is anticipated to be approximately 50% of a total cost of approximately \$20m. However, Council has not received any advice from the State authorities confirming that they would fund the remaining 50%. Without this contribution from the State Government it is understood from discussions with the development's proponents that there is no capacity for the development to remain economically feasible, should the development itself be made responsible for funding what is essentially the regional co-contribution to facilitate the required road and traffic infrastructure.

Council has repeatedly advised the State Government Agencies of its concerns with regard to the funding, timing and staging of the required upgrade works to Appin Road, and has also emphasised the fact that the subject site at Mt Gilead has been listed on the State Government's *Metropolitan Development Program* for many, many years, thus indicating that this site has been known to have development potential which was always likely to be realised at some time. To date Council has not received any reassurance that a shortfall in regional funding will be provided, or that any road work planning for Appin Road has been, or will be, undertaken by TfNSW or RMS to accommodate the development of the Mt Gilead URA in a safe, efficient and acceptable manner. No information has been received which details how the required infrastructure can be delivered, or alternatively how the development could be implemented (eg staging) so that safe and efficient road access along Appin Road could be achieved.

Community Hub

It is recognised that the development of up to 1700 new dwellings with a likely population of 5000 people would create the need for a number of social and recreational facilities and amenities. As such it is proposed to provide not only significant areas of passive open space, but also an integrated community hub that is proposed to include:

- Sporting facilities in the form of a cricket oval, AFL field and separate exercise and play areas
- Amenities building including home and away change rooms
- Community building and provision for a small retail outlet
- Car parking
- Connected biodiversity corridor which is part of the wider network.

Servicing

Water and Wastewater

The proponents' consultants have been working with Sydney Water to determine a strategy for providing water and wastewater services to the subject site. It is proposed that potable water would be provided via the existing Rosemeadow elevated system with additional infrastructure provided within the subject site. Wastewater (sewage) is proposed to be discharged through a connection to the existing Glenfield wastewater transportation system at Rosemeadow.

Electricity

Endeavour Energy has advised that initial electricity supply can be sourced from the Ambarvale zone substation. However, to service approximately 1700 residential allotments it is likely that a new substation would be required within the subject site.

Gas

There is currently no existing gas service in the vicinity of the subject site. However, Jemena has advised that there is sufficient capacity within the existing infrastructure at Rosemeadow to service the development of the site.

Telecommunications

Existing Telstra infrastructure would need to be extended from the north of the subject land via Appin Road. Also initial discussions with the National Broadband Network Co, indicates that the subject site may be eligible for connection to this network.

Draft Mt Gilead Development Control Plan

A draft Mt Gilead Development Control Plan (DCP) has been prepared to identify the planning, design and environmental objectives and controls against which Council would assess future development applications within the Mt Gilead Urban Release Area (URA). It is proposed that the draft Mt Gilead DCP be included within volume 2 of the Campbelltown (Sustainable City) Development Control Plan 2014. The draft DCP has been prepared in consultation with Council officers and is considered worthy of Council's support for the purposes of public exhibition.

Vision and Key Objectives

The draft DCP aims to ensure a high quality residential community set within a rural landscape setting that respects the heritage significance of the Mt Gilead homestead, old mill and dam, Noorumba Reserve and Beulah Forest. The key development objectives are as follows:

- To create an environmentally and socially sustainable residential development that provides housing diversity and choice
- To respect the non-indigenous and Aboriginal heritage significance of the landscape
- To ensure all development achieves a high standard of urban and architectural design
- To maximise opportunities for future residents to access passive and active open space
- To create walkable neighbourhoods with good access to public transport
- To ensure high quality landscaping particularly within streetscapes
- To protect and enhance riparian corridors and significant vegetation including a biodiversity linkage between the Noorumba Reserve and Beulah Forest thus improving connectivity between the Georges and Nepean Rivers.

A copy of the draft Mt Gilead DCP is marked attachment 3.

Draft Voluntary Planning Agreement

The proponents are currently preparing a draft voluntary planning agreement (VPA) for negotiation with Council to ensure that appropriate local infrastructure, to support the development of up to 1700 residential allotments at Mt Gilead, is provided in a timely manner.

The draft VPA is proposed to address the provision of active and passive open space, recreation facilities, community facility, stormwater drainage, certain road works and traffic management facilities.

On completion of the draft VPA a report will be prepared for a future Council meeting advising Council of the contents of the draft VPA and associated infrastructure services delivery strategy (ISDP), and requesting approval for its public exhibition. However, as a draft ISDP has already been prepared, it is considered appropriate to include a copy of this preliminary document within the Planning documentation proposed to be publicly exhibited in support of the Mt Gilead Planning Proposal, for information purposes.

A copy of the draft Mt Gilead ISDP is marked attachment 4.

Conclusion

As outlined in this report, the preparation of all the planning documentation for the rezoning and development of the Mt Gilead URA has been completed. This documentation includes the final draft Mt Gilead Planning Proposal and associated technical studies, and the draft Mt Gilead Development Control Plan.

However, without some indication from TfNSW, RMS or NSW Planning and Environment as to how the delivery of the Appin Road upgrade works (that are not attributable to the developer, and for which Council has no responsibility given the status of Appin Road as a State road) are to be accommodated, community expectations arising from the exhibition of this planning proposal may not be as fully informed as they need to be.

Whilst it is recognised that this issue is of major concern to Council, it is considered that the public exhibition of the planning proposal should be allowed to proceed in the anticipation that the relevant government agencies will respond satisfactorily to Council's concerns prior to a further report being presented to Council as a result of the outcome of the public exhibition period. Council would then be in a position to decide whether to forward a final planning proposal to the Minister for Planning with a request to approve the rezoning of the Mt Gilead URA for residential purposes.

It is therefore recommended that Council endorse the planning documentation for the rezoning of the Mt Gilead URA for public exhibition purposes in accordance with the determination of the Gateway Panel.

Please note that the draft Mt Gilead VPA will be presented to Council for endorsement of its public exhibition at a later meeting once the document has undergone an extensive review. It is anticipated that the progression of the draft Planning Proposal for the Mt Gilead URA can continue in tandem with further work to be undertaken by Council concerning the draft Mt Gilead VPA and infrastructure services delivery strategy.

Officer's Recommendation

1. That Council place the draft Mt Gilead Planning Proposal and associated documentation for public exhibition in accordance with the determination of the Gateway Panel.
2. That Council approve the draft Mt Gilead Development Control Plan as an amendment to the Campbelltown (Sustainable City) Development Control Plan 2014 for public exhibition purposes in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2002*.

Committee Note: Mr Smithers address the Committee.

Motion: (Oates/Kolkman)

1. That Council place the draft Mt Gilead Planning Proposal and associated documentation for public exhibition in accordance with the determination of the Gateway Panel.
 2. That Council write to the Minister for Planning and Minister for Roads Maritime and Freight:
 - a. requesting the Government outline its commitment to the upgrade of Appin Road and other infrastructure relevant to the Mt Gilead proposal
 - b. provide a timetable for the funded delivery of the upgrade of Appin Road and other infrastructure requirements created by the proposal.
-

Amendment: (Rowell/Greiss)

1. That Council place the draft Mt Gilead Planning Proposal, the associated draft Development Control Plan as well as other associated documentation on public exhibition.
2. That Council write to the Minister for Planning and Minister for Roads Maritime and Freight requesting:
 - a. the Government outline its commitment to the upgrade of Appin Road and other infrastructure relevant to the Mt Gilead proposal.
 - b. a timetable be provided for the funded delivery of the upgrade of Appin Road and other infrastructure requirements created by the proposal.

WON and became the Committee's Recommendation.

Voting for the Amendment were Councillors: Greiss, Kolkman, Lound, Matheson and Rowell.

Voting against the Amendment were Councillors: Oates and Thompson.

Committee's Recommendation (Rowell/Greiss)

1. That Council place the draft Mt Gilead Planning Proposal, the associated draft Development Control Plan as well as other associated documentation on public exhibition.
2. That Council write to the Minister for Planning and Minister for Roads Maritime and Freight requesting:
 - a. the Government outline its commitment to the upgrade of Appin Road and other infrastructure relevant to the Mt Gilead proposal.
 - b. a timetable be provided for the funded delivery of the upgrade of Appin Road and other infrastructure requirements created by the proposal.

CARRIED

Voting for the Committee's Recommendation were Councillors: Greiss, Kolkman, Lound, Matheson and Rowell.

Voting against the Committee's Recommendation were Councillors: Oates and Thompson.

Council Meeting 21 April 2015 (Greiss/Rowell)

1. That Council place the draft Mt Gilead Planning Proposal, the associated draft Development Control Plan as well as other associated documentation on public exhibition.
 2. That Council write to the Minister for Planning and Minister for Roads Maritime and Freight requesting:
 - a. the Government outline its commitment to the upgrade of Appin Road and other infrastructure relevant to the Mt Gilead proposal.
 - b. a timetable be provided for the funded delivery of the upgrade of Appin Road and other infrastructure requirements created by the proposal.
 3. That the public exhibition period be extended to 60 days.
-

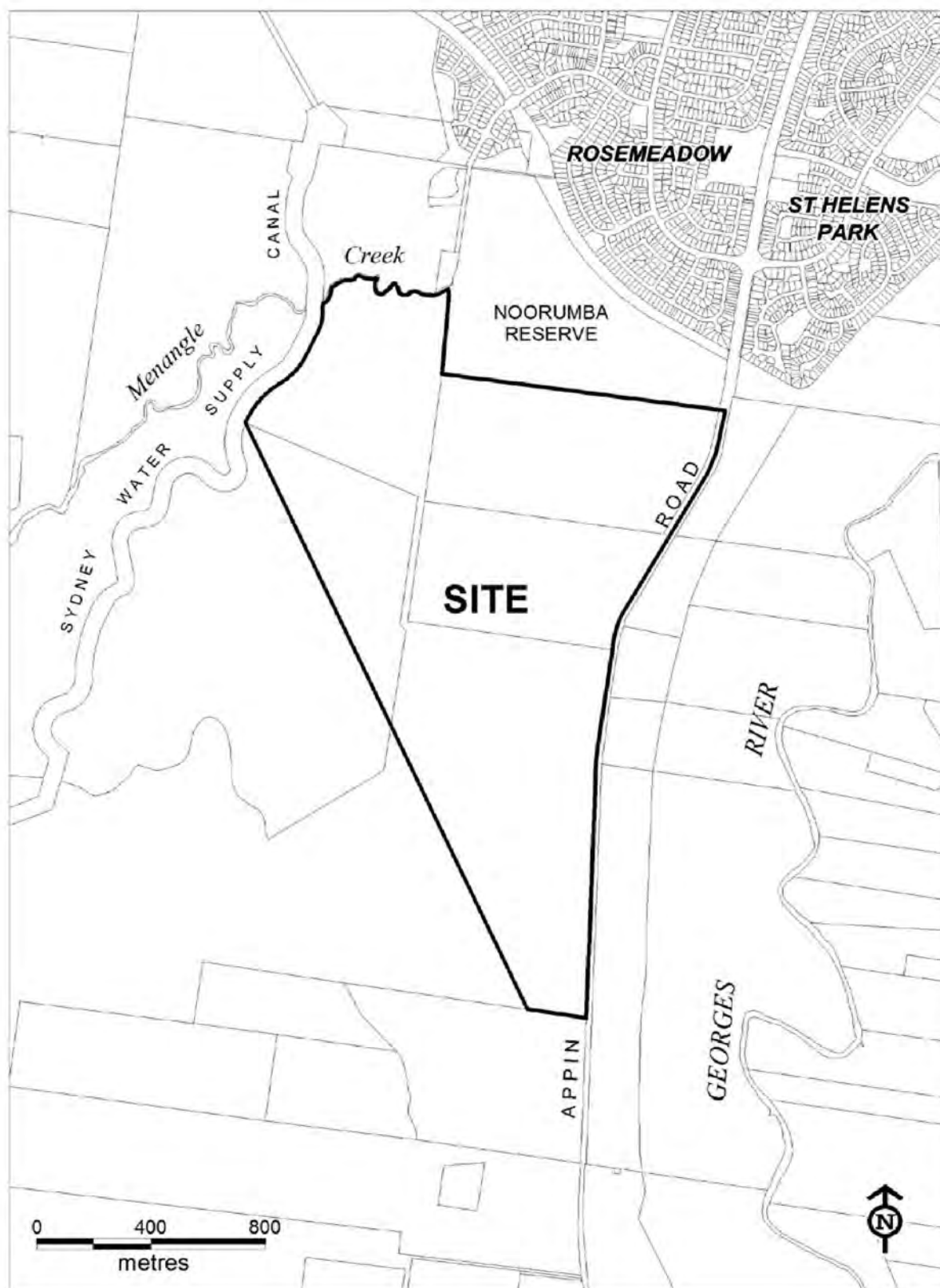
Council Resolution Minute Number 51

1. That Council place the draft Mt Gilead Planning Proposal, the associated draft Development Control Plan as well as other associated documentation on public exhibition.
2. That Council write to the Minister for Planning and Minister for Roads Maritime and Freight requesting:
 - a. the Government outline its commitment to the upgrade of Appin Road and other infrastructure relevant to the Mt Gilead proposal.
 - b. a timetable be provided for the funded delivery of the upgrade of Appin Road and other infrastructure requirements created by the proposal.
3. That the public exhibition period be extended to 60 days.

Voting for the Council Resolution were Councillors: Brticevic, Chanthivong, Glynn, Greiss, Hawker, Kolkman, Lake, Lound, Matheson, Mead, Oates and Rowell.

Voting against the Council Resolution were Councillors: Borg, Dobson and Thompson.

ATTACHMENT 1



ATTACHMENT 2

Mt Gilead Planning Proposal

January 2015

Campbelltown City Council

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MacroPlan Dimasi
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AgEconPlus Consulting
-

1.0 Introduction

1.1 Background

A planning proposal was submitted to Campbelltown City Council (CCC) by Mt Gilead Pty Ltd and S & A Dzwonnik (the landowners) requesting that the land described as Part Lot 1 and Part Lot 2 in DP 807555, and Lots 59 and 61 in DP 752042 at Appin Road, Mt Gilead (the site) be rezoned to predominantly residential land. The proposal accords with NSW government strategic objectives for the release of greenfield land in the Sydney Metropolitan Region for residential development. By logically extending the urban footprint of Campbelltown for future residential development the proposal seeks to enhance and expand housing choice and supply close to the Campbelltown-Macarthur Regional Centre.

This proposal follows CCC's endorsement on 3 July 2012 of a preliminary planning proposal for the site and the subsequent Gateway Determination made by the Director-General of the then Department of Planning and Infrastructure on 7 September 2012 to proceed with a planning proposal subject to conditions (see Gateway Determination at **Appendix A** which includes the Alteration of Gateway Determination to extend the date for completion of the planning proposal until 7 September 2015).

Please note that at the time that the original planning proposal was submitted to Council it was anticipated that the proposed rezoning of the subject land would be effected through an amendment to *Campbelltown (Urban Area) Local Environmental Plan 2002* (CLEP 2002). However, as Council is now in the process of replacing CLEP 2002 with *Campbelltown Local Environmental Plan 2014* (CLEP 2014), this planning proposal has been prepared as an amendment to CLEP 2014.

In his determination, the then Director-General required detailed investigation of a range of issues in support of the rezoning process as well as consultation with various public authorities. In response to the Gateway Determination and CCC's requirements for additional technical studies, the landowners, in consultation with CCC, commissioned a team of expert consultants to prepare detailed assessments of the following planning issues:

- flora and fauna;
- conservation of ecological and riparian corridors
- Aboriginal heritage;
- non-indigenous heritage;
- bushfire risk;
- traffic, transport and access;
- noise;
- air quality;
- contamination;
- geotechnical conditions and mine subsidence;
- infrastructure, stormwater and sewer services;
- visual impact;
- agricultural land impacts;
- economic impacts; and
- social impacts.

This final planning proposal addresses these issues and also establishes the key development standards and planning controls for the Mt Gilead land to inform the proposed local environmental plan amendment.

In addition, an indicative structure plan and site-specific development controls have been prepared for the land to supplement controls in *Campbelltown (Sustainable City) Development Control Plan 2014*. Draft voluntary planning agreements for the delivery of local and regional infrastructure (respectively) will be publicly exhibited in due course.

This planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the guidelines prepared by the Department of Planning and Infrastructure titled "A guide to preparing planning proposals", dated October 2012.

1.2 The Need for the Planning Proposal

The land the subject of this planning proposal has been identified for some time on the former Metropolitan Development Program (MDP) as future greenfield release land. By providing new land use zoning and key development standards for the site, the planning proposal facilitates the strategic outcomes of the MDP and, more currently, the draft *Metropolitan Strategy for Sydney 2031, a Plan for Growing Sydney* and State government policies in relation to housing supply. Furthermore, the planning proposal is consistent with regional, sub-regional and local strategic planning objectives and outcomes (as discussed in **Section 2.0**).

The MDP had set the minimum development yield of the Mt Gilead site at 1500 lots. However, the studies detailed in this planning proposal show that the land and the surrounding road network are capable of accommodating and supporting up to 1700 dwellings. This development yield will incorporate a range of lot sizes (375 square metres to 1000 square metres) with an average area of 600 square metres so providing a variety of housing types to facilitate choice in the Campbelltown local government area (LGA).

By extending the established urban footprint of Campbelltown, the site will not sit as an unconnected, stand-alone residential development. Rather, it expands the existing residential land to the immediate north and will utilise any excess capacity in existing community infrastructure and services such as schools, recreation facilities, shops and the like.

The planning proposal is required to facilitate the above outcomes as the land is currently not zoned for the proposed residential development. The planning proposal seeks to zone the majority of the site to Residential R2 (approximately 149ha), along with smaller areas for open space (approximately 31ha) (including riparian corridors and provision of a sports field), and roads, in accordance with the Standard Instrument – Principal Local Environmental Plan and consistent with draft CLEP 2014. In addition, a small area is intended to be zoned as a neighbourhood centre in order to facilitate the future delivery of a community centre, and approximately 29ha will remain as rural land.

1.3 Council and Stakeholder Involvement

A joint Landowner-Council Working Group was established to advance and oversight the preparation of the planning proposal.

The public will have an opportunity to comment on the proposal during the public notification period.

In accordance with the Gateway Determination, consultation with public authorities under section 56(2)(d) of the EP&A Act will be undertaken by CCC during the exhibition of the planning proposal. Notwithstanding this, the landowners and/or CCC have consulted with the following entities to inform the preparation of the planning proposal:

- Roads and Maritime Services – in relation to traffic and road infrastructure;
- Transport for NSW – in relation to traffic, roads and public transport;
- NSW Office of Water – in relation to drainage and riparian corridors;
- Heritage Office – in relation to non-indigenous heritage (Mt Gilead Homestead and surrounds);
- Aboriginal Groups including Cubbitch Barta and Tharawal Local Aboriginal Land Council – in relation to Aboriginal heritage;
- Rural Fire Service – in relation to bushfire risk management;
- Sydney Water – in relation to water and sewer infrastructure;
- Endeavour Energy – in relation to electricity supply and infrastructure;
- Jemena – in relation to gas supply.

The outcomes of the above consultation are reflected, where relevant, in the appended specialist assessments and in **Section 5.0**

2.0 Strategic Planning Context

The Mt Gilead site is included broadly and specifically in relevant State, regional and local strategic planning documents, and has been identified as contributing to the Government housing targets for the Sydney metropolitan area. The relevant strategic planning framework is discussed below.

2.1 New South Wales 2021: A Plan to Make NSW Number One

NSW 2021: A Plan to Make NSW Number One is a long-term plan to deliver services in NSW, which sets clear priorities to guide government decision-making and resource allocation.

NSW 2021 is based around five strategies to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities. The rezoning of the site for residential uses would be consistent with the strategy in that it could contribute to the aim of improving housing affordability and availability, and assist in facilitating the goal of delivering 25,000 new dwellings per year.

2.2 Metropolitan Strategy

2.2.1 Metropolitan Plan for Sydney 2036

The *Metropolitan Plan for Sydney 2036* aims to provide an integrated planning framework to manage Sydney's growth to 2036. Since its release in December 2010, the strategy has been reviewed and a draft *Metropolitan Strategy for Sydney to 2031* has been released. This draft strategy establishes the most up-to-date strategic framework for Sydney, and is addressed further below.

2.2.2 Draft Metropolitan Strategy for Sydney to 2031

The draft *Metropolitan Strategy for Sydney 2031* was publicly exhibited until 31 May 2013 and was the new strategic plan to guide Sydney's growth, superseding the 2036 Plan. The draft strategy sets the framework for Sydney's growth and prosperity to 2031 and beyond. It has a strong focus on boosting housing and jobs growth, and includes targets and actions to facilitate investment and growth in NSW.

The draft 2031 strategy anticipates that Sydney's population will grow by 1.3 million people by 2031 taking the population to 5.6 million. Notably the number of people over 65 will be double that at present, and there will be more than one million people under 15 years of age. Relevantly, Greater Western Sydney will be home to more than half of Sydney's population.

To drive sustainable growth, the draft strategy is built around five key outcomes for Sydney including balanced growth; a liveable city; productivity and prosperity; a healthy and resilient environment; and accessibility and connectivity. The draft strategy sets employment and housing targets across six subregions and new housing is encouraged in areas close to existing and planned infrastructure in both infill and greenfield sites.

The Campbelltown LGA, in which Mt Gilead is situated, is classified as part of the South West Subregion and Campbelltown–Macarthur is a major centre under this plan servicing the South West Subregion.

Table 1 lists a number of targets contained in the Draft Strategy and relevant to this proposal.

Table 1 – Draft Metropolitan Strategy South West Sydney targets

Area	Current	Target to 2021	Target to 2031
Population	829,000	1,048,000 (218,000)	1,298,000 (469,000)
Housing	286,000	346,000 (60,000)	427,000 (141,000)
Employment	298,000	362,000 (64,000)	432,000 (134,000)

*Brackets denote the increase from existing numbers

More specifically, the Campbelltown-Macarthur Major Centre will continue as the regional focus for office, retail, entertainment, cultural, public administration and services developments, and is projected to provide capacity for at least an additional 10,000 jobs until 2031.

The planning proposal is consistent with, and directly supports, the strategic objectives of the draft Metropolitan Strategy in relation to boosting housing supply, and indirectly in facilitating jobs growth in the South West Subregion.

2.2.3 Draft South West Subregional Strategy

The draft *South West Subregional Strategy* (SWSS) is applicable to the Campbelltown LGA and sets actions for the subregion to ensure local delivery of the objectives set out within the *Metropolitan Plan for Sydney to 2036*. The proposal is consistent with several of the key directions in the draft SWSS in that:

- it will unlock land for the development of residential dwellings, directly contributing to the growth of housing in the South West subregion;
- it will support the provision of dwellings in the vicinity of new centres identified in the South West subregion such as the Campbelltown centre; and
- it recognises and respects the rural character of the subregion through limiting the extent of the proposed residential zoning.

2.2.4 A Plan for Growing Sydney

The draft *Metropolitan Strategy for Sydney to 2031* has been finalised in the strategy document *A Plan for Growing Sydney* which was released in December 2014. Campbelltown-Macarthur is now recognised in this strategy as one of three Regional City Centres outside of the Sydney and Parramatta Central Business Districts.

To achieve the vision for Sydney to be a strong global city *A Plan for Growing Sydney* has set the following goals:

- a competitive economy with world-class services and transport;
- a city of housing choice with homes that meet our needs and lifestyles;
- a great place to live with communities that are strong, healthy and well connected; and
- a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

It is considered that the proposal is consistent with these goals particularly with regard to assisting in the delivery of new housing to meet the needs of Sydney's growing population. It is noted that the subject site at Mt Gilead is included in the land defined as the Macarthur South Investigation Area. However, it is assumed that as a Gateway determination has been given for the subject site, it is only included in this investigation area as a component to be considered in the overall assessment proposed to be undertaken for the Macarthur South Area.

2.3 Campbelltown Council Strategic Policies

2.3.1 Campbelltown 2025 – Looking Forward

Campbelltown City Council has adopted *Campbelltown 2025 – Looking Forward*, an overarching planning strategy that sets social, environmental and economic foundations for the growth of the LGA. The document articulates a vision to provide a sustainable city by 2025, and sets out six strategic directions which include desired outcomes and focus areas that will need to be considered in future development within Campbelltown. The proposal's consistency with these strategic directions is explored below.

Growing the Regional City

This focus area sets out a vision to ensure a sustainable future for Campbelltown city as a strong regional centre with regional facilities and employment opportunities. By supplying a range of residential lots, on average 600 square metres in area, development of the Mt Gilead site can make Campbelltown more attractive for people seeking employment in the area, so encouraging growth and investment in new enterprises and infrastructure.

Building a Distinctive Campbelltown Sense of Place

Campbelltown is to grow into a place that is distinctive in terms of natural and built environment, offering residents a relaxed, safe and scenic environment. The proposal at Mt Gilead will facilitate a community that will have high civic pride with a built form that responds and capitalises on the site's natural landscape features. The future community should contain an ambience of growth, prosperity and contemporary style.

Getting Around the City

The development of the city is to be planned and integrated around transport needs. Future planning is to increase opportunities for accessibility and reduce the need for private cars with increased use of existing public transportation within the city. Mt Gilead will be linked by bus to Campbelltown City Centre, ensuring that accessibility is created to an existing activity node.

Building and Maintaining Quality Infrastructure

New development is to satisfy its own infrastructure requirements by means of direct provision on site or contributing proportionately to the broader infrastructure upgrades by Council. The site is capable of being serviced to support the incoming community.

Creating Education, Employment and Entrepreneurial Opportunities

The city's vision is to retain and create jobs to grow the supply of skilled and adaptable workers within the city. By catering for the mid to upper end of the housing market, Mt Gilead can facilitate the city's growth in professional and business jobs.

2.3.2 Campbelltown Local Planning Strategy

The *Campbelltown Local Planning Strategy* (CLPS) is a background document which informed the preparation of the draft *Campbelltown Local Environmental Plan 2014*. The aim of the CLPS is to provide a strategic land use planning direction to deliver the strategic vision documented in *Campbelltown 2025 - Looking Forward*. It also acknowledges the growth targets within the draft *South West Subregional Strategy* (SWSS) and establishes a basis for achieving those targets.

Specifically it refers to the potential of the Mt Gilead site as an area that could be developed to assist in meeting the 4,700 'greenfield' dwelling target nominated in the draft SWSS for the Campbelltown LGA.

2.3.3 Campbelltown Residential Development Strategy

The *Campbelltown Residential Development Strategy* (CRDS) seeks to identify dwelling opportunities to address the projected population growth of the Campbelltown LGA, and has thus provided valuable input into the preparation of the CLPS. The CRDS seeks to manage the anticipated future residential growth required for the Campbelltown LGA through the forms of both 'infill' and 'greenfield' development. It further notes that the Mt Gilead site could provide a potential yield of 1,500 dwellings.

2.4 Residential Land Supply

Metropolitan Development Program

The *Metropolitan Development Program* (MDP) was a key NSW Government program to maintain housing supply in the Sydney metropolitan region, and its main function was to manage land supply to meet new housing needs from urban renewal and greenfield sites in Sydney. The program rolled forward annually and included assessing future land supply to meet housing needs, and maintaining housing and land supply databases. The MDP identified the Mt Gilead site as greenfield release land that was yet to be zoned.

Currently, monitoring of supply of new home sites to accommodate Sydney's growing population is reported via MDP reports which provide up to date information on greenfield land and dwelling supply.

The land at Mt Gilead the subject of this planning proposal is the same as that originally identified for release under the then MDP.

Supply of housing in Campbelltown

The Department of Planning and Environment released updated population projections in June 2014. These projections identified that Greater Sydney requires one million more homes by 2031 to house Sydney's growing population. The Campbelltown LGA is expected to grow at a rate of 1.8% per annum,

with an increase in population of 64,600 (42.7%) between 2011 and 2031. An additional 24,846 homes will be needed in Campbelltown by 2031 to accommodate the expected population increase¹ (2014 NSW Population Projections data, Department of Planning and Environment).

As discussed above, Campbelltown-Macarthur is now a Regional City Centre. It is understood that, accordingly, CCC wishes to stimulate and broaden the area's economic base and range of business opportunities. A limitation in housing choice could limit the attractiveness of the Campbelltown area as a place to live for professional and business people. The proposed range in lot sizes at Mt Gilead could help redress this issue, so contributing to the growth of Campbelltown-Macarthur as a Regional City Centre.

¹ Expected population increase divided by the average Sydney household size.

Source: Cox Richardson

Figure 2 – Map indicating the current zoning of the subject site

3.4 Location and Context

The Mt Gilead site, as defined by the MDP, is located in the Campbelltown LGA approximately 7 kilometres south of the Campbelltown city centre. Mt Gilead covers a total area of approximately 210 hectares, part of which is the long-established Mt Gilead rural property (see **Figure 3**).



Figure 3 – Aerial photograph of the site

Source: Cox Richardson

The site is immediately bounded by:

- Appin Road to the east;
- Noorumba Reserve and Non-Urban land to the north;
- the Sydney Water Supply Canal (the Upper Canal) in the north west;
- rural land to the west and the associated Mt Gilead Homestead, Old Mill and the Artificial Lake all of which date back to the early construction and use of the Mt Gilead estate; and
- part of the Beulah Biobanking Reserve/ Humewood Forest to the south.

Access to the respective landholdings is from Appin Road.

More broadly, the surrounding locality includes (see **Figure 4** to **Figure 7**):

- the low density residential suburbs of Rosemeadow and St Helens Park (including the Gilead Retirement Village) located around one kilometre to the north;
- the M31 motorway (previously known as the M5) beyond the Mt Gilead Homestead and farm to the west;
- the Nepean River about 2 kilometres to the west of the Mt Gilead Homestead;
- a number of rural land parcels along the eastern side of Appin Road adjoining the Dharawal State Conservation Area located south east of the site;
- the Georges River approximately one kilometre to the east of Appin Road; and
- the Beulah Estate and rural residential land further to the south.

Figures 5 to 7 illustrate the surrounding locality.



Figure 4 – Site context

Source: Cox Richardson



Figure 5 – Beulah Bio-banking Reserve/Humewood Forest to the south of the site



Figure 6 – The Old Mill with Mt Gilead farm manager's house in the foreground



Figure 7 – Mt Gilead outbuildings (former coach house)

3.4.1 Relationship to Surrounding Development

The urban areas to the north of the site are predominately residential, forming the southern extent of residential development in Campbelltown. This land is generally categorised by low density, single dwelling development, while the non-urban zoned land to the immediate north and north-west of the site has been developed for seniors living. As the Mt Gilead site is located less than 1km to the south of the above development, the proposed rezoning will provide a logical addition to the residential area.

The Noorumba Reserve which part forms the northern boundary of the site is a significant local natural resource in that it contains Cumberland Plain Woodland including 39 plant species of regional significance.

3.5 Site Characteristics

Located within a semi-urban area, the site has historically been used for agricultural purposes and thus contains cleared paddocks with improved pastures. Pockets of residual vegetation are located along drainage lines and steeper slopes. The site comprises remnant and degraded native vegetation and exotic pastures.

There are no buildings or other improvements on the land, other than a number of farm dams, fencing and a track to the Mt Gilead homestead. The land is currently approximately 95% cleared for grazing and is currently used for cattle production (see **Figures 8 to 11**).



Figure 8 – Pasture land



Figure 9 – Access to the Mt Gilead property from Appin Road



Figure 10 – Looking west at constructed dam towards the middle of the site



Figure 11 – North-west boundary and the highest point of the site looking north-west

3.5.1 Topography and Drainage Corridors

Topographically, the majority of the site is generally undulating and consists of gentle rises, rounded crests and ridges with slopes generally less than 5 degrees (see **Figure 12**). The land generally slopes north-west into a shallow valley at the foot of the ridge line in the north-west. The ridge line has a hill with steeper gradients up to 25 degrees.

There are several surface water features on the site consisting of small farm dams and drainage channels. The major drainage channels are:

- a steep gully to the north-west trending north and a shallow gully to the north-east trending north which form part of the Menangle Creek Catchment; and
 - a shallow gully to the south-west trending north-west that forms part of the Woodhouse catchment and eventually flows out to the Nepean River.
-

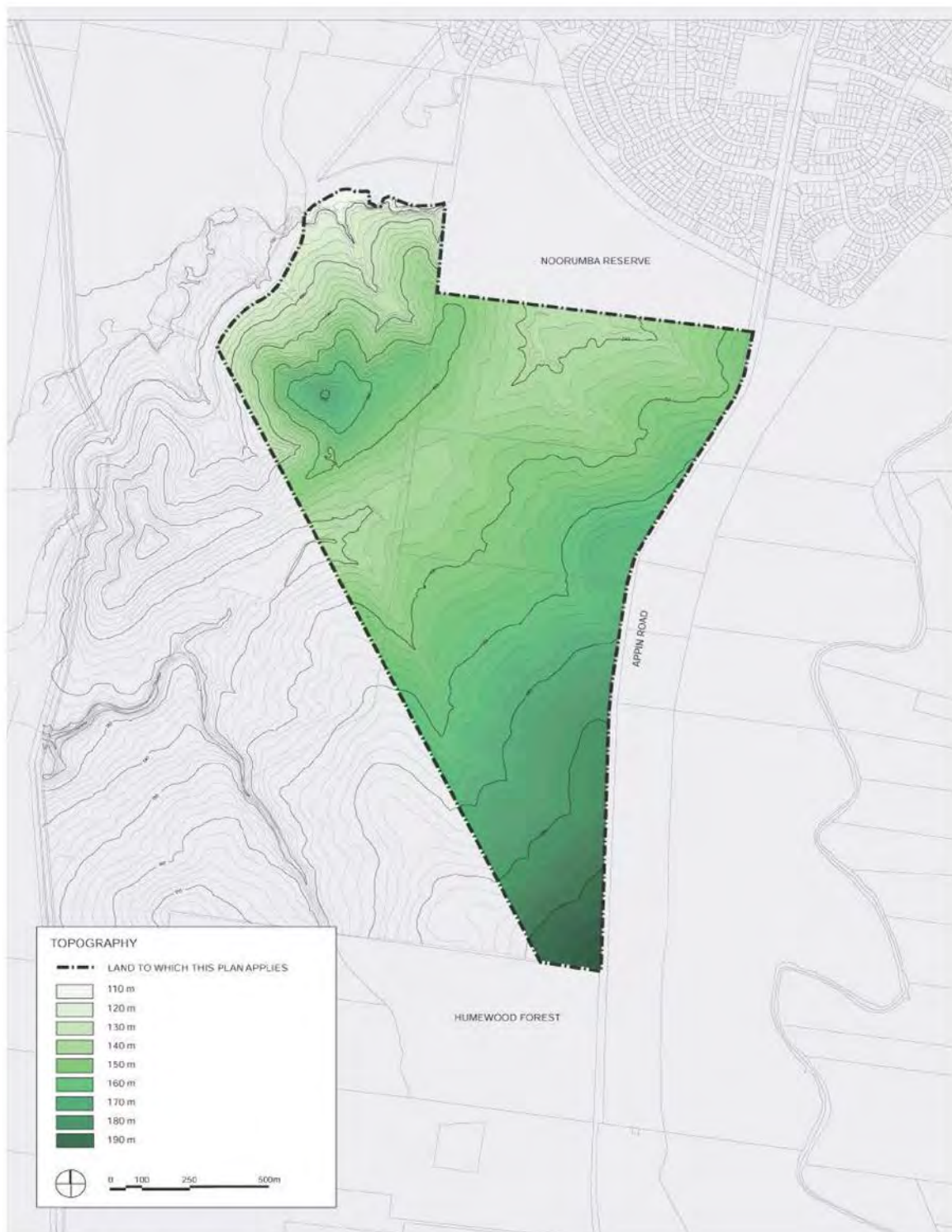


Figure 12 – Topography of the site

Source: Cox Richardson

3.5.2 Flora and Fauna

Essentially agricultural land, the site has a long history of grazing, pasture improvement and weed invasion. Eco Logical Australia has surveyed and described the existing flora and fauna on the site (see Ecological Assessment Report at **Appendix F**).

A total of 154 flora species were identified on the site, comprising 67 native and 87 introduced species; and no threatened flora was recorded during field surveys. The site contains three native vegetation communities:

- Cumberland Plain Woodland – a Critically Endangered Ecological Community under both Commonwealth and NSW legislation, with three localised clumps located along the northern and western borders of the site.
- Shale Sandstone Transition Forest – a Critically Endangered Ecological Community (EEC) under both Commonwealth and NSW legislation, and represented by two pockets in the middle of the site.
- River-flat Eucalypt Forest – listed as an EEC under NSW legislation, and represented by a small patch in the north western corner of the site.

In relation to avifauna, a total of 58 bird species were recorded on the site, including one vulnerable and one migratory species. Few native mammals were identified during field surveys - 13 native bat species including six vulnerable species and a lone wallaby. Domestic livestock graze throughout the site.

These matters are discussed further in **Section 5.1** of this report.

3.5.3 Geology and Soils

The site is underlain by the Triassic Ashfield Shale of the Wianamatta Group deposited over the Hawkesbury Sandstone. In general there are only limited bedrock outcrops across this area, with shale underlying the northern portion of the site and sandstone the southern portion of the site (refer to URS report at **Appendix G**).

The area is covered by Blacktown group soils derived from Wianamatta Shale, ranging from shallow to moderately deep Red Podzolic Soils and Brown Podzolic Soils on crests, upper slopes and well drained areas, to deep Yellow Podzolic Soils and Soloths on the lower slope and in the drainage depressions and areas of poor drainage. Soils derived from Wianamatta Shale will generally exhibit a subsoil profile of moderately reactive high plasticity clay.

The site is considered to present a very low risk of Potential Acid Sulphate Soils (PASS).

In terms of salinity, the local soil types are expected to yield negligible salinity.

3.5.4 Geotechnical Observations

In general, the site was found by URS to have no significant observable geohazards. Although, several areas of potential hazard were identified, in general the overall stability of the site was considered good with only surficial soils instabilities on the steeper northern area and minor rock fall potential localised to the former quarry (URS, **Appendix G**).

3.5.5 Heritage

Non-indigenous Heritage

A number of non-indigenous heritage items are located in close proximity to, or abutting, the site. These are:

- The Sydney Water Supply Upper Canal System, also known as the Upper Canal, forms the north-western boundary of the site. It is listed on the NSW State Heritage Register.
 - The Mt Gilead Homestead and surrounding buildings and structures, including the Old Mill are outside of, but in close proximity to, the site to the west. The Homestead group is a local heritage item listed in Campbelltown IDO No 15 and on the Register of the National Trust of Australia (NSW). A small part of the Artificial Lake (dam), which is part of the group, is located on the site.
-

- The Beulah Estate lies approximately 0.5 to one kilometre to the south of the site. Beulah, a cultural landscape containing early colonial structures and an important garden layout, is listed on the State Heritage Register. It is shielded from the site by bushland in the Beulah Biobanking area.
- The Humewood Forest lies to the immediate south of the site and is part of the Beulah Biobanking area. Humewood, a stand of trees associated with the former home of the Hume family (see Meadowvale below), is a local heritage item listed in IDO 15 and is significant because of the landscape value of its vegetation.
- Meadowvale (formerly known as Humewood) is situated south of the Beulah Biobanking bushland. Meadowvale, a house with colonial characteristics and a local heritage item listed in IDO 15, stands on the original land grant made to Andrew Hume, the colonial explorer of NSW.

In addition to the above, the archaeological remnants of the early Hillsborough homestead, located within the site, is considered to have local significance but is not listed in any statutory instrument.

Indigenous Heritage

There are twelve items of indigenous significance located on the site, comprising three artefact scatters; two isolated finds; one modified tree; and six Potential Archaeological Deposits.

3.6 Site Opportunities and Constraints

In summary, from the foregoing examination the site presents a number of opportunities and constraints for future residential development - as follows and as illustrated in **Figure 13**

- Opportunities:
 - Close to physical, social and employment infrastructure in the Campbelltown City Centre;
 - Identified as a greenfield land release area within the Metropolitan Development Program;
 - Has sufficient area for provision of open space and community facilities;
 - Provides potential for views and vistas in a rural setting;
 - Largely cleared of vegetation;
 - Retained existing vegetation creates opportunities for biodiversity corridors;
 - Land generally level or gently undulating;
 - No geotechnical or geological issues.
 - Constraints;
 - Steep slope in the north west corner of the site;
 - Drainage lines traverse the site;
 - Proximity to heritage items.
-

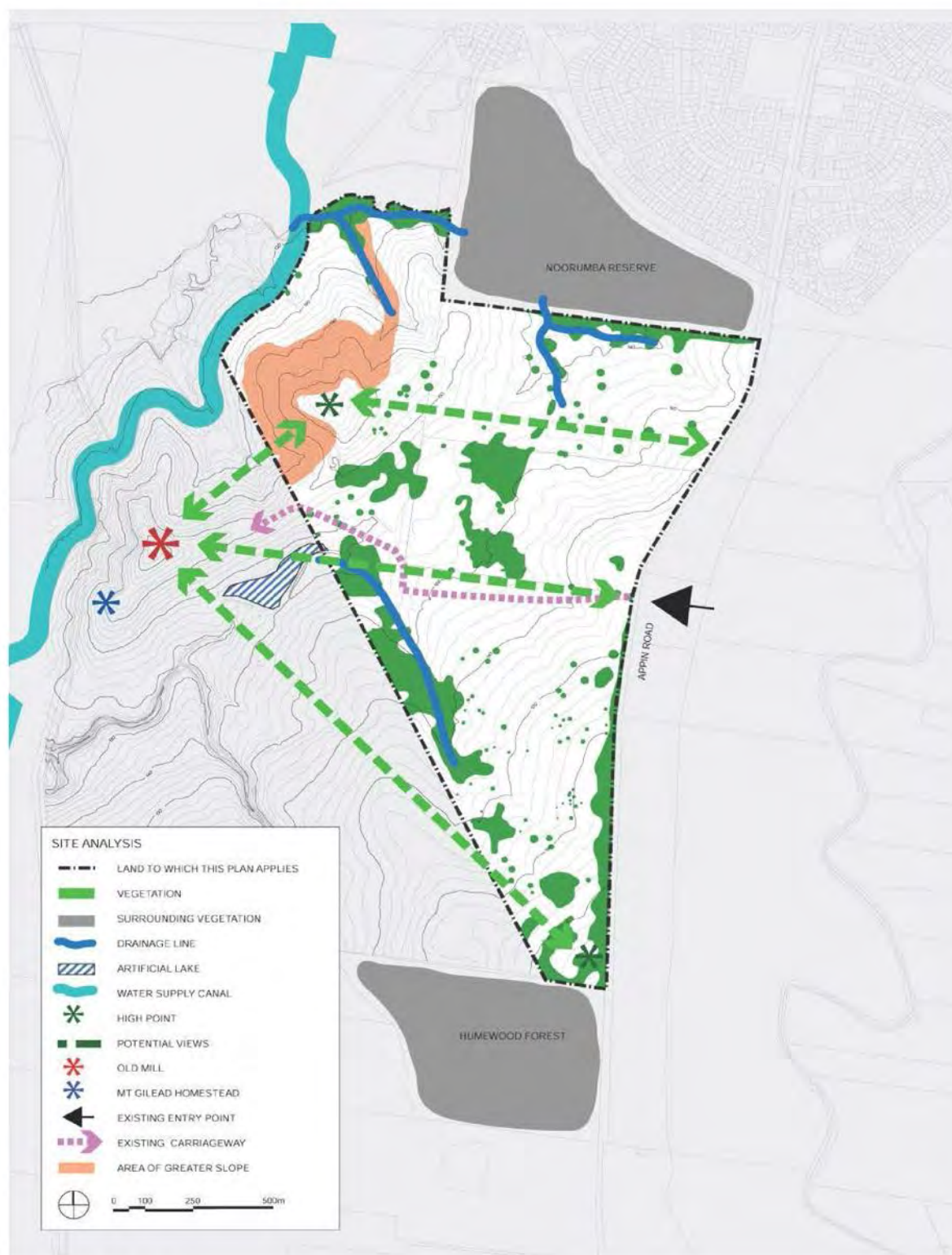


Figure 13 – Site Analysis

Source: Cox Richardson

4.0 Planning Proposal

This planning proposal has been prepared in accordance with the *A guide to preparing planning proposals* (Department of Planning & Infrastructure, October 2012) and in accordance with Section 55(2) of the EP&A Act.

4.1 Objectives and Intended Outcomes

The primary outcome of the planning proposal is residential development of the 210 ha Mt Gilead site in close proximity to the social and community assets within the Campbelltown LGA that respects the heritage and ecological significance of adjoining land.

The objectives of the planning proposal are to:

- Permit low density residential development supported by public open space and community facilities, including a small retail centre.
- Protect environmentally sensitive land and provide an environmental bushland corridor that links the Noorumba Reserve with the Beulah biobanking site and the Nepean River corridor.
- Respect the heritage significance of the Mount Gilead homestead site including the outbuildings, mill and dam and their setting.
- Respect the environmental significance of the Beulah biobanking site.
- Reserve land for acquisition by Roads and Maritime Services for future road infrastructure (widening of Appin Road).
- Increase the supply of housing within the Campbelltown LGA with the addition of up to 1700 new dwellings.

4.2 Explanation of Provisions

The proposed outcome will be achieved by:

- Amending draft *Campbelltown Local Environmental Plan 2014* (CLEP 2014) prior to it being made, or if it is made before this planning proposal is finalised, by amending the new CLEP 2014.
- Adopting the provisions within draft CLEP 2014.
- Including a number of local provisions in relation to minimum lot size and protection of terrestrial biodiversity as explained below.

4.2.1 Land to which the Plan will Apply

The planning proposal applies to the land at Appin Road, Gilead, in the Campbelltown LGA, known as Part Lot 1 DP 807555, Part Lot 2 DP 807555, Lot 59 DP 752042 and Lot 61 DP 752042 (see **Figure 14**).

4.2.2 Relationship to Existing Local Planning Instruments

The land to which this planning proposal applies falls within the provisions of the *City of Campbelltown Interim Development Order No. 15* (IDO 15), which has been identified as a deferred matter within draft CLEP 2014. The planning proposal will be either a post exhibition amendment of draft CLEP 2014, or the first amendment to the new CLEP 2014.

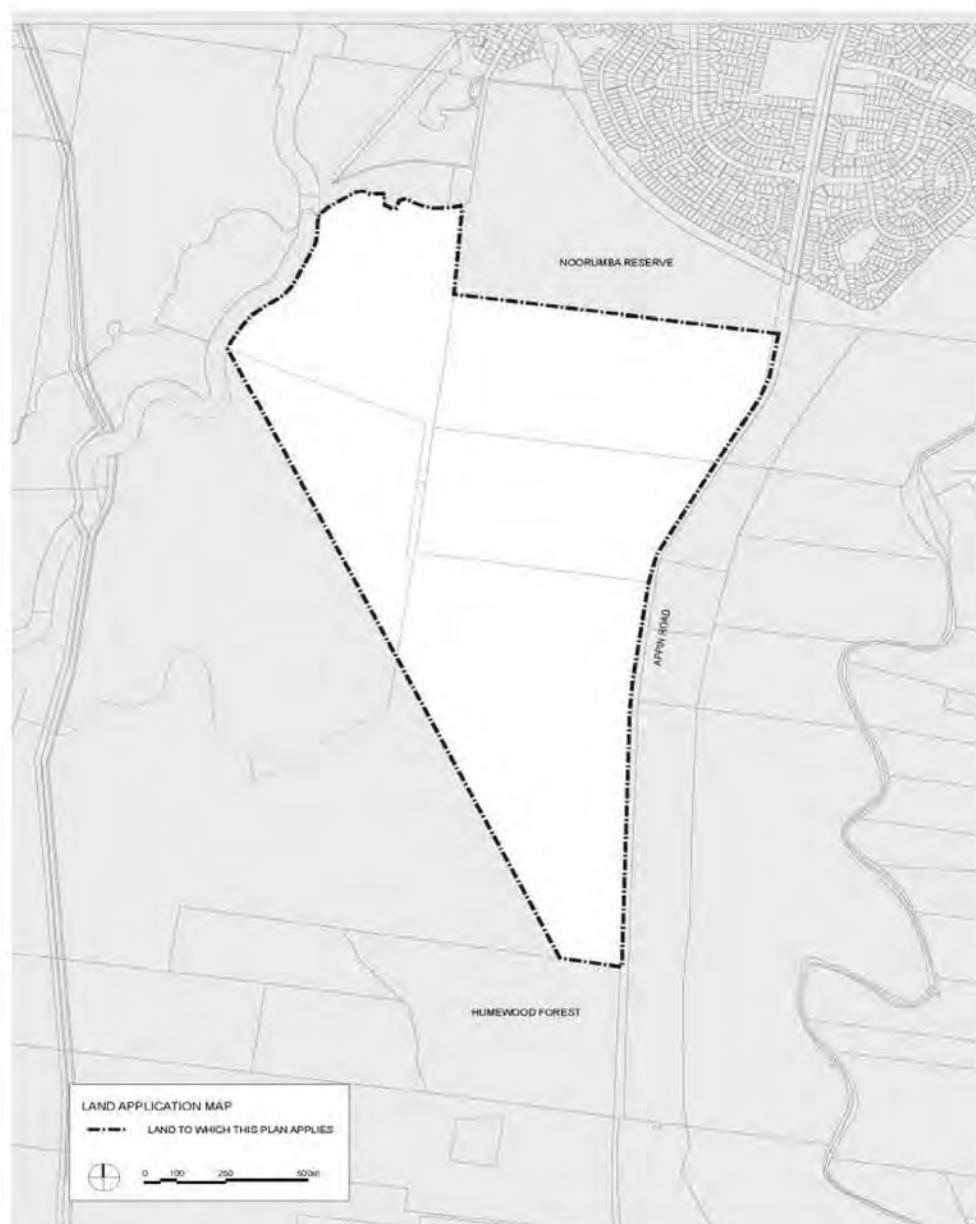


Figure 14 – Land to which the planning proposal applies

4.2.3 Land Use Zones

The Mt Gilead site is proposed to be zoned (in accordance with the Standard Template) as follows:

- R2 Low Density Residential;
- RU2 Rural Landscape;
- B1 Neighbourhood Centre;
- RE1 Public Recreation;
- SP2 Infrastructure.

The proposed zoning is shown on the Land Zoning Map appended at **Appendix B** and illustrated in **Figure 15**

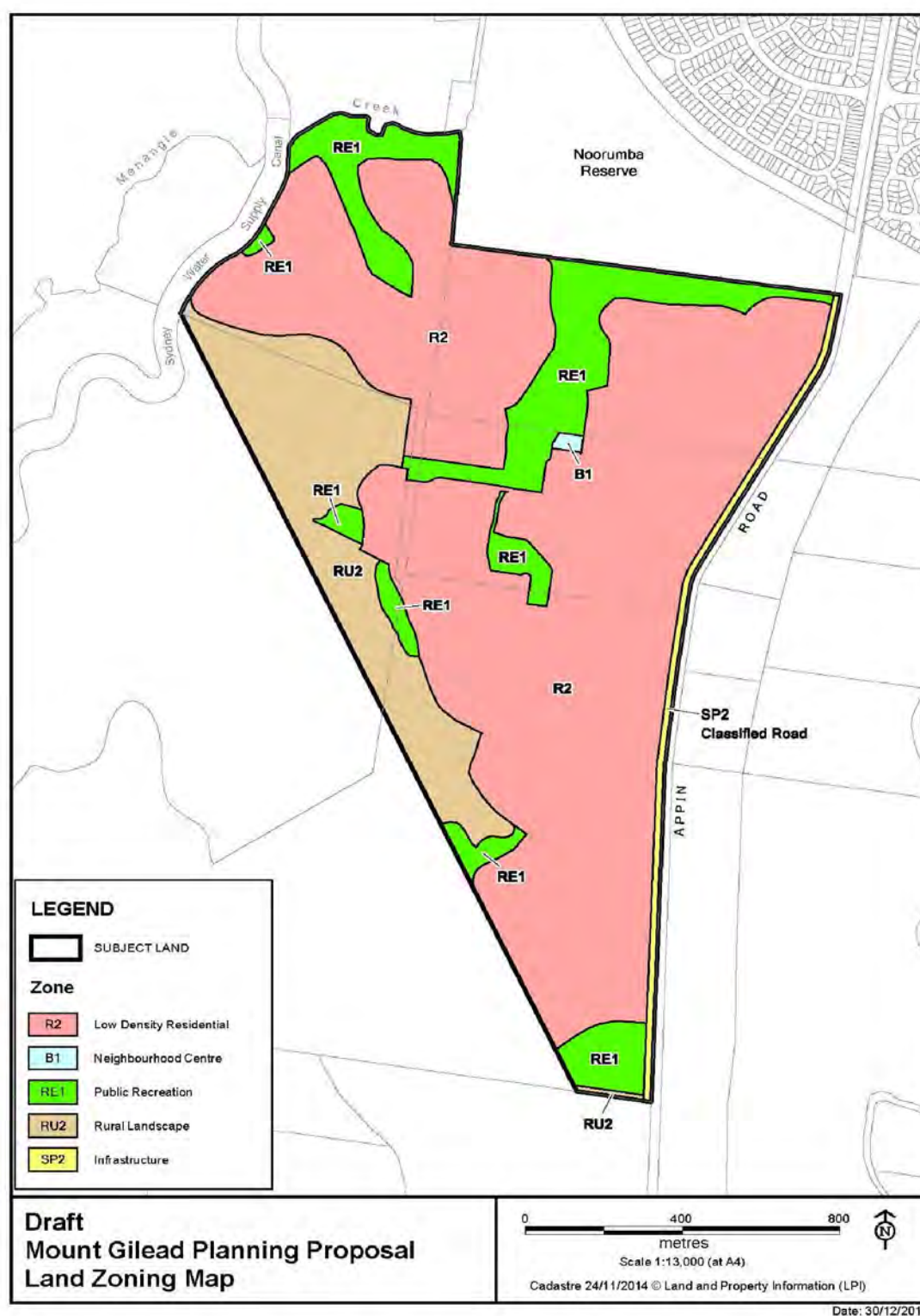


Figure 15 – Proposed zoning

4.2.4 Proposed Provisions

It is proposed that all the provisions within draft CLEP 2014, including proposed land uses, will apply to the land the subject of this planning proposal. It is further proposed that additional provisions be inserted into the CLEP 2014 in order to:

- enable an exception to the minimum lot size; and
- maximise the retention and enhancement of native biodiversity.

Minimum subdivision lot size

It is proposed to include an additional clause to permit lot sizes smaller than the minimum in recognition of the need for greater housing choice within the Sydney Metropolitan Region.

In order to provide a range of dwelling sizes and types to suit the diverse needs of the incoming population, it is intended that in specific circumstances subdivision to allow lots less than 450 square metres in area, but with a minimum area of 375 square metres. This provision applies to a small area of land in the centre of the site (shown as Area 13 on the Lot Size Map appended at **Appendix B**) and is subject to the resultant lot(s) satisfying all of the following conditions:

- the lot(s) being for the purpose of a single dwelling; and
- there being no more than three lots less than 450 square metres in area contiguous with each other on a street; and
- the lot(s) not being located on a bus route; and
- the lots(s) being within 200 metres of a bus route, the community hub or open space area.

In addition, the maximum number of lots less than 450 square metres able to be created is capped at 65. The proposed provision, to be inserted into clause 4.1A of the draft CLEP 2014, is appended at **Appendix C**.

Terrestrial Biodiversity

In order to protect and encourage the recovery of significant flora and fauna and their habitats, and retain and enhance native biodiversity, it is intended that some ecologically sensitive land proposed to be zoned RE1 and RU2 receives special protection. A clause to this effect, titled Terrestrial Biodiversity, is to be incorporated in 'Part 7 - Additional Local Provisions' of the draft CLEP 2014, and is appended at **Appendix C**. The relevant land is identified on the Terrestrial Biodiversity Map and is appended at **Appendix B**.

4.2.5 Key Development Standards

The proposed development standards that will apply to the Mt Gilead land are generally consistent with those applying across the rest of the Campbelltown LGA as set out in draft CLEP 2014 and shown on the maps in **Appendix B** and are as follows:

- R2 Low Density Residential
 - Minimum lot sizes – 450 square metres; 500 square metres; and 700 square metres.
 - Maximum building height – 8.5 metres. Note a small area is restricted to 6 metres to protect views from the Mt Gilead Homestead site.
 - Maximum floor space ratio – 0.55:1
 - RU2 Rural Landscape
 - Minimum lot size – 100ha
 - Maximum building height – 9 metres
 - B1 Neighbourhood Centre
 - Maximum building height – 9 metres
-

4.3 Justification

The matters justifying this planning proposal, as required by *A guide to preparing planning proposals*, are covered in Section 6 of this report.

4.4 Mapping

The land to which this planning proposal applies is illustrated in **Figure 14** above and on the maps located at **Appendix B**.

LEP maps

The following draft LEP maps are included with this planning proposal and are attached at **Appendix B**:

- Land Zoning Map
- Lot Size Map;
- Height of Buildings Map;
- Floor Space Ratio Map;
- Land Acquisition Reservation Map;
- Terrestrial Biodiversity Map; and
- Heritage Map.

4.5 Additional Development Controls

4.5.1 Campbelltown (Sustainable City) Development Control Plan 2014

To support the planning proposal and to reflect the special characteristics of the Mt Gilead site, an amendment to *Campbelltown (Sustainable City) Development Control Plan 2014* (DCP) is proposed. The amendment (see **Appendix D**), to be incorporated as Part 4 in Volume 2 of the DCP, sets the vision and key development objectives for Mt Gilead, and provides additional site specific development principles and controls in relation to:

- heritage protection;
- protection of key views;
- the street network and public transport;
- open space and landscaping;
- residential subdivision; and
- residential development.

4.5.2 Indicative Site Structure Plan

The DCP amendment incorporates an Indicative Site Structure Plan as well as a section covering the proposed landscape palette for Mt Gilead, including street trees.

The Indicative Site Structure Plan, shown in **Figure 16** and appended at **Appendix D** has been developed to support the planning proposal and provide a framework for the future subdivision and development of the Mt Gilead site. The plan shows:

- the indicative layout of roads, including the proposed main bus route through the site;
- transport access points off Appin Road;
- the distribution of public open space and the indicative location of detention basins;
- the location of riparian corridors; and
- the general location for a future sports field and neighbourhood centre.

4.6 Community Consultation

It is proposed that the community will be consulted regarding the planning proposal during the formal statutory notification and exhibition period.

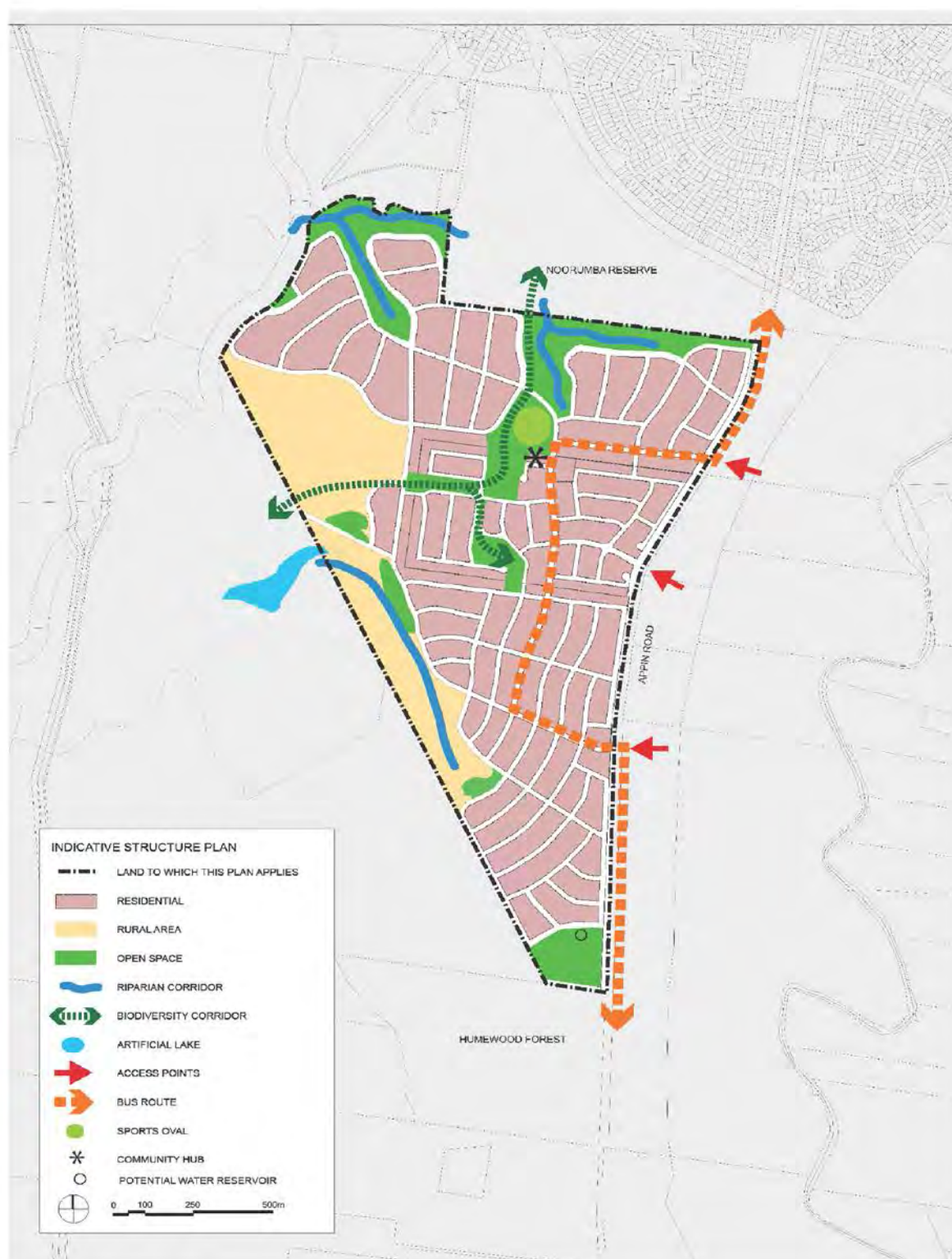


Figure 16 – Indicative Site Structure Plan

Source: Cox Richardson

5.0 Key Planning Issues

This section of the report addresses the planning issues listed for assessment in the Gateway Determination (see **Appendix A**) and further augmented by CCC's requirements for additional technical studies. The detailed technical reports are appended to this report.

5.1 Ecology

The site and its surrounds currently contains areas of native vegetation and exotic pastures. As such, Eco Logical Australia has prepared a detailed Ecological Assessment Report for the planning proposal (refer **Appendix F**). This report identifies the existing site conditions and provides an assessment of the acceptability of rezoning the land for residential purposes. The following is a summary of the key issues.

5.1.1 Fauna

Context

A total of 58 bird species (including three introduced species) were recorded on the site during bird census and opportunistic observations, including one vulnerable species, *Glossopsitta pusilla*, and one migratory species, *Ardea ibis*. No evidence of nocturnal bird activity was found.

During site surveys 13 microbat species were identified. A single Swamp wallaby - *Wallabia bicolor* - was observed along the eastern boundary adjacent to native vegetation. Domestic livestock, (cows and ponies) were grazing on the site and one feral mammal, the European fox, was recorded.

No koalas were identified on the site.

Issues and Assessment

Seven threatened fauna species and one migratory species were identified on site. Potential habitat for hollow dependant bat species was also identified in the form of hollow bearing trees. Eco Logical Australia has recommended that these trees should be retained where possible. No other potential habitat areas were identified as substantial.

While no koalas were identified on the site, some scattered koala habitat trees - *Corymbia maculata* and *Eucalyptus crebra* - are present. Importantly, the coverage of potential koala habitat trees does not exceed the 15% threshold under *State Environmental Planning Policy No 44—Koala Habitat Protection* (SEPP 44) and therefore the site is not classified as potential koala habitat. Despite this, Eco Logical recommends that these trees should be retained where possible, and management plans should be developed to reduce the impact of domestic pets on koalas in the surrounding area.

Eco Logical has confirmed that the rezoning of the site will not have any adverse impact on existing fauna species. There is limited fauna habitat, but where scattered hollow trees do occur, they should be retained if possible.

Planning Proposal Response

It is considered that the proposed rezoning of the subject site will not have any adverse impacts on threatened or endangered fauna species. The future design of residential development on the site – as shown in the Indicative Site Structure Plan incorporates the retention of potential fauna habitat trees.

5.1.2 Flora

Context

The site comprises both remnant and degraded native vegetation and exotic pastures, and three native vegetation communities are located within the boundaries of the site:

- Cumberland Plain Woodland (CPW) – 9 hectares;
 - Shale Sandstone Transition Forest (SSTF) – 24.5 hectares; and
 - River-flat Eucalypt Forest (RFEF) – one (1) hectare.
-

CPW is listed as a critically endangered ecological community (CEEC) under both the Commonwealth *Environment Protection & Biodiversity Conservation Act 1999* (EPBC Act) and the *NSW Threatened Species Conservation Act 1995* (TSC Act). SSTF is also listed as a critically endangered ecological community (EEC) under both these Acts, and RFEF is listed as endangered under the TSC Act. A detailed description of the existing flora within, and surrounding the site, is provided in the Ecological Assessment Report at **Appendix F**.

Issues and Assessment

A total of 154 flora species were identified within the site including 67 native and 87 introduced species. Nine weed species listed as noxious in the Campbelltown LGA and four Weeds of National Significance were identified on the site. No threatened flora was recorded.

The proposed rezoning of land does not trigger any particular mechanisms of the TSC Act. Matters relating to threatened species, endangered populations and endangered ecological communities are typically considered in the plan-making stage to ensure subsequent development can be undertaken without having a significant impact on these matters. If a development is likely to have a significant impact on these matters, a Species Impact Statement (SIS) must be prepared and submitted with the development application.

An alternative approach is Biodiversity Certification which removes the need to undertake a SIS with a development application. To provide the option of Biodiversity Certification, an assessment consistent with the Biodiversity Certification Assessment Methodology (BCAM) was undertaken by Eco Logical Australia to determine if the 'improve or maintain' test is met by the proposed rezoning. Biodiversity Certification of the site is currently under consideration.

The site has been divided into three categories for the purposes of the BCAM:

- land for biodiversity certification (extent of the development) – 152 hectares;
- land for conservation/riparian/open space – 41 hectares; and
- land maintaining its current land use (rural) – 17 hectares.

Under the BCAM the development footprint will impact 1.8 hectares of the SSTF CEEC which is 'red flagged'. The 'improve or maintain' outcome will not be met unless a variation is obtained from the NSW Office of Environment and Heritage (OEH) prior to any future development occurring. Overall, the envisaged future development will involve the retention of 83% of CPW, 49.6% of SSTF and 100% of RFEF. The rezoning will remove 1.5 hectares of CPW and 12.5 hectares of SSTF, both largely comprising scattered trees.

In light of the small area of SSTF likely to be removed, and the area of CEEC proposed to be protected, it is considered by Eco Logical Australia that a red flag variation request could be considered favourably by OEH.

The BCAM compares the impact of a proposal to the conservation benefits. This comparison is measured using Biobanking credits which are attributed for the extent of the existing vegetation, or for factors such as how land will be managed or protected. Based on the existing site conditions, a total of 192 credits are required. A total of 366 credits are expected to be generated, resulting in a surplus of 174 credits.

Future applications for development on the site which impact any EECs or CEECs will be required to be referred to the Commonwealth Government under the *Environment Protection and Biodiversity Conservation Act 1999*.

Overall, the ecological assessment concluded that the balance between development and conservation is achievable and that the planning proposal adequately addresses ecological issues.

Planning Proposal Response

The planning proposal proposes to retain significant areas of vegetation within public open space areas. The site's ecological values are proposed to be addressed by either Biodiversity Certification or via a Species Impact Statement submitted with future development applications.

Moreover, the proposed LEP amendment protects the ecological values of the site in the following ways:

- Ecologically sensitive land proposed to be zoned RE1 and RU2 will receive special protection via a clause to this effect, titled Terrestrial Biodiversity (as shown in **Appendix C**), which is proposed to be incorporated in 'Part 7 of draft CLEP 2014. The relevant land is identified on the Terrestrial Biodiversity Map.
- The land proposed to be zoned RE1 in the north of the site connects with Noorumba Reserve and there are generally connections between all the areas of RE1 zoned land so facilitating the passage of native fauna.

5.2 Bushfire Risk

The site is identified as bushfire prone on the Campbelltown Bush Fire Prone Land Map and therefore a Bushfire Assessment has been undertaken by Eco Logical Australia (**Appendix H**). This assessment investigates the capability and suitability of the site for future residential development with regard to the relevant bushfire planning legislation and policies.

Context

Eco Logical Australia has undertaken site specific and surrounding vegetation mapping, identifying vegetation formations including Sclerophyll (Dry) and Grassy Woodland. To the east and south of the site are areas of forest, whilst smaller pockets of forest, woodland and grassland are contained within the site. The majority of the site has a gentle slope with areas of steeper slopes in the northern western portion of the site.

While the majority of the site is proposed for residential development, portions of existing bushland will be retained as open space.

Issues and Assessment

The existing vegetation on the site has been classified as 'forest' or 'grassland' which presents a hazardous risk of bushfire. To ensure protection from bushfire risk, Eco Logical has established indicative Asset Protection Zones (APZ) to provide a buffer to future residential development with calculations based on the vegetation of the site and slope of the land.

Eco Logical has identified other bushfire protection measures including the provision of adequate access, water supply for fire fighting, the safe installation of utilities, and building construction standards for future dwellings. These measures would be implemented as part of future applications for residential development.

Planning Proposal Response

The Bushfire Assessment has demonstrated that the site is capable of accommodating future subdivision and land development subject to appropriate bushfire protection measures. The recommendations provided in Section 5 of the Bushfire Assessment would be implemented in the future planning of the site and in the detailed design of the new residential development.

The NSW Rural Fire Service has advised that it has no objection to the planning proposal in principle but notes that any future development will need to comply with the requirements of *Planning for Bush Fire Protection 2006* (see correspondence at **Appendix E**). Accordingly, the site is considered suitable for rezoning for future residential use.

5.3 Ecological and Riparian Corridors

The current vegetation on the site provides opportunities for creating effective biodiversity corridors thereby linking vegetation to the north, south and east. This, along with the preservation of riparian corridors, was assessed as part of the aforementioned Ecological Assessment Report prepared by Eco Logical Australia (see Section 5.1 above and **Appendix F**).

5.3.1 Ecological Corridors

Issues and Assessment

The nature of current vegetation on the site and its proposed retention/removal is discussed in Section 5.1.2 above.

There is currently connectivity within the site to areas of vegetation to the north and south via a fragmented series of islands or stepping stones of vegetation. The ecological assessment concluded that while the planning proposal would remove some areas of scattered trees, it would at least maintain the interrupted connectivity with surrounding vegetation to the north (Noorumba Reserve) and south (the Beulah Biobanking area).

The report further notes that as an outcome of the planning proposal the fragmented patches of vegetation would be consolidated through improved management and revegetation. At a broader landscape scale, connectivity between Noorumba Reserve and Beulah is via the vegetation to the east of Appin Road which, with the exception of Appin Road, provides a contiguous linkage of vegetation in a very good condition with low disturbance.

Planning Proposal Response

Together, the planning proposal, the Indicative Structure Plan and proposed conservation measures are intended to enhance the condition of retained patches of woodland so reducing the degree of fragmentation. As discussed earlier, it is intended that significant areas of vegetation be retained on the site within areas of public open space. In addition, the proposed LEP amendment fosters the retention and creation of ecological corridors in the following ways:

- The land proposed to be zoned RE1 in the north of the site connects with Noorumba Reserve, and all the areas of RE1 zoned land are generally connected (as shown indicatively in **Figure 17**).
- Ecologically sensitive land proposed to be zoned RE1 and RU2 will receive further protection via a Terrestrial Biodiversity clause (as shown in **Appendix C**) which is to be incorporated in 'Part 7 of the draft Campbelltown LEP 2014. The relevant land is identified on the Terrestrial Biodiversity Map.

Riparian Corridors

Issues and Assessment

There are several streams and drainage lines across the site, particularly in the north and towards the western boundary.

All streams and drainage lines were categorised and mapped by Eco Logical Australia following the 'Guidelines for controlled activities' set out by the NSW Office of Water (NOW) (see **Appendix F**). This methodology utilises the Strahler Stream Order classification which identifies riparian corridor widths as measured from the top of bank and minimum vegetated riparian zone widths.

Drainage lines that were not classified in the assessment were deemed to be of limited riparian value or did not meet the definition of a river. In some situations the watercourses have been significantly disturbed and in some areas display no true bed and bank characteristics.

The mapping of top of bank and stream order is presented in **Figure 18**. The majority of the watercourses are considered to range from slightly to substantially modified, with clearing of vegetation within the catchment and along the tops of banks. Aquatic habitat is limited due to the modification of the watercourses, and even in unmodified watercourses the aquatic vegetation is generally of marginal quality. Eco Logical Australia concluded that the overall rating of riparian and aquatic conditions varies from degraded to moderate.

Planning Proposal Response

Riparian zones have been defined to the top of bank and appropriate vegetated riparian zones mapped (see **Figure 18**), noting that the NSW Office of Water has agreed that since some previously mapped first order Strahler streams/channels do not meet the definition of 'waterfront land' they can be removed.

Wherever possible, development and subsequent asset protection zones will not occur in areas mapped as riparian corridor or vegetated riparian zone. As shown in **Figure 17** the majority of mapped watercourses on the site will be contained within areas of proposed open space or on retained rural land, which are to be zoned RE1 and RU2 respectively. Moreover, as explained above, further protection is provided via the terrestrial biodiversity clause and attendant biodiversity overlay map to be incorporated in the draft Campbelltown LEP 2014.

Eco Logical Australia has made a series of recommendations in relation to the future management of riparian corridors. These cover matters such as:

- the determination of stream ordering downstream;
- the determination of riparian corridor widths;
- future maintenance, rehabilitation and vegetation of riparian corridors;
- measurement of the top of bank of any proposed new constructed channels;
- the permissibility of cycleways and paths within the outer vegetated riparian zone;
- the permissibility of detention basins within the outer vegetated riparian zone, and associated equivalent offset areas.

These requirements will be taken into account in the planning proposal or will be implemented as part of subsequent development applications.

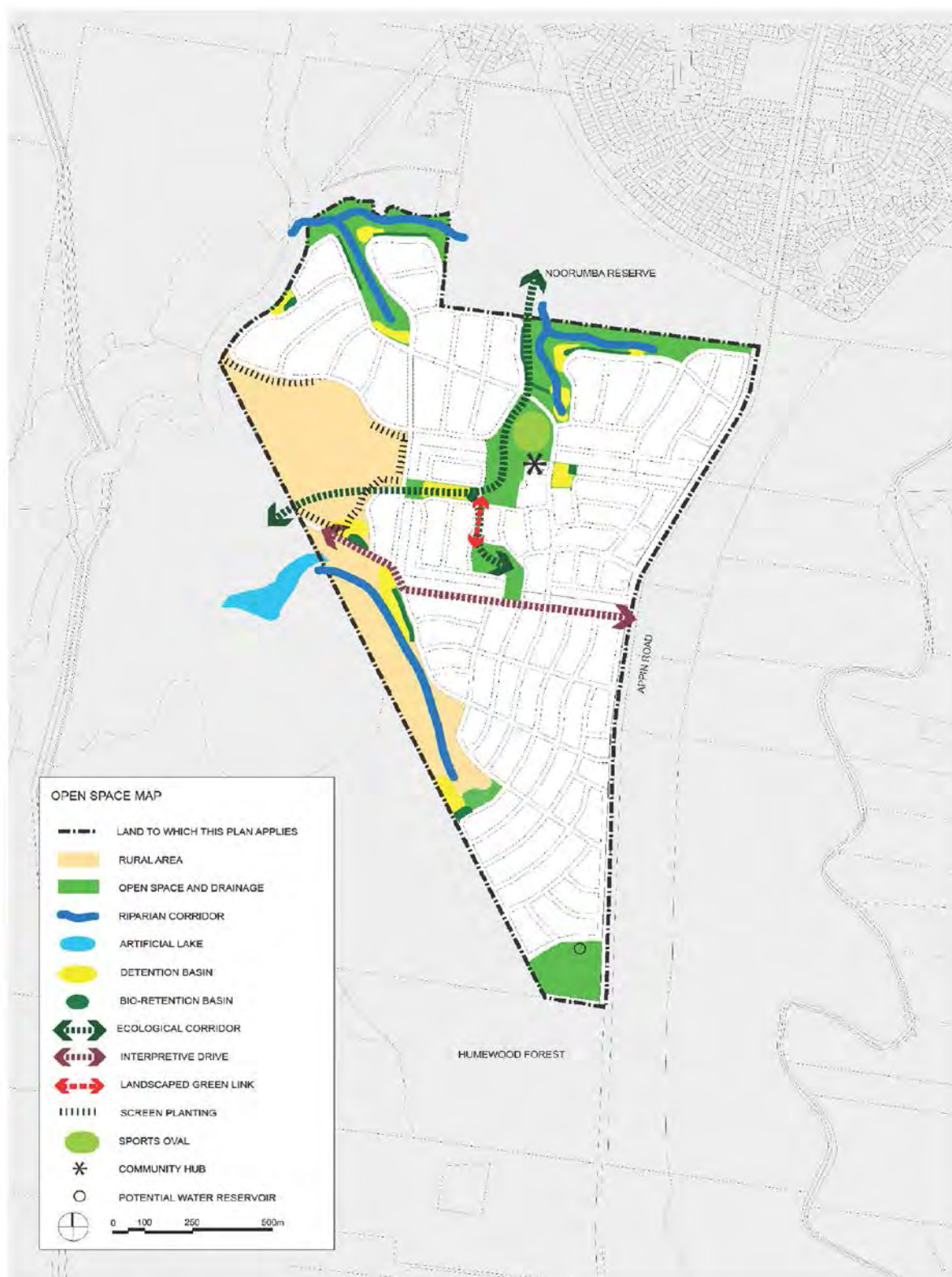


Figure 17 – Indicative open space strategy illustrating riparian and ecological corridors

Source: Cox Richardson

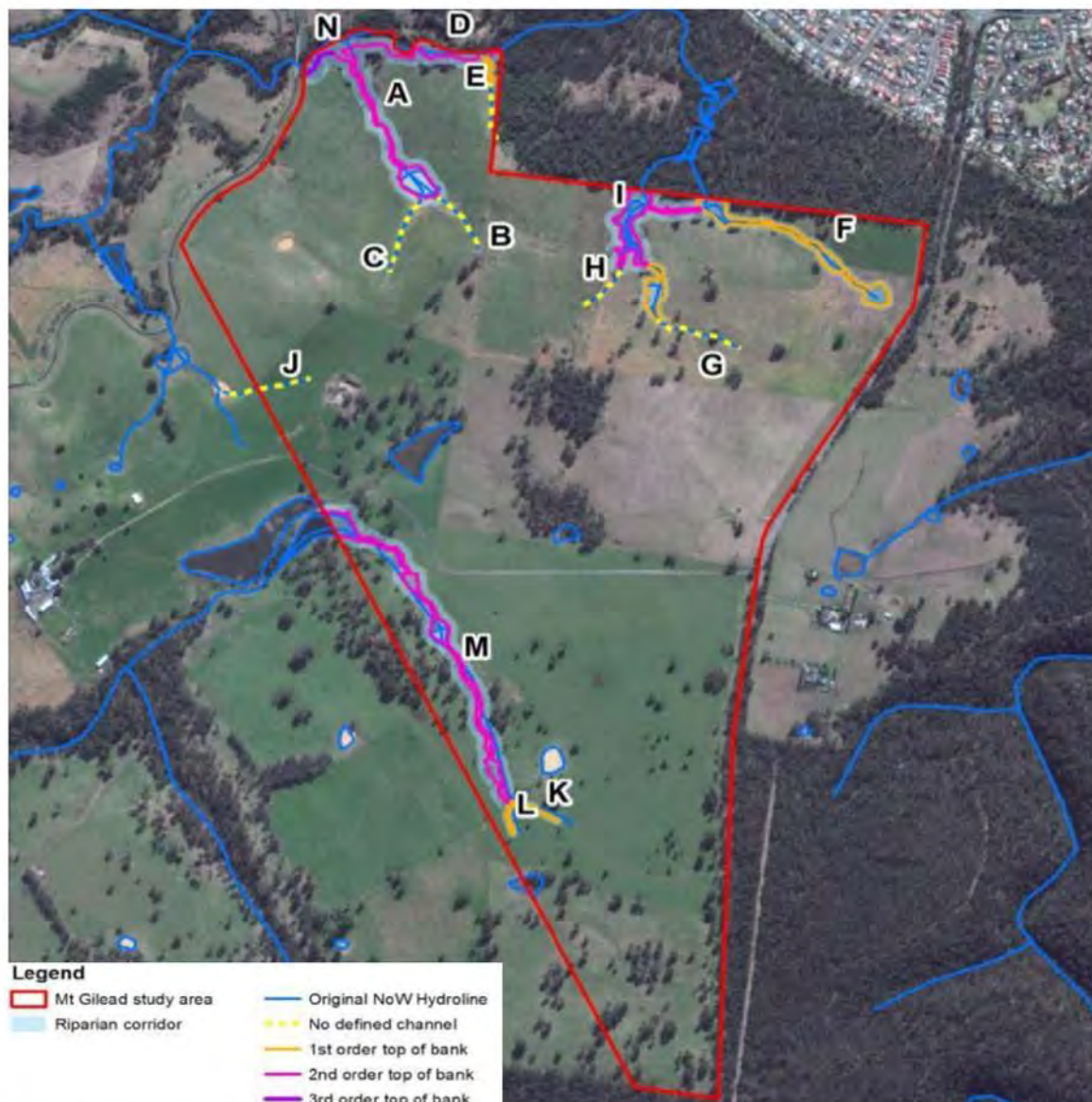


Figure 18 – Classification of riparian corridors

Source: Eco Logical Australia

5.4 Soils and Geotechnical Conditions

The proposed rezoning of the site for future residential uses requires an assessment of the existing soil and geotechnical considerations to identify any potential risks. As such, URS has prepared a Phase 1 Environmental and Geotechnical Site Assessment (**Appendix G**).

Context

The site generally slopes north-west into a shallow valley at the foot of a ridge line in the north-west. The ridge line comprises a hill with steeper gradients. The site contains a number of small farm dams with three major drainage channels.

The northern portion of the site is underlain by Ashfield Shale, while Hawkesbury Sandstone underlies the southern portion of the site. Soils on the site are shallow to moderately deep (<1.5 m) and are expected to be moderately reactive high plasticity clay.

Issues and Assessment

Geotechnical observations by URS identified five areas of potential hazard, including hilly areas of the site, gullies and a quarry. The overall stability of the site has been confirmed by URS as 'good' with only surficial soil instabilities on the steeper northern area and minor rock fall potential localised to the quarry. URS has noted that areas proposed for residential zoning are not located in these areas.

The existing soils on the site are cohesive and potentially have low bearing strength when wet. URS has suggested compaction of soil will enhance the bearing strength of the founding soil. It has been recommended that the site should be graded and site drains should be designed to prevent ponding or channelling of water across the soil horizons.

An investigation by URS of surface soils (0-300mm depth) across the site identified that all surface soil samples were non-saline. A review of the available Acid Sulphate Soil Risk Map and an assessment of the topography and lithology of the site also confirmed there is a very low risk of potential acid sulphate soils (PASS).

Given the topography and lithology of the site, URS considers no further assessment is required to provide an appropriate characterisation of acid sulphate soil risk and that consideration of PASS is not necessary in relation to future development.

Planning Proposal Response

URS has confirmed that the site is acceptable for residential land uses as there are no significant geohazards. It has been recommended that targeted geotechnical testing occur with future applications for development to support the detailed design of the residential development.

5.5 Mine Subsidence

Subsidence as a result of future coal mining is a potential issue for the site. Accordingly, a Mine Subsidence Report has been prepared by Mine Subsidence Engineering Consultants (MSEC) and is provided at **Appendix I**. The report predicts subsidence parameters and the potential impacts on the future development.

Context

The site is located within the Coal Exploration Authorisation Area A248, associated with the Bulli and Balgownie Coal Seams. The Bulli Seam, containing coking coal, lies approximately 500-590 metres below the surface, whilst the Balgownie Seam, containing thermal coal, is approximately 610 metres below the surface.

BHP Billiton plans to operate a mine in the Bulli Seam south of the site, and whilst not currently planned, there is potential for mining to continue north below the Mt Gilead site. Despite this potential, MSEC is of the opinion that part of the coal seams below the site are unlikely to be mined due to the presence of faults in the seams. Based on current technology, the Balgownie Seam is unlikely to be mined in the near future due to extraction constraints.

As well as containing coal resources, the site lies within the Petroleum Exploration Licence Area PEL2 and contains significant gas reserves which could potentially be extracted through gas wells. The owner of the exploration licence, AGL, has recently suspended expansion of nearby gas extraction projects due to community concern and legislation prohibiting wells being established within two kilometres of residential dwellings. As such, the extraction of gas is not considered an issue for the site.

Issues and Assessment

Potential impacts from future mining activities are predicted to include subsidence, tilts, strains and curvatures. As no specific mining activities are currently proposed, MSEC has assumed a scenario of longwall mining with a width of 320 metres and chain pillars between longwalls of 45 metres width. This scenario involves the mining of the Bulli Seam only, due to the unlikely capability of mining the Balgownie Seam.

In consultation with BHP Billiton and based on the above scenario, MSEC has identified the potential for subsidence and maximum tilt, curvature and strain. The potential impacts comprise:

- maximum predicted subsidence varies from 1120mm to 1440mm;
-

- maximum predicted tilt is 7mm/m at the perimeter of the subsidence trough and 2 to 3mm/m within the bottom of the trough;
- maximum predicted strains are 1.1mm/m, tensile, and 2.3mm/m, compressive; and
- maximum predicted curvature is 6.4 kilometres radius.

Although the above figures represent the maximum potential impact, the presence of faults within the coal seams will restrict the layout of any future longwall mining activities. As such, the Mt Gilead site will be outside, or on the edge of, any subsidence trough. The level of subsidence on the site is therefore expected to be lower than these maximums.

Likewise unlikely, if advancements in technology allow the Balgownie Seam to be mined, the maximum subsidence is expected to be approximately 750mm to 850mm. Cumulatively, this would result in a vertical subsidence of approximately two metres. This level of subsidence is unlikely to cause damage to buildings, with maximum tilt, curvature and strain being the most relevant impacts.

The Mine Subsidence Board has established building guidelines to be followed when constructing moderately sized housing. These guidelines embody provisions of the Building Code of Australia (BCA), Australian Standards and good building practices. Based on these guidelines, MSEC has established a range of subsidence parameters which should be implemented in the future construction of residential development on the site.

Planning Proposal Response

Based on the above assessment, the site is capable of being developed for residential purposes if the relevant guidelines and standards for residential buildings are followed and the level of construction is commensurate with the established subsidence parameters. These matters will be further addressed in future applications for development on the site.

5.6 Contamination

Past and current agricultural uses on the site can result in a risk of soil or groundwater contamination via the release of chemicals through leaks and spills. URS has prepared a Phase 1 Environmental and Geotechnical Site Assessment to assess these risks and confirm the suitability of the site for future residential development (**Appendix G**).

Context

The ownership of the site has changed on several occasions since 1890, and the land has been used for farming and grazing prior to 1954 and to the present.

Issues and Assessment

Low levels of contamination associated with previous and current uses are expected on the site based on the preliminary environmental and historical review undertaken by URS. This contamination could be attributed to various chemicals such as arsenic and organochlorine pesticides (OCPs) associated with sheep and cattle grazing activities.

A single instance of an asbestos cement pipe was identified on the site by URS in 2006. No asbestos was observed during the most recent site inspection.

URS has suggested that the migration of onsite contaminants to adjacent receptors should be able to be adequately controlled by the use of surface drainage. A Phase 2 investigation should also be undertaken to reduce the risk of unexpected findings during the future development. This is capable of being undertaken as part of future applications for development.

Planning Proposal Response

URS has confirmed there is minimal likelihood of significant chemical contamination of the site that would compromise development for residential purposes. Any further investigations and mitigation measures can be undertaken during the preparation of detailed applications for the future residential development.

5.7 Non-indigenous Heritage

The presence of several historical sites within and adjacent to the site necessitates an assessment of non-indigenous heritage. Navin Officer and Tropman & Tropman Architects (the heritage consultants) have jointly prepared a European Heritage Assessment in relation to the historical significance of the site and to confirm the appropriateness of future residential development (refer to **Appendix J**).

Context

There are no items of state heritage significance within the site. However, the Upper Canal System located adjacent to the site and part forming the north western boundary is listed on the State Heritage Register.

The following items on the site are listed as, or considered to be of, local heritage significance:

- Part of the Artificial Lake (dam) - listed as a heritage item in the Campbelltown IDO 15 as part of the 'Mt Gilead Group'.
- The archaeological remnants of the early 'Hillsborough' homestead is considered (by the attached heritage assessment) to be of local heritage significance, as are significant and endangered ecological features on the surrounding land.

The history of these items and their significance are detailed in the joint report at **Appendix J**.

In addition, as identified in **Section 3.5.5** the following heritage items are located outside, but in the immediate vicinity, of the site:

- the Mt Gilead Homestead and surrounding buildings and structures (listed in Campbelltown IDO No 15 and on the Register of the National Trust of Australia (NSW));
- the Beulah Estate (listed on the State Heritage Register);
- Humewood Forest (listed in IDO 15); and
- Meadowvale (listed in IDO 15).

Issues and Assessment

The heritage consultants have undertaken an assessment of the impacts of the planning proposal on the heritage significance of the local and state listed items on and within the vicinity of the site as summarised below.

Upper Canal System

The Upper Canal – is a system of tunnels, aqueducts and open canals which transport water from the Appin area to the Prospect Reservoir, has historic and architectural significance and is listed on four heritage registers: NSW State Heritage Register; IDO 15; the Sydney Catchment Authority's Heritage and Conservation Register; and the Register of the National Trust of Australia (NSW).

The proposal will indirectly impact the aesthetic qualities of the Upper Canal System by partially removing the bushland setting.

Artificial Lake (Dam)

The Mt Gilead Group – the group of stone buildings, homestead, stables, granary and windmill without sails (referred to as the Old Mill) is listed in IDO 15 and on the Register of the National Trust of Australia (NSW - Classified). Neither listing defines the area of the item, but the description from both demonstrates that they focus on the Homestead Complex and Old Mill, with the IDO 15 also including a dam which is assumed to be the Artificial Lake. Other than a small area of the lake, none are within the site.

The proposal has the potential to impact the heritage significance of the Artificial Lake as it is partially located within the site.

Site of early Hillsborough homestead

The site of the early homestead known as Hillsborough has been identified as a site of local archaeological significance.

Remnant tracks

An assessment of remnant access tracks and a carriageway to the Mt Gilead Homestead was undertaken to identify if these contained any heritage significance. It was determined that these tracks and the

carriageway do not satisfy any state or local level criteria for significance. Despite this, any possible interpretation of the extent of the carriageway has been encouraged to reflect the historic quality of the site.

Mt Gilead Homestead Complex

The heritage assessment concluded that historically, the Mt Gilead Homestead Complex and Windmill (the Old Mill), together with the Artificial Lake to the east, had been considered to be part of a single picturesque vista. The views to and from these items are considered important in the context of their heritage significance and as such, where practicable and feasible, it is considered desirable that the current rural landscape setting for these two items be retained.

The consultants note that the overall heritage significance of these two items is not considered to be affected by the proposal. Views to the Mt Gilead Homestead Complex and the Old Mill from the proposed residential development are not considered to have a significant, or otherwise unacceptable, impact on the heritage values of these items.

Neighbouring items

The heritage items listed above in the vicinity of the site are not identified as being affected by the planning proposal.

Planning Proposal Response

The heritage conservation provisions in clause 5.10 of draft Campbelltown LEP 2014 will apply to the site and protect the heritage values of the site and its surrounds. In addition, further measures are proposed as described below.

Upper Canal

The proposal will indirectly impact the aesthetic qualities of the Upper Canal System, a State heritage item, by replacing part of the bushland setting with residential development. As the Canal has its own corridor of 'bushland setting' which will not be impacted by the proposal, the overall heritage significance of the item will not be detrimentally impacted.

Notwithstanding this, to address any potential impacts, it is proposed that a statement of heritage impact (SOHI) be prepared prior to any development application for works adjacent to the Upper Canal. The SOHI should clearly document the extent of visual or aesthetic impacts and all necessary controls to minimise or avoid heritage impacts.

Approval from the NSW Heritage Council should be sought for any development impacts within, or directly adjacent to, the bushland corridor of the Upper Canal.

Views and Vistas

The residential use of the site is considered acceptable by the heritage consultants subject to the incorporation of the heritage assessment recommendations and subdivision guidelines provided in the European Heritage Assessment (see **Appendix J**). These recommendations and guidelines will generally be applied in relation to the preparation of future applications for residential development on the site.

More specifically, the planning proposal has responded to the issues in relation to significant vistas from, and views to, the Mt Gilead Homestead complex in the following ways:

- The land to the north east of the Mt Gilead Homestead is to retain a rural zone and is proposed to be zoned RU2, so protecting and retaining the landscape setting of the Mt Gilead group.
- Views to the north-east from the Homestead to the hill (within the RU2 zone), known as 'One Tree Hill' would generally be protected as the parklike backdrop and surrounds are not proposed to be disturbed with residential development. It is proposed that future residential development to the east will be screened with the planting of trees. 'One Tree Hill' will be retained as a grassed knoll with a single tree.
- The rural, parklike setting of the Old Mill will be retained within the proposed RU2 zone of draft CLEP 2014.

These measures are further supplemented with a series of provisions in the site specific DCP in relation to retaining and interpreting heritage and views. Moreover, the Indicative Structure Plan interprets the significance of the historic alignment of the Mt Gilead carriageway off Appin Road by generally setting it on the axis of the Old Mill. Particular elements of the alignment, such as the gateway off Appin Road and the curve of the road around the Artificial Lake are retained where possible, as are views of the Old Mill.

Artificial Lake (Dam)

The integrity of that part of the Artificial Lake within the site is generally not compromised as it will continue to be surrounded by rural land by virtue of the proposed RU2 zone along the western boundary of the site, and the whole lake is to remain in one ownership.

In addition, a heritage curtilage is to be provided around the Artificial Lake to mitigate any potential impacts and only the construction of a stormwater detention basin within the curtilage would be acceptable. Construction outside of the curtilage area would have no impact on the item.

If the Artificial Lake was to be visually or functionally impacted or if impacts were to occur adjacent to it, a SOHL and a conservation management plan (CMP) would be developed for the lake prior to any development application. The CMP would establish whether any impact(s) may or may not occur to the item during and post construction, and serve to manage them.

The heritage assessment further recommends that the Artificial Lake should be considered for State heritage listing, as well as for inclusion in Campbelltown's LEP rather than it being part of the general Mt Gilead listing as is currently the case.

Hillsborough Homestead

The site of the Hillsborough cottage will be recorded and interpreted in the subdivision design of the site, as shown in the Indicative Structure Plan, and existing archaeological evidence of the cottage will be recorded and interpreted.

Beulah Biobanking Site

The southern boundary of the site adjoins land at Beulah which has been established as a biobanking site. In recognition of the environmental significance of this biobanking site, an area of 3.5 hectares of public recreation land has been included on the draft zoning map (refer to **Appendix B**) in order to provide a buffer between the Beulah site and proposed future residential development.

5.8 Aboriginal Heritage

The generally undisturbed nature of the subject site results in potential for Aboriginal cultural heritage sites and areas of archaeological sensitivity. As such, Navin Officer has prepared an Archaeological Assessment and Aboriginal Consultation Report (refer to **Appendix K**) which examines the significance of existing Aboriginal Archaeological Sites on the site and provides an assessment on the potential impact of permitting residential development.

Context

Three artefact scatter sites (MGA13, MGA26 and MGA27) have been identified as possessing moderate scientific significance. Two isolated finds (MGA12 and MGIF3) are of low scientific significance at a local level. One culturally modified tree (MGMT1) has been assessed to have high scientific and cultural significance at a local level. Further information on six potential archaeological deposits (PADs) (MG PAD42, MG PAD43, Mt Gilead Property PAD, MG PAD44, MG PAD45 and MG PAD46) was not identifiable at this time, but it is acknowledged by Navin Officer that an Aboriginal Heritage Impact Permit (AHIP) would be required in the future if any disturbance was proposed to the PADs.

A copy of the assessment report was forwarded to the Office of Environment and Heritage in September 2013. The Office indicated that it will defer comment until the formal notification period.

Issues and Assessment

A comprehensive consultation process was undertaken by Navin Officer in accordance with the OEH document '*Aboriginal cultural heritage consultation requirements for proponents 2010*'. This involved correspondence with Local Aboriginal Land Councils, government agencies and various Indigenous relations groups. A field assessment of the site and various desktop searches were also undertaken by Navin Officer to inform the assessment.

On the assumption that all of the identified items, Aboriginal sites and PADs will be directly affected by future development, Navin Officer has determined that the future development of the site for residential purposes will have an impact on items of Aboriginal significance, and that future construction on the site would have a high degree of harm and result in the removal of all items of significance.

Navin Officer has not precluded the proposed rezoning of the site but has recommended that the following mitigation measures, detailed in the report at **Appendix K**, should be implemented in the future development of the site:

- implementation of conservation areas;
- subsurface testing of archaeological deposits;
- surface salvage of Aboriginal objects;
- care and management of recovered artefacts; and
- ongoing consultation with Aboriginal stakeholders.

Planning Proposal Response

The heritage conservation provisions in clause 5.10 of draft Campbelltown LEP 2014 will apply to the site and are considered adequate to protect the Aboriginal significance of the site.

The culturally modified tree will continue to be protected by virtue of its location on land proposed to be zoned RU2.

The mitigation measures outlined above should be implemented by CCC in relation to future applications for development.

5.9 Landscape Character and Visual Impact

As detailed above in Section 5.7 there are existing features of the site and surrounding landscape elements that have been identified as having heritage significance. The proposed rezoning of the land for residential purposes has the potential to materially affect the rural agricultural nature of the site and its associated heritage features – in particular the Mt Gilead Homestead Complex and surrounding land. Accordingly, Clouston Associates were commissioned to undertake a Landscape Character and Visual Impact Assessment (see **Appendix L**) to assess the extent of the impacts of the planning proposal and establish whether and how such impacts can be mitigated.

Context

A number of elements associated with 19th Century English landscapes are present both within and surrounding the site. Of particular relevance are:

- the Homestead Complex and the Old Mill and associated landscape – including the Artificial Lake (dam) and One Tree Hill;
- historic references which indicate that the landscape character of the property in the 19th century was 'park-like' and resembled an 'English country seat'; and
- landscape elements such as individual tree specimens within a grazing landscape, ironbark fencing, a backdrop of native timber and extensive views.

While some of these elements are missing from today's property, the core elements commonly associated with the 19th Century romantic English landscapes remain – that is, a parkland style landscape of individual and groups of trees in a rolling pasture and extensive district views, providing the context and curtilage for the heritage listed structures and buildings.

The combination of these elements creates the landscape character significance and establishes a wider landscape context for the identified heritage items.

The Upper Nepean/Sydney Water Supply Canal is also identified as an important heritage element of the landscape but has limited visual presence from the site.

Issues and Assessment

Clouston Associates originally identified numerous visual receptors grouped into public domain views, private domain views, views to and from the site, and views within the site. Of these, six locations were identified which best demonstrate any effect of future residential development.

An assessment of these viewpoints has identified impacts ranging from moderate/high to moderate and negligible. In essence, the future residential development on the site may have impacts on significant landscape and visual elements if not appropriately mitigated.

The Visual Impact Assessment (VIA) identifies two broad areas of landscape character and visual significance that require specific mitigation measures:

- The core visual catchment from the Old Mill looking north and from the access road to the Mt Gilead Homestead looking north east (both with a moderate/high visual impact rating).
- The approaches to the site on Appin Road along the eastern boundary of the site which would change as a result of the removal of existing vegetation along the eastern side of Appin Road to facilitate road widening so revealing the physical features of new urban development (moderate visual impact rating).

Other identified receptor locations were considered to be of such distance from the core heritage elements, or the view cones of any part of the site so narrow, that any change was expected to be barely visible and thus mitigation measures were not deemed to be warranted.

The view from the Gilead Aged Care Facility (located to the north of the site) would also potentially be significantly impacted by the proposed rezoning, but the approved development of the Gilead retirement village currently in construction on the adjoining site will entirely obscure this view; thus impacts from this receptor were discounted.

Planning Proposal Response

Clouston Associates has identified a range of mitigation measures to be considered in the future residential development of the site framed around the key principles of avoidance, reduction, alleviation, compensation and management. The VIA sets out specific mitigation principles and measures to manage the impacts of the residential development that would flow from the planning proposal, and indicates that if these are implemented in relation to the above two areas of impact, the visual impact rating would reduce to moderate/low.

More specifically:

- In relation to the visual catchment from the Old Mill looking north and from the access road to the Mt Gilead Homestead looking north east, the core mitigation principles for these receptors would be to:
 - retain the 'bald' character of One Tree Hill as a grassed knoll with a single landmark tree;
 - maintain the skyline of the tree and grassed crest uninterrupted by planting or built form;
 - ensure that only native vegetation and no built form is visible on the lower flanks of One Tree Hill; and
 - maintain views to the Artificial Lake (dam) with a vegetated backdrop and no visible built form.
- In relation to the loss of vegetation along Appin Road and views of new urban development, the core mitigation principles would be to:
 - establish a sense of the former character of, and arrival experience at, the Mt Gilead property driveway entrance through simple landmark tree planting and landscape design; and
 - re-establish, through new roadside native planting and landscape design, a roadside character evocative of the former rural approach to the Mt Gilead property along Appin Road from both north and south.

The recommended landscape and design measures will be implemented via the proposed site specific provisions in the site specific DCP. In addition, the proposed land use zones listed in Section 5.7 above, the proposed larger lots in the north west corner of the site (as shown on the Lot Size Map) and the proposed limit to building height on the northern side of One Tree Hill (as shown on the Height of Buildings Map) will further mitigate any impacts on the views from the Homestead and the Old Mill.

The rezoning of the site to permit residential development is thus considered acceptable as there are sufficient mitigation measures available to appropriately reduce landscape character and visual impacts.

5.10 Transport, Traffic and Access

The appended Traffic, Transport & Access Study prepared by Parsons Brinckerhoff (see **Appendix M**) was designed to assess the effects on traffic of the proposed rezoning for a range of dwelling numbers (1500-1700). The traffic study was undertaken in accordance with the requirements of CCC, Transport for New South Wales (TfNSW) and Roads and Maritime Services (RMS) and the road and intersections included in the traffic study were accepted by TfNSW and RMS. The consultation with these authorities is detailed in the report at **Appendix E**.

Context

The site is located adjacent to Appin Road which is a State Road. Other important surrounding roads include Narellan Road, Oxley Street and the Hume Motorway. Appin Road carries approximately 21,500 vehicles daily south of Woodland Road, Bradbury. No formal pedestrian paths are located on Appin Road along its boundary with the subject site. A review of crash data on Appin Road in close proximity to the site indicates a total of 17 reported crashes in the five year period (2007-2012).

Two bus services (Route 887 and 888) operate within close proximity of the site with Route 887 travelling past the site on Appin Road.

Issues and Assessment

The road and intersections assessed in the traffic study included Appin Road from Appin to Narellan Road, Narellan Road from Appin Road to Gilchrist Drive and the major intersections along these routes. The study area included 13 existing intersections and three proposed intersections along Appin Road directly accessing the site. Annual increases in background traffic in addition to the potential increased traffic that would be generated as a result of the planning proposal traffic growth were factored into the traffic assessment, ensuring a conservative and true assessment of the future situation.

Various development scenarios were modelled: 1,500 and 1,700 dwellings by 2026, and an interim scenario of 50% of these dwellings being constructed by 2021.

The traffic, transport and access study confirmed that the proposed rezoning for residential development will further contribute traffic to intersections along Appin Road into the future. Several of the intersections were operating at or near capacity in 2013 and will further deteriorate on the basis of background traffic growth into 2021 and 2026. Likewise, several intersections are expected to operate near, at or over capacity due to the addition of traffic from the Mt Gilead site. As such, additional capacity would be required at the following intersections in order to improve intersection performance to acceptable levels of service:

- Appin Road, Kellerman Drive and Copperfield Drive;
- Appin Road and St Johns Road; and
- Appin Road, Oxley Street, Narellan Road and The Parkway.

In addition, the mid-block capacity assessment of the capacity of Appin Road to handle the expected traffic increases determined that Appin Road would need to be upgraded – including adding turning lanes, slip lanes and augmenting the carriageway to two lanes.

A range of mitigation measures are set out in the Traffic, Transport & Access Study (**Appendix M**) to address the impacts of the planning proposal on the road network. These include:

- providing a bus service to the site;
- accommodating a walking and cycle network in the site;
- investigating car share schemes;
- developing a residential travel plan; and
- upgrades to specific intersections and Appin Road (see below).

TfNSW and RMS have reviewed the Traffic, Transport and Access Study and have confirmed that the mitigation measures are acceptable to mitigate the impacts of the Mt Gilead rezoning (refer to letter dated 21 May 2014 at **Appendix E**). TfNSW and RMS have also advised that they have no objection to the Mt

Gilead Planning Proposal being publicly exhibited provided the following conditions have been met (refer to letter dated 13 January 2015 at **Appendix E**):

- Development is set back 20 metres from the existing Appin Road western boundary providing for a future road corridor of 40 metres.
- The land required for road widening is dedicated at no cost to Government through an appropriate agreement.
- The land required for road widening is shown as SP2 Infrastructure 'Classified Road' on the Mount Gilead Planning Proposal Land Zoning and Land Reservation Acquisition Maps.

Planning Proposal Response

It is considered that the site is capable of being developed for residential purposes with the implementation of the mitigation measures identified in the Parson Brinkerhoff study and confirmed by TfNSW and RMS. Specifically, the road infrastructure upgrades identified in the recommendations in the report aim to overcome the congestion anticipated to be caused by both background growth and the Mt Gilead development and thus enable the development of the site for up to 1700 dwellings. The planning proposal maps reflect the conditions required by the traffic authorities.

The funding and staging of road infrastructure works will be the subject of a regional voluntary planning agreement (VPA) between the landowners and the State government, which will also address land dedications matters as referred to by TfNSW and RMS in their correspondence dated 13 January 2015 (refer **Appendix E**).

With regard to public transport, the Indicative Structure Plan shows a bus route through the site and the intersections with Appin Road will be designed to accommodate buses. The decision to run a private bus service to and from the site will ultimately lie with TfNSW.

5.11 Noise

The site is potentially susceptible to noise impacts as it adjoins Appin Road and is located in close proximity to a number of industrial uses. As such, a Noise Assessment has been prepared by Wilkinson Murray to assess the potential noise impact from surrounding industrial uses and traffic on the Mt Gilead site (see **Appendix N**). The predicted noise impact from traffic generated by the development of Mt Gilead on surrounding residential areas has also been addressed.

Context

Wilkinson Murray conducted noise monitoring at the site to determine existing background levels and traffic noise levels from Appin Road. The existing background noise levels of the site are similar to those of a rural context. Noise levels of surrounding uses, such as the Rosalind Park Gas Plant and Menangle Quarry, were also identified for consideration in the noise assessment. It should be noted that subsequent to the completion of the acoustic assessment advice was given that the proposed Leaf's Gully power station would not be proceeding. Accordingly the noise impacts of the power station are no longer relevant to this planning proposal.

Issues and Assessment

The surrounding industrial activities are potential catalysts for noise intrusions on the future residential development at Mt Gilead. However, as a result of on-site noise monitoring, it was determined that the surrounding industrial uses are barely audible on the site. This is due to both the considerable distance of the uses from the site and the topographical shielding between the uses and the site.

Based on the identified traffic noise levels from Appin Road, Wilkinson Murray assessed the suitability of the site for residential development. Noise level criteria were established for future residential development based on the Department of Planning's document *Development Near Rail Corridors and Busy Roads – Interim Guideline* and the requirements of *State Environmental Planning Policy (Infrastructure) 2007*. If new residential development was to be constructed without any mitigation measures but set back approximately 30 metres from Appin Road, it would not comply with the relevant noise criteria. As such, Wilkinson Murray has suggested measures such as glazing specifications and acoustic door seals to achieve the relevant noise levels.

Traffic noise generated by the proposal was determined using criteria set in the NSW Road Noise Policy (March 2011) and the expected traffic generation from the future residential development. The expected traffic generation on Appin Road will result in an increase of 2.4dBA for the peak hour, and between 2.0 –

2.2dBA over a fifteen hour period. The NSW Road Noise Policy specifies that an increase of 2dBA is barely discernible, therefore the proposal is not expected to have any impact on surrounding residential areas.

Planning Proposal Response

The noise impacts both on the proposal and resulting from the proposal will not be significant and are capable of being appropriately addressed in future design and development stages. Noise impacts do not preclude the rezoning of the site for residential purposes.

Moreover, it is noted that the Indicative Structure Plan for the site proposes a substantial buffer between residential development and Appin Road.

5.12 Air Quality

The proximity of the site to several industrial uses increases the potential for adverse air quality impacts on any future development. Wilkinson Murray has performed a qualitative air quality impact review to determine the viability of the proposed planning proposal (see **Appendix O**). The review addressed the potential impact on air quality from surrounding industrial facilities and road traffic on the future residential development that would eventuate as a result of the planning proposal.

Context

The existing air quality environment at the Mt Gilead site is expected to be good due to its location away from significant urban development; however the following surrounding uses could influence air quality at the site:

- Appin Road;
- the M31 motorway - approximately 1.8 kilometres to the west;
- Menangle Quarry - approximately 1.2 kilometres to the west;
- Rosalind Park Gas Plant - approximately 1 kilometre to the west; and
- poultry farms (Ingham's Broiler Complex) - approximately 4 kilometres to the south.

It should be noted that subsequent to the completion of the air quality assessment, advice was given that the proposed Leaf's Gully power station would not be proceeding. Accordingly, any potential air quality impacts of the power station are no longer relevant to this planning proposal.

Current data from nearby quality monitoring stations indicates that the regional air quality is below the target levels established for New South Wales. As such, there is capacity within the region for additional development.

Issues and Assessment

Wilkinson Murray have identified that potential impacts on the air quality of the Mt Gilead site could arise from elevated levels of particulate matter, carbon monoxide, nitrogen dioxide, sulphur dioxide and ozone. An assessment concentrating on the impact of the surrounding uses listed was undertaken with each of the surrounding uses expected to operate within the relevant air quality levels established by the NSW Environment Protection Authority (EPA). Two of these uses, the Rosalind Park Gas Plant and Ingham Broiler Complex, operate under environmental protection licenses, which ensure that they are continually monitored by the EPA for compliance with air quality targets.

The substantial distance of all of these uses from the Mt Gilead site further diminishes the likelihood of any air quality impacts on the future residential development. Prevailing winds within the region will contribute to dispersing any air quality impacts, such as dust or odour, away from the site.

Likewise, the separation distance of the site from Appin Road is sufficient to ensure that no air quality impacts are experienced on the site. Wilkinson Murray have noted that even with widening of Appin Road, a minimum of 30 metres will be achieved between the roadway and the nearest dwelling, appropriately mitigating any air quality impacts.

Planning Proposal Response

In light of the above assessment, Wilkinson Murray have identified that there will not be any significant impact on air quality at the Mt Gilead site from surrounding industrial uses and traffic. The site will be suitable for residential development from an air quality perspective and thus capable of being rezoned for this purpose.

5.13 Stormwater and Flooding

Worley Parsons has prepared a Stormwater Management and Flooding Assessment of the site (see **Appendix P**) covering the future management of the stormwater quality and quantity and flood risk post rezoning (and as a result of development).

Context

The site consists predominantly of open pasture land currently used for grazing livestock. The existing land surface grades generally towards the north-west with some steep areas, particularly in the north-western corner of the site. A number of low order ephemeral watercourses drain the site and discharge to four identifiable points along the site boundary.

Issues and Assessment

Stormwater quality

The objectives of the strategy for the management of stormwater quality agreed with CCC are to preserve the state of existing watercourses and to ensure that post-development pollutant loads are consistent with Council's stormwater pollutant load reduction targets. The pollutant reduction targets that were adopted for Mt Gilead are stricter than the baseline targets in Council's draft parameters for MUSIC modelling, but are considered appropriate given the proximity of the site to the Upper Canal and the Nepean River.

Separate MUSIC models were prepared to reflect the existing catchment and site conditions and the post development scenario as shown in the Indicative Site Master Plan. The modelled treatment train consisted primarily of end-of-line stormwater treatment devices such as gross pollutant traps (GPTs) and bio-retention systems located in areas of public open space. The results of detailed water quality modelling indicate that the proposed treatment train achieves Council's requirements in relation to stormwater quality.

Stormwater quantity

The focus of the strategy to manage the quantity of stormwater was to demonstrate that stormwater runoff under post-development conditions can be managed so that post-development peak flow rates do not exceed pre-development peak flow rates at each of the site's discharge points, and to ensure that flows up to the 100 year ARI event can be accommodated; safe passage of the probable maximum flood (PMF) is provided; and, development does not result in water runoff causing flooding or erosion on adjacent properties.

XP-RAPIDS software was used to develop a hydrologic model of the catchments that drain through the site which was then used to simulate a range of design storms and predict peak flow rates under existing and post-development scenarios. Required stormwater detention storage volumes were calculated to ensure that post-development peak flow rates would be less than, or equal to, pre-development peak flow rates at each of the proposed bio-retention systems for events up to the 1% Annual Exceedance Probability (AEP) event.

The results established the volume of stormwater detention that would be required at each bio-retention system to limit discharges so that post-development peak discharge rates do not exceed pre-development peak discharge rates for storm events up to the 1% AEP event.

Flooding

The objective of the flood assessment was to provide information regarding potential flood constraints that could affect development of the site and to identify potential flood management measures. The assessment was informed by various Australian and NSW flood plain management guidelines and policies.

One-dimensional flood modelling of the major creek lines within the Mt Gilead site was undertaken to define flood characteristics, with the HEC-RAS software used to develop flood models of each tributary.

These were then used to simulate the 1% AEP and PMF events, and to determine preliminary flood extents and potential constraints that flooding may pose on future development.

The results indicated that the 1% AEP flood and PMF flood extents would generally be contained within riparian corridors and outside of proposed development areas. Where future residential development could be affected by the PMF, the indicative road layout shown on the Indicative Site Structure Plan was considered to provide sufficient capacity for flood free evacuation.

Planning Proposal Response

The strategy for the management of stormwater quality has been developed so that the land parcels under different ownership are able to achieve the agreed stormwater quality objectives independently of each other, so enabling them to be developed at different times.

The overall stormwater management strategy involves the implementation of a treatment train to satisfy the agreed pre-determined stormwater quality objectives and includes rainwater tanks, GPTs and bio-retention systems. The bio-retention basins and/or swales will collect surface runoff from roads and general urban areas and, as shown in the Indicative Site Structure Plan, are to be located in open space areas adjacent to, and generally outside of, riparian corridors.

Stormwater detention structures with multi-staged outlets will be provided adjacent to the proposed bio-retention systems to ensure that post-development peak discharges are equal to or less than pre-development peak discharges.

Flooding up to the PMF is not predicted to impact on most areas proposed for residential development. Where residential development is proposed within flood affected areas, minimum habitable floor levels and flood free evacuation routes will need to be considered at development application stages in accordance with Council and State policies. A more detailed assessment of flood behaviour and flood impacts will be necessary at DA stage based on proposed lot layouts and site grading.

In summary, the results of detailed water quality modelling documented in the Worley Parsons report indicates that the proposed treatment train achieves CCC's requirements in relation to the management of both stormwater quantity and quality. The risk of flooding is low and is not a constraint to the proposed rezoning of the site for residential uses.

5.14 Utility Services

Worley Parson has investigated and documented the future utility servicing requirements for the site. This is summarised below and documented in detail in the Infrastructure and Services Report at **Appendix Q** and the Water and Wastewater Servicing Strategy at **Appendix R**.

Existing services and future requirements

Potable water

There is currently no potable water reticulation infrastructure in the vicinity of the site. However, the site is located adjacent to Sydney Water's Rosemeadow reservoir zone.

The preferred potable water servicing involves connection to the Rosemeadow elevated system and construction of a new reservoir zone to service high level lots within Mt Gilead, including construction of a water main connecting to the Rosemeadow system, a main parallel to Appin Road, a water pumping station at the north-eastern corner of the site and an elevated security reservoir at the south-eastern corner of the site.

Waste water

There is currently no wastewater reticulation system in the vicinity of the site with the nearest wastewater infrastructure being Sydney Water's reticulation system that services the suburb of Rosemeadow to the north of Mt Gilead.

Worley Parsons investigated various wastewater servicing options for the site and have proposed that the site be connected to the Glenfield-Liverpool gravity wastewater system. This would require a new 310 kW wastewater pumping station; two rising mains; and, a gravity sewer which would ultimately convey wastewater from Rosemeadow to the Glenfield wastewater system.

Electricity

The site is located within Endeavour Energy's area of operation. There is currently no existing electricity infrastructure within the vicinity of the site.

Initial discussions with Endeavour Energy suggest that future development can be supplied from the Ambarvale Zone Substation. It is expected that a new substation will be required and two new 11 kV feeders would need to be installed. The existing power poles running along Appin Road cannot accommodate the new 11kV feeders.

Gas

There is no reticulated gas service in the immediate vicinity of the site. Initial discussions with Jemena have established that there is sufficient capacity within existing infrastructure to service the proposed development, and it is likely that the gas connection would be made within Rosemeadow and run down Appin Road and into the site.

The nearest gas main to the site is the 'Eastern Gas Pipeline', a 457mm diameter high pressure main that is the major gas supply line between Sydney and the Gippsland Basin in Victoria. This main is located approximately 600 metres from the western site boundary. A direct connection from the Eastern Gas Pipeline is unlikely to be a feasible option for servicing the development.

Telecommunications

Existing copper and fibre optic cabling is located in existing residential areas to the north of Mt Gilead. Telstra telephone exchanges are located at St Helens Park and Menangle. A high intensity copper main line runs north-south through the Mt Gilead site and an optic fibre line is located along the eastern side of Appin Road.

Telecommunications services would be provided by Telstra under the Universal Service Obligation arrangement referenced under the *Telecommunications Act (1997)*. Existing Telstra infrastructure would need to be extended from the north via Appin Road to reach the site. Initial discussions with NBN Co indicate that the proposed development may be eligible for the National Broadband Network

Planning Proposal Response

As indicated above, the site is capable of being serviced through the extension/augmentation of existing utility infrastructure or the provision of new infrastructure. The provision of appropriate lead in works will be addressed as part of future development applications and in consultation with the relevant service providers. Sydney Water has advised that whilst all work with regard to water and wastewater services is not yet complete it supports the public exhibition of the planning proposal. Please see copy of letter from Sydney Water in **Appendix E**.

5.15 Economic and Social Impacts

5.15.1 Social and Economic needs

The scale of the future envisaged residential development on the site will result in potential social and economic impacts. As such, MacroPlan Dimasi has prepared a Social and Economic Needs/ Impact Assessment (**Appendix S**).

Context

An expected yield of 1,400 to 1,700 dwellings by 2026 was used in predicting the future population on the site. Based on an occupancy rate of three people per household, the population at Mt Gilead is expected to lie between 4,188 and 5,088 persons by 2026 - an increase equivalent to 0.3% of the overall Campbelltown LGA population per annum, reflecting the minor nature of the increase in the LGA context.

Issues and Assessment

The projected population is expected to have a negligible impact on demand for employment land. Based on existing labour force rates in outer south western Sydney, between 2,115 and 2,568 working residents are expected to reside within the site. MacroPlan Dimasi suggests there is no causal relationship between employment land increase and population growth, rather employment land is linked to broader market forces.

The only need for employment land is expected to be for minor services such as retail facilities for local residents. Furthermore, there is an abundance of existing employment land to satisfy demand in South West Sydney.

The existing retail opportunities in the context of the site have informed an assessment of the retail needs. Based on the expected population and surrounding context, no large supermarket facility is required to service the site. A small convenience store is expected to be suitable to service the future population in addition to the existing facilities in the surrounding locality.

The scale of envisaged development on the site does not produce a substantial demand for social and community infrastructure and open space, and the expected additional population will have a nominal impact on local and regional services which are expected to be able to cater to the demands of the new population. The future residential population could not support a new government funded school or hospital and would not generate a significant demand for district or regional open space for organised sporting and recreational activities. It is thus anticipated that the existing wider provision of services will cater for the incoming Mt Gilead population elsewhere in the catchment.

The size and type of neighbourhood services and social infrastructure required to support the Mt Gilead release area has been measured against relevant benchmarks for the Sydney Growth Centres and other national standards. MacroPlan Dimasi recommends that the following provision be accommodated at Mt Gilead to meet the needs of the new population:

- a small convenience store;
- a Neighbourhood Community Centre (on approximately 1500 square metres of land)
- 2.5ha Neighbourhood Park
- 14.39ha of open space generally.

Planning Proposal Response

The aforementioned study confirms that the population likely to result from the planning proposal is able to be serviced by existing social and economic infrastructure within the Campbelltown LGA and there are no social or economic obstacles to the proposed rezoning.

Moreover, in accordance with the above recommendations, the planning proposal makes specific further provision with the following:

- The zoning of a small area of land adjacent to proposed open space as B1 Neighbourhood Centre. The land uses within this zone permit a community centre and neighbourhood shop.
- The zoning of almost 31ha of land as RE1 Public Recreation. Both active and passive recreation uses are permissible in this zone.

In addition, the Indicative Structure Plan for the site shows the location of a 2.9ha sports field as well as a 'community hub' that would accommodate a community centre and convenience store/ kiosk (approximately 0.21ha). The provision of open space and a community centre are the subject of a VPA between the landowners and CCC.

5.15.2 Impacts on Agricultural Land

The site is classified as Agricultural Land Class 3 and has been, and currently is, used for agricultural purposes. Accordingly, an Agricultural Investigation has been prepared by AgEconPlus Consulting to determine the strategic importance of land for agricultural production (see **Appendix T**).

Context

The site is mostly cleared and gently sloping with three creeks. The soil is predominately shallow and composed of a clay base and shale rock beneath. The average rainfall is 767.4mm with an even monthly distribution. Previously, the site was used for beef cattle grazing and dairy cattle milk production. It is now used for cattle grazing purposes.

Issues and Assessment

Feasible forms of food production based on the agricultural land classification include horticulture not dependent on irrigation water, such as olive or wine crops, or livestock grazing. Producing crops such as olives or wines is not feasible as these crops are currently oversupplied and prices are depressed. The

grazing of livestock on the site is also undesirable as more intense forms of grazing and animal production are currently carried out in areas west of the Great Dividing Range, with significantly more suitable sites than Mt Gilead for such activities.

In regard to the availability of land for food production in the Sydney Basin and NSW, the site represents 0.2% and 0.01% of Class 3 agricultural land respectively. As such, the site is not critical to the vitality of the agricultural industry of Sydney or NSW. If the site was not used for beef cattle grazing, there would be a lost opportunity of 125 additional beef cattle grazed in NSW. The beef cattle industry in NSW currently comprises over six million cattle; therefore the minor reduction of 125 cattle from the site would be negligible.

Planning Proposal Response

The site does not play a critical role in the agricultural industry of Sydney or NSW, with limited value for a select range of agricultural activities. The rezoning of the site for residential purposes will not adversely affect food production in Sydney or NSW.

6.0 Summary and Conclusion

6.1 Need for Planning Proposal

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

The planning proposal seeks to rezone land in accordance with the intent of, and land identified within, the Metropolitan Development Program (MDP). The MDP had earmarked the site for the expansion of the existing residential land situated to the north of the site.

The MDP had set the development yield of the Mt Gilead site at 1500 lots. Subsequently the assessments undertaken for the planning proposal have demonstrably indicated that the land and relevant infrastructure have the capacity to accommodate more dwellings. This planning proposal has established that the site has the capacity to accommodate up to 1700 dwellings.

The planning proposal responds directly to the MDP and also contributes to the target of 60,000 new homes by 2021 in the South West Subregion.

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

The planning proposal to rezone the Mt Gilead site from Rural to Residential land is the most efficient means of achieving the State and regional planning objectives and strategic outcomes.

6.2 Relationship to Strategic Planning Framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

As set out in **Section 2**, the proposal is consistent with applicable regional and subregional strategic documents, including all draft strategies, prepared by the NSW Government and Campbelltown City Council as summarised below.

Metropolitan Plan for Sydney 2036

As described in **Section 2**, the *Metropolitan Plan for Sydney 2036* aims to provide an integrated planning framework to manage Sydney's growth to 2036. Since its release in December 2010, the strategy has been reviewed and a *Draft Metropolitan Strategy for Sydney to 2031* has been released. As this new draft strategy represents the most up-to-date strategic planning policy in Sydney, the proposal has been assessed against this new strategy.

Draft Metropolitan Strategy for Sydney to 2031

As set out in **Section 2**, the *Draft Metropolitan Strategy for Sydney 2031* establishes the latest strategic directions for the Sydney Metropolitan Region. The proposal is consistent with the draft Metropolitan Plan in that it will provide additional dwellings to contribute to the delivery of the targeted 427,000 dwellings in South West Sydney by 2031. By unlocking the Mt Gilead land for residential development, the proposal will indirectly stimulate and support employment growth and jobs closer to home.

Draft South West Subregional Strategy

The proposal is consistent with the *Draft South West Subregional Strategy* as it will unlock land for the development of residential dwellings, contributing to the supply of housing in the South West subregion, and supporting the Campbelltown-Macarthur Major Centre.

A Plan for Growing Sydney

It is considered that the proposal is consistent with the goals of *A Plan for Growing Sydney* particularly with regard to assisting in the delivery of new housing to meet the needs of Sydney's growing population.

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

As mentioned in **Section 2**, the planning proposal is consistent with Council's strategic documents *Campbelltown 2025 – Looking Forward*, *Campbelltown Local Planning Strategy* and *Campbelltown Residential Development Strategy*. The proposal will enhance Campbelltown as a growing Regional

Centre by addressing the need to provide for future residential development, maintaining protection of sensitive environments, utilising existing transport and traffic infrastructure into Campbelltown City, and improving the diversity and choice of housing.

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

The consistency of the proposal with the relevant State Environmental Planning Policies (SEPPs) is outlined in **Table 2**

Table 2 – Consistency of the proposal with the relevant SEPPs

SEPP	Requirement	Proposal	Complies
SEPP 19 – Bushland in Urban Areas	SEPP 19 aims to protect bushland in urban areas identified in Schedule 1 of the SEPP. Campbelltown is listed in Schedule 1 and therefore a Plan of Management is to be developed where bushland is zoned or reserved for public open space purposes.	The urban bushland within the site is to be dedicated to CCC. Plans of Management for future bushland within the site will be prepared at the time of relevant development as required by CCC.	Yes
SEPP 44 – Koala Habitat Protection	Campbelltown is identified as a local government area with the potential for providing koala habitat. This Policy aims to encourage the proper conservation and management of areas 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.	The number of Koala habitat trees does not exceed the 15% threshold under the SEPP and therefore the site is not considered potential Koala habitat.	Yes
SEPP 55 – Remediation of Land	SEPP 55 requires a planning authority to consider whether land is contaminated, and if so whether it is, or can be made suitable for proposed residential use.	This planning proposal indicates that the land is not contaminated and is suitable for future residential development	Yes
SEPP (Infrastructure) 2007	The aim of this Policy is to facilitate the effective delivery of infrastructure across the State.	Future development of the site will need to be consistent with the relevant provisions of this SEPP, with future development applications referred to the RMS where necessary.	Yes
SEPP (BASIX) 2004	The overall aim of this Policy is to encourage sustainable residential development through establishing targets for thermal comfort, energy and water use.	DAs for all future residential development will need to comply with the targets established under BASIX.	Yes
SEPP (Housing for Seniors or People with a Disability) 2004	The aim of this policy is to encourage the provision of housing which increases the supply and diversity of residencies that meets the needs of seniors or people with a disability.	The planning proposal does not preclude the provision of housing for seniors and people with a disability.	Yes
SEPP Mining, Petroleum production and extractive industries 2007	The aims of this Policy are to support petroleum production and extractive industries to provide and manage development of mineral, petroleum and extractive material resources for promoting the social and economic welfare of the State.	The planning proposal does not impede potential mining of coal resources.	Yes
SEPP Affordable Rental Housing 2009	The aims of this Policy are to provide an overall consistent planning regime for the provision of affordable rental housing.	The planning proposal does not preclude the provision of affordable rental housing	Yes
SEPP Exempt and Comply	The aims of this Policy are to provide exempt and complying development codes that have State-wide application.	The planning proposal is not inconsistent with this SEPP which would apply to future development	Yes
SREP 20 Hawkesbury Nepean River	The aims of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.	The assessments undertaken for this planning proposal have addressed the environment of the Hawkesbury Nepean system. The inclusion of proposed LEP provisions in relation to the Terrestrial Biodiversity (see Section 4), and the delivery of water quality and quantity infrastructure ensure the protection of the Hawkesbury Nepean system	Yes

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

The consistency of the proposal with the relevant Section 117 Directions is outlined in **Table 3**

Table 3 – Consistency of the proposal with the relevant Section 117 Directions

Section 117 Direction	Summary / Implications	Proposal	Complies
1.1 Business and Industrial Zones	This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone. A planning proposal must ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning	The area proposed to be rezoned to Zone B1 Neighbourhood Centre is approximately 3,200m ² and is proposed to accommodate a community centre and small convenience store/kiosk. This planning proposal is thus considered to be justifiably inconsistent with this direction as it is of minor significance due the small area proposed for business purposes.	Yes
1.2 Rural Zones	This direction applies when a council prepares a draft LEP that creates, removes or alters a Rural Zone or provision. Any rezoning of Rural land needs to be justified by an environmental study or is in accordance with the relevant Regional Strategy prepared by the Department of Planning and Infrastructure.	As noted previously, the site was identified for rezoning on the Metropolitan Development Program. The planning proposal reflects the outcomes of extensive environmental studies and accords with relevant regional strategies as set out in this report.	Yes
1.3 Mining, Petroleum Production	Any future extraction of State or regionally significant reserves of coal, other mineral, petroleum and extractive materials are not compromised by inappropriate development.	Faults within the coal seam below the site will restrict any future mining activities, whilst the remainder of the seam will still be capable of being extracted.	Yes
2.1 Environment Protection Zones	This direction seeks to ensure the protection and conservation of environmentally sensitive areas.	Environmentally sensitive land is protected and conserved by way of provisions in a proposed Terrestrial Biodiversity clause in the draft LEP for the site (see Section 4)	Yes
2.3 Heritage Conservation	This direction applies to the conservation of heritage items, areas, objects and places of environmental heritage significance and indigenous heritage.	The heritage report has recommended appropriate mitigation measures to ensure that existing heritage is protected.	Yes
3.1 Residential Zones	This direction applies when Council prepares a draft LEP that creates, removes or alters a Residential Zone or provision. Any draft LEP will need to ensure that residential development is adequately serviced with water and sewerage.	The options for the provision of water and sewer infrastructure have been investigated and will be delivered as part of future applications for subdivision	Yes
3.3 Home Occupations	This direction encourages the carrying out of low-impact small businesses in dwelling houses.	The provisions in the draft LEP are consistent with CCC LGA-wide practice and do not preclude the carrying out of low-impact small businesses in dwelling houses	Yes
3.4 Integrated Land Use and Transport	This direction aims to ensure that urban structure, building forms, land use locations, development design, subdivision and street layouts achieve improved access to housing, jobs and support viable public transport.	The proposal seeks to deliver new housing in close proximity to existing residential urban land with access to public transport.	Yes
4.1 Acid Sulphate Soils	This direction aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils	Previous studies on site indicated that Acid Sulphate Soils were considered to present low risk. No further assessment is required	Yes
4.2 Mine Subsidence and Unstable Land	This direction aims to prevent damage to life, property and the environment on land that may be unstable or subject to mine subsidence.	The Mine Subsidence Report has confirmed that any subsidence related issues can be managed.	Yes
4.3 Flood Prone Land	This direction aims to ensure that development is consistent with flooding policies and includes consideration of potential floor impacts.	The site subject to this proposal is not identified as flood prone land.	Yes

Section 117 Direction	Summary / Implications	Proposal	Complies
4.4 Planning for Bushfire Protection	This direction aims to protect life, property and the environment from bush fire hazards, and to encourage sound management of bush fire prone areas. The direction requires that a Council shall consult with the Commissioner of the NSW Rural Fire Service prior to undertaking community consultation on a draft LEP, and take into account any comments made. It also requires that the draft local environmental plan shall have regard to <i>Planning for Bushfire Protection 2006</i> , and introduce controls that avoid placing inappropriate developments in hazardous areas.	Any future development on site will have regard to <i>Planning for Bushfire Protection 2001</i> . Council has consulted with the NSW RFS who advise that it has no objection to the planning proposal in principle. See copy of letter at Appendix E .	Yes
6.1 Approval and Referral Requirements	This direction aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	No new unnecessary referral or concurrence conditions are proposed as part of the planning proposal.	Yes
6.2 Reserving Land for Public Purposes	This direction aims to facilitate the provision of public services and facilities by reserving land for public purposes.	The planning proposal includes the reserving of land to enable the widening of Appin Road which is classified as a State Road. Road and Maritime Services has advised that it will be the responsible public authority for the acquisition of the land dedicated for the road widening. See copy of letter at Appendix E .	Yes
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Planning proposals shall be consistent with the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010.	The planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.	Yes

6.3 Environmental, Social and Economic Impact

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

There is no critical habitat on the site.

Seven threatened bat species were identified on the site. The ecological assessment carried out for the planning proposal concludes that these species will not be affected by the proposal.

The following ecological communities are located within the boundaries of the site: Cumberland Plain Woodland (CPW) – a critically endangered ecological community; Shale Sandstone Transition Forest (SSTF) – a critically endangered ecological community; and River-flat Eucalypt Forest (RFEF) – an endangered ecological community.

The proposal involves the retention of 83% of CPW, 49.6% of SSTF and 100% of RFEF, with 1.5 hectares of CPW and 12.5 hectares of SSTF to be removed - both largely comprising scattered trees.

Any adverse effects as a result of the removal of CPW and SSTF will be addressed either via a Species Impact Statement submitted with future development applications, or offset with Biodiversity Certification as detailed in the Ecological Assessment at **Appendix F**. The proposal is capable of achieving the test of 'improving or maintaining' the current vegetation on the site, subject to a red-flag variation being granted by OEH. The landowners have committed to achieving bio-banking offsets and substantial land has been set aside for this purpose.

Also as noted in clause 5.1.2, the proposed LEP amendment protects the ecological values of the site in the following ways:

- Ecologically sensitive land proposed to be zoned RE1 and RU2 will receive special protection via a clause to this effect, titled Terrestrial Biodiversity (as shown in **Appendix C**), which is proposed to be incorporated in 'Part 7 of the draft Campbelltown LEP 2014. The relevant land is identified on the Terrestrial Biodiversity Map.

- The land proposed to be zoned RE1 in the north of the site connects with Noorumba Reserve and there are generally connections between all the areas of RE1 zoned land so facilitating the passage of native fauna.

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

The environmental effects as a result of the planning proposal are detailed in Section 5 of this report and the appended specialist reports, and involve impacts on:

- non-indigenous heritage views and vistas;
- Aboriginal heritage;
- native vegetation; and
- traffic.

None of the impacts are considered of sufficient magnitude to preclude the land uses the subject of the planning proposal. All will be managed by:

- proposed LEP provisions;
- proposed development controls in Campbelltown (Sustainable City) DCP 2014;
- the provision of State road infrastructure to be delivered via a regional voluntary planning agreement between the landowners and the State government;
- the retention of significant stands of trees within open space areas; and
- provision of Biobanking offsets and/or other measures to protect the biodiversity of the site as determined by SIS assessments at development application stage.

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

The planning proposal has considered the potential social and economic effects of the rezoning for future residential development. While local community and recreation facilities will be provided within the site, as noted in **Section 5.15**, the incoming population will be able to access all other social services in neighbouring suburbs where there is excess capacity (eg schools, health services, retail, entertainment, etc).

The site will accommodate a range of lot sizes, so providing choice in housing form and size which would respond to a variety of living situations and lifestyle choices. This has the potential to attract new residents who could, in turn, stimulate employment growth within the Campbelltown LGA.

6.4 State and Commonwealth Interests

Is there adequate public infrastructure for the planning proposal?

Utility Services Infrastructure

The full range of utility services needed to support the site has been investigated, covering electricity, telecommunication, gas, water, waste water and stormwater drainage. The site is able to be serviced with all of the above utility infrastructure as set out in **Section 5.14**

Transport Infrastructure

The site is capable of absorbing and supporting public transport and provision has been made for a bus route within the site. The street layout within the site, as proposed in the Indicative Structure Plan, facilitates local traffic movements as well as walking and cycling. Local roads will be constructed as part of future development applications.

The need for road and intersection upgrades has been set out in the Traffic, Transport & Access Study (see **Appendix M**) and discussed in **Section 5.10**. Various intersection and road upgrades will be required to address capacity deficits which are forecast to occur as a result of the planning proposal and background growth. These will be the subject of a regional voluntary planning agreement between the landowners and the State government.

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

All the authorities listed in the Gateway Determination will be consulted by CCC in accordance with section 56(2)(d) of the EP&A Act. The inputs and views of the following entities were sought either by the landowners and/or their consultants or CCC during preparation of the planning proposal.

- **Sydney Water** supports the exhibition of the planning proposal and has indicated that it will support the finalisation of the planning proposal once its requirements for determining the servicing strategy have been met (see letter at **Appendix E**).
- **Transport for NSW** and **Roads and Maritime Services** have confirmed that the measures proposed to mitigate the traffic impacts of the planning proposal are acceptable. They also do not object to the public exhibition of the planning proposal (see letters at **Appendix E**).
- The **Office of Environment and Heritage** has indicated that it will consider and respond to the Indigenous Heritage Assessment during the formal notification period.
- The **NSW Office of Water** responded to questions about the classification of the streams on the site and agreed to the removal of a number of 1st order streams mapped on the site (see correspondence at **Appendix E**).
- The **NSW Rural Fire Service** has no objection to the planning proposal in principle but advises that any future development will need to comply with the requirements of *Planning for Bush Fire Protection 2006* (see correspondence at **Appendix E**).

6.5 Conclusion

The studies undertaken in support of this planning proposal have confirmed that the Mt Gilead site is suitable for residential development. The proposal will enable the 210 ha site to be rezoned for low density residential development on land that is generally unconstrained by biophysical and ecological features.

The planning proposal will facilitate development that would have demonstrable social and economic benefits for the region. With up to 1700 new dwellings in a low density environment, the proposal will deliver positive outcomes for housing supply to the South West Region and the Campbelltown-Macarthur Regional City Centre, and with a range of lot sizes, 600 square metres on average, it will expand the type and choice of dwellings available in the Campbelltown LGA. This outcome is consistent with local and regional strategies and objectives to promote housing diversity.

The land is proposed to be rezoned (in accordance with the Standard Instrument – Principal Local Environmental Plan and consistent with draft CLEP 2014) to a predominantly R2 residential zone along with smaller areas for public open space and roads. In addition, a small area is intended to be zoned as a neighbourhood centre in order to facilitate the future delivery of a community centre. 29ha is to be retained as rural land. Ecologically sensitive vegetation will be protected.

In accordance with the Gateway Determination a range of planning and environmental issues were considered in preparing the planning proposal. They demonstrate that the proposed rezoning can proceed with few, if any, adverse effects. Impacts in relation to sensitive vegetation; heritage; and traffic and transport infrastructure are able to be managed and mitigated by a combination of additional LEP provisions, site-specific development controls, the provision of road infrastructure through a VPA, and the offsetting of the loss of vegetation.

The proposed rezoning makes provision on site for local passive and active open space, community facilities and a small area of retail development. For those social and economic services and facilities that will not be provided on site, it is considered that there is sufficient capacity in the neighbouring areas to accommodate the needs of the incoming community.

The site is able to be serviced with necessary water, waste water and other utility services.

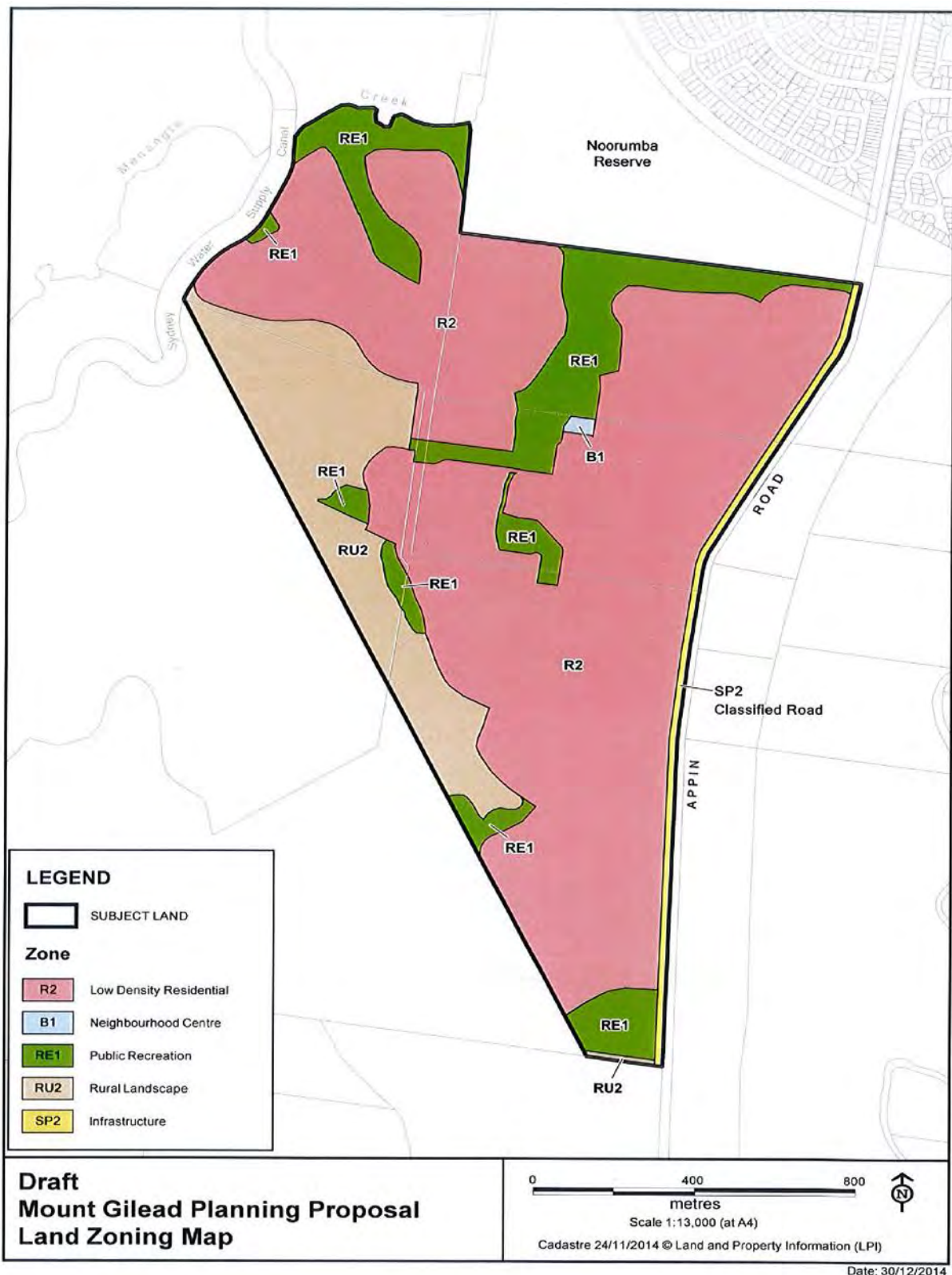
It is considered that there is sufficient information available to give Council the confidence to publically exhibit and formally notify this planning proposal and associated LEP amendment in accordance with the *Environmental Planning and Assessment Act 1979*.

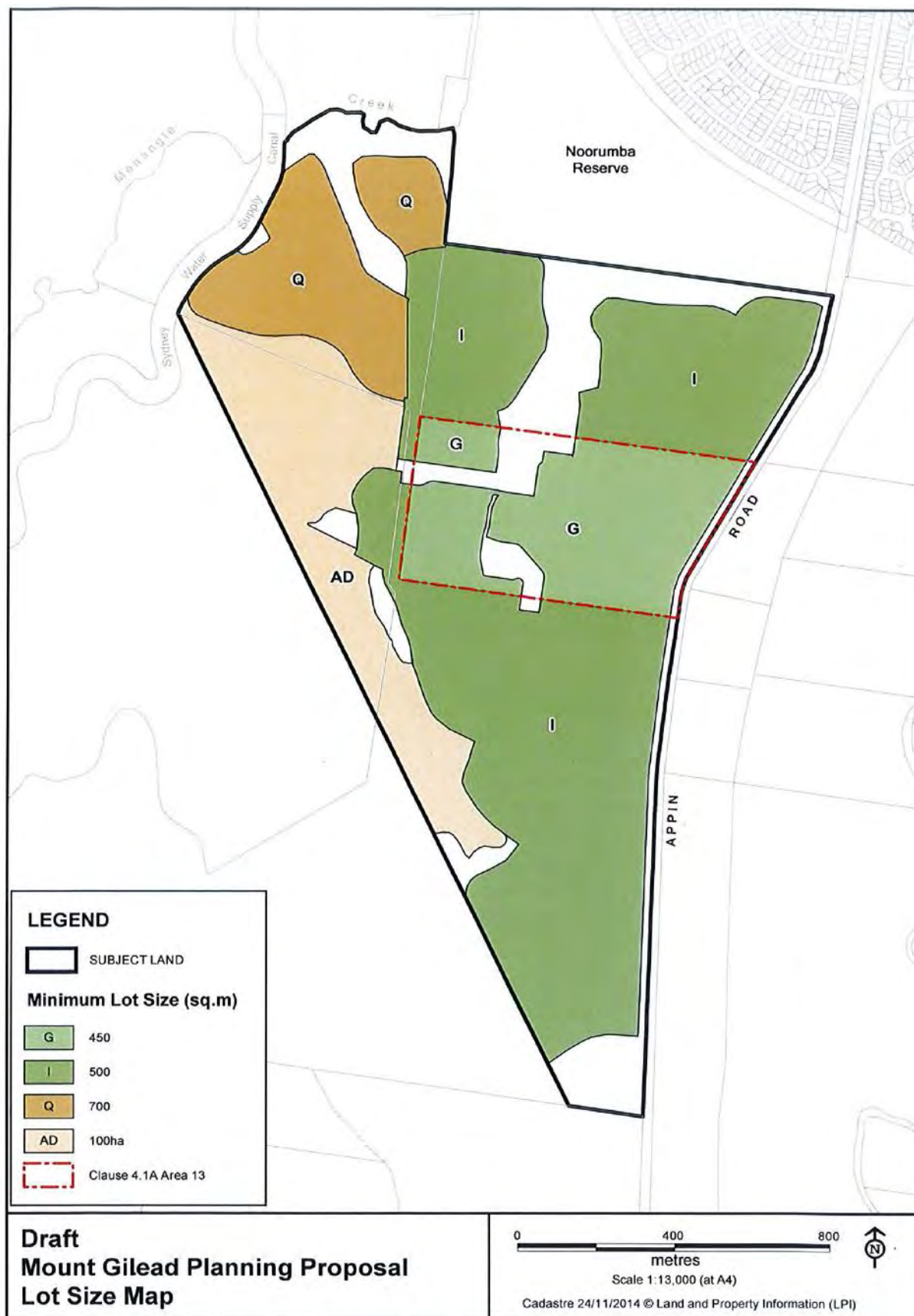
However, it is noted that Council will require assurance that the State Government will provide the necessary resources needed for the widening of Appin Road. The proposed voluntary planning

agreement between the traffic authorities and the proponents will include an apportionment of funds payable by the proponents for the road works considered attributable to the need that will be generated by the Mt Gilead URA. This is anticipated to be approximately 50% of a total cost of approximately \$20M. However, Council has not received any advice from the State authorities confirming that they will fund the remaining 50%. Without this contribution from the State Government there is no capacity for the development to remain economically feasible should the development itself be made responsible for funding what is essentially the regional co-contribution to facilitate road and traffic infrastructure.

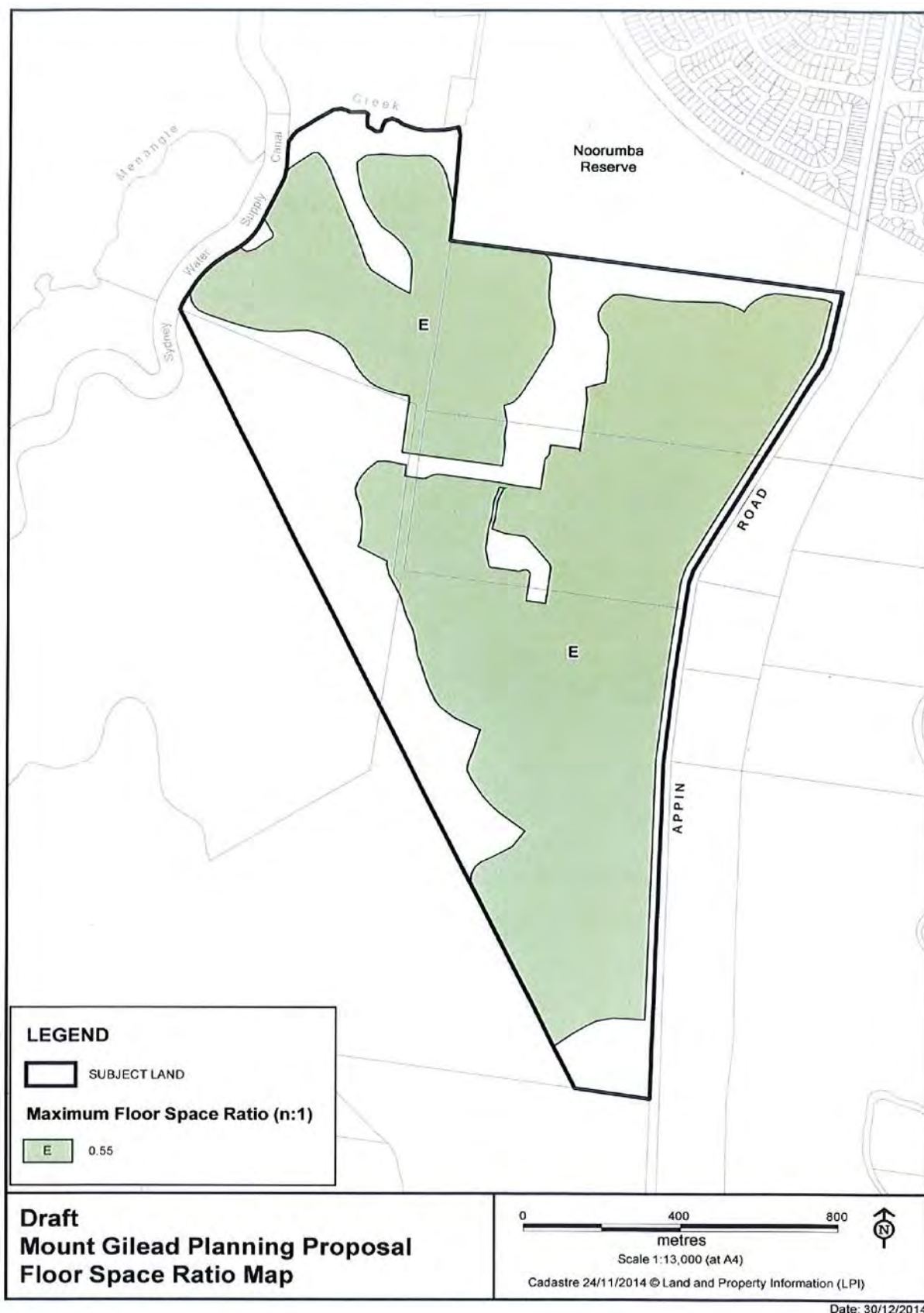
Appendix B

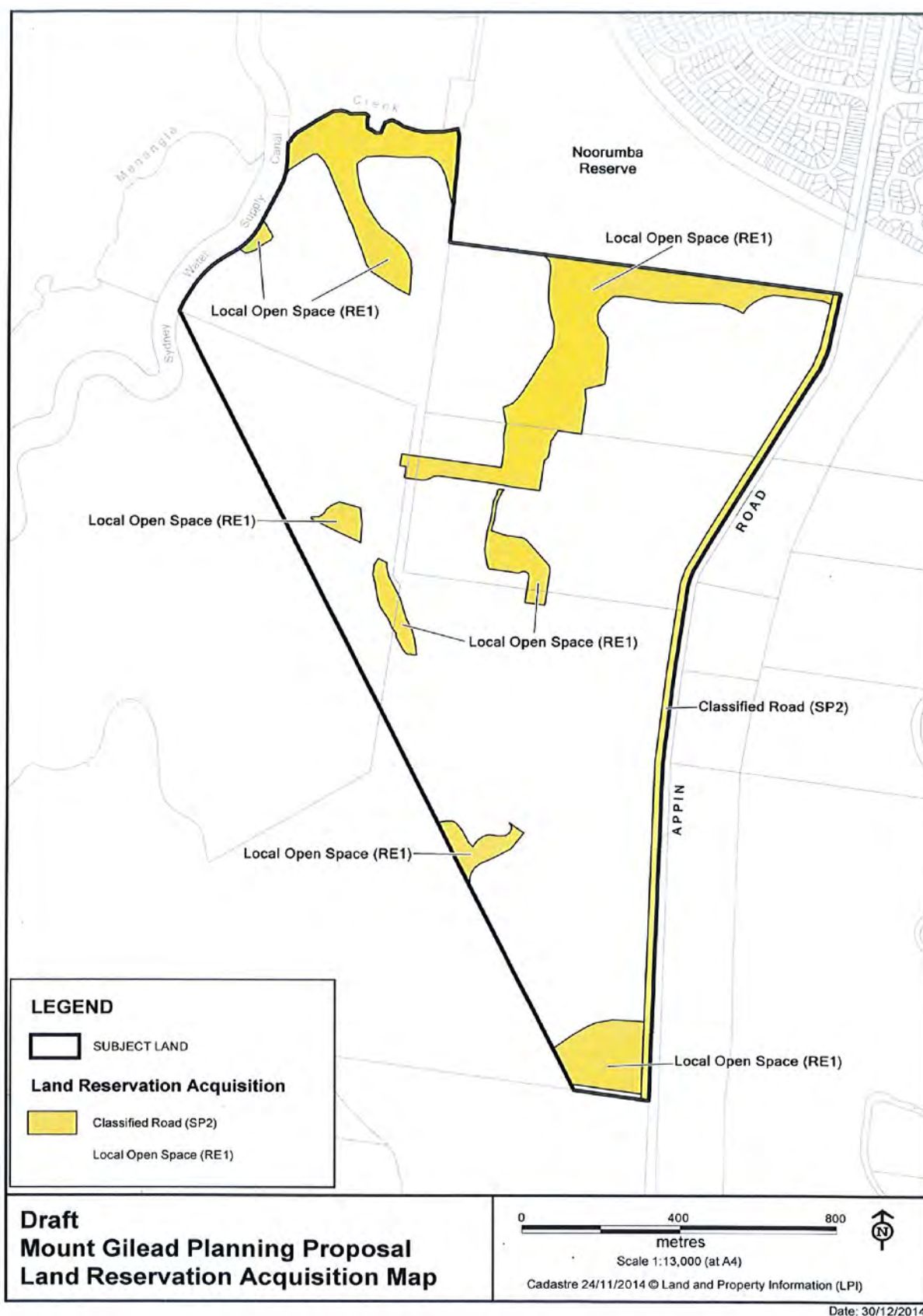
Planning Proposal Maps

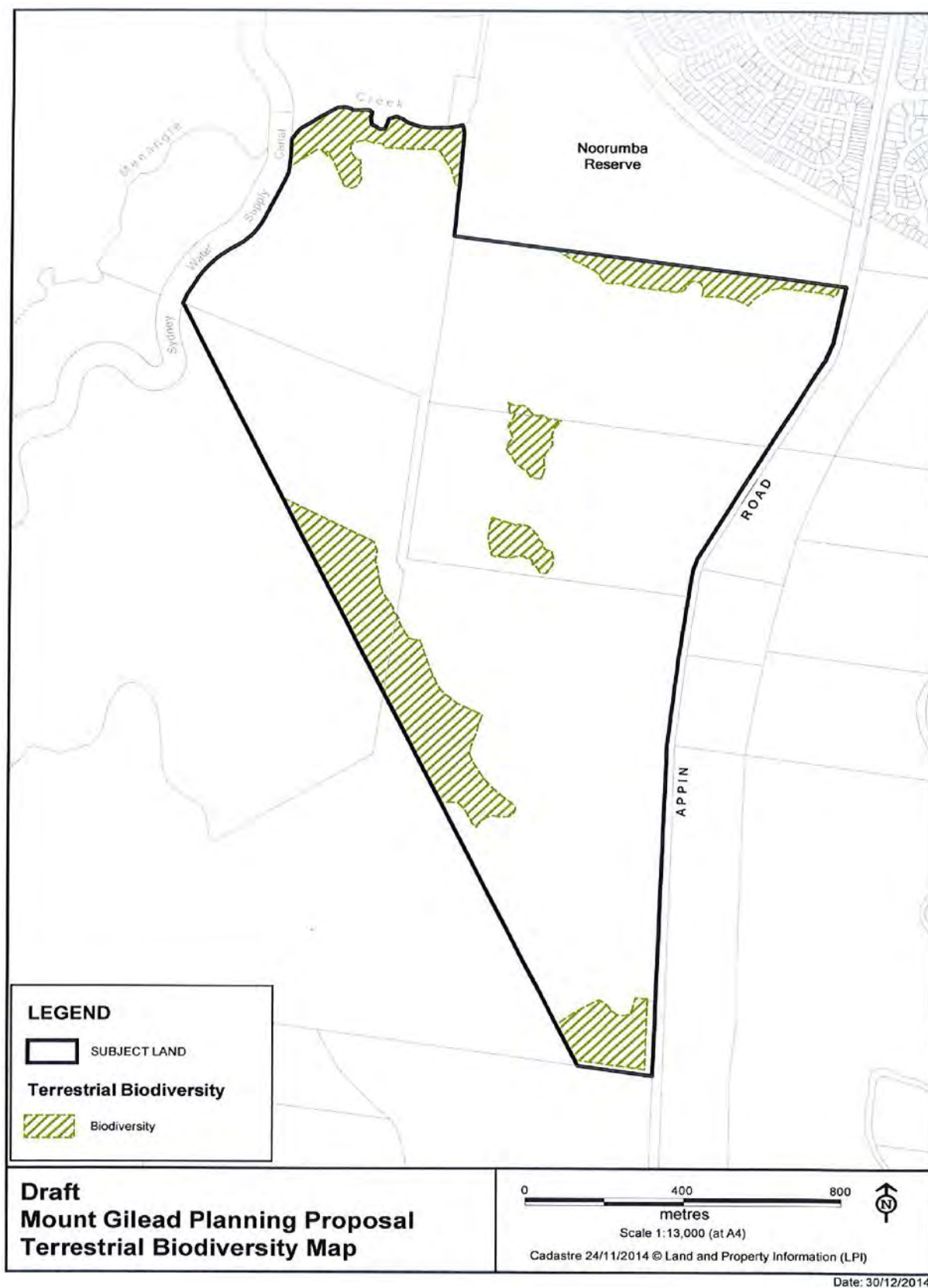


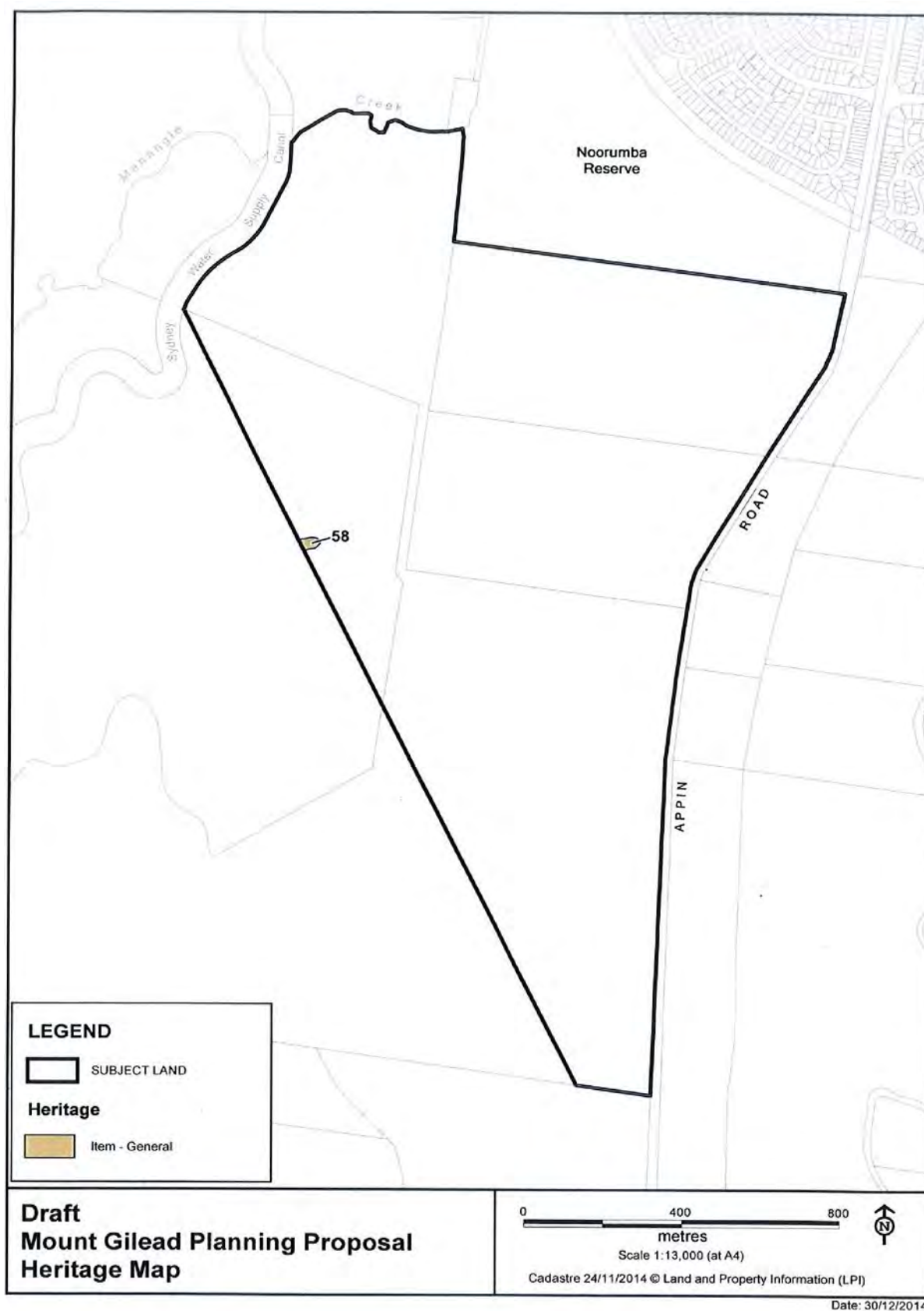












Appendix C

Proposed LEP Amendments

Appendix C

PROPOSED ADDITIONAL LEP CLAUSES

Proposed amendment to clause 4.1A

4.1A Exceptions to minimum lot sizes for certain residential development

Insert the following at the end of subclause (2):

Area 13 at Mount Gilead.

Insert the following after subclause (3)

- (4) Despite clause 4.1 development consent may be granted to the subdivision of a maximum of 65 of the total lots on land within Area 13 at Mount Gilead for the purposes of single dwelling houses if:
- each lot has a minimum lot size of 375m²,
 - each lot is contiguous with no more than two other lots on the street frontage which are of a lot size less than 450 m²,
 - each lot is not located on a bus route, and
 - each lot is not located more than 200 metres from a bus route, community centre or open space area.

Insert after clause 7.19

7.20 Terrestrial Biodiversity

1. The objective of this clause is to maximise the retention and enhancement of native biodiversity, including the following:
 - (a) protecting significant native flora and fauna,
 - (b) protecting the ecological processes necessary for their continued existence,
 - (c) encouraging the recovery of native flora and fauna, and their habitats, and
 - (d) maximising connectivity and minimising habitat fragmentation.
 2. This clause applies to land identified as "Biodiversity" on the Terrestrial Biodiversity Map.
 3. Before granting development consent on any land to which this clause applies, the consent authority must consider the following matters:
 - (a) the impact of the development on native flora and fauna and their habitats,
 - (b) the condition and significance of the vegetation on the land and whether it should be substantially retained,
 - (c) the importance of the vegetation to the sustainability of native flora and fauna in the locality,
 - (d) the potential to fragment, disturb or diminish the biodiversity values of the land including biodiversity structure, function and composition,
-

- (e) the condition and role of the vegetation as a habitat corridor, and any adverse impact on the habitat elements providing connectivity on the land,
 - (f) whether the location, design and density of the proposed development supports the protection and enhancement of biodiversity values, and
 - (g) any proposed measures to avoid, minimize or mitigate the impacts of the development.
4. Before granting consent to development to which this clause applies, the consent authority must be satisfied that:
- (a) the development is sited, designed and managed to avoid adverse impacts on native biodiversity, or
 - (b) where an adverse impact cannot be avoided by adopting reasonable alternatives, the development is designed, sited, constructed and will be managed in a manner that minimises the impacts to a satisfactory extent, and
 - (c) any resulting impact must be limited to the extent necessary to facilitate the safe and orderly use of the land for the purposes of the development, and
 - (d) arrangements are in place to ensure that the biodiversity values on site will be proactively managed to mitigate the impacts.
-

ATTACHMENT 3

Campbelltown (Sustainable City) Development Control Plan 2014

Volume 2 Site Specific Development Control Plans

Draft

Part: 4 Mt Gilead

Section 4 MT GILEAD

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Section 4 MT GILEAD

1. INTRODUCTION

1.1. Land to which this DCP Applies

This Part applies to the land identified in Figure 1.

This Part establishes additional provisions for Mt Gilead. Where there is an inconsistency between Part 4 and any other Part of this DCP, Part 4 applies to the extent of the inconsistency. When a development control is not specified in this Part, development should be consistent with all other relevant controls of Campbelltown (Sustainable City) DCP 2014.

The following Design Requirements of Part 3, Campbelltown (Sustainable City) Development Control Plan 2014 apply:

CONTROL		RELEVANCE
3.4	Car Parking and Access	All controls unless specified in this Part
3.5	Acoustic and Visual Privacy	All controls unless specified in this Part
3.6	Solar Access	Design Requirements (c) and (d)
3.7.2.3	Car Parking Rates	Design Requirements (a)
3.7.2.5	Waste bin requirements	All controls unless specified in this Part
3.10.1	Residential Subdivision, General Requirements	All controls unless specified in this Part
3.10.2	Residential Subdivision, Residential Torrens Title Subdivision – Conventional Allotments	Design Requirements (b)
3.10.5	Residential Subdivision, Subdivision and Waste Management	All controls unless specified in this Part

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.

Volume 3 Engineering Design for Development applies to development specified in this Part.

Section 4 MT GILEAD

Figure 1: Land to which this DCP applies



Section 4 MT GILEAD

2. VISION AND DEVELOPMENT OBJECTIVES

2.1. Vision for Mt Gilead

Mt Gilead will be a high quality residential community 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 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 bushland.

2.2. Key Development Objectives

Key Development Objectives for Mt Gilead are:

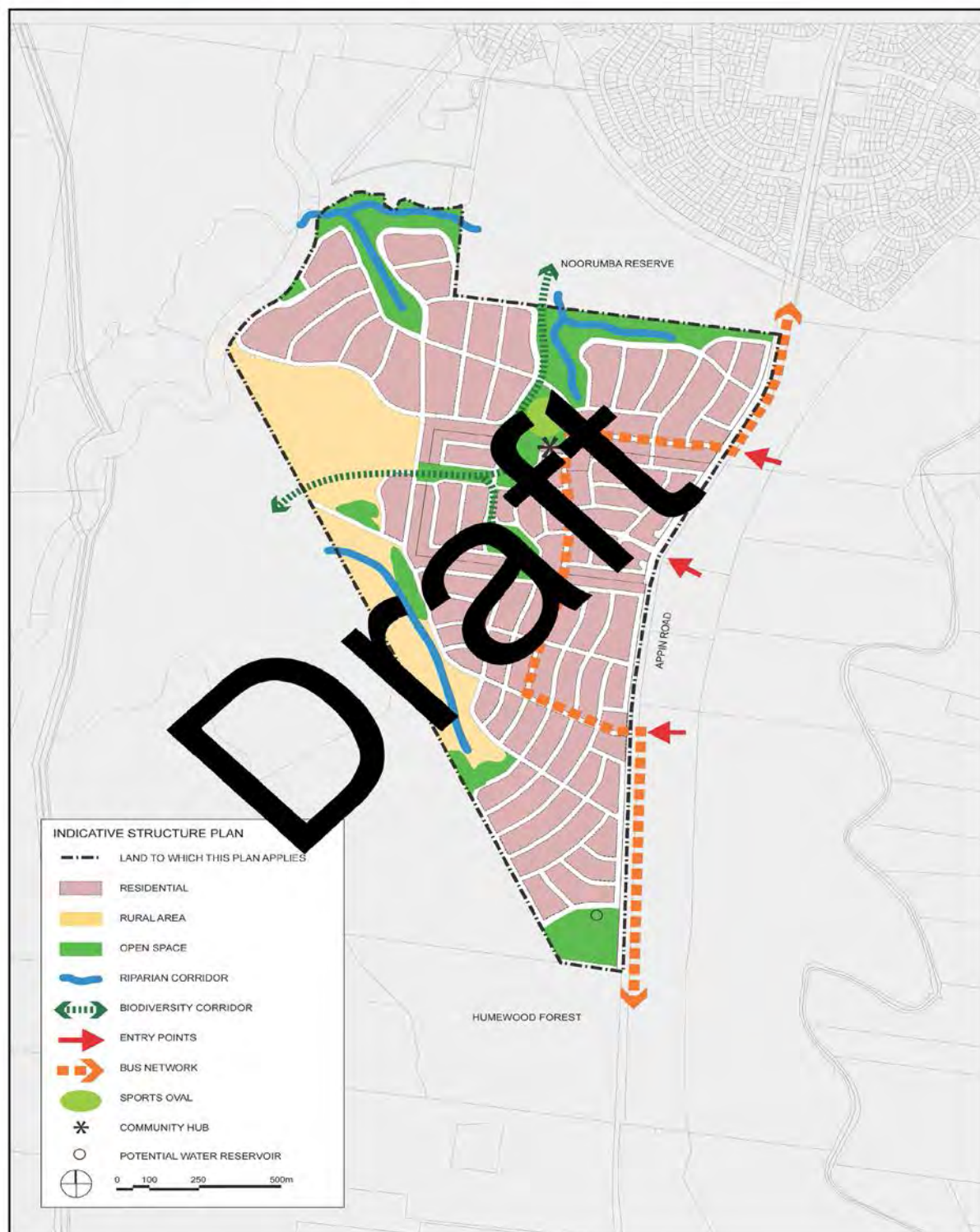
- Create an environmentally and socially sustainable residential development at Mt Gilead that provides housing diversity and choice within the Campbelltown local government area.
- Provide a broad variety of lot sizes.
- Ensure all development achieves a high standard of urban and architectural design.
- 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.

Controls

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

Section 4 MT GILEAD

Figure 2: Mt Gilead Indicative Structure Plan



Section 4 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 Mt Gilead.

Controls

1. Development of Mt Gilead is to be consistent with the heritage principles identified in Figure 3. The following specific measures are to be incorporated into the subdivision design:
 - i. An interpretive road entrance at the existing entrance to the Mt Gilead Property shown in Figure 3. This should include a land mark specimen tree planting.
 - ii. Retention of One Tree Hill as a grassed knoll with a single tree.
2. Landscape screening is to be provided in the locations identified in Figure 3 to:
 - i. Ensure that housing on 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 views identified from the indicative locations in Figure 3 to the Old Mill and One Tree Hill are to be retained and interpreted.

Note:

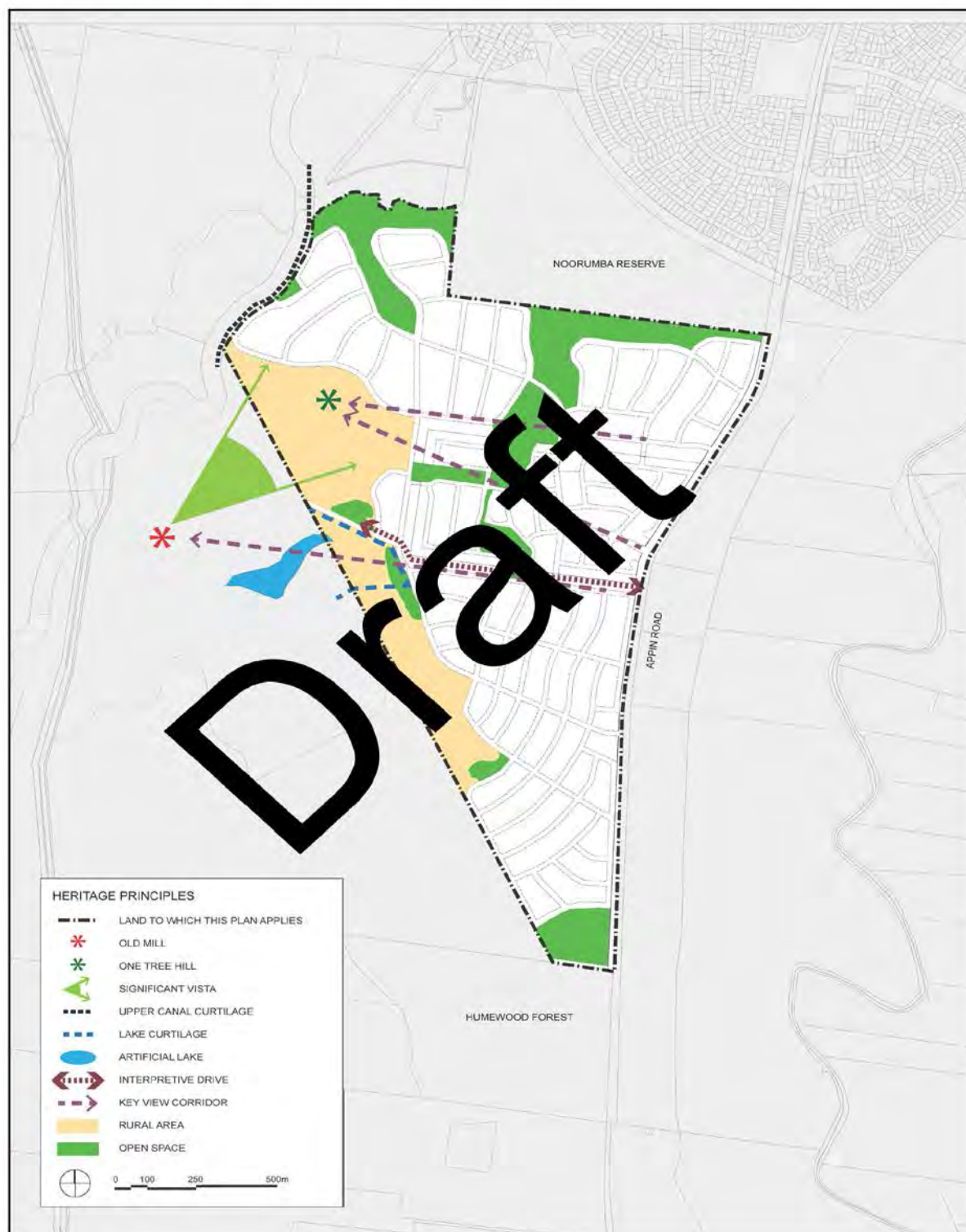
Retention of regional views to hills to the west from within the subdivision will be crucial in retaining the visual context of the landscape prior land uses and heritage values. Accordingly, when the subdivision street pattern and open space locations are finalised, a site review should be undertaken to ensure that important views to the west are retained and interpreted within the public domain (streets and parks). These locations should be identified on the plans submitted with Development Applications for subdivision.

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.

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Figure 3: Indicative Heritage Principles Plan



Section 4 MT GILEAD

3.2. Street Network and Public Transport

Objectives

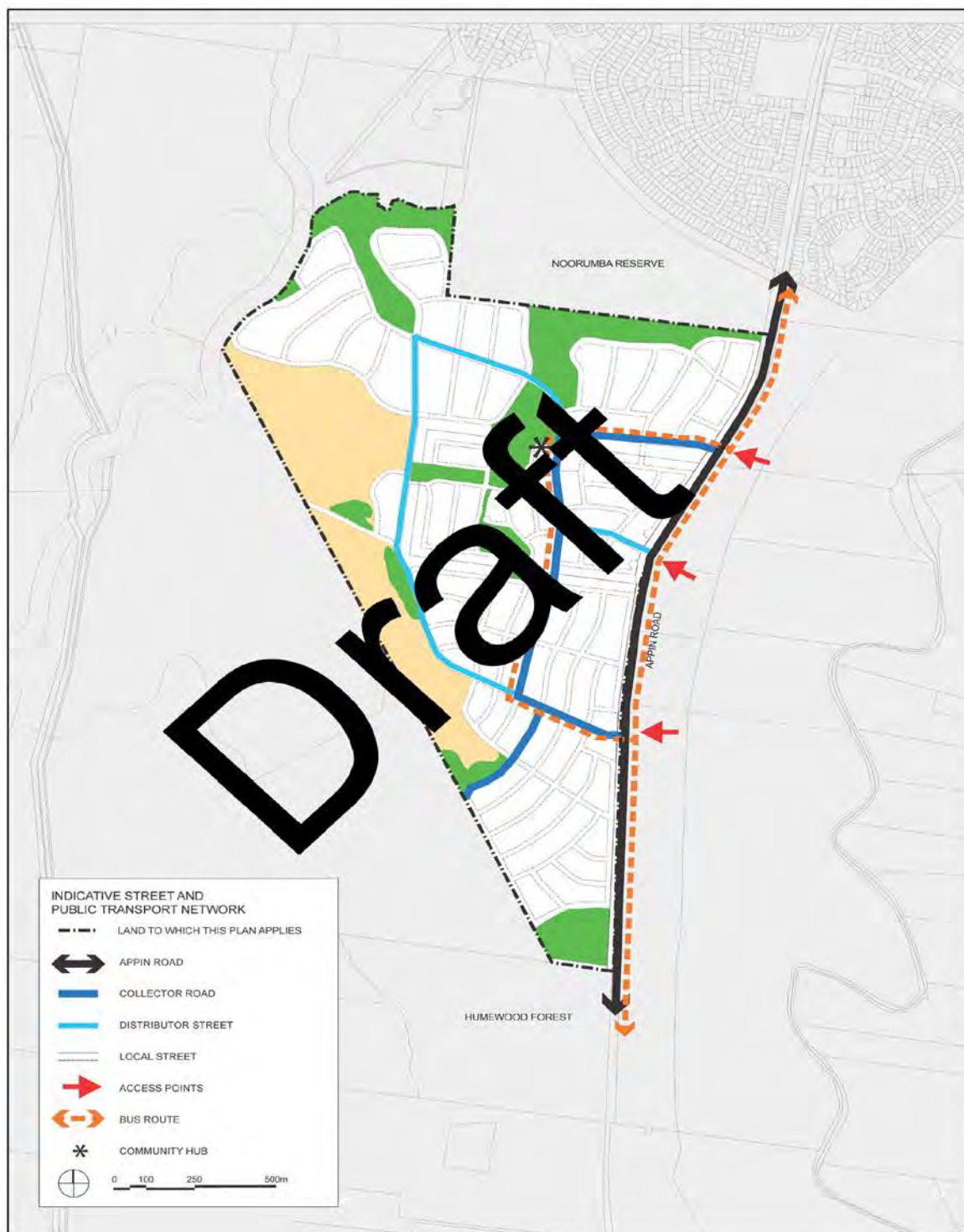
- Provide a clear hierarchy of interconnected streets that enables safe, convenient and legible access.
- Provide easily accessible connections to Appin Road.
- Ensure carriageways and verges match the function of the road.
- Provide adequate land within verges for infrastructure, landscaping and pathways.
- 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 to support 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 dwelling,
 - v. take into account the sites topography and view lines,
 - vi. provide frontage to and maintain surveillance of open space,
 - vii. facilitate wayfinding and place making opportunities by taking into account streetscape features,
 - viii. retain existing trees where appropriate, within the road reserve.
2. Three entrances are to be provided off Appin Road generally in accordance with the locations identified in Figure 2 and Figure 4.
3. The public street network is to be provided generally in accordance with Figure 4.
4. Street design is to comply with the minimum standards in the cross-sections detailed in Figure 5.
5. 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 Volume 3 of this DCP.
6. All kerbs are to be barrier kerbs.
7. Cul-de-sac streets will only be permitted where there are physical constraints such as sloping land, riparian corridors and bushland.
8. 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.
9. Appropriate seating or shelters should be provided at bus stops.
10. 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.
11. Pedestrian and cycle network is to be provided in accordance with Figure 6, 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 Volume 3 of this DCP.
12. Street trees are to be provided in a manner consistent with the Indicative Street Tree Hierarchy at Appendix 1.
13. A 10m wide Landscape Green Link is to be provided in the verge of the local street in the location shown in Figure 7. The Landscape Green Link is to be planted with endemic native plant species and designed in a manner consistent with Figure 5.

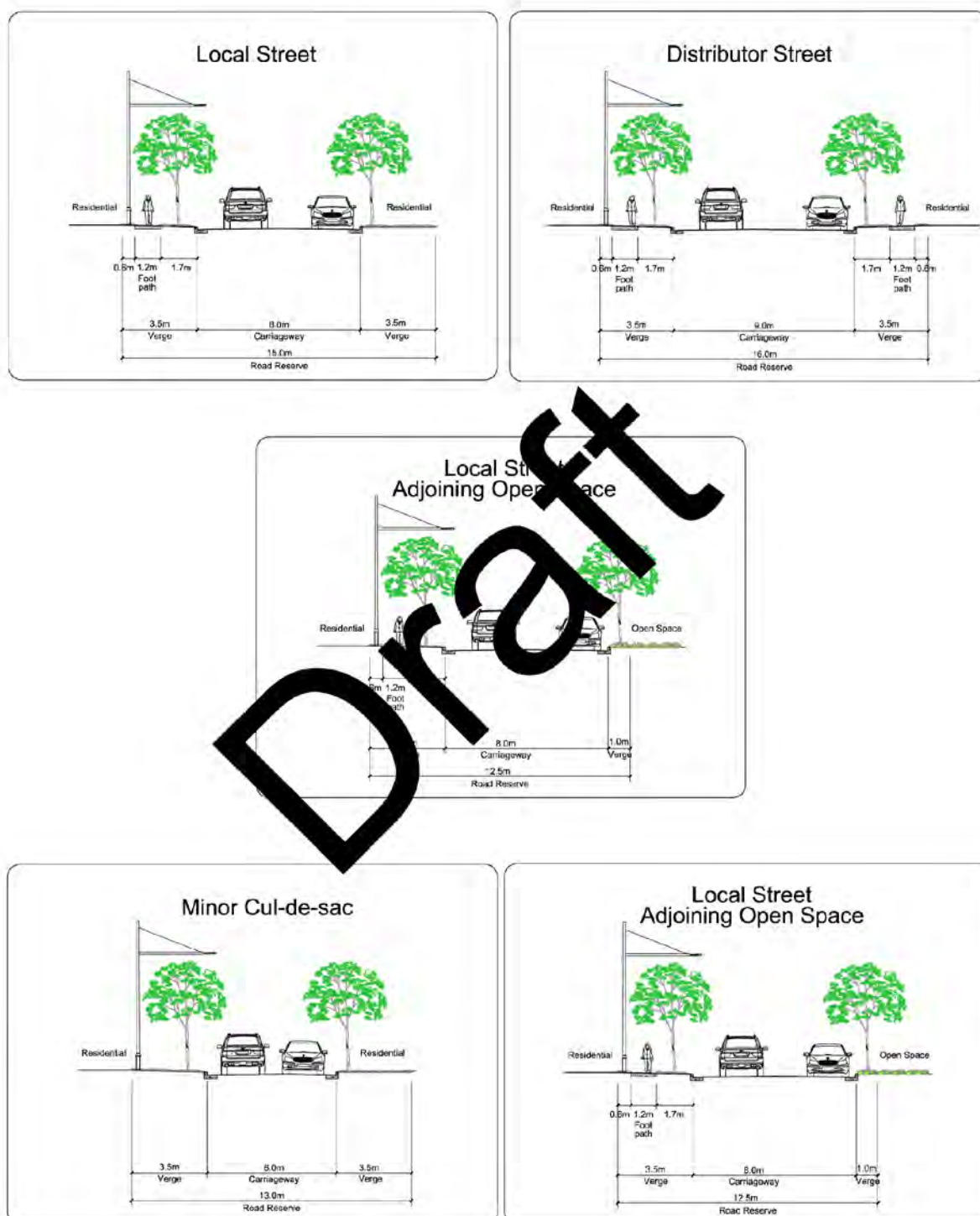
Section 4 MT GILEAD

Figure 4: Indicative Street Network and Public Transport

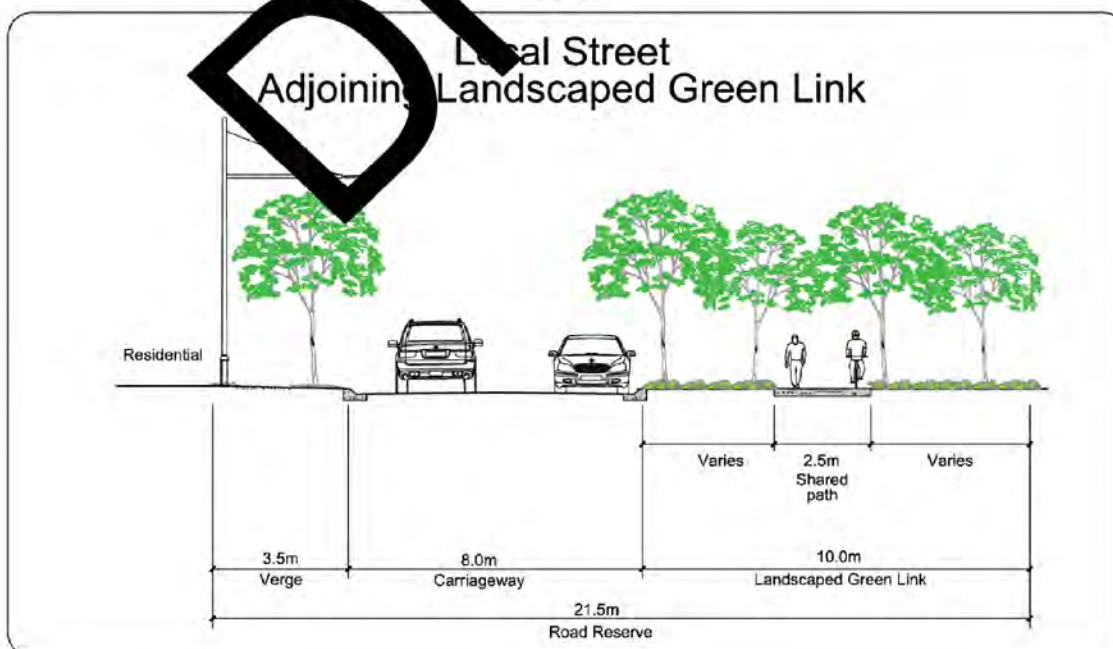
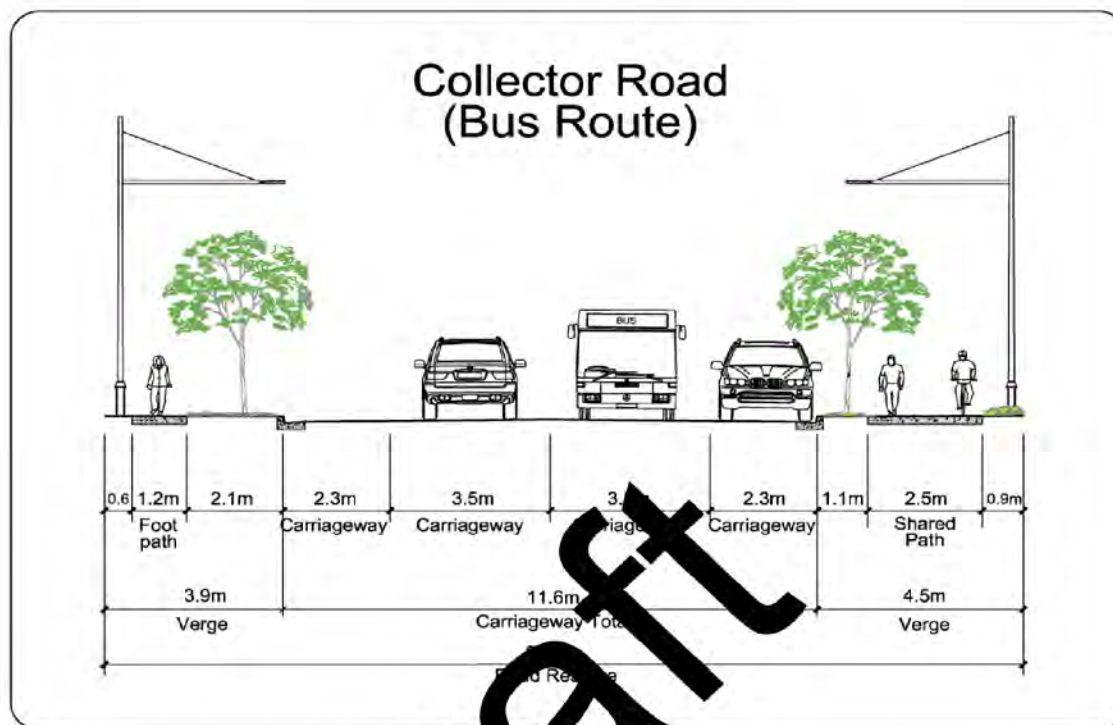


Section 4 MT GILEAD

Figure 5: Indicative Street Cross Sections

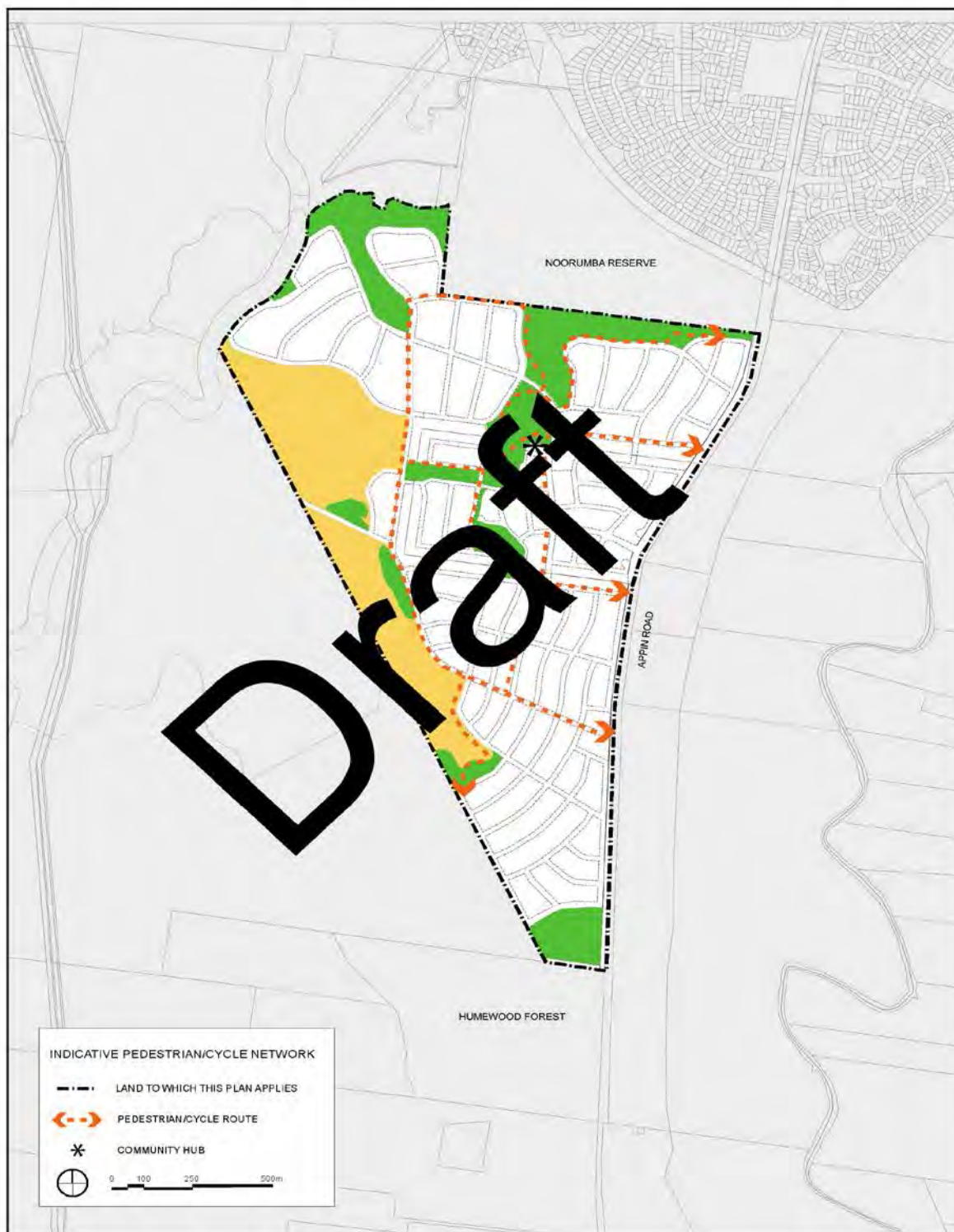


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Section 4 MT GILEAD

Figure 6: Indicative Pedestrian/ Cycle Network



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3.3. Public Open Space

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 and protect existing riparian corridors that contain habitat features.
- Promote riparian areas for passive open space uses and activities.
- Restore and conserve remnant bushland.

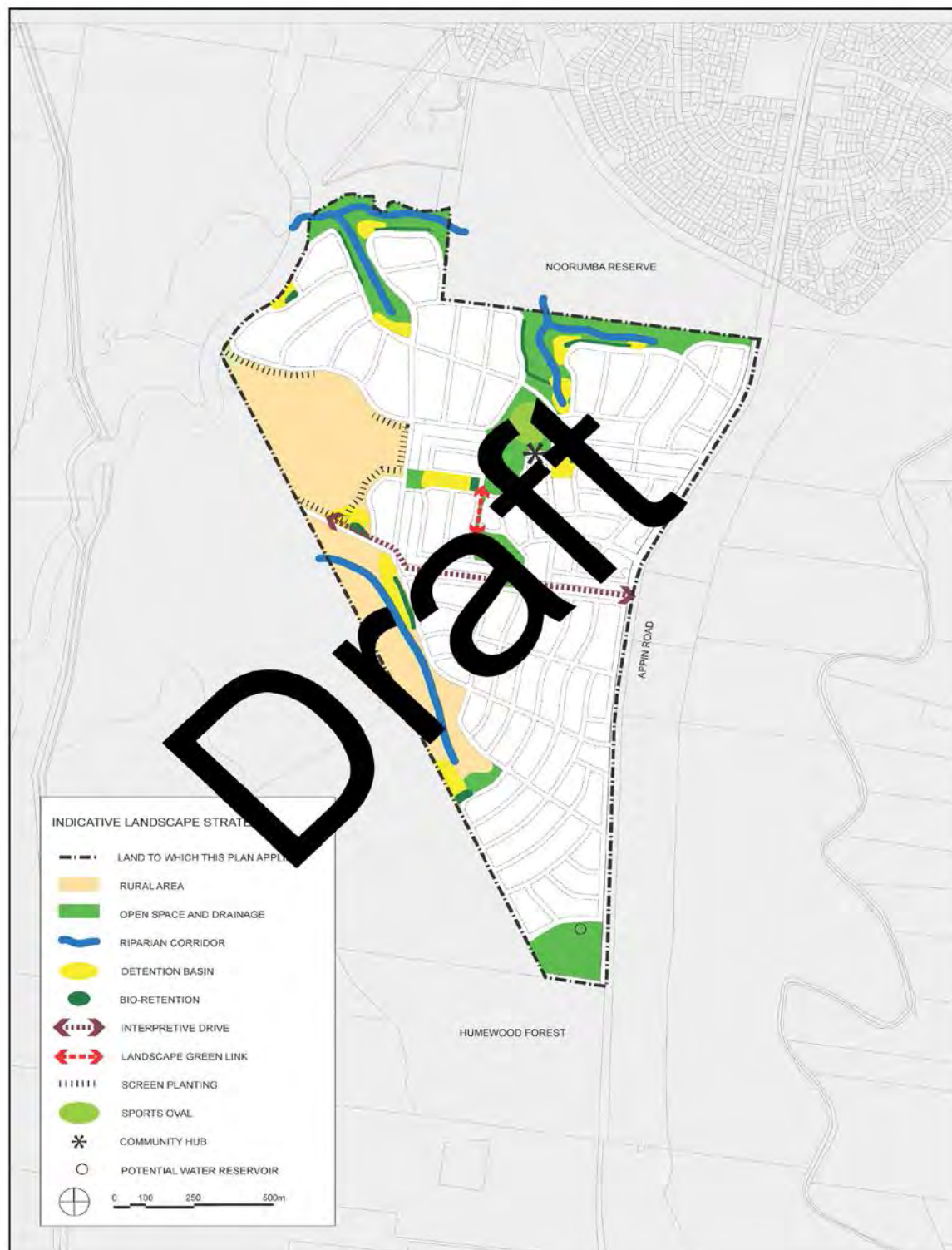
Controls

1. Landscaping and public open spaces are to be generally provided in accordance with Figure 7.
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.

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Section 4 MT GILEAD

Figure 7: Indicative Landscape Strategy



Section 4 MT GILEAD

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 lots less than 450m² in area (but with a minimum area of 375m²) 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, if possible, as far as possible.
4. The minimum lot width on any street frontage is 12.0m.
5. Lots less than 450m² are to be located within 200m of key amenity attractors such as the bus route, community hub and open space areas.
6. Subdivision layouts must provide a variety of lot frontages and lot sizes within each street. Lots less than 450m² must be dispersed throughout the subdivision and not be located in a manner where they form the dominant streetscape presentation.
7. The repetition of lot widths of 12.0m is to be avoided, with no more than 3 lots of this frontage to be adjacent to one another.

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.
- Encourage articulation of the front facades of dwellings.
- Reduce the dominance of garages on the streetscape.

Controls

1. Front setbacks are to be consistent with Table 2.

Table 2: Front setbacks

Lot Size	≤ 450 m ²	>450 m ²
Front setback	3.5m	4.5m
Articulation zone	2.5m	3.5m
Garage line	5.5m and at least 1m behind the facade line	1m minimum behind facade line

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2. To create an interesting and diverse streetscape, the following building elements are encouraged 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.

3.5.2. Side and rear setbacks

Objectives

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

Controls

1. Minimum side and rear setbacks are to be consistent with Table 3.
2. Any continuous wall shall be no more than 10m in length. Walls over 10m long shall have a minimum offset of 300mm for every additional 2m. This does not apply to party walls between attached dwellings.

Table 3: Minimum side and rear setbacks

Lot Size	≤ 450 m ²	>450 m ²
Side setback - single storey	0.9m	0.9m
Side setback - double storey	0.9m	1.2m
Side setback - garage	0m	0m
Rear setback - ground level	3m	4m
Rear setback - upper level	6m	8m

Section 4 MT GILEAD

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 450m².
2. To provide an attractive streetscape, dwellings on corner lots are to provide appropriate articulation to the facade on both street frontages.
3. Small windows to bathrooms, en-suites or the laundry should 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. 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.
6. Dwellings and landscaping shall be designed to minimise the amount of privacy/security fencing that faces roads.

3.5.4. 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 sunlight.
- Ensure that dwellings are designed to minimise overshadowing of adjacent 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 450m²: 15% minimum of the site area; and
 - ii. Lots above 450m²: 20% minimum of the site area.
2. 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 450m²: 20m² with minimum dimension of 3m; and
 - ii. Lots above 450m²: 25m² 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.

3. For lots equal to or less than 450m², 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.
4. For lots above 450m², at least 3 hours of direct sunlight is to be received to 50% of

Section 4 MT GILEAD

- the PPOS area of the proposed dwelling between 9am and 3pm on 21 June.
5. Direct sunlight to the PPOS of neighbouring dwellings is to be maintained in accordance with the above minimum requirements.

3.5.5. Fencing

Objective

- Ensure boundary fencing is of a high quality and does not detract from the streetscape.

Controls

1. A front fence to the primary street frontage is to be a maximum of 1.2m high and with a predominantly open character.
2. On corner lots, the front fence is to continue around the corner to the secondary street for a minimum of 30% of the lot length on this frontage.
3. A 1.8m side fence on a secondary street is to be:
 - i. a maximum of 50% of the lot length;
 - ii. include a gradual transition to the front fence that has continued along the secondary frontage; and
 - iii. of a similar look and character as the front fence.

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APPENDIX 1 INDICATIVE STREET TREE HIERARCHY



Section 4 MT GILEAD

Type 5 - Typical Local St bordering open space



Melaleuca decora



Tristanopsis laurina



Melaleuca linearifolia

Type 4 - Typical Local St



Elaeocarpus reticulatus



Melaleuca decora



Tristanopsis laurina

Type 3 - Arterial Rd



Eucalyptus teleocornis



Corymbia maculata



Eucalyptus crebra

Type 2 - Collector/Distributor Roads



Pyrus capital



Pyrus calleryana



Magnolia soulangeana

Type 1 - Heritage Drive / Heritage Marker



Araucaria cunninghamii (to heritage gateway)



Jacaranda mimosifolia

Suggested Street Trees
Mt Gilead

Project Ref: 1204 1, Dwg No: 812
Date: 13 September 2014
Client: Mt Gilead

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context

ATTACHMENT 4



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5	Development Contributions – Carrying Out of Works	5
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1 Introduction

In accordance with the provisions of the *Environmental Planning and Assessment Act 1979* (EPAA 1979), S & A Dzwornik and Mt Gilead Pty Ltd (The Applicants) propose a Voluntary Planning Agreement (VPA) with Campbelltown City Council (Council) for the delivery of essential infrastructure and facilities within the Mt Gilead development.

The applicants seek to meet its obligations with respect to local development contributions through a combination of measures including the carrying out of works in kind and the dedication of land. This Infrastructure Services Delivery Plan outlines the items that will form part of the formal Voluntary Planning Agreement for the Mt Gilead MDP area. The following is to be noted when reading the Infrastructure Delivery Plan:

- The proposed scope of works is outlined in the Description of Works.
- Costs to be submitted will be estimates and provided for information purposes only and do not prevent the works from being delivered at reduced costs.
- The estimated cost for each item will not include maintenance.
- The staging and hand over of works will be established in the VPA.
- The VPA will allow for the items identified in the Scope of Works to be substituted with Works of equivalent value but only with the agreement of all parties.

2 Proposed Development

The Mt Gilead site has an area of approximately 210 hectares and is currently described as Part Lot 1 DP 807555, Part Lot 2 DP 807555, Lot 59 DP 752042 and Lot 61 DP 752042, Appin Road Campbelltown. The site is approximately 5 km south of Campbelltown City Centre within Campbelltown LGA.

It is bound by Appin Road to the east, The Sydney Water canal to the north-west, Nourumbia Reserve in the north and Beulah, a registered Bicbank site to the south.

Mt Gilead will be a high quality residential estate set within a 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 open space and recreation areas which creates a pleasing setting for residential development. The new community will include a cricket field which can be used for a variety of active recreation purposes. A multi-purpose community facility integrated with open space will be provided and creates a focal point for the community. A number of conservation zones will be created within the open space as bio-banks. Specifically, the Mt Gilead development will provide approximately:

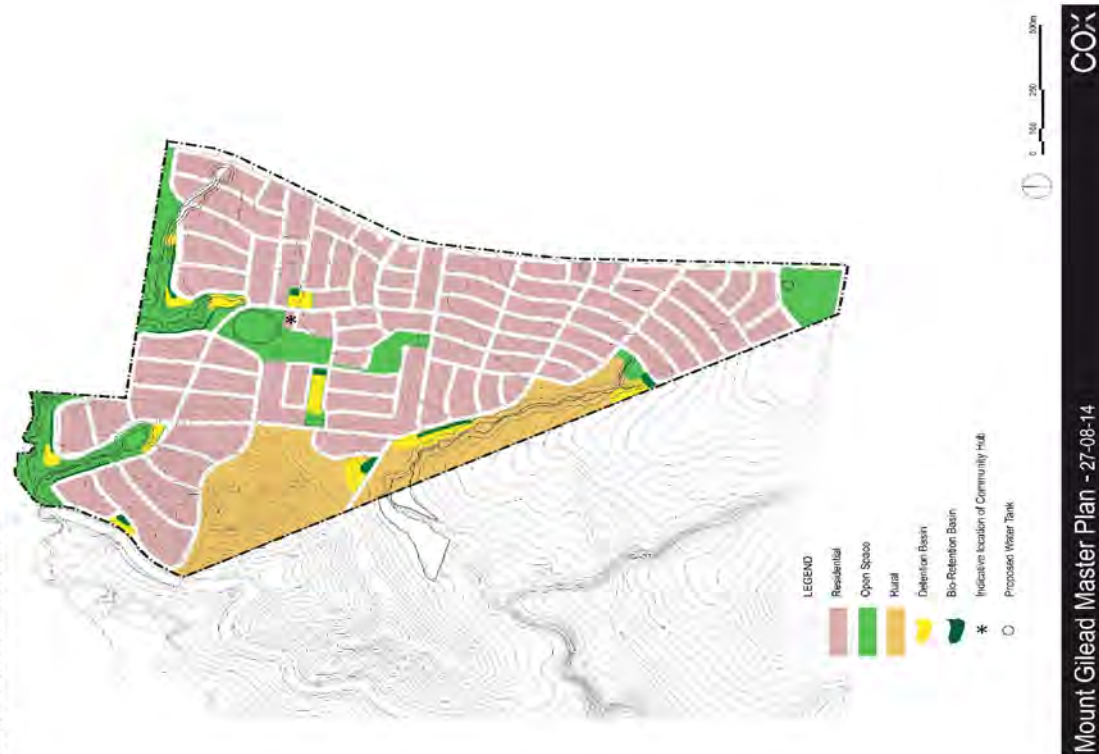
- 28 hectares of open space including 8 hectares of conservation (bio-bank) zones;
- 5 hectares of drainage land;
- 2,083m² Community building site;
- 500m² Multi Purpose Community Facility footprint; and
- 206m² Sporting Field Amenities Building footprint.

Public art installations and furniture will be themed and suited to reflect site heritage and the character of the natural environment. Specific details regarding the theming of public art and furniture will be included in the Plan of Management.

The proposed parallel parking arrangements adjacent to the sports field will be addressed through a Traffic Management Strategy at the Development Application stage (that may include traffic calming devices, 40km/h zones and other pinch points, raised thresholds etc).

An Indicative Structure Plan for Mt Gilead identifies the land to which the proposed VPA will apply is provided at Figure 1.

Figure 1: Mt Gilead Indicative Structure Plan



Mount Gilead Master Plan - 27-08-14

Source: Cox Richardson

Figure 2: Mt Gilead Infrastructure Delivery Plan Index Map



3 Timing

Timing and provision of items identified in this Infrastructure Delivery Plan will be established in the Voluntary Planning Agreement. Handover of works may be delivered progressively following the release of a subdivision certificate or based on a per lot threshold. It is anticipated that the formal VPA document will contain the ability for the timing for provision or hand over of work to be amended or changed with the agreement of Council. This is to acknowledge that the Staging Plan for development areas is indicative only and may change because of development delivery factors.

4 Infrastructure Services Delivery Plan Summary

The following table summarises the proposed contributions for Mt Gilead. The location of the proposed land dedication and works are identified on the Infrastructure Services Delivery Plan Index Map at Figure 2.

ITEM	CONTRIBUTION	APPROXIMATE AREAS
1. TOTAL AREA OF LAND TO BE DEDICATED	Community Building Site	2,068m ²
	Open Space	26 ha
	Drainage	5 ha
2. FACILITIES		
A. Community Hub:	Multipurpose Building Footprint	500m ²
B. Sports field Amenities	Amenities Building Footprint	206m ²
3. OPEN SPACE		
A. Neighbourhood Park	Area OS1 and Area OS2	70,068m ²
B. Neighbourhood Park	Area OS3	83,789m ²
C. Neighbourhood Park	Area OS4	29,018m ²
D. Neighbourhood Park	Area OS5	18,487m ²
E. Neighbourhood Park	Area OS6	2,168m ²
F. Neighbourhood Park	Area OS7	1,865m ²
G. Neighbourhood Park	Area OS8	18,351m ²
H. Neighbourhood Park	Area OS9	1,661m ²
I. Neighbourhood Park	Area OS10	32,044m ²
4. DRAINAGE		
A. Water Quality and Treatment Basin	Item D1	5,876m ²
B. Water Quality and Treatment Basin	Item D2	3,628m ²
C. Water Quality and Treatment Basin	Item D3	2,778m ²
D. Water Quality and Treatment Basin	Item D4	4,334m ²
E. Water Quality and Treatment Basin	Item D5	4,677m ²
F. Water Quality and Treatment Basin	Item D6	1,645m ²
G. Water Quality and Treatment Basin	Item D7	7,158m ²
H. Water Quality and Treatment Basin	Item D8	6,527m ²
I. Water Quality and Treatment Basin	Item D9	6,226m ²
J. Water Quality and Treatment Basin	Item D10	7,200m ²
K. Water Quality and Treatment Basin	Item D11	5,609m ²

The final scope of works for inclusion in the VPA is subject to agreement with Campbelltown City Council.



Mt Gilead - Facilities
Community Building

5 Development Contributions – Carrying Out of Works

The following table describes each item of work and includes a discussion on the scope and land area. An indicative plan is provided to show the location of each item of work.

1. FACILITIES

Map Reference	CH1
Public Purpose:	Community Building
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	A multi-purpose community building to meet the needs of the future Mt Gilead community.
Core Elements:	Design, size and fit-out of the community building to be confirmed. A covered pathway will be provided to connect the community building with the sport fields amenities. Potential for kiosk.
Approximate Building Footprint	500m ² (building footprint) Up to 38 parking spaces (including on street parking)

Map Reference	CF2
Public Purpose:	Sports field amenities
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	An amenities building including home and away change rooms, referees change rooms, disabled amenities, showers, male and female toilets and storage.
Core Elements:	Design, size and fit-out to be confirmed.
	A covered pathway will be provided to connect the sports field amenities to the community building.
Approximate Building Footprint	208m ²



Mt Gilead - Facilities
Sports Field Amenities



B. Neighbourhood Park

Map Reference	OS2 South-west
Public Purpose:	OPEN SPACE
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	A small local park set against a native bushland riparian corridor to the north. The park will cater for passive recreation uses with areas of turf and a picnic table located beneath the canopy of trees. A shared path will link residents from the north-east of the development through to OS2 to the south.
Core Elements:	Works to be delivered include: <ul style="list-style-type: none">• Feature boulders

	<ul style="list-style-type: none">• Picnic table (to be durable material)• Pathway• Wayfinding signage• Landscaping & tree planting• Riparian revegetation
Approximate Area:	83,786m ² (total area for OS2)

The plans below shows the location of the open space area.



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Ref No 12584
Date: 04 April 15
Client:

Mt Gilead - Open Space 2 (South-west)
Landscape Plan



NOT TO SCALE

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C. Neighbourhood Park

Map Reference:	OS2 North-east
Public Purpose:	OPEN SPACE
Staging:	To be determined in Voluntary Planning Agreement
Description of Works:	A native bushland park with large stands of existing trees. The north-east section of OS2 forms part of the Grey Box / Forest Red Gum Conservation Area and will consist primarily of bushland revegetation (bi-bank area).
Core Elements:	Works to be delivered include: <ul style="list-style-type: none">• Bench seating (to be durable material)

	<ul style="list-style-type: none">• Pathway• Wayfinding signage• Riparian vegetation and Bushland revegetation• Post & cable fence along street frontage
Approximate Area:	83,785m ² (total area for OS2)

The plan below shows the location of the open space areas.



LEGEND	
	Turf
	Bushland Revegetation
	Shrub / Groundcover
	Native Grass Pasture
	Hydro-seed
	Mixed Native Planting
	Bio-retention Basin
	Riparian / Detention Basin
	Proposed Native Tree planting
	Existing Trees to be Retained
	Proposed Street Tree
	Concrete or Tarmac Shared Path
	Softfall Safety Surface
	Dress Gravel Path / Pavement
	Natural Boulders
	Timber Decking
	Seating Element
	Picnic Table
	Bench Seating
	Open Space Site Boundary
	Brooklet Areas

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Ref No: 12551
Date: 18-Apr-15
Client:

Mt Gilead - Open Space 2 (North-East)
Landscape Plan

D. Neighbourhood Park

Map Reference	OS3
Public Purpose:	OPEN SPACE
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	A local sporting destination with a multi-use turf playing field including a synthetic cricket pitch, surrounded by large stands of native trees. The park will cater for both active and passive recreation activities aimed at varied age groups. An amenities building and playground located to the south (along with the proposed community building), will create a 'neighbourhood hub' promoting interaction between residents. A shared path encircles the park, providing links to an exercise station (potentially forming part of a broader parkland jogging circuit) and a picnic / bbq area overlooking the playing field. Potential for inclusion of public art around the intersection of pedestrian paths.
Core Elements:	<p>Works to be delivered include:</p> <ul style="list-style-type: none"> • Turf playing field • Synthetic cricket pitch • Lighting for the oval at 50 lux (with capacity to upgrade) • Irrigation system for playing field • Picnic shelter (to be durable material) • BBQ area • Pathway • Way finding signage • Picket fencing around playing field (to be durable material) • Play area • Water refill stations • Garbage bins • Tree plantings and landscaping • Picnic table (to be durable material) • Bench seating (to be durable material) • Exercise equipment • Low seating walls • Up to 62 spaces (including on-street parking) • Public art work • Heritage interpretive signage
Approximate Area:	29,018m ²

The plan over page shows the location of the open space area.



Core Elements:	Works to be delivered include: <ul style="list-style-type: none">• Pathway• Wayfinding signage• Landscaping & tree planting• Bushland revegetation• Low seating walls• Environmental education signage• Post & cable fence along conservation areas• Environmental education signage
Approximate Area:	18,487m ²

The plan below shows the location of the open space area.

E. Neighbourhood Park

Map Reference	OS4
Public Purpose:	OPEN SPACE
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	OS4 is characterized by large stands of existing native trees forming part of an iron bark / Grey Gum conservation area. The park will offer an experience of walking within a forest for residents along an informal path running north / south. A post and cable fence will be installed along street frontages to protect re-vegetated bush land. An existing forest clearing to the south-west will be used as a park entrance space with low stone seating walls and structured plantings of feature trees (possible bio-bank area).



F. Neighbourhood Park

Map Reference	OS5
Public Purpose:	OPEN SPACE
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	OS5 is largely utilised as a detention basin (D10). The basin will be planted with turf providing an informal 'kick-around' area during periods when the basin does not contain water. A shared path link runs along the northern edge of the park, buffered from the street with mixed native planting. A small informal seating area to the west offers a rest area and a place for adults to supervise children at play.

Core Elements:	Works to be delivered include: <ul style="list-style-type: none">• Bench seating (to be durable material)• Pathway• Wayfinding signage• Landscaping & tree planting
Approximate Area:	2.166m ²

The plan below shows the location of the open space area.



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Ref No 12984
Date 08-Apr-15
Client

Mt. Gilead - Open Space 5
Landscape Plan

NOT TO SCALE

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Core Elements:	Works to be delivered include: <ul style="list-style-type: none">• Pathway• Landscaping & tree planting
Approximate Area:	1.85km ²

The plan below shows the location of the open space area.

G. Neighbourhood Park

Map Reference	OS6
Public Purpose:	OPEN SPACE
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	OS6 forms a continuation of OS5 to the east. This open space contains areas of existing mature tree specimens which will be consolidated with additional tree planting and a native grass pasture understorey (possible bio-bank area).



Mt. Gilead - Open Space 6
Landscape Plan

Ref No 12584
Date 28-Apr-15
Cont.

NOT TO SCALE

52-58 William Street East Sydney NSW 2011
PO Box A866 Sydney South NSW 1235
T. 8244 8900 F. 8244 8968 E. context@context.net.au

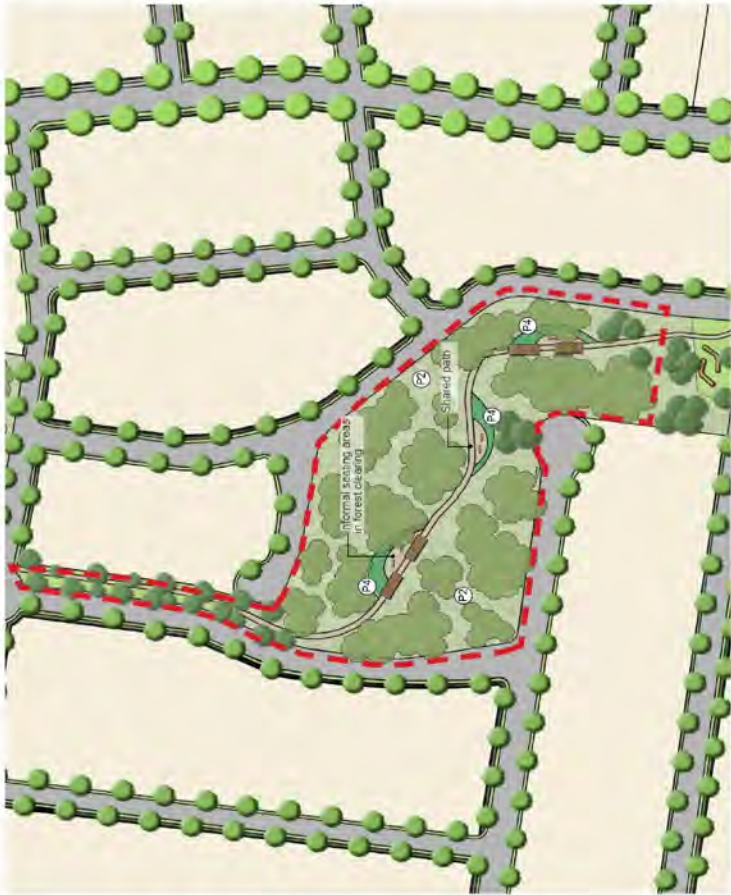
context

H. Neighbourhood Park

Map Reference:	OS7
Public Purpose:	OPEN SPACE
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	OS7 is characterized by large stands of existing native trees forming part of an iron bark / Grey Gum conservation area. The park will have an immersive bushland character with small areas of informal seating for quiet enjoyment. An informal path with timber decking running north / south will link the park to broader open space network (possible bio-bank area).
Core Elements:	Works to be delivered include: <ul style="list-style-type: none">• Pathway• Landscaping & tree planting

<ul style="list-style-type: none">• Post & cable fence along street frontage• Bushland revegetation• Bench seating• Wayfinding signage• Environmental education signage• Timber decking (to be durable material)• Environmental education signage	Approximate Area: 18,351m ²
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------

The plan below shows the location of the open space area



context
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Rev No 12/04
Drawn 08/08/15
Client

Mt Gilead Open Space 7
Landscape Plan

	<ul style="list-style-type: none">• Post & cable fence along street frontage• Bushland revegetation• Wayfinding signage• Low seating walls• Environmental education signage
Approximate Area:	1,661m ²

The plan below shows the location of the open space area.

I. Neighbourhood Park	
Map Reference	OS8
Public Purpose:	OPEN SPACE
Slaging	To be determined in Voluntary Planning Agreement
Description of Works:	Forming the continuation of OS7 to the north, this open space provides an extension of bushland landscaping with a small area of turf / informal seating creating a southern entrance to the park.
Core Elements:	Works to be delivered include: <ul style="list-style-type: none">• Pathway• Landscaping & tree planting



Core Elements:	Works to be delivered include: <ul style="list-style-type: none">• Pathway• Post & cable fence along street frontage• Bench seating (to be durable material)• Bushland revegetation
Approximate Area:	32,044m ²

The plan below shows the location of the open space area.

Map Reference	OS9
Public Purpose:	OPEN SPACE
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	This park contains large stands of existing mature native trees forming an Iron bark / Grey Gum conservation area. Consolidation of existing trees through additional planting and bushland revegetation will bring a native forest character to the edge proposed residential lots. An informal path will allow residents to enjoy the tranquility of the open space with some rest spaces provided along the way.



Mt Gilead - Open Space 9
Landscape Plan

Ref No: 12584
Date: 08-Apr-15
Client:

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52-58 William Street East Sydney NSW 2011
PO Box A866 Sydney South NSW 1235
T. 8244 8900 F. 8244 8968 E. context@context.net.au

context

K. Neighbourhood Park

Map Reference	OS10
Public Purpose:	OPEN SPACE
Staging	To be determined in Voluntary Planning Agreement.
Description of Works:	Located along a riparian corridor to the east, this park offers both passive and active recreation opportunities. The majority of the open space forms part of a broader iron bark / Grey Gum conservation area which will contain a meandering shared path running north / south. To the south of the open space, areas will be dedicated to active recreation activities including an exercise station, play space and a 'kick-around' turf area.
Core Elements:	Works to be delivered include: <ul style="list-style-type: none">• Pathway• Wayfinding signage• Play area• Water refill stations• Post & cable fence along street frontage• Garbage bins• Tree plantings and landscaping• Bench seating (to be durable material)• Exercise equipment• Bushland revegetation• Feature boulders• Environmental education signage
Approximate Area:	5.876m ²

The plan below shows the location of the open space area.



LEGEND

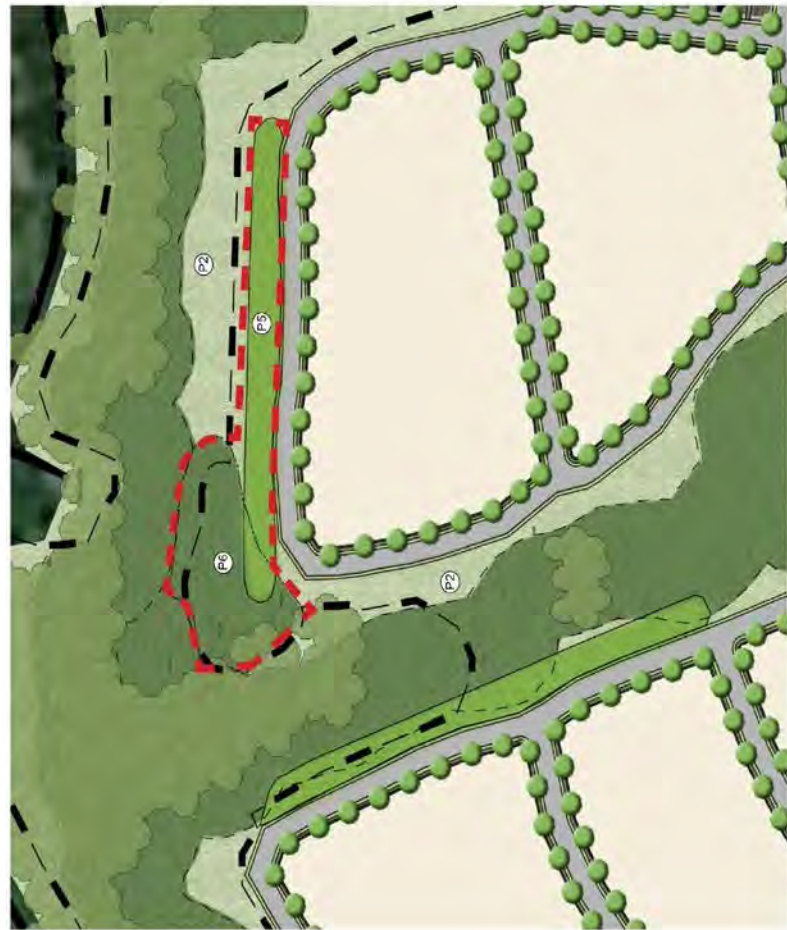
	Turf		Proposed Native Tree
	Bushland Revegetation		Existing Trees to be Retained
	Native Grass Pasture		Proposed Street Tree
	Hydro-seed		Concrete or Tarmac
	Mixed Native Planting		Shared Path
	Bio-retention Basin		Softball Safety Surface
	Riparian / Detention Basin		Deco-Gravel Path/ Pavement
	Natural Boulders		Timber Decking
	Seating Element		Picnic Table
	Bench Seating		Open Space
	Site Boundary		Bobbank Areas

3. DRAINAGE

A. Water Quality and Treatment Basin

Map Reference	D1
Public Purpose:	Water Quality and Treatment
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality Swale and Detention Basin
Approximate Area:	3,628m ²

The plan below shows the location of the Water Quality Treatment Basin.



LEGEND

	Turf
	Bushland Revegetation
	Shrubs / Groundcovers
	Native Grass Pasture
	Hydro-seed
	Mixed Native Planting
	Bio-retention Basin
	Detention Basin
	Proposed Native Tree Planting
	Existing Trees to be Retained
	Proposed Street Tree
	Concrete or Tarmac
	Shared Path
	Softfall Safety Surface
	Deco-Gravel Path/Pavement
	Natural Boulders
	Timber Decking
	Seating Element
	Picnic Table
	Bench Seating
	Water quality and Treatment Basin Boundary
	Biobank Areas

context

52-58, William Street, East Sydney, NSW 2011
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NOT TO SCALE

Ref No. 12554
Date: 14-Apr-15
Client:

Mt Gilead - Water Quality and Treatment Basin - D1

B. Water Quality and Treatment Basin

Map Reference	D2
Public Purpose:	Water Quality and Treatment
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality and Detention Basin
Approximate Area:	2.778m ²

The plan below shows the location of the Water Quality Treatment Basin.



C. Water Quality and Treatment Basin

Map Reference	D3
Public Purpose:	Water Quality and Treatment
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality and Detention Basin
Approximate Area:	4,334m ²

The plan below shows the location of the Water Quality Treatment Basin



D. Water Quality and Treatment Basin

Map Reference	D4
Public Purpose:	Water Quality and Treatment
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality Swale and Detention Basin
Approximate Area:	4,677m ²

The plan below shows the location of the Water Quality Treatment Basin.



Mt Gilead - Water Quality and Treatment Basin - D4

Ref No: 12584
Date: 08-April-15
Client:

NOT TO SCALE

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

context

E. Water Quality and Treatment Basin

Map Reference	D5
Public Purpose:	Water Quality and Treatment
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality Swale and Detention Basin
Approximate Area:	1,645m ²

The plan below shows the location of the Water Quality Treatment Basin.



LEGEND

Turf

Bushland Revegetation

Shrubs / Groundcovers

Native Grass Pasture

Hydro-seed

Mixed Native Planting

Bio-retention Basin

Detention Basin

Proposed Native Tree Planting

Existing Trees to be Retained

Proposed Street Tree

Concrete or Tarmac Shared Path

Softfall Safety Surface

Deco-Gravel Path/ Pavement

Natural Boulders

Timber Decking

Seating Element

Picnic Table

Bench Seating

Water quality and Treatment Basin Boundary

Biobank Areas

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

context

NOT TO SCALE

Ref No 12594
Date 08 April-15
Client:

Mt Gilead - Water Quality and Treatment Basin - D5

F. Water Quality and Treatment Basin

Map Reference:	D6
Public Purpose:	OPEN SPACE
Staging:	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality Swale and Detention Basin
Approximate Area:	7,158m ²

The plan below shows the location of the Water Quality Treatment Basin.



LEGEND	
	Turf
	Bushland Revegetation
	Shrubs / Groundcovers
	Native Grass Pasture
	Hydro-seed
	Mixed Native Planting
	Bio-retention Basin
	Detention Basin
	Proposed Native Tree Planting
	Existing Trees to be Retained
	Proposed Street Tree
	Concrete or Tarmac Shared Path
	Softfall Safety Surface
	Deco-Gravel Path/Pavement
	Natural Boulders
	Timber Decking
	Seating Element
	Picnic Table
	Bench Seating
	Water quality and Treatment Basin Boundary
	Biobank Areas

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

context

NOT TO SCALE

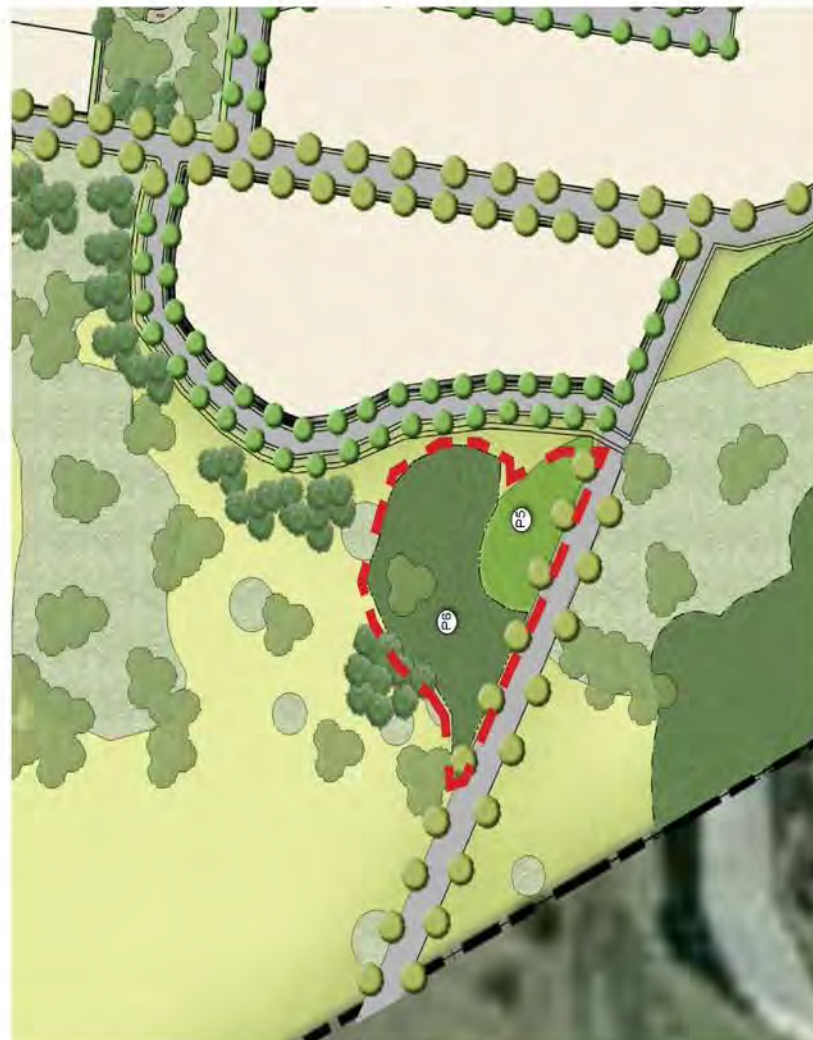
Ref No. 12584
Date 08-April-15
Client:

Mt Gilead - Water Quality and Treatment Basin - D6

G. Water Quality and Treatment Basin

Map Reference	D7
Public Purpose:	Water Quality and Treatment
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality Detention Basin
Approximate Area:	6,527m ²

The plan below shows the location of the Water Quality Treatment Basin.



LEGEND

	Turf
	Bushland Revegetation
	Shrubs / Groundcovers
	Native Grass Pasture
	Hydro-seed
	Mixed Native Planting
	Bio-retention Basin
	Detention Basin
	Proposed Native Tree Planting
	Existing Trees to be Retained
	Proposed Street Tree
	Concrete or Tarmac Shared Path
	Softfall Safety Surface
	Deco-Gravel Path/Pavement
	Natural Boulders
	Timber Decking
	Seating Element
	Picnic Table
	Bench Seating
	Water quality and Treatment Basin Boundary
	Biobank Areas

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

context

NOT TO SCALE

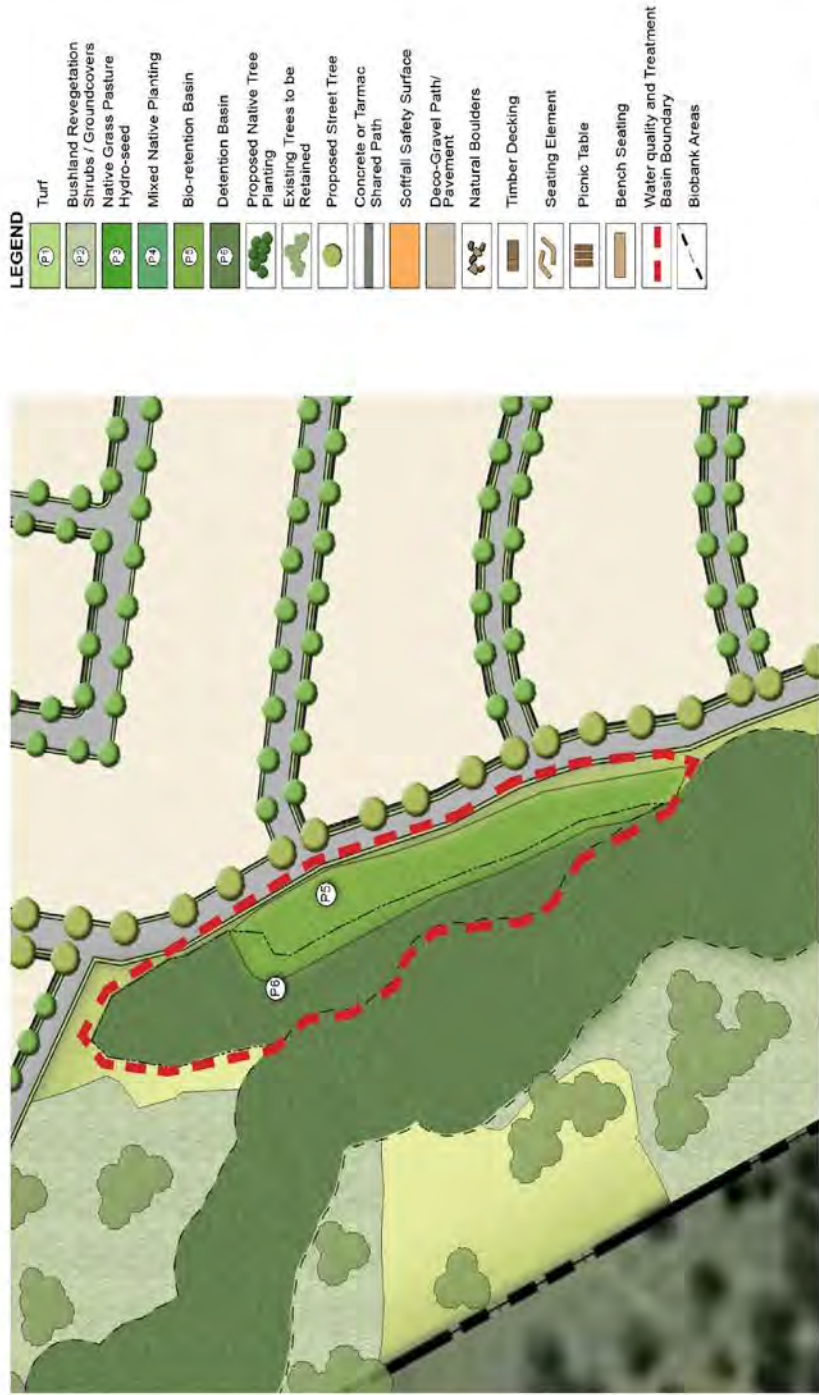
Ref No. 12964
 Date: 08-April-15
 Client:

Mt Gilead - Water Quality and Treatment Basin - D7

H. Water Quality and Treatment Basin

Map Reference	D8
Public Purpose:	Water Quality and Treatment
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality and Detention Basin
Approximate Area:	6.527m ²

The plan below shows the location of the Water Quality Treatment Basin.



LEGEND

- Turf
- Bushland Revegetation
- Shrubs / Groundcovers
- Native Grass Pasture
- Hydro-seed
- Mixed Native Planting
- Bio-retention Basin
- Detention Basin
- Proposed Native Tree Planting
- Existing Trees to be Retained
- Proposed Street Tree
- Concrete or Tarmac Shared Path
- Softfall Safety Surface
- Deco-Gravel Path/Pavement
- Natural Boulders
- Timber Decking
- Seating Element
- Picnic Table
- Bench Seating
- Water quality and Treatment Basin Boundary
- Biobank Areas

Mt Gilead - Water Quality and Treatment Basin - D8

Ref No: 12584
Date: 08-April-15
Client:

NOT TO SCALE

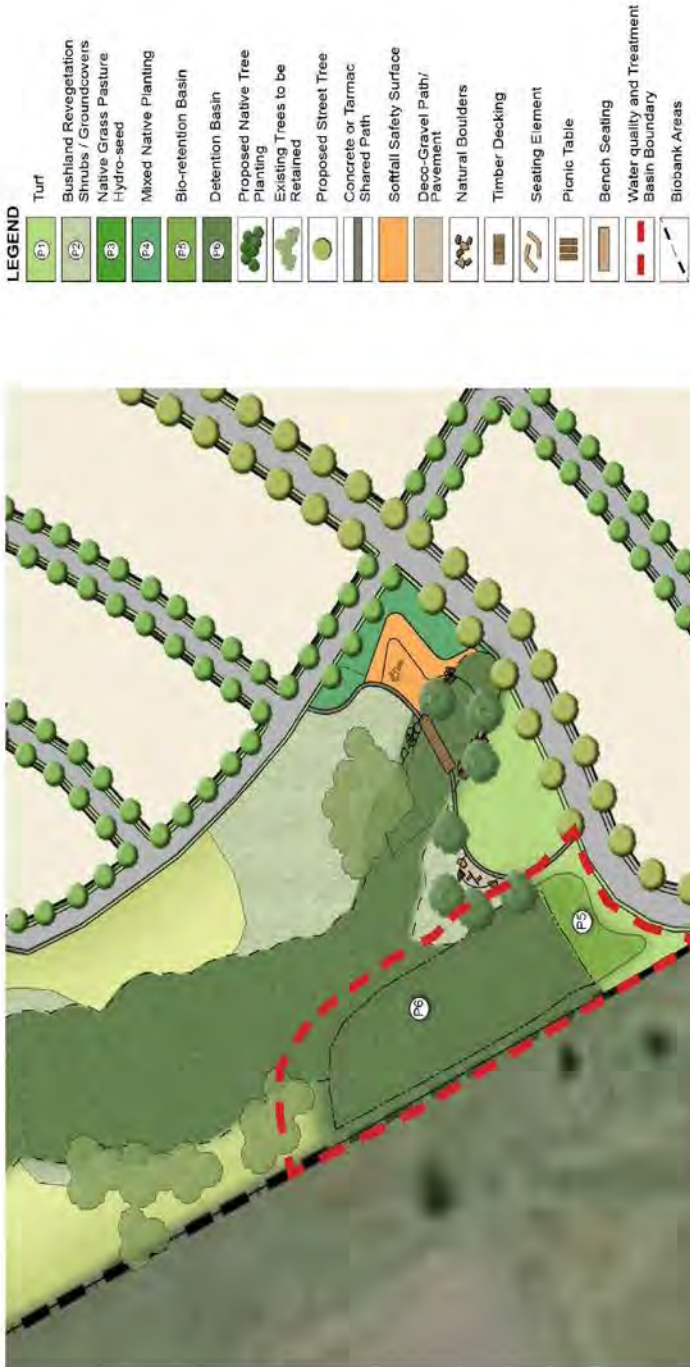
52-58 William Street East Sydney NSW 2011
PO Box A866 Sydney South NSW 1235
T. 8244 8900 F. 8244 8988 E. context@context.net.au

context

I. Water Quality and Treatment Basin

Map Reference:	D9
Public Purpose:	Water Quality and Treatment
Staging	To be determined In Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality Swale and Detention Basin
Approximate Area:	6.226m ²

The plan below shows the location of the Water Quality Treatment Basin.



Mt Gilead - Water Quality and Treatment Basin - D9

Rat No 12504
Date 08-April-15
Client

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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

context

J. Water Quality and Treatment Basin

Map Reference	D10
Public Purpose:	Water Quality and Treatment
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality and Detention Basin
Approximate Area:	7,200m ² (within OS5)

The plan below shows the location of the Water Quality Treatment Basin.



52-58 William Street East Sydney NSW 2011
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Ref No 12944
 Date 08-Apr-15
 Client

Mt Gilead - Open Space 5
 Landscape Plan



NOT TO SCALE

context

K. Water Quality and Treatment Basin

Map Reference	D11
Public Purpose:	Water Quality and Treatment
Staging	To be determined in Voluntary Planning Agreement
Description of Works:	Construction in accordance with detailed design provided at DA.
Core Elements:	Water Quality Swale and Detention Basin
Approximate Area:	5,602m ²

The plan below shows the location of the Water Quality Treatment Basin.



LEGEND	
(P1)	Turf
(P2)	Bushland Revegetation
(P3)	Shrubs / Groundcovers
(P4)	Native Grass Pasture
(P5)	Hydro-seed
(P6)	Mixed Native Planting
(P7)	Bio-retention Basin
(P8)	Detention Basin
(P9)	Proposed Native Tree Planting
(P10)	Existing Trees to be Retained
(P11)	Proposed Street Tree
(P12)	Concrete or Tarmac Shared Path
(P13)	Softfall Safety Surface
(P14)	Deco-Gravel Path/ Pavement
(P15)	Natural Boulders
(P16)	Timber Decking
(P17)	Seating Element
(P18)	Picnic Table
(P19)	Bench Seating
(P20)	Water quality and Treatment Basin Boundary
(P21)	Biobank Areas

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

Rpt No. 12584
Date 08-April-15
Client:

Mt Gilead - Detention Basin 11
Landscape Plan

6 Plan of Management

A Plan of Management will be provide further details regarding the delivery of the items identified in this Infrastructure and Services Delivery Program and will form part of the Voluntary Planning Agreement for Mt Gilead.



Suite 801, 171 Clarence Street
SYDNEY NSW 2000
PO Box 1778 SYDNEY NSW 2001

2.3 Camden Gas Community Consultative Committee Minutes

Reporting Officer

Manager Environmental Planning

Attachments

Minutes of the Camden Gas Community Consultative Committee meeting, held on 4 December 2014 (contained within this report)

Purpose

To inform Council on the outcomes of the Camden Gas Community Consultative Committee meeting held on 4 December 2014.

History

The Camden Gas Community Consultative Committee (CGCCC) is comprised of representatives of Campbelltown, Camden and Wollondilly Councils as well as community representatives associated with each of the stages of the Camden Gas Project (CGP). The CGCCC was established as a condition of consent for the CGP to provide a forum for discussion between AGL Upstream Investment (AGL) (the proponent) and the community.

The General Manager was appointed as Council's representative to the CGCCC on 31 May 2011, with the Director of Planning and Environment his formal delegate.

Report

A meeting of the CGCCC was held at the Rosalind Park Gas Processing Plant on 4 December 2014. The minutes of this meeting, which were formally endorsed at the CGCCC meeting held on 11 March 2015, are presented in attachment 1. Copies of presentations referred to in the minutes are available by searching 'Camden Gas Project' on the AGL website at: <http://www.agl.com.au>.

This report provides a broad summary of the outcomes of the CGCCC meeting held on 4 December 2014 and highlights issues of relevance to Council.

Presentations

AGL Operational Summary

There have been no drilling activities at gas extraction well sites within the CGP Area since September 2012. Well workovers were undertaken in the Menangle Park Fields, as part of ongoing maintenance of wells to remove sand and coal debris from the path used by gas flowing out of the well.

Third quarter monitoring of air emissions and noise levels at the Rosalind Park Gas Processing Plant confirmed compliance with the permitted levels specified with the EPA licence for the facility.

AGL are continuing to complete corrective actions arising from the EPA's 2013 Compliance Audit Report. The 2012-2014 Independent Environmental Audit is due to be completed in early 2015 while the 2013-2014 Annual Environmental Performance Report was completed following the meeting in December 2014.

Corrective actions as a result of the Spring Farm 05 incident are being implemented with the EPA continuing to monitor the situation and complete its investigation into the matter.

Subsequent to the meeting the EPA completed its investigations and on 5 March 2015 issued AGL with a \$15,000.00 fine for a contravention of their licence by failing to maintain and operate equipment. This matter was discussed in detail at the 11 March 2015 CGCCC meeting and further details will be provided in a future report of the minutes of that meeting once endorsed by the Committee at its next meeting.

Next meeting

The next meeting of the CGCCC will be held on 17 June 2015, where the minutes of the meeting held on 11 March 2015 are scheduled to be endorsed. A report providing a summary of the minutes of the 11 March 2015 meeting will be presented to the next available Council meeting following their endorsement.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Thompson/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 21 April 2015 (Greiss/Lound)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 50

That the Officer's Recommendation be adopted.

ATTACHMENT 1

COMMUNITY CONSULTATIVE COMMITTEE AGL – CAMDEN GAS PROJECT

MEETING NO.42

Held at Enzo's Italian Restaurant, 39 John Street, Camden on 4 December 2014 at
5.30pm

MINUTES

Member / Guest	Attendance Type
Mrs Margaret MacDonald-Hill (MM) Chair	Present
Mr Brad Staggs (BS)	Apology
Mrs Diane Gordon (DG)	Present
Mr Fred Anderson (FA)	Present
Ms Jacqui Kirkby (JK)	Apology
Mr Andrew Spooner (AS)	Present
Mr Peter Bloem (PB)	Present
Mr Simon Hennings (SH)	Present
Mr Troy Platten (TP)	Present
Mr Paul Reynolds (PR)	Present
Mr Aaron Clifton (AC)	Present
Ms Jenny O'Brien (JO)	Present
Ms Lara Symkowiak (LS)	Apology
Ms Nicole Magurran (NM)	Apology
Ms Johanna Lee (JL)	Present
Ms Suzanne Westgate (SW)	Apology

Meeting Opened at: 5:35pm

ITEM	ACTION
1. Welcome MM welcomed all and introduced Johanna Lee as AGL's new Land and Approvals Advisor.	
2. Apologies As above.	
3. Declarations of Interest MM - Advised that she is engaged by AGL as an independent chair, approved by the Director General of Planning and Environment. She is also a member of the Mine Subsidence Board.	
1. Confirmation of Previous Minutes The Committee members discussed JK proposed amendments to September meeting and agreed the September 24 minutes be accepted without any change other than correction of typographical error on Page 7 - " <i>dour</i> " to " <i>odour</i> ".	

Moved - AS Seconded – PR	
5.Business Arising MM – Brad Staggs has advised David Henry has been approved as an additional Council representative for Wollondilly Council. JO - AGL's Sustainability Report will be released Friday December 12	JO to share AGL's Annual Sustainability Report when released
6. Correspondence In 1/10/14 - email from AGL advising of NSW Chief Scientist & Engineer Final Report & link to current Development Consent 17/10/14 email from AGL advising of upgrade to website 20/10/14 - email from AGL on SMH article on gas leaks 10/11/14 - email from AGL advising of water portal link 13/11/14 - email from AGL on upgrade to Gas Plant Out Nil	
7. AGL Update Land and Approvals Presentation delivered by AC. Copies of the presentation were made available Currently working on condition amendments and consolidation of consents Operations Health, Safety, Environment. Presentation delivered by AC. Copies of the presentation were made available. Health, Safety & Environment slide PB - Is AGL updating the website with corrective actions as a result of the EPA audit? AC - Yes. Spring Farm 05 incident corrective actions – Pressure Safety Valve Incident Report on Camden Gas Project website outline the actions AGL are undertaking including additional alarms, operating procedures, pre start checks and routine maintenance for coal fines. PB - are these measures for all the wells? AC - yes for all wells but some may have more checks than others if more likely to have coal fines. AC - Operational noise monitoring was completed at some locations in proximity to operational wells. The noise monitoring results show compliance with operational noise criteria. PB - does that include if valves are venting?	

<p>AC – noise criteria is based on normal operations, so noise monitoring is completed during normal well operations.</p> <p>TP – How does AGL monitor the quality of work performed by its contractors? Recommend AGL require all contractors to prepare a summary report to document the works performed on site.</p> <p>AC – AGL has a range of systems and process in place to engage contractors and monitor the quality of their work, dependent on the scope of the work being performed. AGL will give further consideration to TP's recommendation.</p> <p>Community presentation delivered by JO. Copies of the presentation were made available.</p> <p>Chief Scientist Report</p> <p>Chief Scientist recognises there are risks however, there are risks with every industry. Acknowledges lack of trust in the community. Information can be hard to find.</p> <p>TP – as long as the intent continues to provide that transparency.</p> <p>PB – the gas plan is setting some strong policy</p> <p>Chief Scientist Report: http://www.chiefscientist.nsw.gov.au/data/assets/pdf_file/0005/56912/140930-CSG-Final-Report.pdf</p> <p>Questions</p> <p>SH - generally what area do the water reading devices cover.</p> <p>AC – groundwater monitoring bores are located at Denham Court; next to Nepean River behind the Menangle Park Raceway; Glenlee area.</p> <p>JO - they are also at different depths. 80% of our gas wells don't produce water.</p>	
<p>7. General Business</p> <p>PB – The importance of the Gas Plan is that the EPA will become the lead regulator for CSG including consents and approvals in NSW. Will also open up to other areas of gas not just CSG.</p> <p>PB - EPA has commissioned the CSIRO to do a methane gas study around the state including landfills; coal mine; intensive agriculture will take about a year for the report to be completed.</p> <p>AC - AGL will be participating in that study.</p>	
<p>8. Next meeting date</p> <p>March 11 2015</p>	

Meeting Closed at: 6:30pm.

Acronym Index

CCC	Community Consultative Committee
CSIRO	Commonwealth Scientific and Industrial Research Organisation
EPA	Environment Protection Authority
SMH	Sydney Morning Herald

2.4 Minutes of the Heritage Protection Sub Committee meeting held 12 February 2015

Reporting Officer

Manager Environmental Planning

Attachments

Minutes of the Heritage Protection Sub Committee meeting held 12 February 2015
(contained within this report)

Purpose

To seek Council's endorsement of the minutes of the Heritage Protection Sub Committee held 12 February 2015.

Report

Detailed below are the recommendations of the Heritage Protection Sub Committee. Council officers have reviewed the recommendations and they are now presented for Council's consideration. The reports requiring an individual recommendation of Council are detailed in the Officer's Recommendation.

Recommendations of the Heritage Protection Sub Committee

Reports listed for consideration

5. Business Arising from the Previous Minutes (Item 8.2 - Former Fisher's Ghost Restaurant)

1. That the information be noted.
2. That any correspondence to the State Member for Campbelltown in relation to the former Fisher's Ghost Restaurant building be deferred pending the outcome of Council's upcoming meeting with the owner of the building.

Director's Note: At the Ordinary Meeting of Council held 17 February 2015, Council resolved:

That a report be presented to Council outlining options for the protection and preservation of the former Fisher's Ghost Restaurant building.

7.1 Local Heritage Fund Application - Taminar House, No.60 Warby Street Campbelltown

The Heritage Protection Sub Committee recommends that Council approve the subject Local Heritage Fund (2014-2015) application for \$2000 for roof maintenance works to the heritage listed Taminar House, with payment being subject to works being completed in accordance with the Heritage Fund Guidelines.

7.2 Local Heritage Fund Application - Old Congregational Manse, ('Maclin Lodge' Motel Complex) No.38 Queen Street Campbelltown

The Heritage Protection Sub Committee recommends that Council approve the subject Local Heritage Fund (2014-2015) application for \$2000 for external painting and restoration works to the former Congregational Manse building at 38 Queen Street Campbelltown, with payment being subject to the removal of existing external signage and works being completed in accordance with the Heritage Fund Guidelines.

7.3 Local Heritage Item "Raith", Fern Avenue Bradbury

1. The Heritage Protection Sub Committee notes the information relating to the sale of the heritage listed Raith property by the State Government.
2. That the Heritage Protection Sub Committee members review the draft Conservation Management Plan prepared for Raith by Paul Davies Heritage Architects, and provide any relevant comments for Council's consideration.
3. That if required, an extraordinary meeting of the Heritage Protection Sub Committee be held for the purpose of reviewing the final Conservation Management Plan prepared for 'Raith' by Paul Davies Heritage Architects prior to this document being formally submitted to Council for consideration.

General Business Items**8.1 Conservation Plan of Management - Glenalvon**

That the information be noted.

8.2 Old St James Church Minto – Redfern Road Minto

That the information be noted.

8.3 Open Day – Beulah House

That the information be noted.

8.4 Cattle Tanks (Hurley Park) Signage

1. That the Heritage Protection Sub Committee members provide Council with feedback in relation to options for interpretative signage for the Cattle Tanks located at Hurley Park.
-

2. That Council investigate options for public directional signage which indicates the location of the Cattle Tanks at Hurley Park.

8.5 Campbellfield (Redfern's Cottage) - Lind Street Minto

That the information be noted.

Officer's Recommendation

1. That the minutes be noted.
2. That any correspondence to the State Member for Campbelltown in relation to the former Fisher's Ghost Restaurant building be deferred pending the outcome of Council's upcoming meeting with the owner of the building.
3. That Council approve the subject Local Heritage Fund (2014-2015) application for \$2000 for roof maintenance works to the heritage listed Taminor House, with payment being subject to works being completed in accordance with the Heritage Fund Guidelines.
4. That Council approve the subject Local Heritage Fund (2014-2015) application for \$2000 for external painting and restoration works to the former Congregational Manse building at 38 Queen Street Campbelltown, with payment being subject to the removal of existing external signage and works being completed in accordance with the Heritage Fund Guidelines.
5. That the Heritage Protection Sub Committee members provide Council with feedback in relation to options for interpretative signage for the Cattle Tanks located at Hurley Park.
6. That Council investigate options for public directional signage which indicates the location of the Cattle Tanks at Hurley Park.

Committee's Recommendation: (Kolkman/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 21 April 2015 (Greiss/Lound)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 50

That the Officer's Recommendation be adopted.

ATTACHMENT 1

Minutes of the Heritage Protection Sub Committee Meeting

Held Thursday 12 February 2015 in Committee Room 3

Meeting Commenced: 6.00pm

1. Acknowledgement of Land

An Acknowledgement of Land was presented by the Chairperson, Councillor Rowell.

2. Attendance and Apologies

Councillor Ted Rowell (Chairperson) - Campbelltown City Council
Councillor Bob Thompson - Deputy Chair Campbelltown City Council
Kay Hayes - Campbelltown Airds Historical Society
Robert Wheeler - National Parks Association
James Gardner - Qualified Person
Sue Kijurina - Campbelltown Airds Historical Society

Also in Attendance: Clarice Sretch - Campbelltown Airds Historical Society
Jeff Burton - Strategic Planner
Andrew Spooner - Manager Sustainable City & Environment
Melinda Willcocks - Marketing and Tourism Coordinator
Jane Worden - Executive Support
Kali Reid, Council's Cultural Services Officer

Apologies: Learnna Coupe and Mario Majarich

Sub Committee's Recommendation: (Rowell/Hayes)

That the above apologies be accepted.

CARRIED

3. Declarations of Interest

There were no Declarations of Interest made at this meeting.

4. Minutes of the Previous Meeting

Reporting Officer

Manager Sustainable City and Environment

Report

The Minutes of the Heritage Protection Sub Committee Meeting held on 20 November 2014, copies of which were circulated to each Sub Committee member, are to be presented to Council for adoption at its meeting on 17 February 2015.

Council has been requested to adopt the Minutes in accordance with the Officer's recommendation.

Due to the timing of the Council meeting following the agenda for this Sub Committee meeting, an update on Council's resolution in respect of the minutes (of the 20 November 2014 Sub Committee meeting) will be separately provided to Sub Committee members at a later time.

Officer's Recommendation

That the information be noted.

Sub Committee Note:

The Heritage Protection Sub Committee minutes of 20 November 2014 were adopted by Council at its meeting held on Tuesday 17 February 2015 with the following amendment 'That a report be presented to Council outlining options for the protection and preservation of the former Fisher's Ghost Restaurant building'.

Sub Committee's Recommendation: (Thompson/Hayes)

That the information be noted.

CARRIED**5. Business Arising from Previous Minutes****Reporting Officer**

Manager Sustainable City and Environment

Purpose

To report on business arising from the Minutes of the Heritage Protection Sub Committee Meeting held on 20 November 2014.

Report

The Minutes of the Heritage Protection Sub Committee meeting held on 20 November 2014 are to be considered by Council at its meeting on 17 February 2015.

Subject to the adoption of the minutes by Council as recommended, the relevant matters of business arising from the previous minutes relate to the following relevant items as detailed below:

Item 7.3 Local Heritage Fund Application - 'Morning Glory' House, Wedderburn Christian Camp

The Heritage Protection Sub Committee request that Council approve the Local Heritage Fund (2014-2015) application for \$2000 from 'Pro Campo Ltd' for replacement guttering on the heritage listed Morning Glory House, with payment being subject to works being completed in accordance with the Heritage Fund Guidelines.

The applicant has been advised of the above recommendation by the Heritage Protection Sub Committee, and will be provided with confirmation of the final resolution of Council following the Council meeting on 17 February 2015.

Item 8.1 Conservation Plan of Management - Glenalvon

That Council's Manager Cultural Services be invited to attend the next Heritage Protection Sub Committee meeting to liaise with the Campbelltown and Airds Historical Society in relation to their review of the Conservation Management Plan prepared for Glenalvon.

Council's Manager Cultural Services has been notified of the above request to attend the Heritage Protection Sub Committee Meeting on 12 February 2015.

Item 8.2 Former Fisher's Ghost Restaurant

That Council be requested to write to the State Member for Campbelltown requesting that representations be made to appropriate authorities on Council's behalf to facilitate required restoration works for the former Fisher's Ghost Restaurant building, and if possible assistance with listing the item on the State Heritage Register.

Council staff have drafted a letter for mailing in accordance with the above request of the Heritage Protection Sub Committee, pending confirmation by Council at its meeting on 17 February 2015.

Council staff advised the Committee that a meeting is to occur with the owner of the former Fisher's Ghost Restaurant building to discuss the owners plans for the site.

Officer's Recommendation

That the information be noted.

Sub Committee's Recommendation: (Hayes/Thompson)

1. That the information be noted.
2. That any correspondence to the State Member for Campbelltown in relation to the former Fisher's Ghost Restaurant building be deferred pending the outcome of Council's upcoming meeting with the owner of the building.

CARRIED**6. Correspondence - Nil****7. Reports****7.1 Local Heritage Fund Application - Taminier House, No.60 Warby Street Campbelltown****Reporting Officer**

Manager Sustainable City and Environment

Purpose

The purpose of this report is to seek a recommendation from the Heritage Protection Sub Committee for Council to approve the subject application under Council's Local Heritage Fund 2014/2015.

Report

Taminier House is listed under Campbelltown (Urban Area) Local Environmental Plan 2002 as an item of local heritage significance.

The building dates from 1920 and is one of few remaining Federation period houses in Campbelltown. The building is substantially intact and unaltered.

The building is used as a private residence and appears well maintained.

The subject application has been submitted by the owner of the property and seeks financial assistance under Council's Local Heritage Fund 2014/2015 for repairs and restoration of the existing galvanised roof sheeting. The proposed works are to be undertaken by suitable tradespersons, and include minor roof repairs and replacement of a number of leaking sheet panels.

It is noted that in order to provide a uniform colour between the existing and replacement panel sheets, the entire cottage and garage roof is proposed to be pressure cleaned, rust treated and repainted to match the existing green colour (i.e. Dulux Blade Green UD).

The application seeks the maximum allowance under the Local Heritage Fund of \$2000, noting that the total cost of the works is estimated at \$6,872. A copy of the application (letter) provided by applicant is included as Attachment 1. Recent photos of the existing building are included as Attachment 2.

The application has been assessed in accordance with the Local Heritage Fund Guidelines and is considered to be generally consistent with the eligibility criteria for funding. In this respect, the proposed restoration works will enhance the appearance of the building to the public domain and complement general property maintenance works already undertaken by the owner. Importantly though, the restoration of the roof will reduce the potential for water damage to the structure and promote the long term conservation of the building.

Accordingly, the proposed roof restoration works are considered to have sufficient merit for the application to be recommended for approval by the Heritage Protection Sub Committee.

Officer's Recommendation

That the Heritage Protection Sub Committee request Council to approve the subject Local Heritage Fund (2014-2015) application for \$2000 for roof maintenance works to the heritage listed Taminier House, with payment being subject to works being completed in accordance with the Heritage Fund Guidelines.

Sub Committee's Recommendation: (Wheeler/Thompson)

The Heritage Protection Sub Committee recommends that Council approve the subject Local Heritage Fund (2014-2015) application for \$2000 for roof maintenance works to the heritage listed Taminier House, with payment being subject to works being completed in accordance with the Heritage Fund Guidelines.

CARRIED

7.2 Local Heritage Fund Application - Old Congregational Manse, ('Maclin Lodge' Motel Complex) No.38 Queen Street Campbelltown

Reporting Officer

Manager Sustainable City and Environment

Purpose

The purpose of this report is to seek a recommendation from the Heritage Protection Sub Committee for Council to approve the subject application under Council's Local Heritage Fund 2014/2015.

Report

The former Congregational Manse is located at No.38 Queen Street Campbelltown and is listed under Campbelltown (Urban Area) Local Environmental Plan 2002 as an item of local heritage significance.

The building is generally in good condition and is used as a restaurant (Gold Wheel Chinese Restaurant) in conjunction with the Maclin Lodge Motel Complex, situated on the same property.

The manse is a two storey masonry building with the upper attic storey roofed in slate with dormer roof gables. The building has had single storey additions to the side and rear that appear to be associated with the more recent occupation and use of the building as a restaurant.

The building dates from circa 1882 and is significant given its association with the 2nd Congregational church built in the Sydney region, which opened near Dumaresq Street and Oxley Street in December 1859 (since demolished). The building also has social significance given its previous ownership by James Bocking, an original Alderman on Campbelltown Municipal Council in 1882 and former Mayor.

The subject application has been submitted by the owner of the property and seeks financial assistance under Council's Local Heritage Fund 2014/2015 for external painting and minor repairs. The works include high pressure cleaning, sealant to the roof slate and repainting of external surfaces to match existing colours.

The application seeks the maximum allowance under the Local Heritage Fund of \$2000, noting that the total cost of the works is estimated at \$12,300. A copy of the application provided by applicant is included as Attachment 1, and recent photos of the existing building are included as Attachment 2.

The applicant has been advised that any approval for the proposed works would be contingent upon the existing restaurant signage located on the upper front facade of the building being removed and painted over. In this respect, it is intended that future negotiations with the property owner could then be undertaken for replacement signage to be installed that is more compatible with the heritage character of the building.

The application has been assessed in accordance with the Local Heritage Fund Guidelines and is considered to be generally consistent with the eligibility criteria for funding. The proposed restoration and painting works are consistent with the conservation aims of the Local Heritage Fund, and will enhance the external appearance and continued use of the building as a restaurant.

Accordingly, the subject application is considered to have sufficient merit to be recommended for approval by the Heritage Protection Sub Committee.

Officer's Recommendation

That the Heritage Protection Sub Committee request that Council approve the subject Local Heritage Fund (2014-2015) application for \$2000 for external painting and restoration works to the former Congregational Manse building at 38 Queen Street Campbelltown, with payment being subject to the removal of existing external signage and works being completed in accordance with the Heritage Fund Guidelines.

Sub Committee's Recommendation: (Gardner/Hayes)

The Heritage Protection Sub Committee recommends that Council approve the subject Local Heritage Fund (2014-2015) application for \$2000 for external painting and restoration works to the former Congregational Manse building at 38 Queen Street Campbelltown, with payment being subject to the removal of existing external signage and works being completed in accordance with the Heritage Fund Guidelines.

CARRIED**7.3 Local Heritage Item "Raith", Fern Avenue Bradbury****Reporting Officer**

Manager Sustainable City and Environment

Purpose

The purpose of this report is to update the Heritage Protection Sub Committee on the sale by the State Government of the local heritage listed "Raith" property, and request comments on the associated draft Conservation Management Plan prepared by Paul Davies Heritage Architects.

Report

The Heritage Protection Sub Committee has previously been informed of fire damage sustained in early 2013 to the local heritage listed and State Government owned building 'Raith', located in Fern Ave Bradbury. This fire event followed the unsuccessful sale of the property by public auction in 2012.

In December 2013, the State Government (Government Property NSW) provided a written commitment to restore the subject building under the guidance of Paul Davies Heritage Architects. Despite ongoing requests by Council since this time, restoration works by the State Government have not occurred and basic weatherproofing of the fire damaged roof is in a poor state.

In late November 2014 Council staff became aware that the property was being marketed for sale by Government Property NSW, and enquiries were made which confirmed that the property was listed for public auction on 9 December 2014.

On 8 December 2014, a meeting to discuss the sale process and outstanding restoration works was held between Council staff and officers from various State Agencies. At this meeting, Council was provided with a Schedule of Proposed Restoration Works for the subject building and a draft Conservation Management Plan (CMP) for the property prepared by Paul Davies Heritage Architects (attached). Government Property NSW advised that the proposed sale of the property would be contingent upon the State Government completing restoration works prior to any settlement of sale.

At the same meeting, Council staff expressed concern that there was insufficient time to properly consider the matter and engage in meaningful discussion on the sale process given that the auction date was the following day. Notwithstanding, Council reiterated its support for the proposed restoration works being implemented under the guidance of Paul Davies Heritage Architects. However, concerns were raised that the sale of the property should not be completed until the subject restoration works and associated CMP for the property are completed.

2.4 Minutes Of The Heritage Protection Sub Committee Meeting Held 12 February 2015

The property was subsequently auctioned by Government Property NSW on 9 December 2014 and sold to a private purchaser for \$2.4 million. However, as noted above, the settlement of the sale has been contractually delayed pending the completion of restoration works by the State Government.

On the 19 December 2014, Council wrote to Government Property NSW to request a written commitment to the completion of the full scope of restoration works outlined by Paul Davies Heritage Architects, noting that the sale contract only required the partial completion of these works. Council also requested that a final CMP for the property should be completed by Paul Davies Heritage Architects in consultation with Council. At the time of writing of this report, no response to this letter has been received.

Council's Environmental Planning Section is continuing to liaise with the relevant State Government agencies and Paul Davies Heritage Architects to ensure that the proposed restoration works are implemented in a timely manner, and that an appropriate CMP is completed to guide longer term heritage conservation outcomes for the subject property. To assist this process, a copy of the draft CMP prepared by Paul Davies Architects is provided for the review and comments of the Heritage Protection Sub Committee.

Officer's Recommendation

1. That the Heritage Protection Sub Committee notes the information relating to the sale of the heritage listed Raith property by the State Government.
2. That the Heritage Protection Sub Committee reviews the draft Conservation Management Plan prepared for Raith by Paul Davies Heritage Architects, and provide any relevant comments for Council's consideration.

Sub Committee's Recommendation: (Thompson/Wheeler)

1. The Heritage Protection Sub Committee notes the information relating to the sale of the heritage listed Raith property by the State Government.
2. That the Heritage Protection Sub Committee members review the draft Conservation Management Plan prepared for Raith by Paul Davies Heritage Architects, and provide any relevant comments for Council's consideration.
3. That if required, an extraordinary meeting of the Heritage Protection Sub Committee be held for the purpose of reviewing the final Conservation Management Plan prepared for 'Raith' by Paul Davies Heritage Architects prior to this document being formally submitted to Council for consideration.

CARRIED

8. General Business**8.1 Conservation Plan of Management - Glenalvon**

At the Heritage Protection Sub Committee meeting held on 20 November 2014, the Campbelltown and Airds Historical Society raised a number of queries relating to their review of the Conservation Management Plan for Glenalvon. Council's Cultural Services Officer provided the Heritage Protection Sub Committee with a verbal update and response to these queries. Council thanked the Campbelltown Airds Historical Society for all the work that was undertaken in reviewing Conservation Management Plan for Glenalvon. It was noted by the Committee that Council have engaged a historian to complete the work remaining on the plan and it is anticipated that this document will be finalised by the end of May 2015.

Sub Committee's Recommendation: (Hayes/Thompson)

That the information be noted.

CARRIED

8.2 Old St James Church Minto – Redfern Road Minto

Council's Strategic Planner advised the Heritage Protection Sub Committee that Council has received a number of enquiries from the public regarding the possible future demolition of the old St James Church building located at Redfern Road Minto. The building is a historic building in the Campbelltown Local Area however it is not listed as an item of heritage significance.

The property owners (Anglican Property Trust, Diocese of Sydney) have indicated that the building has been vacated due to significant structural and safety issues, and it is their intention to lodge a development application with Council for demolition. To date Council has not received a Development Application.

Sub Committee's Recommendation: (Gardner/Hayes)

That the information be noted.

CARRIED

8.3 Open Day – Beulah House

Council's Strategic Planner advised the Heritage Protection Sub Committee that 'Sydney Living Museums' has advised Council that they will be conducting organised tours for the recently restored Beulah House Open House between 11am and 4pm on Sunday 19 April 2015 (Heritage Week). It was noted that Beulah House was purchased by the Historic Houses Trust in 2010 and has been the subject of a carefully managed restoration process under the expert guidance of the Trust.

Further information on the event will be available on the 'Sydney Living Museums' website close to the event date and event details will also be incorporated into Council's Heritage Week information bulletins.

Sub Committee's Recommendation: (Thompson/Hayes)

That the information be noted.

CARRIED

8.4 Cattle Tanks (Hurley Park) Signage

Council's Strategic Planner advised the Heritage Protection Sub Committee that Council is considering a number of options for the installation of interpretative signage for the heritage listed cattle tanks and silt traps located in Hurley Park. To assist with the design process, members of the Heritage Protection Sub Committee were invited to provide advice on their preferences for the location, content and detail of future signage, including any suggestions for text, photos or other visual cues that would assist the interpretative function of these signs.

Council's Strategic Planner tabled examples of some signage options and reminded the Committee that it is important to consider many elements such as maintenance, vandalism, material, cost and content when choosing appropriate signage. Members of the Heritage Protection Sub Committee gave an undertaking to provide feedback to Council Officers in relation to the interpretative signage.

Heritage Protection Sub Committee members also requested that Council investigate additional directional public signage which indicates the location of the Cattle Tanks at Hurley Park.

Sub Committee's Recommendation: (Hayes/Wheeler)

1. That the Heritage Protection Sub Committee members provide Council with feedback in relation to options for interpretative signage for the Cattle Tanks located at Hurley Park.
2. That Council investigate options for public directional signage which indicates the location of the Cattle Tanks at Hurley Park.

CARRIED

8.5 Campbellfield (Redfern's Cottage) - Lind Street Minto

Council's Strategic Planner advised the Heritage Protection Sub Committee that Council has received a development application (DA 2952/2014) for the construction of a Medical Centre, Childcare Centre, and associated car parking for the property occupied by the local heritage listed item 'Campbellfield' at Minto. The initial assessment of the application has indicated a number of significant issues which would preclude the proposal being approved in its current form. A separate report on the application, including details of any revised or additional information submitted by the applicant, will be provided to the next Heritage Protection Sub Committee meeting to be held on 28 May 2015.

Sub Committee's Recommendation: (Gardner/Hayes)

That the information be noted.

CARRIED

Next meeting of the Heritage Protection Sub Committee will be held on Thursday 28 May 2015 at 6.00pm in Committee Room 3.

Councillor Ted Rowell
Chairperson

Meeting Concluded: 7.05pm

2.5 Joint Regional Planning Panel Development Application - 2706/2014/DA-RA, 49 Stowe Ave, Campbelltown

Reporting Officer

Manager Environmental Planning

Attachments

1. Location Plan (contained within this report)
2. Site Plan/Building Footprints (contained within this report)
3. Basement Parking - Level 1 (contained within this report)
4. Typical Upper Floor Plan (Level 2) (contained within this report)
5. Photomontage (contained within this report)
6. Photomontage - Previous Approval DA 15/2011 (contained within this report)

Purpose

To advise Council of the lodgement of Development Application 2706/2014/DA-RA for the construction of a mixed-use residential apartment development at Stowe Avenue Campbelltown, and provide Council the opportunity of making a submission to the Sydney West Joint Regional Planning Panel (JRPP) prior to its determination of the application.

Property Description	Lot 3004 DP 1152287, Stowe Avenue, Campbelltown
Application No	2706/2014/DA-RA
Applicant	Blue CHP Limited
Owner	Blue CHP Limited
Statutory Provisions	State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development State Environmental Planning Policy (Affordable Rental Housing) 2009 Campbelltown (Urban Area) Local Environmental Plan 2002 Draft Campbelltown Local Environmental Plan 2014 Campbelltown (Sustainable City) Development Control Plan 2014
Date Received	7 November 2014

History

At its meeting on 7 June 2011, Council considered a report on Development Application (15/2011/DA-RA) for a mixed use development comprising retail, commercial and affordable housing on the subject property that was referred to the Sydney West Joint Regional Planning Panel (JRPP) for determination.

The residential component of the development consisted of 75 units within three buildings at a maximum height of eight stories. The proposal also included nine commercial tenancies (1,943m²) and basement parking for 120 cars.

Council resolved to object to the proposal for reasons including traffic and parking impacts, socio-economic issues, and excessive size.

The JRPP considered a report on the matter, including Council's submission, and issued a conditional approval on 4 October 2012. It is understood that to date this approval has not been acted upon.

Report

Introduction

Development Application 2706/2014/DA-RA was lodged with Council on 7 November 2014 for the construction of a 6-8 storey residential apartment building development consisting of 101 units, one commercial tenancy and basement car parking for 109 cars at the abovementioned address. This development comprises three buildings.

The application has been publicly exhibited (20 January to 3 February 2015 inclusive) and no submissions from the public have been received.

The JRPP has assumed Council's usual role as consent authority for the determination of the subject application in accordance with Part 4 of State Environmental Planning Policy (State and Regional Development) 2011. This policy applies to development given that it has a capital investment value of more than \$20m.

A detailed assessment addressing all prescribed considerations under the *Environmental Planning and Assessment Act 1979* is being separately prepared for the consideration of the JRPP. This process is being undertaken by JRPP appointed staff and is to include an assessment of any comments received from government agencies and Council.

As such, the following report provides a general summary of the proposed development with the focus on identifying potential issues and concerns that Council may include in a submission to the JRPP prior to their determination of the application.

Proposed Development

The subject property is legally described as Lot 3004 DP 1152287, and forms part of the master planned 'Macarthur Gardens' residential precinct, developed by Stockland in conjunction with UrbanGrowth NSW (previously known as Landcom).

The site is undeveloped, and irregular in shape with an area of approximately 3,728m². The land is a corner allotment with three street frontages:

- 18.02 metres to the Tailby Street;
 - 72.36 metres to Stowe Avenue; and
 - 40.77 metres to Kellicar Road.
-

The property has a crossfall from the eastern side (Kellicar Road) down to the western side (Tailby Street) of approximately 6 metres. There is no significant vegetation on the site.

The land adjoins a commuter car park to the north, and vacant land to the east available for the future expansion of Macarthur Square. To the south of the site, on the opposite side of Kellicar Road, is a self-contained retirement village which is accessed from Gilchrist Drive further to the south. The main residential area of 'Macarthur Gardens' is located approximately 150 metres to the west of the site on the opposite side of a vegetated open space corridor. Macarthur Railway Station is an approximate 550 metre walk to the north.

The subject development application seeks approval for the following works:

- excavation of the site and site preparation works
- construction of three buildings (Buildings A, B and C), comprising:
 - Building A (24.6m height) – a 6 storey residential building with one ground floor commercial tenancy within the northern most portion of the site fronting Tailby Street and Stowe Avenue
 - Building B (26.1m height) – a 7 storey residential building fronting Stowe Ave
 - Building C (27.12m height) – an 8 storey residential building within the southern-most portion of the site, and fronting both Stowe Avenue and Kellicar Road
- 101 residential apartments (including 56 "affordable housing" apartments – consisting of Buildings A + B)
- one commercial tenancy (45m²)
- one community room for residents
- vehicular access from Stowe Avenue
- car parking for 109 spaces (including 9 disabled spaces) within two sub-basement/basement levels
- landscaping works.

Consent is sought for the affordable housing component of the proposal (Buildings A and B) under the affordable housing provisions of *State Environmental Planning Policy (Affordable Rental Housing) 2009*. In this respect, it is noted that the applicant (BluCHP) has advised that they are a 'not for profit' affordable housing development company.

Issues for Consideration

A detailed assessment addressing all prescribed considerations under the *Environmental Planning and Assessment Act 1979* is being separately administered by JRPP appointed staff and will be separately reported to the JRPP in their assumed role as consent authority for the subject application.

In this respect, there is a clear expectation that the JRPP will properly address all statutory considerations that are relevant for a proposal of this scale, including all appropriate environmental and technical issues. This process would also include an assessment of any comments received from Government agencies and Council. As noted previously, the application has been publicly exhibited and no submissions have been received.

In this regard, the following review does not replicate the full assessment being separately undertaken by JRPP appointed staff, but rather focuses on the main potential issues that are likely to be of interest to Council for the purposes formulating a submission to the JRPP.

A summary of the most relevant issues for Council's consideration are outlined below.

Statutory Planning

- SEPP (Affordable Rental Housing) 2009

The proposal seeks partial approval under the SEPP (Affordable Rental Housing) 2009 for the affordable rental housing component of the proposal, comprising 56 residential units located within buildings 'A' and 'B'.

The application qualifies for assessment under the provisions of the Affordable Housing SEPP, and is considered to generally comply with the applicable design standards under Division 1 of the Policy, relating to solar access, landscaping, deep soil zones, and on site car parking.

The SEPP requires that any consent issued must impose conditions to ensure that the development is used for affordable housing for a minimum period of 10 years.

- SEPP No.65 - Design Quality of Residential Flat Development

An assessment of the proposal against the ten design principles of SEPP 65 (including a Design Verification Statement) has been prepared by the applicant's architect (Prescott Architects) and has been submitted in support of the application.

On the basis of this documentation, the proposal is considered to generally satisfy the relevant design quality outcomes of SEPP 65, however some concerns are raised that the public interface of the development could be enhanced by reducing the dominance of the carparking podium wall presenting to Stowe Avenue. Further discussion of this issue is provided in the later section of this report.

It is also noted that some separation distances between the proposed buildings do not strictly comply with "rules of thumb" numerical setbacks provided in the associated Residential Flat Design Code, however strict compliance is not considered necessary in the circumstances given the orientation and spacing of the buildings and absence of solar access and amenity impacts.

The proposed materials and finishes are durable and of a reasonably high quality and will contribute positively to the public domain. A high degree of modulation is provided with balconies, screen devices and a mix of face brick, precast concrete, metal, glass and reconstituted timber (shutters, cladding and battened screens) materials.

Apart from the concerns regarding the general "dominance" of the carparking podium at street level, the proposal is considered to be generally compliant with the objectives and design provisions of SEPP 65 by promoting a residential apartment development of a reasonably high architectural quality.

- Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002)

The proposed development is defined as a residential flat building and retail development under LEP 2002, and is permissible with consent in the 10(a) Regional Comprehensive Centre Zone.

The proposal is considered to be consistent with a number of the 10 (a) Regional Comprehensive Centre zone objectives, including encouraging employment and economic growth, and provision of higher density housing in an accessible location.

No significant issues of concern are identified under LEP 2002 for further consideration.

- Campbelltown (Sustainable City) Development Control Plan 2014 (SCDCP)

The relevant objectives for residential apartment buildings and mixed use development under Council's SCDCP are stated as follows:

Ensure that residential apartment buildings and mixed use developments offer a high level of amenity and make a positive contribution to the creation of new, high quality and contemporary urban streetscapes in business centres by:

- achieving well articulated building forms that avoid a plain and monolithic appearance
- adopting appropriate building scale, massing and proportions that best reflect the role of centres as a focus of business and community activity
- demonstrating high architectural value.

The proposal is considered to broadly comply with the above objectives by providing a reasonably high quality standard of development of an appropriate scale and size given the strategic location of the site near the Macarthur town centre.

Notwithstanding, a review of the specific requirements under the SCDCP has been undertaken and the issues of building height and street level activation have been identified for Council's further consideration. A lesser issue relating to waste servicing provision for the proposed commercial tenancy is also noted.

These matters are discussed in the later section of this report.

- Draft Campbelltown Local Environmental Plan 2014 (draft CLEP 2014)

Section 79C(1)(a)(ii) of the *Environmental Planning and Assessment Act 1979* (the Act) requires that a consent authority must take into consideration the provisions of a proposed planning instrument that has been the subject of public consultation under the Act.

2.5 Joint Regional Planning Panel Development Application - 2706/2014/Da-Ra, 49 Stowe Ave, Campbelltown

The subject application was lodged on 7 November 2014 following the public exhibition of draft CLEP 2014 between 12 June and 8 August 2014. Accordingly, the Act requires that the subject application is assessed in accordance with draft CLEP 2014 as it is a draft planning instrument that has been the subject of a formal public consultation process endorsed by both Council and the Department of Planning and Environment.

There is extensive case law to the effect that the provisions of a Draft LEP will be given greater weight in the assessment of development application, when the making of the draft Plan is "certain and imminent". It is therefore relevant to note that a report on the exhibition of the draft CLEP 2014 is to be submitted to Council for its consideration on 28 April 2015. That report will address submissions received pursuant to the public exhibition of draft CLEP 2014 and at the time of writing, it is understood that certain amendments to the exhibited draft document will be recommended, but not to any extent that would necessitate re-exhibition.

Notwithstanding, it is considered reasonable that some weight be given to the draft instrument as part of the assessment of the application.

A summary of the relevant issues identified for Council's consideration of draft CLEP 2014 is provided as follows.

The subject land is zoned 'B4 - Mixed Use' under draft CLEP 2014, and the proposal is permissible with consent in the zone. The corresponding objectives of the zone are stated as follows:

- to provide a mixture of compatible land uses
- to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling
- to encourage the timely renewal and revitalisation of centres that are undergoing growth or change
- to create vibrant, active and safe communities and economically sustainable employment centres
- to provide a focal point for commercial investment, employment opportunities and centre-based living
- to encourage the development of mixed-use buildings that accommodate a range of uses, including residential, and that have high residential amenity and active street frontages
- to facilitate diverse and vibrant centres and neighbourhoods
- to achieve an accessible, attractive and safe public domain.

The proposal is considered to be generally consistent with a number of the zone objectives, however some concerns are raised that the proposal does not provide an active street frontage. This objective is translated into Clause 7.3 of the draft CLEP 2014 which is applicable to the subject proposal, and requires the ground floor of proposed apartment buildings to be used as "business premises, office premises or retail premises".

Additionally, draft CLEP 2014 prescribes a maximum height limit of 19 metres for development on the site. At its highest point, the proposal exceeds this by approximately 8.1 metres.

These matters are discussed in the later section of this report.

Previous Development Approval 15/2011/DA-RA

There is no statutory requirement under the Act to consider another development approval on the land that does not relate or impact upon the current application. Never-the-less, a brief description of the earlier DA approval 15/2011 issued by the JRPP on the subject land is provided below for the purposes of comparison with the built outcomes proposed under the current application.

DA 15/2011/DA-RA was conditionally approved by the JRPP on 4 November 2012 for the construction of a 6 to 8 storey mixed use commercial, retail and residential apartment development with 2 levels of basement car parking. Works under this consent have not commenced, although may still be commenced under this consent up until 4 November 2017. In order to avoid the scenario of duplicate consents being active for the site, the 2012 consent could be surrendered as a condition of any approval issued for the current proposal.

A summary of the approved 2012 development is provided as follows:

- excavation of the site and site preparation works
- construction of 3 buildings comprising
 - Building A – a 7 storey mixed retail/commercial (ground floor) and residential building within the northern most portion of the site fronting Tailby Street and Stowe Avenue
 - Building B – a 6 and 7 storey residential building fronting Stowe Avenue
 - Building C – an 8 storey mixed retail/commercial/residential (ground floor) building within the southern-most portion of the site, and fronting both Stowe Avenue and Kellicar Road
- 75 residential apartments in total
- 1,943 square metres of commercial floor space within the entire ground floor / street levels of Building A and Building C
- vehicular access from Stowe Avenue
- parking for 120 cars within two basement levels
- landscaping works.

Whilst there are strong comparisons with the current proposal in terms of the general height and massing of the three residential buildings, the key differences between the proposals are noted below:

- Parking - on site parking has been reduced from 120 to 109 car spaces
 - Residential apartments - the number of apartments has increased from 75 to 101
-

2.5 Joint Regional Planning Panel Development Application - 2706/2014/Da-Ra, 49 Stowe Ave, Campbelltown

- Commercial tenancies - the extent of commercial tenancies has significantly reduced under the current proposal, from the entire ground / street levels of both Buildings A and C (Kellicar Road and Tailby Street), to one relatively small retail tenancy (45m2) within Building C near Tailby Street.
- Development footprint - the overall building footprint of the development on the site has reduced under the current proposal which has allowed for additional deep soil plating around the perimeter of the site.
- Street level interface - the proposed carparking levels under the current proposal are at a higher finished level than the earlier approval (including partly above ground level). This change has resulted in the general design of the development now being dominated by a carparking podium at street level, particularly along Stowe Ave. In contrast, the 2012 proposal provided a better relationship between the street and ground level of all three buildings, including commercial tenancies for the entire ground level of apartment buildings A and C which activated the full street frontages to Tailby and Kellicar Road. The proposed development limits the public activation at street level to a relatively small commercial tenancy and adjoining resident's common room fronting Tailby Street.

Summary of Identified Issues

A summary of the relevant issues for Council's further consideration relate to the following design aspects of the proposed development:

a. Height

All three proposed residential buildings (Building A: 24.6m, Building B: 26.1m, Building C: 27.1m) exceed the maximum 19 metre height limit for development on the site provided under draft CLEP 2014.

However, it is noted that there is no development standard for height prescribed under Campbelltown LEP 2002. Additionally, the 19m height limit prescribed by DCLEP 2014 may be varied in accordance with Clause 4.6 of that Plan. It is therefore considered that the JRPP could (as consent authority) consider a variation to the 19m height limit, however additional information would be required from the applicant to justify that the variation was appropriate having regard to the relevant for matters for consideration in accordance with Clause 4.6 of that CLEP 2014.

b. Street activation

The design of the development is considered to provide a less than optimum street level interface given the dominance of the carparking podium level to Stowe Ave.

This is inconsistent with the requirements of draft CLEP 2014 and SCDP relating to the provision of active street frontages and promotion of a safe public domain.

Additionally, the design is inconsistent with Clause 7.3 of draft CLEP 2014 which states that development consent must not be granted unless the ground floor of apartment buildings (within the B4 zone) will be used as business premises, office premises or retail premises.

c. Servicing provision for commercial tenancy

Provision is required for the storage and collection of waste from the proposed commercial tenancy in accordance with the SCDGP.

d. Surrender of previous Development consent

In order to avoid duplicate development consent that may be acted upon for the subject land, it is considered that any approval of the subject application involve an appropriate condition to finalise the previous DA 15/2011/DA-RA.

Conclusion

Development Application 2706/2014/DA-RA proposes the construction of a commercial and residential apartment development at Stowe Ave Campbelltown, and is being determined by the JRPP given the relatively high capital value of the proposed works.

The application has been reported so as to provide the opportunity for Council to endorse a submission to the JRPP prior to their determination of the proposal.

The proposed development is permissible with consent in the 10(a) Regional Comprehensive Centre Zone under LEP 2002, and B4 - Mixed Use zone under draft CLEP 2014. The application has been lodged by the applicant in accordance with the provisions of SEPP (Affordable Rental Housing) 2009.

The proposal is considered to be generally consistent with the zone objectives for higher order development on the site, including the promotion of employment and economic growth and provision of higher density housing in an accessible location.

Whilst it is beyond the scope of this report to duplicate the detailed assessment process being undertaken by the JRPP, the application has been generally assessed in accordance with the relevant statutory requirements and a number of design issues and concerns have been identified. These matters generally relate to proposed building heights that are greater than the height limits exhibited by Council under the draft CLEP 2014, and a less than optimum ground level interface of the development at street level. These design issues are considered to be of sufficient interest to warrant Council making a submission to the JRPP.

Officer's Recommendation

That Council's Director Planning and Environment forward a submission to the Joint Regional Planning Panel (JRPP) for the Sydney West Region requesting that the determination of development application 2706/2014/DA-RA for the construction of a mixed-use residential apartment development at Stowe Avenue Campbelltown address the issues outlined in the body of this report.

Committee's Recommendation: (Kolkman/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

Voting for the Committee's Recommendation were Councillors: Greiss, Kolkman, Lound, Matheson, Oates, Rowell and Thompson.

Voting against the Committee's Recommendation: Nil.

Council Meeting 21 April 2015

Having declared an interest in regard to Item 2.5, Councillors Hawker and Lake left the chamber and did not take part in debate nor vote on this item.

In the absence of the Chairperson, His Worship the Mayor, Councillor Lake, Deputy Mayor, Councillor Rowell was elected to Chair the meeting.

Council Meeting 21 April 2015 (Greiss/Thompson)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 52

That the Officer's Recommendation be adopted.

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

Voting against the Council Resolution: Nil.

At the conclusion of the discussion regarding Item 2.5, Councillors Hawker and Lake returned to the chamber and Councillor Lake resumed the Chair.

ATTACHMENT 1



prescottarchitects
 Unit 8, 37 Nicholson Street
 East Brisbane QLD 4041
 Phone: 07 3371 1222
 Fax: 07 3371 1223
 Email: info@prescottarch.com.au
 ABN 61 008 571 783

Project: STOWE AVENUE
 Drawing: MACARTHUR GARDENS
 Drawing no: SITE ANALYSIS PLAN
 Project no: 2_13_16
 Drawing no: AD100
 Date: 22/10/14
 Scale: @ A3
 M.A.
 Date: 22/10/14



REV	DESCRIPTION	DATE	BY	CHECKED	DATE
A	ISSUE	22/10/14			

Drawn by: [Name]
 Checked by: [Name]

ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4



prescottarchitects
 1/11 Stowe Avenue
 MacArthur Gardens
 Level 2
 Sydney NSW 2041
 Phone: 02 9813 3022
 Fax: 02 9813 3023
 Email: ronald@prescottarch.com.au
 A/NZ 87 598 871 763

Energy Rating
 6 Star
 1/11 Stowe Avenue
 MacArthur Gardens
 Level 2
 Sydney NSW 2041
 Phone: 02 9813 3022
 Fax: 02 9813 3023
 Email: ronald@prescottarch.com.au
 A/NZ 87 598 871 763

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 A/NZ 87 598 871 763

An architectural rendering of a modern multi-story residential building complex. The image shows four distinct building volumes. From left to right: a building with a light beige facade and horizontal bands of windows; a taller building with a dark brown facade and a grid of windows; a building with a dark brown facade and a grid of windows; and a building with a light beige facade and a grid of windows. The buildings feature balconies with various colored railings (orange, red, black). The complex is surrounded by landscaping, including green trees and shrubs. A paved walkway runs along the front of the buildings. The sky is a clear blue.

2.6 Small Business Friendly Council Program

Reporting Officer

Director Planning and Environment

Attachments

Nil

Purpose

The purpose of this report is to introduce the Small Business Friendly Council Program and to seek Council approval for participation in the Program.

Report

The Small Business Friendly Council program is an initiative of the Office of the NSW Small Business Commissioner (OSBC) in partnership with the NSW Business Chamber. The Program will run for a 12 month trial period over 2014-2015.

The objective of the Program is to encourage council's to proactively work with and support small business together with enhancing the business relationship with council.

In addition to reviewing procedures and practices in dealing with small businesses, identifying areas for improvement and exploring new initiatives, the benefit afforded to Council by participating in the Program is the sharing of business improvement ideas and strategies with other participating councils. It should be noted that participation in the Program does not require any cash contribution by Council.

Council would have access to a portal for the Program detailing the strategies and improvement processes being rolled out by participating councils. As an example, 41 councils are currently participating in the Program. This provides Council with a range of ideas to see what opportunities may also bring benefits in the Campbelltown Local Government Area.

The participating councils in the 2014-2015 Program, range from large metropolitan councils to small regional councils.

The Program requires five key commitments from a participating Council:

1. On-time payment policy detailing Councils payment cycle and reporting proportion of businesses paid on-time each quarter
 2. Business Improvement Processes – identify and implement two strategies to improve business processes. Further, Council also needs to identify one new initiative such as promoting pre-lodgement DA meetings
-

3. Make a public commitment from the Lord Mayor/Mayor and Chief Executive/General Manager supporting the SBFC Program
4. Dispute Resolution – agree to refer any business disputes to the OSBC Mediation and Dispute Resolution Unit.
5. Business Advisory Board – in conjunction with your local Business Chamber to establish a Board, to work with your Council. Council's Senior Management Team already meets regularly with the representatives of both the Campbelltown and Ingleburn Chambers of Commerce. It is considered that there may be merit in the possibility of the formation of a Business Advisory Board by combining these two groups.

In terms of the business improvement processes, the following three options that have been considered for reporting to the Program:

- Providing accessible on-line payment option for payments currently made in-person over the counter or by paper transaction
- Accessible City Wi-Fi study (Ingleburn)
- Promotion of Pre-lodgement DA meetings

It should be noted that in addition to the identified business improvement processes, an opportunity exists as part of the Emerging Leaders Program (Council staff Coordinators Group) for the group(s) to identify and detail further options for future Business Improvement Processes that could be applied in the proceeding reporting years of the Program.

Accordingly, it is recommended that Council embrace the opportunity to become involved in the trial Program and provide its commitment to undertake the 5 key items of the Program.

Officer's Recommendation

1. That Council participate in the Small Business Friendly Council program.
2. That Council provide its commitment to the five key items of the Program as detailed in the body of this report.
3. That Council notify the Campbelltown and Ingleburn Chamber of Commerce of its report to participate in the NSW Small Business Friendly Council Program.
4. The Council receive a further report on a proposal to establish a Business Advisory Board following further consultation with the Campbelltown and Ingleburn Chambers of Commerce.

Committee's Recommendation: (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 21 April 2015 (Greiss/Lound)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 50

That the Officer's Recommendation be adopted.

2.7 Request for Pre-Gateway Review - No. 166-176 St Andrews Road, Varroville

Reporting Officer

Manager Environmental Planning

Attachments

Letter from the NSW Minister for Planning (contained within this report)

Purpose

To advise Council of the appointment of the Sydney West Joint Regional Planning Panel as the relevant planning authority for the planning proposal to permit a lawn cemetery at No. 166-176 St Andrews Road, Varroville.

Report

At its Ordinary meeting on 11 March 2014, Council considered a report on a planning proposal to amend Campbelltown Local Environmental Plan – District 8 (Central Hills Lands) to permit the development of a lawn cemetery on Lot B DP 370979, Lot 22 DP 564065 and Lot 1 DP 218016 known as No. 166-176 St Andrews Road, Varroville.

At the meeting it was resolved:

That Council not support the planning proposal request to permit the development of a cemetery on Lot B DP 370979, Lot 22 DP 564065, and Lot 1 DP 218016 St Andrews Road, Varroville.

On 19 March 2014 the applicant for the planning proposal, The Catholic Metropolitan Cemeteries Trust, lodged a pre-gateway review application with the then NSW Department of Planning and Infrastructure. The application was subsequently referred to the Sydney West Joint Regional Planning Panel, which on 28 August 2014 agreed that the application should be put forward for a gateway determination subject to three conditions being satisfied prior to the exhibition of the proposal.

Subsequent to the Panel's recommendation, Council at its meeting on 14 October 2014 resolved:

1. That Council opposes the Joint Regional Planning Panel's decision to approve the proposed cemetery development in the Scenic Hills to proceed to the Gateway Review.
 2. That Council write to the Minister for Planning outlining its strong opposition to the proposed cemetery development in the Scenic Hills and call on the Minister to reject this proposed development.
-

A letter consistent with Council's resolution was sent to the Minister for Planning on 23 October 2014.

Council received advice from the NSW Department of Planning and Environment via a letter dated 27 October 2014 advising of its determination that the planning proposal for No. 166-176 St Andrews Road, Varroville should proceed to Gateway determination stage.

Included with the Department's letter, was a request for the Council to advise the Department if it would like to be the Relevant Planning Authority for the planning proposal. Council at its meeting on 11 November 2014 considered a report on this request and resolved:

That Council advise the NSW Department of Planning and Environment that it does not wish to be the Relevant Planning Authority for the planning proposal for a lawn cemetery at No. 166-176 St Andrews Road, Varroville.

However, a rescission motion was lodged following that meeting and when the matter was again considered at Council's meeting on 9 December 2014 the original resolution from the meeting of 11 November 2014 was carried. Council advised the NSW Department of Planning and Environment of this decision via a letter dated 12 December 2014.

The Minister for Planning (The Hon. Pru Goward) has provided notice by way of a letter dated 4 March 2015 (attachment 1) that she has appointed the Sydney West Joint Regional Planning Panel to act on her behalf as the relevant planning authority for the preparation and administration of the planning proposal for the Macarthur Memorial Lawn Cemetery. The next step in the planning proposal process is for the relevant planning authority to place the planning proposal on public exhibition at which time the Council will have the opportunity to make a submission on the planning proposal.

Officer's Recommendation

That the information be noted.

Committee Note: Ms Kirkby addressed the Committee.

Committee's Recommendation: (Oates/Kolkman)

1. That the information be noted.
2. That Council arrange an urgent meeting with the new Minister for Planning and relevant Department officials to reiterate Council's and the community's opposition to the cemetery planning proposal in the Scenic Hills.
3. That Council write to the Joint Regional Planning Panel and NSW Planning and Environment to request that they extend the public exhibition period to 60 days.
4. That Council make a submission to the Joint Regional Planning Panel outlining Council's objection to the planning proposal.
5. That Council request the Joint Regional Planning Panel conduct a public hearing when considering the planning proposal.

CARRIED

Council Meeting 21 April 2015

Having declared an interest in regard to Item 2.7, Councillors Hawker and Lake left the chamber and did not take part in debate nor vote on this item.

In the absence of the Chairperson, His Worship the Mayor, Councillor Lake, Deputy Mayor, Councillor Rowell was elected to Chair the meeting.

Council Meeting 21 April 2015 (Kolkman/Greiss)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 53

That the Committee's Recommendation be adopted.

A **Division** was called in regard to the Resolution for Item 2.7 - Request for Pre-Gateway Review - No. 166-176 St Andrews Road, Varroville with those voting for the Motion being Councillors Borg, Brticevic, Chanthivong, Dobson, Glynn, Greiss, Kolkman, Lound, Matheson, Oates and Rowell.

Voting against the Resolution were Councillors Mead and Thompson.

At the conclusion of the discussion regarding Item 2.7, Councillors Hawker and Lake returned to the chamber for the remainder of the meeting and Councillor Lake resumed the Chair.

ATTACHMENT 1



The Hon. Pru Goward MP
Minister for Planning
Minister for Women

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

Our Ref: 15/01864

MAR06'15 07:49:19 RCVD

Dear Ms Deitz

Request for pre-Gateway review – (PGR_2014_CAMPB_001_00)

I refer to the request for a pre-Gateway review (PGR_2014_CAMPB_001_00) for a proposal to rezone land to permit a cemetery at 166-176 St Andrews Road, Varroville.

Having considered the proposal and the comments from the Sydney West Joint Regional Planning Panel (the Panel) and Campbelltown Council, I have selected the Panel as the alternate relevant planning authority for this matter. They have been instructed to prepare and administer the planning proposal on my behalf.

I have made this decision as Council has indicated that it does not wish to be the relevant planning authority for the planning proposal. The appointment of an alternate relevant planning authority is consistent with the State government's commitment to reducing the time taken to complete local environmental plans.

The Panel may contact Council to discuss the administrative aspects of the planning proposal at a later stage. Your assistance in this regard would be appreciated.

If you have any enquiries about this matter, please contact Ms Rachel Cumming, Director, Metropolitan (Parramatta), at the Department on (02) 9860 1174.

Yours sincerely

Pru Goward MP
Minister for Planning
Minister for Women

4 MAR 2015

2.8 Crown Lands Public Resources Management Program - Hurley Park

Reporting Officer

Director Planning and Environment

Attachments

Hurley Park Masterplan (contained within this report)

Purpose

To inform the Council of a funding application made to the Crown Lands Public Reserve Management Fund Program (PRMFP) for the restoration and capital improvement of Hurley Park, Campbelltown.

History

At its meeting on 16 September 2014, Council considered a report concerning Hurley Park heritage items together with all possible funding grants for the repair and ongoing maintenance of the heritage listed sandstone items. A subsequent briefing on 28 October 2014 was presented to the Council by the Director of Planning and Environment outlining available funding opportunities which included the Crown Lands Public Reserve Management Fund Program (PRMFP).

Report

Subsequent to the briefing presented by the Director of Planning and Environment, Council has continued to pursue the most suitable funding opportunities under the available grant programs.

An opportunity has been identified through the Crown Lands Public Reserves Management Fund Program (PRMFP) which was announced in early March 2015 with funding submissions required before 10 April 2015. Essentially a window of 5 weeks was available to develop a robust funding submission to the PRMFP.

A requirement of the PRMFP is that each individual item of work that forms a funding submission must be substantiated through the provision of three quotes or by a detailed cost estimate if the quantum of work exceeds \$250,000. In this respect to develop a robust funding submission, significant participation from all divisions of Council was required to organise three quotes from appropriately qualified trades from each trade discipline.

The detailed funding submission has been developed and shaped by the Landscape Masterplan that has been prepared for the Hurley Park. The Landscape Master (attachment 1) which is tabled by this report. The core elements of the masterplan include:

- Palisade fencing to replace the existing chain-wire fencing around the heritage items
- Reconstruction of the existing car park
- Replacement of Hurley Park Hall with a new 750m² multipurpose educational and community centre
- Shared pathway network providing connectivity between sporting, play and heritage elements
- Interpretive / education signage points detailing the sites heritage items
- Restoration of sandstone silt traps
- Introduction of a play space area
- Additional street trees and screen tree to frame the park

The total cost to complete the core elements is approximately \$3m. In this respect the application to the PRMFP for grant funding only is in the amount of approximately \$3m. It should be noted that this application requires no cash contribution by Council.

Given the circumstances of a restrictive time period and funding submission deadline falling between Council reporting cycles, the funding application has been lodged within the prescribed period so not to miss the grant opportunity. On this basis it is recommended that the information presented in this report concerning the funding submission be noted.

Officer's Recommendation

That Council endorse the application to the Crown Lands Public Resources Management Program for the restoration and capital improvement of Hurley Park.

Committee's Recommendation: (Kolkman/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 21 April 2015 (Greiss/Lound)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 50

That the Officer's Recommendation be adopted.

ATTACHMENT 1

Hurley Park Masterplan

Allman Street, Campbelltown



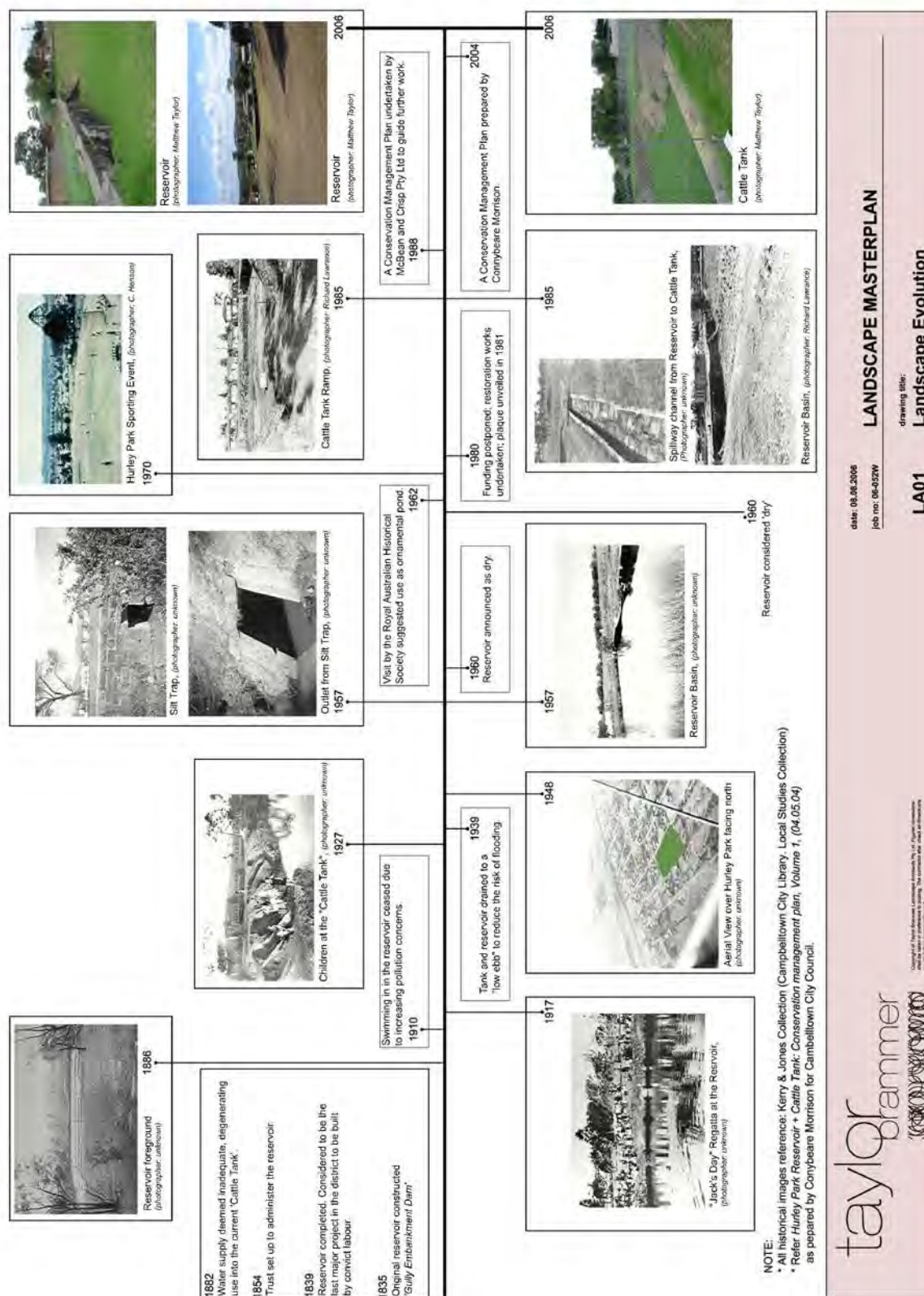
CONTENTS LIST:

- LA00 COVER SHEET
- LA01 LANDSCAPE EVOLUTION
- LA02 HERITAGE SIGNIFICANCE + EXISTING SITE CONDITION
- LA03 LANDSCAPE MASTERPLAN
- LA04 LANDSCAPE CHARACTER - RESERVOIR AND CATTLE TANK
- LA05 LANDSCAPE CHARACTER - COMMUNITY HALL
- LA06 LANDSCAPE CHARACTER - GENERAL DESIGN ELEMENTS
- LA07 LANDSCAPE CHARACTER - INTERPRETATION



date: 18.08.2006
job no: 06-052W

LANDSCAPE MASTERPLAN
drawing title:
LA00 Cover Sheet





EXISTING SITE KEY PLAN
 SCALE approx 1:2000 @ A3

LEGEND

ELEMENTS OF HIGH SIGNIFICANCE:

1. CATTLE TANK WALLS, FLOOR AND RAMP
2. SPILLWAY, CHANNEL AND TIMBER FOOTBRIDGE
3. RESERVOIR EMBANKMENT WALL, BUTTRESS STEPS AND RESERVOIR BASIN
4. SOUTHERN AND NORTHERN SILT TRAPS, WALL, DRAIN, OUTLET AND STOCKPILE STONES
5. NATIVE VEGETATION AND EARLY REMNANT EUROPEAN TREES

ELEMENTS OF MODERATE SIGNIFICANCE:

- PLAQUES ON SANDSTONE ROCK COMMEMORATING RESTORATION WORKS IN 1981
- COMMUNITY HALL

ELEMENTS OF LITTLE SIGNIFICANCE:

- STENCILED CONCRETE BRICK PAVING AROUND SOUTHERN SILT TRAP
- METROPOLITAN WATER SEWERAGE AND DRAINAGE BOARD COMPOUND

Reference:
 Hurley Park Reservoir + Cattle Tank: Conservation Management Plan,
 Volume 1, (04.05.04)

PRESENT SITE CONDITION



taylor
 brammer

date: 08.08.2006
 scale: approx 1:2000 @ A3 job no: 06-052W

LANDSCAPE MASTERPLAN

drawing title:
 LA02 Heritage Significance + Existing Site Condition

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LANDSCAPE MASTERPLAN
SCALE approx 1:2000 @ A3

					
1. Reservoir wall new fencing	2. Interpretive walkway	3. Reservoir maintained and Silt Trap character enhanced	4. Proposed new play equipment	5. Existing remnant vegetation retained and enhanced through supplementary native planting	6. Interpretation point



taylor gnammer

LANDSCAPE MASTERPLAN

scale: approx 1:2000 @ A3 date: 08.08.2006 job no: 98-532W

LA03 drawing title: Landscape Masterplan



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taylorgrammer

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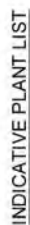
date: 08.04.2006
 job no: 06-052W

LANDSCAPE MASTERPLAN

drawing title:

LA04

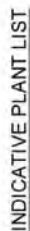
Landscape Character - Reservoir and Cattle Tank



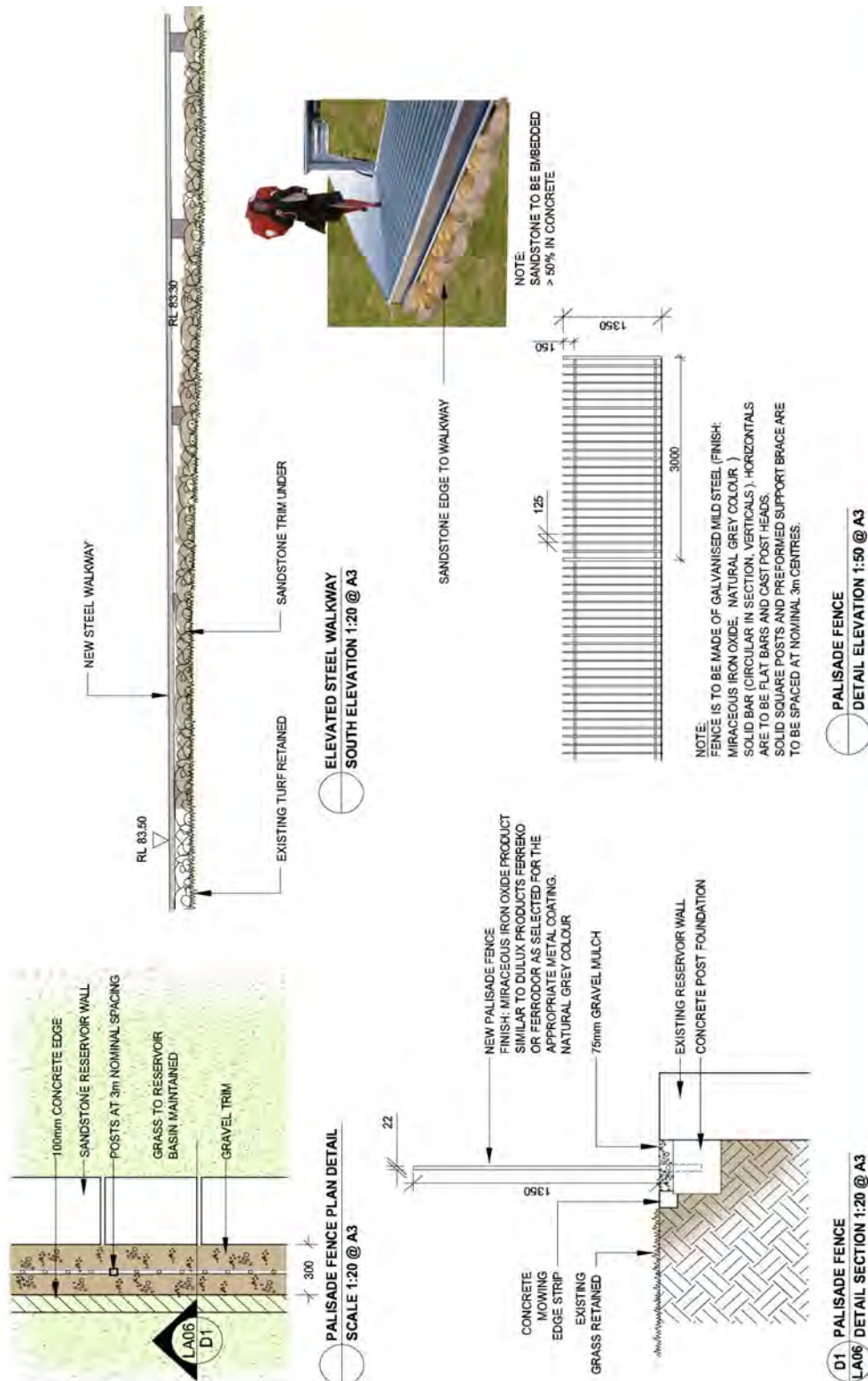
BOTANICAL NAME	COMMON NAME	HEIGHT
TREES		
<i>Anoplophora costata</i>	Smooth Barked Apple	20m
<i>Amacusa Cunninghamii</i>	Hoop Pine	>30m
<i>Callistemon viminalis 'Hanna Ray'</i>	Weeping Bottlebrush	8.0m
<i>Elaeocarpus reticulatus</i>	Blueberry Ash	10m
<i>Eucalyptus citrodora</i>	Lemon-scented Gum	20-30m
<i>Eucalyptus crebra</i>	Narrow leaved Ironbark	20-30m
<i>Eucalyptus maculata</i>	Spotted Gum	30m
<i>Eucalyptus moluccana</i>	Grey Box	20-25m
<i>Eucalyptus mollucana</i>	Red Ironbark	20.0m
<i>Eucalyptus sideroxylon</i>	Water Gum	3-10m
<i>Tristanopsis laurina</i>		
SHRUBS & PERENNIALS		
<i>Acacia implexa</i>	Hickory	4-10m
<i>Banksia 'Birthday Candles'</i>	Dwarf Banksia	1.5m
<i>Banksia integrifolia</i>	Coastal Banksia	3.5m
<i>Bursaria spicata</i>	Blackthorn	2-3m
<i>Callistemon citrinus 'Endeavour'</i>	Bottlebrush	3.0m
<i>Callistemon Little John</i>	Dwarf Bottlebrush	1.2m
<i>Grevillea Canberra Gem</i>	Grevillea hybrid	1.5m
<i>Syringum australe Aussie Southern</i>	Lilly Pilly	4.0m
<i>Syringum Bush Christmas</i>	Lilly Pilly	3.0m
GROUNDCOVERS (in particular to Silt Traps)		
<i>Cymbopogon refractus</i>	Barbed Wire Grass	0.5m
<i>Dichondra repens</i>	Kidney Weed	0.1m
<i>Dichondra repens</i>	Blue Trumpet	0.1m
<i>Goodenia hederacea</i>	Violet Leaved Goodenia	0.2m
<i>Pratia purpurascens</i>		0.1m
<i>Themeda australis</i>	Kangaroo Grass	0.5m

GROUNDCOVERS (In particular to Silt Traps)

Cymbopogon refractus
Dichondra repens
Dichondra repens
Goodenia hederacea
Pratia purpurascens
Themeda australis



TREES	BOTANICAL NAME	COMMON NAME	HEIGHT
	<i>Angophora costata</i>	Smooth Barked Apple	20m
	<i>Araucaria Cunninghamii</i>	Hoop Pine	>30m
	<i>Eucalyptus viminalis 'Hanna Ray'</i>	Weeping Bottlebrush	8.0m
	<i>Elaeocarpus reticulatus</i>	Blueberry Ash	10m
	<i>Eucalyptus citrodora</i>	Lemon-scented Gum	20-30m
	<i>Eucalyptus crebra</i>	Narrow leaved Ironbark	20-30m
	<i>Eucalyptus maculata</i>	Spotted Gum	30m
	<i>Eucalyptus muelleriana</i>	Grey Box	20-25m
	<i>Eucalyptus sideroxylon</i>	Red Ironbark	20.0m
	<i>Tristania laurina</i>	Water Gum	3-10m
	SHRUBS & PERENNIALS		
	<i>Acacia implexa</i>	Hickory	4-10m
	<i>Banksia Birthday Candles'</i>	Dwarf Banksia	1.5m
	<i>Banksia integrifolia</i>	Coastal Banksia	3.5m
	<i>Bursaria spinosa</i>	Blackthorn	2-3m
	<i>Callistemon citrinus 'Enderbourn'</i>	Bottlebrush	3.0m
	<i>Callistemon Little John'</i>	Dwarf Bottlebrush	1.2m
	<i>Grevillea 'Canberra Gem'</i>	Grevillea hybrid	1.5m
	<i>Syzygium australe Aussie Southern'</i>	Lilly Pilly	4.0m
	<i>Syzygium Bush Piliys'</i>	Lilly Pilly	3.0m
	GROUNDCOVERS (In particular to Soil Traps)		
	<i>Cymbopogon refractus</i>	Barbed Wire Grass	0.5m
	<i>Dichondra repens</i>	Kidney Weed	0.1m
	<i>Dichondra repens</i>	Blue Trumpet	0.1m
	<i>Goodenia hedoniana</i>	Violet Leaved Goodenia	0.2m
	<i>Ptilia purpurascens</i>	"	0.1m
	<i>Themeda australis</i>	Kangaroo Grass	0.5m



taylor hammer

LANDSCAPE MASTERPLAN

date: 04.08.2004
 job no: 95-652W
 drawing title: Landscape Character - General Design Elements

LA06



3. DEVELOPMENT SERVICES

3.1 Development Services Section Statistics February 2015

Reporting Officer

Acting Manager Development Services

Attachments

Development Services application statistics for February 2015 (contained within this report)

Purpose

To advise Council of the status of development and other applications within the Development Services section.

Report

In accordance with Council's resolution of 23 August, 2005 that Councillors be provided with regular information regarding the status of development applications, the attachment to this report provides details of key statistics for February 2015 as they affect the Development Services section.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Thompson/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 21 April 2015 (Greiss/Lound)

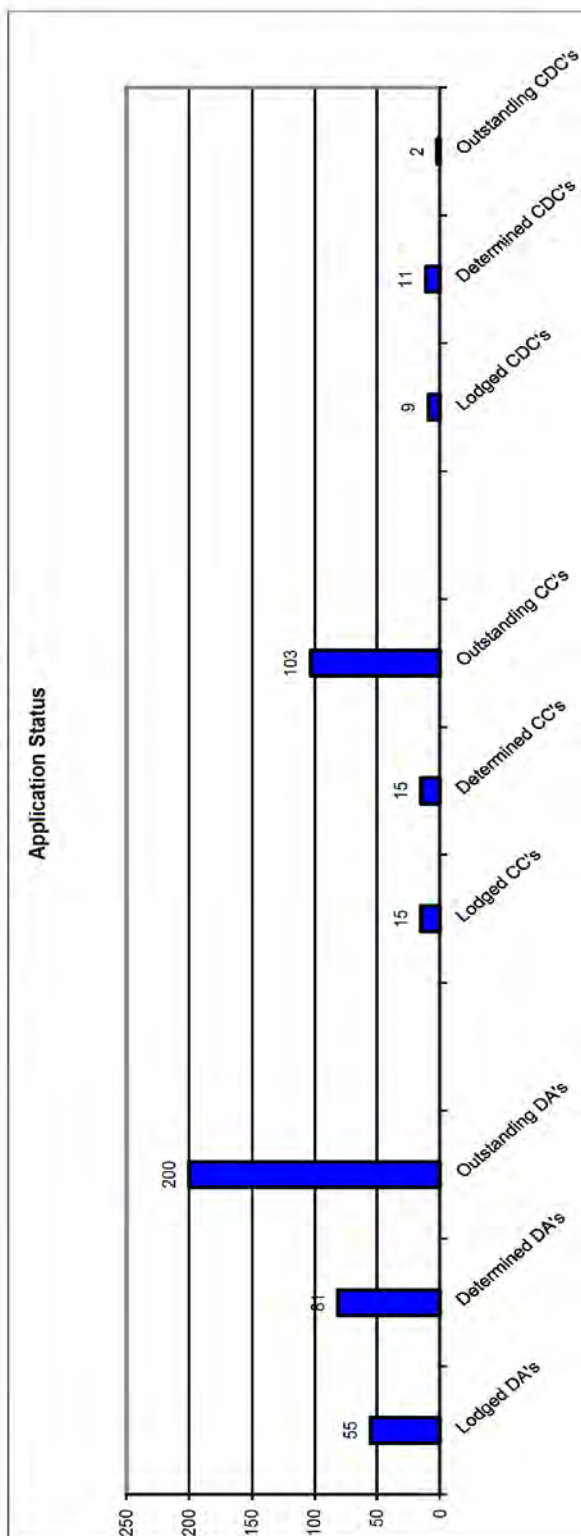
That the Officer's Recommendation be adopted.

Council Resolution Minute Number 50

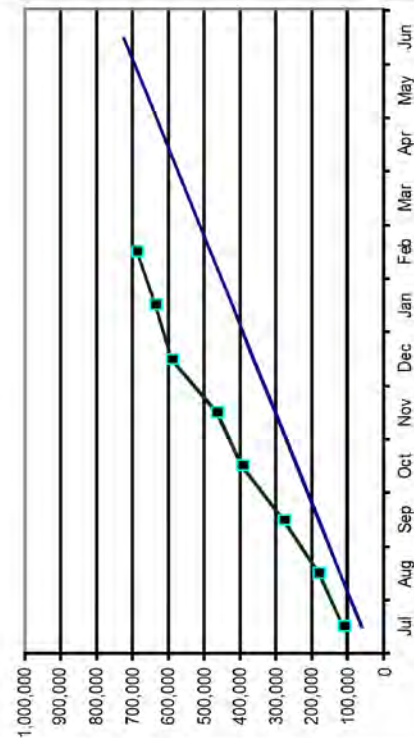
That the Officer's Recommendation be adopted.

ATTACHMENT 1

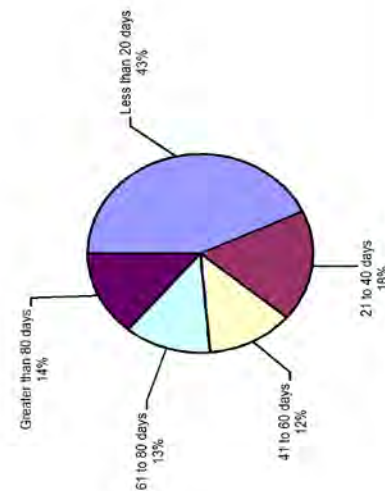
DEVELOPMENT SERVICES SECTION MONTH AT A GLANCE – February 2015



Development Application Income



Development Application Monthly Processing Times



3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

3.2 Refurbishment of existing building to create a 172 place child care centre, a recreational facility and 139 serviced apartments - No. 6 Grange Road Leumeah

Reporting Officer

Acting Manager Development Services

Attachments

1. Recommended conditions of development consent (contained within this report)
2. Locality Plan (contained within this report)
3. Landscape Plan (contained within this report)
4. Elevations (contained within this report)
5. Photomontages (contained within this report)
6. Floor Plans (distributed under separate cover - confidential – for privacy reasons these are not available to the public)

Purpose

To assist Council in its determination of the subject Development Application in accordance with the provisions of the (*Environmental Planning and Assessment Act 1979* EPA Act). This application is reported to Council as it proposes to redevelop a significant and visually prominent gateway site at the entry into the Campbelltown local government area from the F5 freeway. In addition, five submissions have been received in response to the public exhibition and notification of the proposed development.

Property Description	Lot 503 DP 714753 6 Grange Road, Leumeah
Application No	2327/2014/DA-C
Applicant	Grange Road Properties Pty Ltd
Owner	Grange Road Properties Pty Ltd
Provisions	State Environmental Planning Policy 1 – Development Standards State Environmental Planning Policy 65 – Design Quality of Residential Flat Development Residential Flat Design Code (RFDC) State Environmental Planning Policy (BASIX) 2004 Campbelltown (Urban Area) Local Environmental Plan 2002 Draft Campbelltown Local Environmental Plan 2014
Other Provisions	Campbelltown (Sustainable City) Development Control Plan 2014 Campbelltown 2025 - Looking Forward
Date Received	26 September 2014

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History

In 2005, Council approved 1461/2005/DA-C, which proposed a six-storey bulky goods retail complex with two levels of basement car parking at the subject site. Construction of the building was commenced and all but completed, however the building has never been occupied.

Report

This application proposes the refurbishment of an existing six-storey building to create a 172 place child care centre, a recreational facility and 139 serviced apartments at No. 6 Grange Road, Leumeah.

The subject site is visually prominent as it is on the corner of Campbelltown Road and Rose Payten Drive. The site currently contains an existing six-level building with two levels of basement car parking containing 282 car parking spaces, which was approved in 2005 as a bulky goods retail complex, but was never completed or occupied.

The proposed childcare centre would be located on the ground floor of the existing building (which is beneath finished ground level from the perspective of Campbelltown Road and Rose Payten Drive). Its proposed hours of operation are 6.00am to 7.00pm Monday to Friday, and it would employ 29 staff. The proposed recreational facility would also be located on the ground floor of the building, and would encompass the existing ground floor pool and change rooms. The five upper floors of the building would contain the proposed serviced apartments, which would employ 14 staff. The application proposes to install boom gates and parking ticketing facilities within the basement car parking levels.

The site is located adjacent to the south eastern corner of the intersection of Campbelltown Road and Rose Payten Drive. It is adjoined to the east and south by industrial development in Grange Road, to the north across Rose Payten Drive by industrial development, and to the west across Campbelltown Road by residential development in the suburb of Woodbine.

1. Vision

Campbelltown 2025 - Looking Forward

'Campbelltown 2025 Looking Forward' is a statement of broad town planning intent for the longer term future of the City of Campbelltown that:

- Responds to what Council understands people want the City of Campbelltown to look, feel and function like
- Recognises likely future government policies and social and economic trends
- Sets down the foundations for a new town plan that will help achieve that future.

The document establishes a set of strategic directions to guide decision making and development outcomes. These directions are broad in nature and form a prelude to a new statutory town plan for the City.

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The strategic directions relevant to this application are:

- Growing the Regional City
- Creating education, employment and entrepreneurial opportunities.

The application is consistent with the above strategic directions as the proposal would provide well-located short-term accommodation that would enable the Regional City to grow as well as providing commercial opportunities for local businesses and providing employment opportunities within the construction industry.

Some of the relevant desired outcomes of the strategic directions included in Campbelltown 2025 include:

- Urban environments that are safe, healthy, exhibit a high standard of design, and are environmentally sustainable
- Development and land use that matches environmental capacity and capability.

The development is consistent with desired outcomes within Campbelltown 2025 specifically in relation to providing a development that is functional and of a high quality design, and one that matches the environmental capacity and capability of the site.

2. Planning Provisions

2.1. State Environmental Planning Policy 1 – Development Standards (SEPP 1)

SEPP 1 provides flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objectives specified in section 5(a)(i) and (ii) of the *Environmental Planning and Assessment Act 1979*.

SEPP 1 applies to this application, as the applicant seeks to vary Clause 37 of Campbelltown (Urban Area) Local Environmental Plan 2002 (CLEP), which states that consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4(a) or 4(b) which is within 30 metres of Campbelltown Road and Rose Payten Drive. The subject site is zoned 4(a) and the application proposes building works within 30 metres of the site's property boundaries with Campbelltown Road and Rose Payten Drive, and therefore fails to comply with Clause 37 of the CLEP. The proposed works that are located within the 30 metre setback zone are the following:

- Walls at the edge of the ground floor serviced apartments' private open space areas (27.5 metres from property boundaries)
 - Provision of operable glass panels on the central circular element of the building (29 metres from property boundaries)
 - Two new lift and stair cores that provide direct access from the childcare centre to the outdoor play areas (20 and 22 metres from property boundaries).
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Clause 6 of SEPP 1 states that where development could, but for any development standard, be carried out under the Act, the person intending to carry out that development may make a development application in respect of that development, supported by a written objection that compliance with that development standard is unreasonable or unnecessary in the circumstances of the case, and specifying the grounds of that objection.

The applicant has submitted a written objection pursuant to State Environmental Planning Policy 1 – Development Standards, arguing that compliance with the 30 metre setback control in question would be unreasonable and unnecessary. The arguments made by the applicant in this regard are the following:

- The setback to the external walls of the private open space areas is 27.5 metres and is a function of achieving privacy to the ground floor rooms. The 2.5 metre variation equates to 8.3% of the development standard and will not be visually distinguishable from a compliant setback, noting that the scale and bulk of the building substantially dominates these elements as viewed from Campbelltown Road and Rose Payten Drive.
 - There are existing structures located forward of the building line (stair access points to the basement and ventilation stacks), which establishes a precedent with regard to built form.
 - The proposed encroachments are necessary to provide the required fire egress points, a lift to access the childcare centre's private open space, and sufficient privacy to the ground floor units.
 - The proposed building works within the 30 metre setback zone do not increase the floor space of the building, nor do they appreciably increase the perceived bulk and scale of the building.
 - The basic building footprint of the development would remain unchanged compared to the approved building.
 - The encroachments are limited to the ground floor level of the development meaning that the visual impact of the courtyard walls, stairs, doors, and lift are limited in the context of the scale of the existing building.
 - The proposal seeks to reuse the approved and partially completed building (strict compliance with the control would require demolition of the building and construction of a new building).
 - There are sufficient areas available for landscaping, access, and parking on the site, noting that these are contained at the rear of the site to maximise green space fronting Campbelltown Road.
 - The non-compliant building elements would be integrated into the design of the development.
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Under Clause 7 of SEPP 1, where the consent authority is satisfied that a SEPP 1 objection is well founded and is also of the opinion that granting of consent to that development application is consistent with the aims of the SEPP (outlined in the first paragraph of this section), it may, with the concurrence of the Director General of the Department of Planning and Infrastructure, grant consent to that development application notwithstanding the development standard that is the subject of the objection. It should be noted that consent authorities may assume the Director General's concurrence in relation to all development applications except for some dwelling and subdivision proposals on rural and non-urban land. In this regard, Council can assume the Director General's concurrence in respect of the SEPP 1 objection in this instance, as the objection is considered to be well founded.

Clause 8 of SEPP 1 stipulates that the matters which shall be taken into consideration in deciding whether concurrence should be granted (or assumed) are:

- (a) whether non-compliance with the development standard raises any matter of significance for State or regional environmental planning
- (b) the public benefit of maintaining the planning controls adopted by the environmental planning instrument

In regard to point (a), the non-compliance does not raise any matters of state or regional planning significance. In regard to point (b), the public benefit of maintaining the 30 metre setback control outlined by CLEP 2002 would be minimal, considering that if the 30 metre setback control was to be strictly enforced in relation to the proposed building, the existing structures within the front setbacks that fail to comply with the development standard would still remain, and the childcare centre component of the proposed development would not have adequate egress in the event of a fire, as strict compliance would require the deletion of the proposed stairs and lifts from the proposal.

It is therefore considered that the greatest public benefit would be achieved by varying the 30 metre setback control in this instance.

Guidelines for varying development standards prepared by the Department of Planning outline a five part test issued by the Land and Environment Court for consent authorities to consider when assessing an application to vary a standard to determine whether the objection to the development standard is well founded. An assessment of the objection against this five part test is outlined below. It should be noted that not all of the points are necessarily applicable to an application.

1. The objectives of the standard are achieved notwithstanding non-compliance with the standard

In this case, there are no specific objectives that relate to the standard in question; however the relevant zone objective for the 4(a) zone to which the setback standard is considered to relate is the following:

"To encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development"

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It is considered that this objective is satisfied despite the proposed setback non-compliance, as the reduced setback does not prevent the overall development from having a high quality design and finishes and addressing the streetscape and its surroundings well, and in particular addressing and responding to the site's corner position.

The functionality of the development would be greatest if the setback standard were to be varied, and in fact the optimal functionality of the proposed development is dependent on the setback standard being varied, given that the childcare centre component of the proposed development would not have adequate egress in the event of a fire if the setback standard were strictly enforced by deleting the stairs and lift, and the ground floor serviced apartments would not have adequate privacy if the proposed courtyard walls were required to be removed. Therefore, the objective most relevant to the standard being varied is considered to be satisfied notwithstanding non-compliance with the standard.

2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.

The understood purpose of the standard, being to encourage a high quality and functional standard of development, is relevant to the development, however as discussed above, the zone objective most relevant to the standard is considered to be satisfied despite the numerical non-compliance.

3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable.

It is considered that the underlying object or purpose of the 30 metre setback development standard is to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development. If the 30 metre setback control was to be strictly enforced, the proposed direct access between the internal part of the childcare centre and the outdoor play areas would have to be deleted, the privacy screens to the ground floor apartments would have to be removed, and works to provide operable windows on the central circular element of the building would have to be deleted. All of these measures would reduce the functionality of the development and therefore be contrary to the underlying objective of the standard in this case.

It is considered that the proposed non-compliant setback would achieve a better functional outcome for the development than if the setback of all components of the development was increased to 30 metres. Therefore, the objective most relevant to the standard, being to encourage high quality and functional development, would be thwarted if compliance was strictly enforced, and as such, given the circumstances of the case, compliance with this standard may be reasonably argued to be unreasonable.

4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.

It is not considered that the setback standard has been abandoned by continually allowing variations to the standard in question. Council has on occasion granted variations to the setback standards stipulated under Clause 37 of the CLEP where the variation has been justified by a sound objection submitted under SEPP 1.

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In the present case, the proposed variation is justified on the basis that the proposed development would satisfy the objectives of the standard notwithstanding numerical non-compliance with the standard, and that strict compliance with the standard in question would result in a less desirable and less functional built form than if the standard was to be varied as proposed. Supporting the applicant's objection would not undermine Council's ability to consistently enforce the CLEP's setback controls.

5. Compliance with the development standard is unreasonable or inappropriate due to the existing use of land and the current environmental character or the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

The existing use of land and the environmental character of the land is not a relevant factor in the consideration of this objection.

In consideration of the five part test for evaluation of the objection to the setback development standard in question, it is considered that the circumstances of the case warrant the variation of the standard, and that the reduced setback should be accepted.

2.2 State Environmental Planning Policy 65 – Design Quality of Residential Flat Development

SEPP 65 applies to the proposed serviced apartment development, as the proposal would fall under the SEPP's definition of residential flat building, having more than three stories and having four or more self-contained dwellings. Accordingly, the application has been assessed against this SEPP. It should however be noted that the proposed development is not defined as a residential flat building under Campbelltown Urban Area Local Environmental Plan 2002.

Part 4 of the SEPP states that a development application that relates to residential flat development must be accompanied by a design verification from a qualified designer, being a statement in which the qualified designer verifies:

- (a) that he or she designed, or directed the design, of the residential flat development, and
- (b) that the design quality principles set out in Part 2 of State Environmental Planning Policy No 65—Design Quality of Residential Flat Development are achieved for the residential flat development.

This certification has been provided by Mr Simon Hanson of Bureau SRH.

Part 2 of the SEPP outlines 10 design quality principles that apply to residential flat development. Under the SEPP, the qualified designer must verify that the design quality principles set out in Part 2 of the SEPP are achieved for the residential flat development. The qualified designer Mr Simon Hanson has provided such verification. An assessment of the application against the design principles by Mr Simon Hanson is presented below:

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<p>Principle One: Context</p> <p>Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.</p> <p>Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.</p>	<p>Response</p> <p>The proposed development is located on a prominent intersection. Leumeah Train Station and Campbelltown Sports Stadium are all within close proximity to the site.</p> <p>The design proposed is for the refurbishment of an existing building, containing 137 service apartments, a childcare centre and recreational facility.</p> <p>The updated façade displays a desirable architectural aesthetic. The site lends itself to an upgrade of the already existing works, looking to contribute towards the potential character for the Campbelltown precinct and the urban corridor, balancing a need for use with a well-suited approach that aims to establish a precedent for quality design and sustainable re-development.</p> <p>The site is well serviced by public transport; allowing ease of access for those without private vehicles, and a sustainable alternative for all residents. A number of ground floor apartments have been designed with accessibility in mind, providing adaptable options for residents and visitors who require full-time wheelchair access.</p>
<p>Principle Two: Scale</p> <p>Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.</p> <p>Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.</p>	<p>Response</p> <p>The proposal aims to achieve a successful adaptive reuse of a vacant building. The existing building was not completed. Because of its prominent location the proposal will provide valuable services to the surrounding commercial, industrial and residential areas.</p> <p>The building itself is six stories and sits alone on the site. The scale of the current building is suitable for this prominent site, and with the addition of carefully managed landscaping to the front of the property the proposal will be aesthetically appealing from the Campbelltown/Rose Payten Drive frontage.</p>
<p>Principle Three: Built Form</p> <p>Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	<p>Response</p> <p>The shell of the existing building is to be kept, however the proposed new use allows for a change in materials and better articulation of the façades. Elevations demonstrate the various architectural strategies employed to break down the mass of the building.</p> <p>The distinctiveness of the shell originally proposed was to create an active recreational facility, and the concept is still strongly</p>

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	<p>portrayed. A series of awnings originally conceptualised but not built have been added to create a better articulation and harmonisation of various building elements and materials.</p> <p>Articulation has been applied to the stark metal sheeting. The metal sheeting on the first, second and third floors are all to be replaced by a range of carefully selected alucobond panels.</p>
<p>Principle Four: Density Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).</p> <p>Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.</p>	<p>Response Campbelltown Road is to become a significant urban corridor and the proposal addresses the need for this building to become what it was originally set out to be - an active social hub for the residents of the precinct. The design addresses the need for density whilst keeping within the potential character of the area through materiality and generally maintaining the existing setbacks. The surrounding area is predominantly low density residential, recreational, as well as bulky good warehouses.</p> <p>The surrounding low density area makes it appropriate for a large component of the site to be landscaped area and communal space, thereby activating the grounds around the building.</p>
<p>Principle Five: Resource, Energy and Water Efficiency Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.</p> <p>Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.</p>	<p>Response The proposal looks to reuse as many resources from the existing structure as possible. Due to the existing structure being used in this way, the building process lends itself into being a very resourceful way of design and construction with significantly less embodied energy.</p> <p>The newly configured serviced apartments are designed and configured in such a way as to maximise natural light and ventilation. Rooms that occupy the large glass cylindrical objects at the front and rear of the building will have interior shading devices as a means of privacy/shade protection.</p> <p>The existing cladding of metal sheeting is to be replaced with alucobond panels and glazing, which will allow natural light to penetrate deeper into the building. Each apartment will have a window, and getting natural light into the interior is a priority.</p> <p>Water management will be addressed through efficient landscaping and hydraulic schemes. Large existing water storage tanks on the site will treat and recycle the rain water creating a largely efficient building.</p>

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<p>Principle Six: Landscape</p> <p>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.</p> <p>Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.</p> <p>Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.</p>	<p>Response</p> <p>This proposal recognises the importance of reinforcing a successful and active street frontage. Therefore, the landscaping to the street frontage at ground level has been carefully considered. At the north face the landscaping creates outdoor communal space, which would be seen and would provide an active frontage to the site.</p> <p>Careful use of planting towards the front will block pollutants from the main road as well as noise. This will create a sense of privacy for those using the communal spaces.</p> <p>The overall scheme adds value to the occupants' quality of life, contributing to biodiversity and improving air quality in an area enclosed by two main roads. Natural shade from trees onto benches allows for more desirable outdoor space.</p> <p>The scale of the landscaping elements used also helps visually as it softens the bulk of the large development.</p> <p>The child care centre outdoor play area would use "softfall" material, which requires low maintenance and absorbs sound and vibration. The spaces are based around privacy and large open spaces.</p>
<p>Principle Seven: Amenity</p> <p>Good design provides amenity through the physical, spatial and environmental quality of a development.</p> <p>Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.</p>	<p>Response</p> <p>All apartments have been designed with a contemporary, open plan. Ceiling heights are 3.3 metres and indoor-outdoor living is encouraged. A range of serviced apartment sizes have been designed in order to suit the spectrum of community demand. The design seeks to incorporate the demands of different lifestyles and differing degrees of mobility across apartments, shared spaces and access points.</p> <p>Benches and seats, planter boxers, awnings and barbeque areas are all used to create a succinct and active outdoor frontage. This is also established through the use of planting on the boundary softening the edges of the site, avoiding the use of continuous lengths of blank walls.</p>
<p>Principle Eight: Safety and Security</p> <p>Good design optimises safety and security, both internal to the development and for the public domain.</p> <p>This is achieved by maximising overlooking of public and communal spaces while maintaining</p>	<p>Response</p> <p>Carefully situated walls define the boundaries of public and private land. Ground floor apartments with private open space are protected by external walls. This is similarly the case where the child care facilities are separated from the public domain using fences. These fences help</p>

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<p>internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.</p>	<p>provide a sense of emphasis and a direction to the entry point of the building.</p> <p>The communal space to the north is an active frontage that is accessible from the street, where natural privacy is favoured through tree and other plantings which create a sense of privacy off the street.</p> <p>Large open spaces allow for visibility and provide adequate safety and security. The residential entry is from a well-lit, central, secure and spacious lobby. Access will be keyed and as such, secure for the residents. Access to each apartment is off a central corridor. Secure car parking spaces are proposed on the basement levels, and are directly accessible from central circulation corridors with a separate entry/exit for retail visitors.</p>
<p>Principle Nine: Social Dimensions</p> <p>Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.</p> <p>New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.</p> <p>New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.</p>	<p>Response</p> <p>The development is located on an active urban corridor, in close proximity to public transport, public open space and community precinct hubs – encouraging a healthy interaction between future residents and the existing community. The design will provide a significant landmark and a strong public domain presence, creating desirable land use variety whilst contributing to the future character of the area. The design combines various, well-sized serviced apartments with the potential for adaptability, providing the best opportunity possible for a range of future members of the Leumeah community.</p> <p>Social sustainability is encouraged, with a range of units creating the possibility of a diversity of personas inhabiting the space as well as a strong push for a healthy way of life through the large public outdoor areas, and close proximity to public transport.</p> <p>The desired characteristic of an active building in the area would still stand as it was originally intended.</p>
<p>Principle Ten: Aesthetics</p> <p>Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.</p>	<p>Response</p> <p>The existing building shell has been retained, however a better articulation of the façade through the use of materials, textures and colours helps bring the building to a high architectural standard. The materiality takes into consideration the use as well as the prominent location of the building as a gateway building into Campbelltown.</p> <p>Previously proposed awnings have been</p>

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	included in the design to harmonise the various building elements. The faceted first, second and third floor external walls help to create an interesting façade detail. The horizontally proportioned façade works cohesively with the vertical awning structures to create an impactful building aesthetic, appropriate for this gateway building.
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2.3 Residential Flat Design Code

Clause 30(2)(c) of SEPP 65 states that in determining a development application for consent to carry out a residential flat development, a consent authority is to take into consideration the publication Residential Flat Design Code (RFDC). An assessment of the application against the RFDC prepared by Council is presented below:

Control	Required	Proposed	Compliance
Building depth	Max. 18m	57m	No, however the building is existing and the application proposes the adaptive reuse of the building.
Building separation (up to four storeys)	12m between habitable rooms/balconies	13m (between the proposed serviced apartment building and the adjoining motel)	Yes
	9m between habitable and non-habitable	13m (between the proposed serviced apartment building and the adjoining industrial building to the east)	Yes
	6m between non-habitable	No instances of this proposed	NA
Building separation (five to eight storeys)	18m between habitable rooms/balconies	Whilst the subject building is six storeys high, no adjoining buildings are this high, therefore building separation at this height is not a relevant matter for assessment	NA
	13m between habitable and non-habitable		
	9m between non-habitable		
Deep soil zones	25% of open space should be a deep soil zone	Greater than 25% of the open space would be deep soil zones	Yes
Open space	Communal open space should be 25-30% of site area (or increased private open space)	Outdoor communal open space would only be approximately 10% of site area however there is a significant amount of indoor relaxation space, as well the opportunity to use a swimming pool.	Satisfactory
	25m ² private open space per ground floor dwelling, 4m width.		
Site access	Vehicular access – Limit driveway width to 6m	Both existing driveways are wider than 6m, however this	Satisfactory

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Control	Required	Proposed	Compliance
		is considered to be justified by the site's cul-de-sac location and high traffic volumes.	
Apartment layout	<p>Single-aspect apartments limited in depth to 8m from a window</p> <p>Width of cross-over/ cross-through apartments over 15m deep should be 4m</p>	<p>Most of the proposed apartments are single aspect and most are greater than 8m from a window. However, the apartment layouts have been mostly determined by the floor plate of the existing building. It is also noted that the accommodation would be mostly short-term so amenity concerns are not as significant.</p> <p>Cross-over apartments would be 3.7m wide, however the accommodation would be mostly short-term so amenity concerns are not as significant</p>	<p>Satisfactory</p> <p>Yes</p>
Apartment mix	Provide diversity of apartment types	Mixture of one and two bedroom apartments provided. Several apartments allow connection with other apartments to allow for larger groups.	Yes
Suggested Apartment Sizes	<p>One bedroom – 50m²</p> <p>Two bedroom – 70m²</p> <p>Three bedroom – 95m²</p>	The apartment sizes do not comply with those outlined in the RFDC, however as serviced apartments are proposed (hotel-style accommodation), the RFDC's suggested apartment sizes are not considered to be applicable.	Satisfactory
Balconies	Provide balconies for all units – minimum depth of 2m	Serviced apartments (hotel-style accommodation) would not require a balcony for all units, as accommodation is short-term. There is also plenty of internal and external common area, including a pool.	Satisfactory
Ceiling heights	2.7m minimum	3.25m	Yes
Ground floor apartments	Optimise number of ground floor apartments with separate entries and access to private open space	All ground floor apartments have their own private open space, but the site configuration and type of facility is not conducive to having separate street access to private open space.	Satisfactory
Internal	Entry from corridor to max.	Entry to 27 units accessed	Satisfactory

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Control	Required	Proposed	Compliance
circulation	eight units	from single corridor – however the large floor plate allows for this – and this is normal for a hotel-style development.	
Storage	One bed unit – 6m ³ Two bed unit – 8m ³ Three bed unit – 10m ³	No storage required as only short-term accommodation is proposed.	Satisfactory
Solar access	70% of units to receive three hours of solar access to living rooms and Private Open Space between 9.00am and 3.00pm on 21 June Max. 10% of units to be single-aspect with southerly aspect (SW-SE)	All of the units' private open space areas would comply with the standard. 41% of the unit's living areas (57 of 139) would receive three hours of solar access, and a further 24% (34 of 139) would receive two hours of solar access. Whilst numerical compliance is not achieved, it is not considered essential for a hotel-style development to achieve compliance with this standard as accommodation would be short-term only. Greater than 10% of units would be single-aspect with southerly aspect, however the existing floor plate makes compliance with this standard difficult, and it is not essential for short-term accommodation to comply with this standard.	Satisfactory Satisfactory
Natural ventilation	60% of units to be naturally cross ventilated 25% of kitchens to have access to natural ventilation	Less than 60% of units would be naturally cross ventilated, as most units are single-aspect, however it is not considered essential for a hotel-style development to achieve compliance with this standard. Greater than 25% of kitchens would have access to natural ventilation.	Satisfactory Satisfactory
Building Form	Consider the relationship between the whole building form and the facade and/or building elements. The number and distribution of elements across a façade determine simplicity or complexity. Columns, beams, floor slabs, balconies, window	The building form is unique and has been largely determined by the existing building that was not completed. The proposed design incorporates a variety of different façade elements and materials, and proposes to provide fenestration	Yes

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	<p>openings and fenestrations, doors, balustrades, roof forms and parapets are elements, which can be revealed or concealed and organised into simple or complex patterns.</p> <p>Compose facades with an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character. Design solutions may include but are not limited to:</p> <ul style="list-style-type: none"> - defining a base, middle and top related to the overall proportion of the building - expressing key datum lines in the context using cornices, a change in materials or building set back - expressing the internal layout of the building, for example, vertical bays or its structure, such as party wall-divisions - expressing the variation in floor to floor height, particularly at the lower levels - articulating building entries with awnings, porticos, recesses, blade walls and projecting bays - selecting balcony types which respond to the street context, building orientation and residential amenity: cantilevered, partially recessed, wholly recessed, or Juliet balconies will all create different facade profiles - detailing balustrades to reflect the type and location of the balcony and its 	<p>through the construction of windows to the serviced apartments.</p> <p>The proposed articulation of the building using a variety of materials assists in reducing its perceived bulk.</p> <p>A distinct base, middle and top of the building can be easily distinguished.</p> <p>The building's setback is largely set by the location of the existing building, and is emphasised by the proposed roof awning</p> <p>The building's stairwells and central rounded portion help to give the building a unique shape and form.</p> <p>All of the floors have the same floor to ceiling height.</p> <p>An awning would be provided at the main entry to the serviced apartments</p> <p>Balconies are only provided on the top level of serviced apartments, consistent with the existing layout of the building.</p> <p>Balustrades are subtly integrated into the façade design.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	relationship to the façade detail and materials		
	- using a variety of window types to create a rhythm or express the building uses, for example, a living room versus a bathroom	Use of different types of window screens/shutters creates rhythm.	Yes
	- incorporating architectural features which give human scale to the design of the building at street level. These can include entrance porches, awnings, colonnades, pergolas and fences	The proposed ground level awning and the distinct colour/ material of the ground floor façade gives the design a human scale.	Yes
	- using recessed balconies and deep windows to create articulation and define shadows thereby adding visual depth to the facade.	There is limited opportunity for recessed balconies due to the existing building configuration.	Yes
	- Design facades to reflect the orientation of the site using elements such as sun shading, light shelves and bay windows as environmental controls, depending on the facade orientation.	The existing circular glass element of the building and the north/east facing facades would receive excellent solar access.	Yes
	- Express important corners by giving visual prominence to parts of the facade, for example, a change in building articulation, material or colour, roof expression or increased height.	The site's corner position is emphasised by the central glass element of the building.	Yes
	- Coordinate and integrate building services, such as drainage pipes, with overall facade and balcony design.	The drainage pipes and other services have already been installed as part of the original development.	Yes
	- Coordinate security grills / screens, ventilation louvres and carpark entry doors with the overall facade design	Security grills and carpark entry doors are not visible from the street.	Yes

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

As the table above demonstrates, the application is generally compliant with the recommended standards of the Residential Flat Design Code, and where the proposal departs from these recommended standards, it is due to the configuration of the development having been largely determined by the existing building, as well as the fact that a hotel-style development need not provide the level of amenity that would be expected for a normal residential flat building.

2.3 Campbelltown (Urban Area) Local Environmental Plan 2002

The subject site is zoned 4(b) - Industry B Zone under the provisions of Campbelltown (Urban Area) Local Environmental Plan 2002. The proposed development is defined as a motel, recreation facility and child care centre, and is permissible with Council's development consent within the zone. 'Serviced apartments' is not a defined land use under the CLEP 2002.

The objectives of the 4(b) - Industry B Zone are:

- (a) to encourage activity that will contribute to economic and employment growth in the City of Campbelltown
- (b) to encourage a high quality standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development
- (c) to protect the viability of the commercial centres in the City of Campbelltown by limiting commercial activities to those associated with permitted industrial, storage and allied development or primarily intended to provide a professional facility to serve people employed or occupied in land uses permitted in the industrial zones
- (d) to permit the display and sale by retail of bulky goods only if such activities cannot appropriately be located in, or would not adversely affect the viability of development in, the business or comprehensive centre zones
- (e) to ensure development will not be carried out if the processes to be carried on, the transportation to be involved or the plant, machinery or materials to be used interfere unreasonably with the amenity of the area.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

The proposed development is consistent with objectives (a), (b) and (e). Therefore Council is able to approve the application should it deem appropriate to do so.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Clause 37 of the LEP states that consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4(a) or 4(b) which is within 30 metres of Campbelltown Road and Rose Payten Drive. The subject site is zoned 4(a) and the application proposes building works within 30 metres of the site's property boundaries with Campbelltown Road and Rose Payten Drive, and therefore fails to comply with Clause 37 of the CLEP. The proposed works that are located within the 30 metre setback zone are the following:

- Walls at the edge of the ground floor private open space areas (27.5 metres from property boundaries)
- Provision of operable glass panels on the central circular element of the building (29 metres from property boundaries)
- Two new lift and stair cores that provide direct access from the childcare centre to the outdoor play areas (20 and 22 metres from property boundaries).

The applicant has submitted an objection pursuant to State Environmental Planning Policy 1 – Development Standards, arguing that compliance with the 30 metre setback control in question would be unreasonable and unnecessary. This aspect of the application has been discussed in detail in a previous part of this report, and is briefly discussed below. The arguments outlined within the applicant's SEPP 1 objection are the following:

- The setback to the external walls of the private open space areas is 27.5 metres and is a function of achieving privacy to the ground floor rooms. The 2.5 metre variation equates to 8.3% of the development standard and will not be visually distinguishable from a compliant setback, noting that the scale and bulk of the building substantially dominates these elements as viewed from Campbelltown Road and Rose Payten Drive
 - There are existing structures located forward of the building line (stair access points to the basement and ventilation stacks) which establishes a precedent with regard to built form
 - The proposed encroachments are necessary to provide the required fire egress points, a lift to access the childcare centre's private open space, and sufficient privacy to the ground floor units
 - The proposed building works within the 30 metre setback zone do not increase the floor space of the building, nor do they appreciably increase the perceived bulk and scale of the building
 - The basic building footprint of the development would remain unchanged compared to the approved building
 - The encroachments are limited to the ground floor level of the development meaning that the visual impact of the courtyard walls, stairs, doors, and lift are limited in the context of the scale of the existing building
-

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

- The proposal seeks to reuse the approved and partially completed building (strict compliance with the control would require demolition of the building and construction of a new building)
- There are sufficient areas available for landscaping, access, and parking on the site, noting that these are contained at the rear of the site to maximise green space fronting Campbelltown Road
- The non-compliant building elements would be integrated into the design of the development.

Assessment of the applicant's objection to the development standard against the relevant parts of SEPP 1 and the associated guidelines as outlined above has revealed the following outcomes:

- Council can assume the Director General's concurrence in respect of the SEPP 1 objection in this instance
- The non-compliance does not raise any matters of state or regional planning significance
- The public benefit of maintaining the 30 metre setback control outlined by CLEP 2002 would be minimal, and a greater public benefit would be achieved by varying the control
- In consideration of the five part test for evaluation of the objection to the setback development standard in question, it is considered that the circumstances of the case warrant the variation of the standard, and that the reduced setback should be accepted.

2.4 Draft Campbelltown Local Environmental Plan 2014

The application was lodged after the commencement of the exhibition of the Draft Campbelltown Local Environmental Plan 2014 on 12 June 2014. Accordingly, under Section 79C(1)(a)(ii), the provisions of the draft Plan must be taken into consideration in the assessment of the application. An assessment of the application against the relevant provisions of the Plan is presented below:

Zoning

The draft zoning of the subject property under the draft CLEP 2014 is B5 – Business Development. Serviced apartments are defined under the draft CLEP 2014 as a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents. The proposed development would be defined as serviced apartments, recreation facility (indoor) and child care centre, all of which are permissible in the B5 zone.

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The objectives of the B5 zone are as follows:

- To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres
- To build and maintain the economic strength of existing centres by limiting retailing activity and discouraging office development
- To encourage the development and continuation of light industries, and to enable their successful integration and coexistence with other uses permissible within the zone
- To provide for a range of facilities and services to meet the day-to-day needs of workers in the area.

The application is consistent with the objectives of the B5 zone.

Height of Buildings

- (a) To nominate a range of building heights that will provide a transition in built form and land use intensity across the Campbelltown Local Government Area
- (b) To ensure that the heights of buildings reflect the intended scale of development appropriate to the locality and the proximity within and to business centres and transport facilities
- (c) To provide for built form that is compatible with the hierarchy and role of centres
- (d) To assist in the minimisation of opportunities for undesirable visual impact, disruption to views, loss of privacy and loss of solar access to existing and future development and to the public domain.

Under the draft CLEP 2014, the maximum building height applying to the subject site is 15 metres. The existing building on the site (approved in 2005 but not completed) already exceeds 15 metres in height. The proposed alterations to the building would result in its height being approximately 22 metres. This is considered to be an appropriate height for a building on this prominent site, and it would be unreasonable to strictly enforce the 15 metre height limit, considering that the existing building was approved at a height of greater than 15 metres.

Serviced Apartments

- (1) The objectives of this clause are:
 - (a) to ensure the compatibility of serviced apartments with other development
 - (b) to prevent serviced apartments being converted to residential dwellings.
- (2) The conversion of serviced apartments into residential dwellings is prohibited.

This application proposes the construction of serviced apartments, and does not propose their conversion into residential dwellings.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Design Excellence

- (1) The objective of this clause is to deliver the highest standard of architectural and urban design, as part of the built environment.
- (2) This clause applies to development involving the construction of a new building or external alterations to an existing building in the following zones:
 - (a) R4 High Density Residential
 - (b) B1 Neighbourhood Centre
 - (c) B2 Local Centre
 - (d) B3 Commercial Core
 - (e) B4 Mixed Use
 - (f) B5 Business Development
 - (g) IN1 General Industrial
 - (h) IN2 Light Industrial
 - (i) E3 Environmental Management
 - (j) E4 Environmental Living.

The subject site is within the proposed B5 Business Development zone.

- (3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.

The proposed development is considered to exhibit design excellence.

- (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 proposed development will improve the quality and amenity of the public domain
 - (c) whether the proposed development detrimentally impacts on view corridors
 - (d) how the proposed 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) 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.
-

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

The proposed development is considered to be of a high quality architectural design, with a variety of materials and finishes proposed to be incorporated into the building's facades. The proposal would significantly improve the current appearance of the building, and would be a significantly improved outcome when compared to the approved design of the originally proposed bulky goods development. The perceived bulk and massing of the development would be reduced by the proposed fenestration and articulation, and awning elements around the perimeter of the roof would harmonise the various building elements that the building would contain. The proposed native landscaping is significantly dense and comprehensive in its coverage, and would enhance the aesthetic appeal of the development.

2.5 Campbelltown (Sustainable City) Development Control Plan 2014

2.5.1 Part 2 – Requirements Applying to All Types of Development

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the Plan is discussed as follows:

Views and Vistas – The proposed development would not obstruct views of any of Campbelltown's important views and vistas.

Sustainable Building Design – The provisions of the SCDP relating to sustainable building design do not apply to the proposed development, as the building is already existing. In addition, hotel/motel type developments are specifically excluded from compliance with BASIX.

Landscaping – A landscape plan has been prepared by a landscape architect, incorporating mostly species from the Campbelltown Native Gardening Guide. The application provides a significant amount of landscaping, in particular adjacent to the site's property boundaries with Campbelltown Road, Rose Payten Drive and Grange Road. A significant amount of landscaping is also proposed within the communal open space area of the serviced apartments and the outdoor play areas of the childcare centre. The landscaping is considered to enhance the aesthetical appeal of the development.

Security – The application was referred to the Crime Prevention Officer at the Campbelltown Local Area Command of the NSW Police, for an assessment against the principles of Crime Prevention Through Environmental Design (CPTED). The Police assigned a crime risk rating of "Low" to the proposed development, and have provided recommendations in relation to the design and management of the proposed development. These recommendations have been incorporated into recommended conditions of consent, and are outlined in Attachment 1.

Waste Management – Separate waste storage areas have been provided for the residential and commercial components of the development. The capacity of the residential waste storage area satisfies the requirements of Council's Waste Officer. All waste collection will occur on the site (kerbside collection will not be permitted). A condition of consent reinforcing this configuration has been included within the recommended conditions of consent.

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2.5.2 Part 6 – Commercial Development

Control	Required	Proposed	Compliance
Height	Two storeys	Existing building – six storeys	No, however the building is existing and was approved by Council previously
Building Form and Character	All building façades, including rear and side elevations visible from a public place or adjacent to residential areas, shall be architecturally treated to enhance the quality of the streetscape.	The building form is unique and has been largely determined by the existing building that was not completed. The proposed design incorporates a variety of different façade elements and materials, and proposes to provide fenestration through the construction of windows to the serviced apartments.	Yes
	Large buildings shall incorporate the following elements to assist in achieving a high quality architectural outcome:		
	<ul style="list-style-type: none"> - the provision of vertical and/or horizontal offsets in the wall surfaces at regular intervals, including columns, projections, and recesses; variation to the height of the building so that the building appears to be divided into distinct massing elements; 	The proposal involves the provision of several new vertical/horizontal offsets in the façades of the building, and the stairwells and roof awning provides variation to the height of the building. Distinct massing elements are provided in a vertical plane.	Yes
	<ul style="list-style-type: none"> - articulation of the different parts of a building's façade by use of colour, arrangement of façade elements, or by varying the types of materials used; and - maximising the interior and exterior interactions at the ground level. 	Significant articulation of the building is proposed through the use of differing colour patterns and arrangement of façade elements. A well-defined indoor/outdoor transition would be provided at both entries to the building	Yes Yes
	The main entry to the building shall be easily identifiable from the street and directly accessible through the front of the building.	Both main entries to the building are easily identifiable from the street and directly accessible through the front of the building.	Yes

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	Large expansive blank walls on ground floor levels or side and rear boundaries shall not be permitted unless abutting a building on an adjoining allotment.	No large expansive blank walls are proposed.	Yes
	Roof mounted plant rooms, air conditioning units and other services and equipment shall be effectively screened from view using integrated roof structures and architectural elements.	No roof mounted equipment or services are shown on the plans.	Yes
	Buildings shall not incorporate highly reflective glass	The glass on the building is not highly reflective.	Yes
	Development on corner sites shall incorporate splays, curves, building entries and other architectural elements to reinforce the corner as land mark feature of the street.	The glass circular feature of the building addresses and reinforces the street corner.	Yes
	Except in the case of an outdoor cafe, the design of the development shall not provide for outdoor display and/or storage.	No outdoor display or storage areas are proposed.	Yes
	Commercial development shall be designed to address both primary and secondary street setbacks.	The existing building addresses all street frontages and the proposal would enhance all facades.	Yes
	A schedule of proposed colours, materials and finishes shall accompany all development applications for new buildings.	A schedule of proposed colours, materials and finishes has been provided, which demonstrates the building will have a satisfactory architectural outcome.	Yes
Setbacks	30m to Campbelltown Road	20m	No
	30m to Rose Payten Drive	22m	No
Car Parking	Off street parking and loading shall be designed in accordance with Australian Standards 2890.1 and 2 Motels: One space for each unit (139) plus one space per two employees (7) = (146)	Off street parking and loading complies with Australian Standards 2890.1 and 2	Yes

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	<p>Indoor recreational facilities: one space per 25m² GFA (52 based on 1294m²)</p> <p>Childcare centres: one space per four children (43 based on 172 children)</p> <p>Total car parking spaces required = 241</p> <p>No car parking spaces shall be designed in a stacked configuration.</p> <p>The required percentage of disabled car parking spaces within retail / commercial development shall be:</p> <ul style="list-style-type: none"> - one car space per development; plus - one for every 20 car parking spaces 	<p>Number of spaces proposed = 282</p> <p>50 stacked car spaces are proposed, however all stacked spaces and those blocking them in would be for staff, not hotel guests or childcare/ recreation visitors. A parking management plan has also been submitted, outlining how the stacked spaces would be managed. All spaces would be marked by which business they are allocated to, and whether they are staff or visitor spaces.</p> <p>One in 20 of the required number of parking spaces (241) would be accessible, noting that the proposed development would provide more spaces than required. A total of 12 accessible parking spaces are proposed.</p>	<p>Yes</p> <p>Satisfactory</p> <p>Yes</p>
Loading	<p>Commercial development shall be designed to accommodate all related vehicle movements on site such that:</p> <ul style="list-style-type: none"> - all vehicles shall enter and exit the site in a forward direction - the area for manoeuvring of delivery and service vehicles is separate from vehicle parking areas, and preferably accessed via a rear service lane - cause minimal interference to the flow of traffic within the surrounding road network; and - safe and convenient 	<p>All vehicles will be able to enter and exit the site in a forward direction.</p> <p>The area for manoeuvring of delivery and service vehicles is separate from vehicle parking areas.</p> <p>The existing driveway configurations are satisfactory with regard to the street network.</p> <p>Safe and convenient access is</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	access is provided for pedestrians.	provided for pedestrians.	
	Loading bays shall be separated from parking and pedestrian access.	Loading bays are separated from parking and pedestrian access.	Yes
	All loading and unloading shall take place wholly within the site.	All loading and unloading will take place wholly within the site.	Yes
	No loading or unloading shall be carried out across parking spaces, landscaped areas pedestrian aisles or on roadways.	No loading or unloading is required to be carried out across parking spaces, landscaped areas pedestrian aisles or roadways.	Yes
	Parking and loading bays shall be provided and clearly identified on site.	Parking and loading bays are clearly identified on site.	Yes
	Required manoeuvring areas for heavy vehicles shall not conflict with car parking.	Manoeuvring areas do not conflict with car parking	Yes
	Each new commercial building/ unit having a leasable floor area more than 1,500 square metres shall provide a loading area to allow for a heavy rigid vehicle to manoeuvre on site.	The existing loading area is satisfactory for the needs of the development, and would not intensify the loading requirements beyond that of the approved bulky goods development	Yes
	Loading docks and service areas shall not be visible from any public place and shall be suitably screened from adjacent properties. Screening may be achieved by locating such areas behind the buildings, by fencing, landscaping, mounding or a combination of these, or by other means to Council's satisfaction.	The existing loading docks and service areas would not be visible from the street.	Yes
	Each site shall have a:		
	- maximum of one ingress and one egress for heavy vehicles (combined or separated); and	Two existing vehicle entries are provided. One is for heavy vehicles and one is for all vehicles.	Satisfactory
	- each site may have an additional ingress/egress for	Two existing vehicle entries are provided. One is for heavy vehicles and one is for all	Satisfactory

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	cars (and other light vehicles). Commercial development shall comply with the minimum access requirements contained within the BCA and Australian Standard 1428 – Design for Access and Mobility (as amended).	vehicles. A recommended condition of consent to be imposed requires the development to comply with these requirements.	Yes
Landscaping	A detailed landscape plan and report shall be prepared by a suitably qualified person and submitted with all development applications for commercial development involving the construction of a new building.	A comprehensive landscape plan was submitted with the application, indicating the species, location and mature height of proposed planting, location of play equipment, fencing height and materials, and surfaces.	Yes
	Landscaping shall be provided between the primary street boundary and the building	Significant amounts of landscaping is to be provided between the primary street boundary and the building.	Yes
	All landscaped bays shall be a minimum 2m wide and allow for deep soil planting.	All landscaped bays are greater than 2m in width.	Yes
Residential Interface	Buildings adjoining residential zones and/or open space shall be setback a minimum of 3m from that property boundary.	The subject site does not adjoin a residential zone, however it adjoins an existing motel, and the proposed serviced apartments would be at least 3m from the motel	Yes
	An acoustic report may be required to be prepared as part of a development application where the proposed development is adjacent to residential or other sensitive uses, such as places of worship and child care centres.	An acoustic report has been submitted with the application and demonstrates that the noise levels generated from the child care centre, when measured over a 15 minute period, would not exceed the background noise level by more than 5db(A) at adjoining properties.	Yes

Setbacks

Consistent with the relevant provisions of CLEP 2002, Part 5 of the CSCDCP specifies that a building must be set back a minimum of 30 metres from Campbelltown Road and Rose Payten Drive. The non-compliance with the setback standard has been discussed earlier in this report, and is considered to be satisfactory for the following reasons:

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

- The setback to the external walls of the private open space areas is 27.5 metres and is a function of achieving privacy to the ground floor rooms. The 2.5 metre variation equates to 8.3% of the development standard and will not be visually distinguishable from a compliant setback, noting that the scale and bulk of the building substantially dominates these elements as viewed from Campbelltown Road and Rose Payten Drive
- There are existing structures located forward of the building line (stair access points to the basement and ventilation stacks) which establishes a precedent with regard to built form
- The proposed encroachments are necessary to provide the required fire egress points, a lift to access the childcare centre's private open space, and sufficient privacy to the ground floor units
- The proposed building works within the 30 metre setback zone do not increase the floor space of the building, nor do they appreciably increase the perceived bulk and scale of the building
- The basic building footprint of the development would remain unchanged compared to the approved building
- The encroachments are limited to the ground floor level of the development meaning that the visual impact of the courtyard walls, stairs, doors, and lift are limited in the context of the scale of the existing building
- The proposal seeks to reuse the approved and partially completed building (strict compliance with the control would require demolition of the building and construction of a new building)
- There are sufficient areas available for landscaping, access, and parking on the site, noting that these are contained at the rear of the site to maximise green space fronting Campbelltown Road
- The non-compliant building elements would be integrated into the design of the development.

It is considered that the proposed variation would not detrimentally affect the amenity of the surrounding locality, and accordingly, it is recommended that the variation to Council's setback control be supported.

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2.5.3 Part 8 – Childcare Centres

Control	Required	Proposed	Compliance
Location	Child care centres shall not be located on an allotment that:		
	Is accessed from a State road.	The site is not accessed from a state road.	Yes
	Is within 100m of the intersection of a State road.	The site is located directly adjacent to the intersection of Campbelltown Road (a state road) and Rose Payten Drive.	No
	Is within a no through road.	The site is within a no through road.	No
	Has vehicular access to a road where the carriageway is less than 6.5m in width.	Road carriageway is greater than 6.5m in width.	Yes
	Has a building erected upon it that is constructed of materials that contain asbestos or lead paint.	The building was constructed between 2008 and 2010 and is unlikely to contain asbestos or lead paint.	Yes
	Is adjacent to a: - potentially hazardous industry; -- hazardous industry; -- potentially offensive industry; -- offensive industry; -- intensive horticulture; -- intensive livestock keeping; or -- waste management facility.	No approvals have been issued for hazardous industries, potentially hazardous industries, offensive industries, intensive horticulture, intensive livestock keeping or waste management facilities on adjoining properties.	Yes
	Is within a 150m radius of a sex industry premises.	The site is not within a 150m radius of a sex industry premises.	Yes
	Presents a potential safety hazard for vehicle and pedestrian traffic, unless it can be demonstrated to Council's satisfaction that there would be no vehicular/ pedestrian conflict (refer to Figure 8.3.1).	As the site would be accessed from Grange Road, there would be no direct vehicular interaction with state roads, and low likelihood of vehicular/pedestrian conflict.	Yes
	Child care centres shall not be located within a basement of a building (excluding storage rooms and offices ancillary to the child care centre).	The proposed childcare centre would be within the lower ground level. It is a basement level from Campbelltown Road/Rose Payten Drive, but a ground level to Grange	Satisfactory

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	<p>Child care centres shall not be permitted on a local street, unless it can be demonstrated to Council's satisfaction that:</p> <p>i) the proposed child care centre will not impact negatively on the local traffic network;</p> <p>ii) the proposed child care centre has adequate on-site parking and manoeuvring/turning spaces; and</p> <p>iii) the amenity of the surrounding properties is maintained.</p> <p>Where a child care centre is proposed to be located in a building on land within Business Centres, the child care centre (excluding storage rooms and offices) shall:</p> <p>i) be directly accessible by car;</p> <p>ii) not occupy more than one storey; and</p> <p>iii) be located no higher than the first floor to ensure the easy evacuation of children in case of emergency.</p>	<p>Road.</p> <p>The subject development is projected to generate 387 peak hour vehicle trips to and from the site. Such a level of traffic generation is approximately 20% less than that previously assessed and approved for the bulky goods complex. Accordingly, the subject development proposal is not expected to result in any traffic impacts over and above that previously assessed and approved.</p> <p>The proposed child care centre has adequate on-site parking and manoeuvring/turning spaces.</p> <p>The subject development proposal is not expected to result in any traffic impacts over and above that previously assessed and approved.</p> <p>The childcare centre would be in a commercial building within an industrial zone.</p> <p>The centre would be directly accessible by car.</p> <p>The centre would not occupy more than one storey.</p> <p>The centre would not be located higher than the first floor.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Site Requirements	Child care centres shall not be developed on an allotment	The subject site has an area of 7,931m ² .	Yes

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	<p>with an area less than 800sqm.</p> <p>Child care centres shall only be developed on an allotment having a minimum width of 20m.</p>	The site has a frontage to Grange Road of 24.23m.	Yes
Design Requirements	The design of new purpose built buildings (including facade treatments, building massing, roof design and entrance features, setbacks and landscaping) shall complement the scale of surrounding development, character and qualities of the desired streetscape.	The building form is unique and has been largely determined by the existing building that was not completed. The proposed design incorporates a variety of different façade elements and materials, and proposes to provide fenestration through the construction of windows to the serviced apartments.	Yes
	New buildings on corner sites shall incorporate facade treatments that address both street frontages and achieve positive articulation in building design.	The site's corner position is emphasised by the central glass element of the building.	Yes
	Clothes lines and air conditioning units shall be screened and not visible by the public when viewed from a public area.	No clotheslines shown on plans. Landscaping and fencing would screen entire open space area.	Yes
	The built form, design and layout of all outdoor play areas shall relate to the natural land form and setting to ensure that the amenity (visual and acoustic privacy) of adjoining properties is protected.	The natural land form within the outdoor play areas would not be altered by the proposal.	Yes
Fencing	Fencing along the primary and secondary street boundaries shall:		
	i) not be constructed of bonded sheet metal;	Front fencing would be constructed of timber.	Yes
	ii) not be higher than 1.2m;	2.5m	No
	iii) be articulated, incorporate landscape treatments and complement the design and finish of the development.	Dense landscaping is proposed in front of the proposed timber fencing.	Yes
	Fencing to the rear and side boundaries shall be:	The rear and side fencing is already existing.	Yes

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	<ul style="list-style-type: none"> i) located behind the primary and secondary street setbacks; and ii) a maximum of 2.1m in height (excluding retaining walls). 		
Acoustic Privacy	<p>An acoustic report prepared by a suitably qualified person shall be submitted with all child care centre development applications demonstrating:</p> <ul style="list-style-type: none"> i) that the noise levels generated from the child care centre, when measured over a 15 minute period, does not exceed the background noise by more than 5db(A); ii) that the noise levels comply with the requirement of the <i>Protection of The Environment Operations Act 1997</i>; and iii) illustrating ways to minimise the impacts of noise on adjoining properties. 	<p>An acoustic report has been submitted with the application and demonstrates that the noise levels generated from the child care centre, when measured over a 15 minute period, would not exceed the background noise level by more than 5db(A) at adjoining properties. In addition, a recommended condition of consent would require the acoustic impact of the proposed development to be verified upon completion, and measures implemented to achieve compliance if the development does not satisfy the applicable criteria.</p>	Yes
Waste Management	<p>Waste storage, collection areas and service/ delivery areas shall be screened from public view and located to minimise adverse impacts on adjoining properties.</p> <p>The waste collection area shall be located and designed to minimise safety hazards for any person within the site or within the adjacent private/public areas.</p> <p>A waste management plan shall be submitted for all child care centre developments including information with regard to the storage and disposal of used nappies.</p>	<p>All waste storage areas would be screened from public view.</p> <p>The waste collection area is separated from other parts of the development and would allow for the safe operation of waste storage areas. In addition, all waste collection is to take place on site, which will minimise the potential for vehicular conflict within the street.</p> <p>A recommended condition of consent requires the submission of a waste management plan addressing these requirements.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
Additional Requirements - Industry Zones	The setbacks of child care centres within industry zones shall comply with the requirements of section 7.3.2 Building Setbacks within Part 7 Industrial Development, Volume 1 of the Plan.	The proposed setbacks of the development fail to comply with these standards however this matter has been discussed earlier in the report.	Satisfactory
Car Parking	Car parking areas shall be setback a minimum of 3m from the front boundary and any secondary boundary.	All car parking would be underground.	Yes
	A minimum of one on site car parking space shall be provided for every four children approved to attend the child care centre.	43 spaces required for the childcare centre component of the development. 59 have been provided.	Yes
	Off street parking and loading shall be designed in accordance with Australian Standards 2890.1 and 2 (as amended), except as otherwise provided by this Plan.	Off street parking and loading shall be designed in accordance with Australian Standards 2890.1 and 2.	Yes
	No required car parking space shall be designed in a stacked configuration.	50 stacked car spaces are proposed, however all stacked spaces and those blocking them in would be for staff, not hotel guests or childcare/ recreation visitors. A parking management plan has also been submitted, outlining how the stacked spaces would be managed. All spaces would be marked by which business they are allocated to, and whether they are staff or visitor spaces.	Satisfactory
	Pedestrian access shall be separated from vehicular access with clearly defined paths to and from the building.	Separate pedestrian access is available to the building.	Yes
	Each site shall have a maximum of one ingress and one egress driveway.	Two existing driveways allow both ingress and egress to the property.	Yes
	The minimum width of a driveway shall be: i) 3m for one way traffic movement; and ii) 6m for two way traffic movement.	Both existing driveways are greater than 6m wide.	Yes

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	Driveways shall be located a minimum distance of 6m from the tangent point of any un-signalised intersection.	No driveways are proposed.	Yes
	Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point turn to exit the site in a forward direction.	No vehicle is required to make more than a three-point turn to exit the site in a forward direction.	Yes
	All car parking spaces shall be line marked and delineated with appropriate signage and pavement marking.	A condition of consent will require compliance with this provision.	Yes
	Development applications child care centres catering for 20 or more children shall include a Traffic Impact Statement, prepared by a suitably qualified person addressing the following criteria: i) the existing traffic environment; ii) anticipated traffic generation from the proposed development; iii) the potential cumulative impact on the locality; iv) the need for local traffic improvements in the locality; v) traffic egress/ ingress; and vi) sight distance and other relevant safety issues including vehicular/pedestrian movements.	The subject development is projected to generate 387 peak hour vehicle trips to and from the site. Such a level of traffic generation is approximately 20% less than that previously assessed and approved for the bulky goods complex. Accordingly, the subject development proposal is not expected to result in any traffic impacts over and above that previously assessed and approved. A 'No Stopping' zone is required to be established in the head of the cul-de-sac in Grange Road.	Yes
Emergency Evacuation	Development applications for child care centres catering for 20 or more children shall include an Emergency Evacuation Plan prepared by a suitably qualified person in accordance with Australian Standard 3745 Emergency Control Organization and Procedures for Buildings, Structures and Workplaces (as amended), addressing: i) the mobility of children and	An Emergency Evacuation Plan has been submitted with the application and is considered to be satisfactory.	Yes

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	<p>how this is to be accommodated during an evacuation;</p> <p>ii) the location of a safe congregation area, away from the evacuated building, busy roads, other hazards and the evacuation points of other residents or tenants within the building or surrounding buildings;</p> <p>iii) where the child care centre is part of a larger building or complex, that the emergency evacuation plan for the child care centre is complementary and consistent with other emergency evacuation plans for the complex; and</p> <p>iv) the supervision of children during an evacuation and at the safe congregation area, giving regard to the capacity of the child care centre and its approved child: staff ratios.</p>		
Landscaping	<p>Landscaping shall be provided to a minimum of a:</p> <p>i) 3m wide strip along the primary and secondary street frontage (other than vehicle driveways); and</p> <p>ii) 1.5m wide strip along the full width of side and rear setbacks.</p> <p>Native mature trees on site shall be retained.</p> <p>Development applications for child care centre shall include a Landscape Plan and report, prepared by a suitably qualified person addressing the following:</p> <p>i) species, location and mature height of proposed planting;</p> <p>ii) location of play equipment;</p> <p>iii) separation from car parking</p>	<p>Landscaping with an average width of greater than 3m is to be provided along the primary and secondary street frontage.</p> <p>Sufficient landscaping is provided alongside and rear setbacks where possible, having regard to the existing building configuration.</p> <p>No native trees are present on the site – only palm trees are to be removed.</p> <p>A comprehensive landscape plan was submitted with the application, indicating the species, location and mature height of proposed planting, location of play equipment, fencing height and materials, and surfaces.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Control	Required	Proposed	Compliance
	<p>spaces and driveway areas;</p> <p>iv) fencing height and materials; and</p> <p>v) surfaces (sand, grass or the like).</p> <p>All existing vegetation on the site and on adjoining sites shall be assessed to ensure that the plants:</p> <p>i) are not toxic or dangerous (refer to Appendix 14 for a list of Unsuitable Plant Species); and</p> <p>ii) do not impose a safety hazard such as personal injury from falling branches and seeds, poisoning and/or choking.</p>	<p>None of the proposed plant species are the toxic/dangerous species listed in Appendix 14 of the SCDGP.</p>	Yes
Play Areas	<p>Child care centre play areas shall:</p> <p>i) comply with the Children (Education and Care Services) Supplementary Provisions Regulation 2004 (as amended);</p> <p>ii) be appropriately designed and located to minimise noise impacts to adjoining properties; and</p> <p>iii) be naturally lit and ventilated.</p> <p>The siting of outdoor play areas shall:</p> <p>i) be located on a predominantly flat gradient;</p> <p>ii) allow direct supervision from within the centre; and</p> <p>iii) provide adequate fencing.</p>	<p>The quantity of outdoor play areas comply with the Regulation.</p> <p>Acoustic report demonstrates compliance with regard to adjoining properties. Sufficient natural lighting and ventilation would be available.</p> <p>The outdoor play areas would be flat.</p> <p>Supervision would not be possible from within the centre, however a condition of consent would require children to be supervised at all times when outside.</p> <p>Adequate fencing would be provided.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Satisfactory</p> <p>Yes</p>

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Site Location

Part 8 of the SCDCP states that a childcare centre can not be located on an allotment that is accessed from a state road or is within 100 metres of the intersection of a state road. Whilst the subject allotment is not accessed from a state road, it is located directly adjacent to Campbelltown Road, which is a state road. The reason for these standards is to eliminate the potential for vehicular conflict associated with traffic movements into and out of the centre. It is important to note in this case however that despite the site's proximity to this intersection, its vehicular access point is in Grange Road, more than 400 metres away from the intersection by road. Therefore, the operation of the proposed childcare centre would not conflict with the proper operation of the intersection, and the site's location is satisfactory despite its location adjacent to a major intersection.

In addition, the SCDCP states that a childcare centre cannot be located on an allotment that is within a no-through road. The reason for this standard is to prevent vehicular conflict and parking difficulties in residential cul-de-sacs, where on-street parking spaces are not easily manoeuvred into and out of and drop-off/collection of children can cause significant amenity issues for surrounding residents. In the present case however, the site is located in an industrial setting and the cul-de-sac at the end of Grange Road contains a roundabout and is large enough to facilitate the orderly movement of traffic into and out of the development. The site itself contains two two-way driveways and all drop off and collection of children will take place on site. In addition, a condition of consent will require the applicant to establish a 'No stopping' zone in the cul-de-sac head, consistent with the requirements of the approved bulky goods complex. In this regard, it is considered that despite the site's cul-de-sac location, it is an appropriate site for a childcare centre.

Fencing height

Part 8 of the SCDCP states that childcare centre fencing facing a primary or secondary street boundary shall not be higher than 1.2 metres. This application proposes the construction of 2.5 metre high modular fencing along the Campbelltown Road and Rose Payten Drive frontages of the site, and therefore fails to comply with the standard. The height of the fence has been recommended by the applicant's acoustic consultant, in order to achieve the required level of noise mitigation for the outdoor play area of the childcare centre from the adjoining arterial roads. Despite the significant height of the proposed front fencing, it is considered that the fencing would not adversely affect the aesthetic outcome of the proposed development, as a significant amount of native landscaping is proposed to be planted in front of the fencing to screen its view from the streets. In addition, a recommended condition of consent would require all landscaping in front of the 2.5 metre high fencing facing Campbelltown Road and Rose Payten Drive to be mature landscaping (not tube stock). In this regard, the proposed fencing height is considered to be satisfactory.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

3. Public Participation

The application was publicly exhibited and notified to surrounding property owners. Council has received five submissions, raising the following issues:

Issue - The building overlooks of the yards of surrounding residential properties.

Comment - The building is located 87 metres away from the yard of the nearest residential property across Campbelltown Road, and 100 metres away from the yard of the resident who raised this concern. These distances are considered to be far too great to enable overlooking of the surrounding residential properties to an extent that the privacy of residents would be affected. Council generally requires design changes to developments that pose potential overlooking issues where buildings and yards are within 12 metres of each other.

Issue - The building looks hideous and is out of place.

Comment - The existing building was not completed in accordance with the approved plans, and is not presently of a high enough architectural standard in the context of the site's prominent position. However, this application proposes to substantially improve the appearance of the building, by adding coloured metal panels and glass louvres to replace the stark metal sheeting and constructing roof-mounted awning elements to harmonise the various components of the building. The proposed development would be a significant improvement on the existing state of the building.

Issue - An increase in traffic associated with the proposed development, which would affect the customers and guests of the existing motel and restaurant adjoining the site.

Comment - The subject development is projected to generate 387 peak hour vehicle trips to and from the site. Such a level of traffic generation is approximately 20% less than that previously assessed and approved for the bulky goods complex. Accordingly, the subject development proposal is not expected to result in any traffic impacts over and above that previously assessed and approved. A 'No Stopping' zone is required to be established in the head of the cul-de-sac in Grange Road to assist in providing satisfactory vehicular access and egress into and out of the site.

Issue - Noise from traffic generated by the development and windows of the proposed serviced apartments would affect the comfort of guests of the adjoining motel.

Comment - An acoustic report has been submitted with the application and demonstrates that the noise levels generated from the child care centre, when measured over a 15 minute period, would not exceed the background noise level by more than 5db(A) at adjoining properties. This satisfies the provisions of Council's Sustainable City Development Control Plan 2014. In addition, a recommended condition of consent would require the acoustic impact of the proposed development to be verified upon completion, and measures implemented to achieve compliance if the development does not satisfy the applicable criteria.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Issue - The site fails to satisfy the locational criteria for childcare centres under Campbelltown Sustainable City DCP 2014.

Comment - Part 8 of the SCDCP states that a childcare centre cannot be located on an allotment that is accessed from a state road or is within 100 metres of the intersection of a state road. Whilst the subject allotment is not accessed from a state road, it is located directly adjacent to Campbelltown Road, which is a state road. The reason for these standards is to eliminate the potential for vehicular conflict associated with traffic movements into and out of the centre. It is important to note in this case however that despite the site's proximity to this intersection, its vehicular access point is in Grange Road, more than 400 metres away from the intersection. Therefore, the operation of the proposed childcare centre would not conflict with the proper operation of the intersection, and the site's location is satisfactory despite its location adjacent to a major intersection.

In addition, the SCDCP states that a childcare centre cannot be located on an allotment that is within a no-through road. The reason for this standard is to prevent vehicular conflict and parking difficulties in residential cul-de-sacs, where on-street parking spaces are not easily manoeuvred into and out of and drop-off/collection of children can cause significant amenity issues for surrounding residents. In the present case however, the site is located in an industrial setting and the cul-de-sac at the end of Grange Road contains a roundabout and is large enough to facilitate the orderly movement of traffic into and out of the development. The site itself contains two two-way driveways and all drop off and collection of children will take place on site. In addition, a condition of consent will require the applicant to establish a 'No stopping' zone in the cul-de-sac head, consistent with the requirements of the approved bulky goods complex. In this regard, it is considered that despite the site's cul-de-sac location, it is an appropriate site for a childcare centre.

Issue - A childcare centre of the size proposed is not in the best interests of Campbelltown or the health and safety of children who may attend the centre.

Comment - No evidence has been submitted to support the claim that a childcare centre of the size and enrolment numbers proposed would detrimentally affect the health and safety of children or would not be in the consistent with the broader interests of the City.

Issue - Campbelltown already has enough serviced apartments. These additional serviced apartments will not be viable and will end up being rented to long term tenants. Buildings that are 100% tenanted create social and environmental problems.

Comment - No information has been submitted to justify the claim that the proposed serviced apartments would not be viable. Further, based on Land and Environment Court judgments, the economic viability of a proposed development need only be considered in the context of whether it would produce an overall adverse effect upon the extent and adequacy of facilities available to the local community if the development were to proceed. In this regard, there is no evidence to suggest that this would be the case. Were the proposed serviced apartments to be economically unviable upon their completion, this would not be a factor that allows the building to be converted to normal residential apartments, as a residential flat building is prohibited in the 4(b) - Industry B Zone under Campbelltown (Urban Area) Local Environmental Plan 2002, and would remain prohibited under the site's draft zoning of B5 Business Development.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Issue - The building on the site was not completed in accordance with the approved design and is an embarrassing monstrosity. The building should be improved so that it becomes an asset to Campbelltown.

Comment - The existing building was not completed in accordance with the approved plans, and is not presently of a high enough architectural standard in the context of the site's prominent position. However, this application proposes to substantially improve the appearance of the building, by adding coloured metal panels and glass louvres to replace the stark metal sheeting and constructing roof-mounted awning elements to harmonise the various components of the building. The proposed development would be a significant improvement on the existing state of the building.

4. Conclusion

Having regard to the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the issues raised above, it is considered that the application is consistent with the relevant planning legislation.

The application is fully compliant with the provisions of the State Environmental Planning Policy 65 – Design Quality of Residential Flat Development. The application is mostly compliant with the recommended standards of the Residential Flat Design Code (RFDC). It should be noted that the RFDC is a set of guidelines and need not be strictly complied with in every circumstance. Where the current proposal departs from these guidelines, the objectives of the recommended standards have been met, or the standard is not appropriate having regard to the type of development proposed. The application is generally compliant with the Campbelltown (Urban Area) Local Environmental Plan 2002, with the exception of variations to the 30 metre setback standard to Campbelltown Road and Rose Payten Drive, which are considered to be justified as strict compliance with this standard would detrimentally affect the functionality of the development. In addition, the application is generally compliant with the relevant standards within the Campbelltown (Sustainable City) Development Control Plan 2014, and where the proposal departs from these standards, the objectives of the standards have been met. Accordingly, the application is recommended for approval.

Officer's Recommendation

1. That Council allows the applicant's objection pursuant to State Environmental Planning Policy 1 – Development Standards, in relation to the non-compliant setback from the Campbelltown Road and Rose Payten Drive property boundaries (20 and 22 metres respectively as opposed to 30 metres required under CLEP 2002).
 2. That subject to recommendation No. 1, development application 2327/2014DA-C for the refurbishment of the existing building to create a 172 place child care centre, a recreational facility and 139 serviced apartments be approved, subject to the conditions detailed in Attachment 1 of this report.
-

Committee's Recommendation: (Rowell/Matheson)

That the Officer's Recommendation be adopted.

CARRIED

Voting for the Committee's Recommendation were Councillors: Greiss, Kolkman, Lound, Matheson, Oates, Rowell and Thompson.

Voting against the Committee's Recommendation: Nil.

Council Meeting 21 April 2015 (Lound/Mead)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 54

That the Officer's Recommendation be adopted.

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

Voting against the Council Resolution: Nil.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

ATTACHMENT 1

Recommended Conditions of Consent

GENERAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land.

For the purpose of these conditions, the term 'applicant' means any person who has the authority to act on or benefit of the development consent.

1. Approved Development

The development shall be carried out in accordance with the approved plans listed below, and all associated documentation supporting this consent, except as modified in red by Council and / or any conditions within.

Drawing/Document No.	Prepared By	Date
DA14-101 and 102 Revision C	Bureau SRH	9 March 2015
DA14-103 Revision B	Bureau SRH	4 December 2014
DA14-104 Revision C	Bureau SRH	10 March 2015
DA14-105 to 108 (inclusive) Revision B	Bureau SRH	4 December 2014
DA14-109 Revision A	Bureau SRH	23 December 2014
DA14-201 and DA14-202 Revision B	Bureau SRH	4 December 2014
DA14-301 Revision A	Bureau SRH	21 September 2014
DA14-401 and DA14-402	Bureau SRH	4 December 2014
SK01 Revision F	Carmichael Studios	Received 17 February 2015
"View along Campbelltown Road" colour perspective	Bureau SRH	12 February 2015
"View from Grange Road" colour perspective	Bureau SRH	12 February 2015
Schedule of colours and finishes	Bureau SRH	Received 17 February 2015
Erosion and Sediment Control Plan 064052014DA	ING Consulting Engineers Pty Ltd	June 2014
Acoustic Impact Assessments	VIPAC Engineers and Scientists	17 September 2014, 3 February 2015 and 9 March 2015
Waste Management Plan	Bureau SRH	Received 26 September 2014
Emergency Guidelines – Day Care Centre	S&R Beckett Fire & Emergency Solutions	January 2015
Parking Management Plan	Thomson Stanbury Associates	10 March 2015

2. Serviced Apartments

The serviced apartments shall at all times provide self-contained temporary or short-term accommodation to tourists or visitors on a commercial basis that is regularly serviced or cleaned by the owner or manager of the building or the owner's or manager's agents. The maximum period of stay of guests shall be 30 days. The use of any serviced apartment for the purpose of residential occupancy or accommodation is not permitted.

3. Acoustic Compliance Certification

An Overall Acoustic Compliance Report shall be prepared within 90 days after the completion of construction and commencement of full-scale operation of the site, to confirm the noise projections made in the Acoustic Assessment Reports prepared by VIPAC

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

Engineers & Scientists, to confirm the acoustic compliance of the operating development and to address any resulting issues. The report shall be submitted to Council.

Should the development not achieve acoustic compliance with the applicable guidelines and standards, amendments to the development are required to be made (with the consent of Council), which may include, but are not limited to, changes to hours of operation, installation of further acoustic treatment, modification of operational procedures, etc.

4. **Building Code of Australia**

All building work must be carried out in accordance with the provisions of the Building Code of Australia. In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application for the relevant construction certificate is made.

5. **Landscaping**

The provision and maintenance of landscaping shall be in accordance with the approved landscape plan containing Council's approved development stamp including the engagement of a suitably qualified landscape consultant/ contractor for landscaping works. The landscape design shall incorporate a significant portion of native, low water demand plants consistent with BASIX requirements.

All landscaping in front of the 2.5 metre high fencing facing Campbelltown Road and Rose Payten Drive shall be mature landscaping with a minimum pot size of 45 litres (no tube stock).

Obstacles and rubbish shall be removed from property boundaries, footpaths, driveways, car parks and buildings to restrict concealment of offenders. The applicant shall ensure that landscaping is maintained, and regularly trimmed to reduce concealment opportunities and increase visibility to and from the business.

6. **External Finishes**

The external finishes shall be in accordance with the approved plans and the schedule of finishes submitted with this application. Any proposed alterations to these finishes are considered to be a modification to the development consent and require separate approval by Council.

7. **Garbage Room**

The garbage storage room identified on the approved plans shall:

- a. Be fully enclosed and shall be provided with a concrete floor, with concrete or cement rendered walls coved to the floor.
- b. The floor shall be graded to an approved sewer connection incorporating a sump and galvanised grate cover or basket.
- c. A hose cock shall be provided within the room.
- d. Garbage rooms shall be vented to the external air by natural or artificial means.

8. **Switchboards/Utilities**

Switchboards, garbage storage areas and storage for other utilities shall not be attached to the front elevations of the building or side elevations that can be seen from a public place.

9. **Deliveries**

Vehicles servicing the site shall comply with the following requirements:

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

- a. All vehicular entries and exits shall be made in a forward direction.
- b. All vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- c. All deliveries to the premises shall be made to the loading bay/s provided.

A traffic sign shall be placed adjacent to the driveway at the entrance of the property advising drivers of the above information. Should the sign be damaged or removed, it shall be replaced within 48 hours.

10. Advertising Signs – Separate DA Required

This consent does not permit the erection or display of any advertising signs.

Most advertising signs or structures require development consent. You should make separate enquiries with Council prior to erecting or displaying any advertising or signage.

11. Lighting

Illumination of the site is to be arranged to provide an appropriate level of lighting and in accordance with the requirements of Australian Standard 4282 (as amended) so as not to impact upon the amenity of the occupants of adjoining and nearby residential premises or traffic. A lighting maintenance policy shall be established for the development.

12. Storage of Goods

All works, storage and display of goods, materials and any other item associated with the premises shall be contained wholly within the building.

13. Graffiti Removal

In accordance with the environmental maintenance objectives of 'Crime Prevention Through Environmental Design', the owner/lessee of the building shall be responsible for the removal of any graffiti which appears on the buildings, fences, signs and other surfaces of the property within 48 hours of its application.

As malicious damage (graffiti) is often an offence caused to such developments, strong consideration must be given to the use of graffiti resistant materials, particularly on the fences, ground floor and areas which are accessible by other structures, to reduce such attacks or assist in the quick removal of such attacks.

A graffiti management plan shall be incorporated into the maintenance plan for the development.

14. Unreasonable Noise, Dust and Vibration

The development, including operation of vehicles, shall be conducted so as to avoid the generation of unreasonable noise, dust or vibration and cause no interference to adjoining or nearby occupants. Special precautions must be taken to avoid nuisance in neighbouring residential areas, particularly from machinery, vehicles, warning sirens, public address systems and the like.

In the event of a noise related issue arising during construction, the person in charge of the premises shall when instructed by Council, cause to be carried out an acoustic investigation by an appropriate acoustical consultant and submit the results to Council. If required by Council, the person in charge of the premises shall implement any or all of the recommendations of the consultant and any additional requirements of Council to its satisfaction.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

15. Operating Hours

The approved hours of operation of the premises are as follows:

Childcare centre

Monday to Friday	6am - 7pm
Saturday	Closed
Sunday	Closed

Recreational facility

Monday to Saturday	6am – 7pm
Sunday	Closed

16. Car Parking Spaces

282 car parking spaces shall be designed, sealed, line marked and made available to users of the site in accordance with Australian Standards 2890.1, 2 and 6 (as amended). Car parking spaces shall be marked in a colour-coded system, based on the designated users of each car parking space as shown on the approved car park plans.

The management of the car park shall be undertaken in accordance with the Parking Management Plan prepared by Thomson Stanbury Associates dated 10 March 2015. The Management Plan shall be amended to include a direction for staff to park in the innermost stacked parking spaces when they are available, in preference to those parking spaces that block in a stacked parking space.

Car parking spaces shall not be subdivided as a separate allotment, or allocated by way of title to individual units.

17. Rubbish/Recycling Bin Storage

The rubbish and recycling bins shall not be stored within vehicle parking, vehicle manoeuvring areas or landscaped areas.

The bin(s) shall only be stored in accordance with the approved plans.

All waste collection shall occur on the site. Kerbside collection shall not take place from the site, and bins shall not be presented to the street.

18. Construction Certificate

Prior to the commencement of any works that require a construction certificate:

- a. The applicant shall obtain a construction certificate for the particular works;
- b. The applicant shall appoint a principal certifying authority; and
- c. The private certifying authority shall notify Council of their appointment no less than two days prior to the commencement of any works

19. Swimming Pool Requirements for Multi-occupancy

Swimming pools associated with multi-occupancy developments are subject to mandatory Council inspections and applicable fees. A swimming pool initially authorised by an Occupation Certificate issued under the Environmental Planning and Assessment Act 1979 is exempt from the mandatory inspection program for three years from the date of issue of the certificate, provided the swimming pool remains compliant with the relevant consent and applicable standards. After this initial exemption period, a Certificate of Compliance must be obtained under the Swimming Pools Act 2012, which remains valid for a period of three years from the date of issue of the certificate. Both the Occupation Certificate and Certificate of Compliance cease to apply if a direction under the Swimming Pools Act 2012 is issued in respect of the swimming pool to which the relevant certificate relates.

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20. Swimming Pool Barrier (Swimming Pools Act 2012)

Swimming pool barriers must at all times comply with the Swimming Pools Act 2012. Works undertaken to a swimming pool barrier must also comply with the provisions of Australian Standard 1926.1-2012 'Part 1: Safety barriers for swimming pools'.

21. Indoor Swimming Pools (Access)

For the purposes of section 14 of the Act, the prescribed standards in accordance with which the means of access to an indoor swimming pool is to be restricted are that each doorway, and each opening portion of a window, giving access to the swimming pool must be designed, constructed, installed and maintained in accordance with the Building Code of Australia.

22. Basement Car Park

The applicant shall ensure that the basement car park complies with the requirements as set out in Section 4.13.8 of Volume 3 of Campbelltown Sustainable City Development Control Plan 2014.

23. Nuisance Flooding – Basement Car Park

The basement car park shall be provided with a minor stormwater system to cater for nuisance flows from rainfall on the entry ramp and water from cars entering the basement. A higher capacity system such as an automatically activated electric pump with an appropriate safety backup system is also to be provided to remove any overland flows from larger event storms.

24. Sustainable Building Design

The following sustainable development strategies (as approved for the existing building) shall be incorporated into the development:

1. Measures to promote water balance:
 - a) 150m³ detention and retention tanks supplied via the roof stormwater disposal piping reticulation for landscape and other nominated exhouse use; and
 - b) 140m³ rainwater harvesting tank supplied to supply internal sanitary flushing needs with float valve controlled towns water backup during extended drought periods.
2. Measures to preserve and if possible improve water quality:
 - a) Sand filtration of water for exhouse use;
 - b) Mechanical devices, such as coalescing plate separators (CPS) units; and
 - c) Gross pollutant traps.
3. Measures to promote water conservation:
 - a) Appropriate landscaping;
 - b) Water harvesting;
 - c) Stormwater and grey water reuse;
 - d) Water demand management devices (flow control tapware);
 - e) Waterless urinals (optional)

25. Substations

Any substations located on the northern or western frontage of the site facing Rose Payten Drive or Campbelltown Road shall be suitably screened by landscaping so as to not be visible from the street.

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26. General Security Measures

- Computer passwords should be changed regularly to restrict access and avoid misuse by past and present staff
- Emergency evacuation plans should be implemented and maintained by businesses to assist staff and emergency services in the event of an emergency. This plan should be prominently displayed
- Staff should be suitably trained in evacuation procedures
- Children shall be directly supervised at all times by staff whilst in the outdoor play areas of the childcare centre.

27. Surveillance

Surveillance equipment shall be installed to enhance the physical security of the premises and assist in the identification of people involved in anti-social or criminal behaviour.

Cameras shall be installed both within and around the site to maximize surveillance opportunities. Areas such as the primary entrance- foyer area, entry into the child care centre, public areas of the recreational facility and all public areas of the serviced apartments.

TV monitors shall enable staff to monitor activities on the camera. Recording equipment shall be installed away from public areas to avoid tampering. Once installed, staff should be trained in the operating procedures of the equipment.

Any surveillance system should be manufactured and installed by a qualified and reputable company and regularly function tested. The applicant shall ensure that the requirements of the Surveillance and Privacy Act are adhered to.

28. Territorial Reinforcement

Effective signage and/or directional signs must be installed to provide guidance to visitors in locating prohibited areas as well as areas of interest such as Centre Management, Security, and Toilets etc.

Warning signs can assist in controlling activities and movements throughout the premises and grounds. Warning signs shall be posted around the perimeter of the business to warn intruders of what security treatments have been implemented to reduce opportunities for crime, e.g.

Warning. Trespassers will be prosecuted.

Warning. This property is under electronic surveillance.

Warning. No large amounts of cash are kept on these premises.

All property has been marked for police identification.

29. Space/Activity Management

External seating shall be of solid construction, securely fixed to a solid surface, and of graffiti and damage resistant material.

30. Access Control

- The main entry/exit points for the development shall be fitted with single cylinder locksets (Australia and New Zealand Standards – Locksets), which comply with the Building Code of Australia.
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- Windows can be reinforced to restrict unauthorised access by applying a shatter resistant film.
- Bollards or barriers can be installed to reduce the opportunity for ram-raid attacks.
- A safe that is designed and installed in accordance with the Australian Standards can provide additional security to money and other valuables.
- To enhance the security of the recreational facility and child care centre, a monitored intruder alarm system is recommended.
- Consider incorporating a duress facility into the system to enable staff to activate the system manually in the event of an emergency, such as a robbery.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate by either Campbelltown City Council or an accredited certifier. All necessary information to comply with the following conditions of consent must be submitted with the application for a construction certificate.

31. Utility Servicing Provisions

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall obtain a letter from both the relevant electricity authority and the relevant telecommunications authority stating that satisfactory arrangements have been made to service the proposed development.

Note: The applicant should also contact the relevant water servicing authority to determine whether the development will affect the authorities water or sewer infrastructure.

32. Sydney Water Stamped Plans

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, stormwater drains and/or easements, and if any requirements need to be met. Plans will be appropriately stamped.

Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating

or telephone 13 20 92.

33. Waste Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, an operational Waste Management Plan shall be completed to the satisfaction of Council. The Plan shall include information with regard to the storage and disposal of used nappies.

34. Traffic Committee

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit plans and obtain approval from Council's Local Traffic Committee for the provision of a 'No Stopping' zone spanning the full circumference of the cul-de-sac head in Grange Road.

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35. Section 94A Developer Contribution - Community Facilities and Services

Prior to Council or an accredited certifier issuing a Complying Development Certificate or a Construction Certificate (or where a Construction Certificate is not required, a Subdivision Certificate), the applicant shall provide a receipt for the payment to Council of a community facilities and services contribution in accordance with the provisions of the Campbelltown City Council Section 94A Development Contributions Plan.

For the purposes of calculating the required S94A contribution, where the value of the total development cost exceeds \$100,000, the applicant is required to include with the application for the respective certificate, a report setting out a cost estimate of the proposed development in accordance with the following:

- where the value of the proposed development is greater than \$100,000 but less than \$500,000, provide a Cost Summary Report by a person who, in the opinion of the Council, is suitably qualified to provide a Cost Summary Report (Cost Summary Report Template 1). All Cost Summaries will be subject to indexation on a quarterly basis relative to the Consumer Price Index - All Groups (Sydney) where the contribution amount will be based on the indexed value of the development applicable at the time of payment; or
- where the value of the proposed development is \$500,000 or more, provide a detailed development cost report completed by a quantity surveyor who is a registered member of the Australian Institute of Quantity Surveyors (Quantity Surveyors Estimate Report Template 2). Payment of contribution fees will not be accepted unless the amount being paid is based on a Quantity Surveyors Estimate Report (QS Report) that has been issued within 90 days of the date of payment. Where the QS Report is older than 90 days, the applicant shall provide an updated QS Report that has been indexed in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 to ensure quarterly variations in the Consumer Price Index All Group Index Number for Sydney have been incorporated in the updated QS Report.

Copies of the Cost Summary Report - Template 1 and the Quantity Surveyors Estimate Report - Template 2 are located under "Developer Contributions" on Council's web site (www.campbelltown.nsw.gov.au) or can be collected from Council's Planning and Environment Division during normal business hours.

On calculation of the applicable contributions, all amounts payable will be confirmed by Council in writing.

Payment of Section 94A Developer Contributions will only be accepted by way of Cash, Credit Card or Bank Cheque issued by an Australian bank. Payment by any other means will not be accepted unless otherwise approved in writing by Council.

Note: This condition is only applicable where the total development value exceeds \$100,000.

36. Design for Access and Mobility

Prior to Council or an accredited certifier issuing a Construction Certificate, the applicant shall demonstrate by way of detailed design, compliance with the relevant access requirements of the BCA and AS 1428 – Design for Access and Mobility.

37. Telecommunications Infrastructure

- a. If the development is likely to disturb or impact upon telecommunications infrastructure, written confirmation from the service provider that they have agreed to proposed works must be submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate or any works commencing, whichever occurs first; and
-

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- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

PRIOR TO THE COMMENCEMENT OF ANY WORKS

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with prior to the commencement of any works on site.

38. Erosion and Sediment Control

Prior to the commencement of any works on the land, adequate/approved erosion and sediment control measures shall be fully installed/implemented.

39. Erection of Construction Sign

Prior to the commencement of any works on the land, a sign/s must be erected in a prominent position on the site:

- a. Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours;
- b. Stating that unauthorised entry to the work site is prohibited; and
- c. Pollution warning sign promoting the protection of waterways (issued by Council with the development consent);
- d. Stating the approved construction hours in which all works can occur.
- e. Showing the name, address and telephone number of the principal certifying authority for the work.

Any such sign/s is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

40. Toilet on Construction Site

Prior to the commencement of any works on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part thereof. Each toilet provided must be a standard flushing toilet and be connected to:

- a. A public sewer, or
- b. If connection to a public sewer is not practicable, to an accredited sewage management facility approved by Council, or
- c. If connection to a public sewer or an accredited sewage management facility is not practicable, to some other management facility approved by Council.

41. Trade Waste

Prior to the commencement of any works on the land, a trade waste facility shall be provided on-site to store all waste pending disposal. The facility shall be screened, regularly cleaned and accessible to collection vehicles.

42. Public Property

Prior to the commencement of any works on site, the applicant shall advise Council of any damage to property which is controlled by Council which adjoins the site, including kerbs,

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gutters, footpaths, and the like. Failure to identify existing damage may result in all damage detected after completion of the development being repaired at the applicant's expense.

43. Hoarding / Fence

Prior to the commencement of any works, a hoarding or fence must be erected between the work site and a public place if the work involved in the development is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or if the building involves the enclosure of a public place in accordance with Work Cover requirements.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

A separate land use application under Section 68 of the Local Government Act 1993 shall be submitted to and approved by Council prior to the erection of any hoarding on public land.

44. Structural Engineer Details

Prior to the commencement of any works, the submission to the principal certifying authority of all details prepared by a practicing structural engineer.

DEVELOPMENT REQUIREMENTS DURING CONSTRUCTION

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. These conditions are to be complied with during the construction of the development on site.

45. Construction Work Hours

All work on site shall only occur between the following hours:

Monday to Friday	7.00am to 6.00pm
Saturday	8.00am to 1.00pm
Sunday and public holidays	No Work.

46. Erosion and Sediment Control

Erosion and sediment control measures shall be provided and maintained throughout the construction period, in accordance with the requirements of the manual – Soils and Construction (2004) (Bluebook), the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sedimentation control devices shall remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$1,500 will be issued for any non-compliance with this requirement without any further notification or warning.

47. Work Zones

All loading, unloading and other activities undertaken during construction shall be accommodated on the development site.

Where it is not practical to load, unload or undertake specific activities on the site during construction, the provision of a 'Work Zone' external to the site may be approved by Council following an application being submitted to Council's Traffic Unit outlining the proposal for the work zone. The application is required to be made prior to the commencement of any works and is to include a suitable 'Traffic / Pedestrian Management and Control Plan' for the area of the work zone that will be affected. All costs of approved traffic / pedestrian control measures, including relevant fees, shall be borne by the applicant.

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48. Excavation and Backfilling

All excavations and backfilling associated with the approved works must be executed safely and in accordance with appropriate professional standards. All excavations must be properly guarded and protected to prevent them from being dangerous to life or property.

If an excavation associated with the approved works extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a. Must preserve and protect the building from damage; and
- b. If necessary, must underpin and support the building in an approved manner, and
- c. Must, at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

49. Dust Nuisance

Measures shall be implemented to minimise wind erosion and dust nuisance in accordance with the requirements of the manual – 'Soils and Construction (2004) (Bluebook). Construction areas shall be treated/ regularly watered to the satisfaction of the principal certifying authority.

50. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times in accordance with AS 1742.3. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

51. Compliance with Council Specification

All design and construction work, shall be in accordance with:

- a. Council's specification for Construction of Subdivisional Road and Drainage Works (as amended);
- b. Campbelltown (Sustainable City) DCP 2009 - Volumes 1 and 2,
- c. 'Soils and Construction (2004) (Bluebook); and
- d. Relevant Australian standards and State Government publications.

52. Associated Works

The applicant shall undertake any works external to the development, that are made necessary by the development, including additional road and drainage works or any civil works directed by Council, to make a smooth junction with existing work.

53. Completion of Construction Works

Unless otherwise specified in this consent, all construction works associated with the approved development shall be completed within 12 months of the date of the notice of the intention to commence construction works under Section 81A of the Act.

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In the event that construction works are not continually ongoing, the applicant shall appropriately screen the construction site from public view with architectural devices and landscaping to Council's written satisfaction.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of an occupation certificate by either Campbelltown City Council or an accredited principal certifying authority. All necessary information to comply with the following conditions of consent must be submitted with the application for an occupation certificate.

Note: For the purpose of this development consent, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

54. Section 73 Certificate

Prior to the principal certifying authority issuing an occupation certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Early application for the certificate is suggested as this can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator.

For help either visit www.sydneywater.com.au > Building and developing > Developing your Land > Water Servicing Coordinator or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate.

55. Structural Engineering Certificate

Prior to the principal certifying authority issuing an occupation certificate, the submission of a certificate from a practising structural engineer certifying that the building has been erected in compliance with the approved structural drawings and relevant SAA Codes and is structurally adequate.

56. Completion of External Works Onsite

Prior to the principal certifying authority issuing an occupation certificate, all external works, repairs and renovations detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls to be completed to the satisfaction of the principal certifying authority.

57. Restoration of Public Roads

Prior to the principal certifying authority issuing an occupation certificate, the restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

58. Public Utilities

Prior to the principal certifying authority issuing an occupation certificate, any adjustments to public utilities, required as a result of the development, shall be completed to the satisfaction of the relevant authority and at the applicant's expense.

59. Council Fees and Charges

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall obtain written confirmation from Council that all applicable Council fees and charges

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associated with the development have been paid in full. Written confirmation will be provided to the applicant following Council's final inspection and satisfactory clearance of the public area adjacent the site.

An inspection of the public area adjacent the site including all driveways shall be arranged with Council.

60. Drainage Certification

Prior to the issue of an occupation certificate, a suitably qualified civil engineer shall certify that the stormwater drainage has been installed in accordance with the stormwater drainage configuration approved under 1461/2005/DA-C.

FOOD CONSTRUCTION CONDITIONS

The following conditions have been applied to ensure that the use of the building is carried out in such a manner that is consistent with the Food Act 2003, Food Regulation 2010 Local Government Act 1993 and associated technical standards.

61. Food Premises

The child care centre and any other tenancies that prepare food for sale, as defined under the Food Act 2003, must ensure that all construction and fit-out of the food premises complies with the Food Act 2003, Food Regulation 2010, the Food Standards Code as published by Food Standards Australia and New Zealand and AS 4674-2004: Design, construction and fit out of food premises.

Construction - The internal construction of the shop must be completed in accordance with AS4674-2004: Design, construction and fit-out of food premises.

Meeting and Inspection - Prior to any construction work commencing on the fit out of the food premise/s, the Applicant/Builder/Private Certifier must contact Council's Environmental Health Officer (Phone 4645 4604) to arrange an onsite meeting to discuss the food premise/s design, fit out, other related requirements under this Consent, Food Act 2003, Food Regulation 2010, and AS 4674-2004: Design, construction and fit out of food premises.

Prior to the release of the occupation certificate or Complying Development Certificate for any food premises, Council's Environmental Health Officer is to be contacted (Phone 4645 4604) to undertake an inspection of the premise/s to confirm compliance with this Consent, Food Act 2003, Food Regulation 2010, the Food Standards Code as published by Food Standards Australia and New Zealand and AS 4674-2004: Design, construction and fit out of food premise.

Store Rooms - All store rooms must be constructed in accordance with AS4674-2004 by providing the following:

- a smooth, even, non-slip floor surface
 - Walls must be provided with a smooth even surface and painted with a light coloured washable paint to enable easy cleaning in accordance with Table 3.2 of AS 4674-2004
 - Ceiling must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersections of the walls and ceiling must be tight-jointed, sealed and dustproof (AS4674-2004 – Section 3.2)
 - Shelving or storage racks must be designed and constructed to enable easy cleaning
-

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- Appropriate ventilation must be provided (ducted to the external air) within the store room to allow for the escape heat and odour that can be produced from refrigeration and freezer motor units.

REGULATED SYSTEM CONDITIONS

In the event the development constructs/installs a regulated system/s, as defined under the Public Health Act 2010, the following conditions have been applied to ensure that the use of the building is carried out in such a manner that is consistent with the Public Health Act 2010, Public Health Regulation 2012, Local Government Act 1993 and associated technical standards.

62. Regulated Systems

Construction - All construction for the purpose of a regulated system as defined under the Public Health Act 2010 must be designed and installed in accordance with the following:

- Public Health Act 2010
- Public Health Regulation 2012
- AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning
- Local Government Act 1993 and
- Other associated technical standards.

Waste Water - The regulated systems and plant room/surrounding areas must install appropriate measures to prevent wastewater from the regulated systems entering the stormwater system.

Operation Of The Regulated Systems - The regulated systems must comply and operate in accordance with the Public Health Act 2010 and Public Health Regulation 2012.

Inspection - Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted (Phone 4645 4604) to undertake an inspection of any regulated systems. An inspection fee will be charged in accordance with Council's current schedule of fees and charges.

PUBLIC SWIMMING POOLS AND SPA POOLS CONDITIONS

In the event the development constructs a public swimming pool and/or spa pool as defined under the Public Health Act 2010, the following conditions have been applied to ensure that the use of the building is carried out in such a manner that is consistent with the Public Health Act 2010, Public Health Regulation 2012, Local Government Act 1993 and associated technical standards.

63. Public Swimming Pools and Spas

Construction - The public swimming pool and/or spa pool must be designed and installed in accordance with the Public Health Act 2010, Public Health Regulation 2012 and NSW Health – Public Swimming Pool and Spa Pool Advisory Document 2013, Local Government Act 1993 and associated technical standards.

Waste Water - The public swimming, spa pool and plant room/surrounding areas must have appropriate measures to prevent wastewater from the pools entering the stormwater system.

Operation Of The Public Swimming Pool And Spa Pool - The public swimming pool and/or spa pool must comply and operate in accordance with the Public Health Act 2010, Public Health Regulation 2012 and the NSW Health – Public Swimming Pool and Spa Pool Advisory Document 2013

Inspection - Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted (Phone 4645 4604) to undertake an inspection of the

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premises. An inspection fee will be charged in accordance with Council's current schedule of fees and charges.

Registration - All public swimming pools and/or spa pools are required to be registered with Council so that regular inspections can be carried out to ensure health standards are maintained. A business registration form is available on Council's website which must be completed and submitted to Council prior to the release of the occupation certificate.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant Council Policy/s and other relevant requirements. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Advice 1. Environmental Planning and Assessment Act 1979 Requirements

The Environmental Planning and Assessment Act 1979 requires you to:

- a. Obtain a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 4645 4000.
- b. Nominate a principal certifying authority and notify Council of that appointment prior to the commencement of any works.
- c. Give Council at least two days notice prior to the commencement of any works.
- d. Have mandatory inspections of nominated stages of the construction inspected.
- e. Obtain an occupation certificate before occupying any building or commencing the use of the land.

Advice 2. Provision of Equitable Access

Nothing in this consent is to be taken to imply that the development meets the requirements of the Disability Discrimination Act 1992 (DDA1992) or Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards).

Where a Construction Certificate is required for the approved works, due regard is to be given to the requirements of the Building Code of Australia (BCA) & the Premises Standards. In this regard it is the sole responsibility of the certifier, building developer and building manager to ensure compliance with the Premises Standards.

Where no building works are proposed and a Construction Certificate is not required, it is the sole responsibility of the applicant and building owner to ensure compliance with the DDA1992.

Advice 3. Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this permit. Persons to whom this permit is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

Advice 4. Asbestos Warning

Should asbestos or asbestos products be encountered during construction or demolition works you are advised to seek advice and information prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by Work Cover NSW), be engaged to

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manage the proper disposal and handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au
www.nsw.gov.au/fibro
www.adfa.org.au
www.workcover.nsw.gov.au

Alternatively, call Work Cover Asbestos and Demolition Team on 8260 5885.

Advice 5. Smoke Free Environment Act

Nothing in this consent is to be taken to imply that the development meets the requirements of the Smoke Free Environment Act 2000 (SFEA2000) or the Smoke Free Environment Regulations 2007 (SFER2007). In the event that the occupier wishes to facilitate smoking within any enclosed public place of the premises (in accordance with clause 6 of the SFER2007), the occupier must first contact NSW Department of Health to ensure that the design and construction of the area proposed to facilitate smoking fully complies with the requirements of the SFEA2000 and the SFER2007.

Advice 6. Dial before you Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before you dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.

Advice 7. Telecommunications Act 1997 (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any persons interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution.

Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

Advice 8. Swimming Pool Owner's Responsibility

- a. A securely fenced pool is no substitute for responsible adult supervision. When children are in or around a swimming pool they should always be responsibly supervised.
- b. Swimming pool owners are required, under the provisions of the Swimming Pool Act, to register their swimming pools on an online register on or before 29 October 2013. The NSW Swimming Pools Register will be available for use by and from 29 April 2013.

There is a penalty (i.e. penalty notice amount of \$220) that applies to owners who fail to register their pool on or before 29 October 2013.

For further information visit the Department of Local Government website www.dlg.nsw.gov.au or contact Campbelltown City Council on (02) 4645 4000.

- c. As from 29 April 2015, owners of properties with swimming pools are required, under the provisions of the Swimming Pools Act, to obtain a valid Section 22D Swimming Pool Compliance Certificate before sale or lease of their property.

END OF CONDITIONS

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

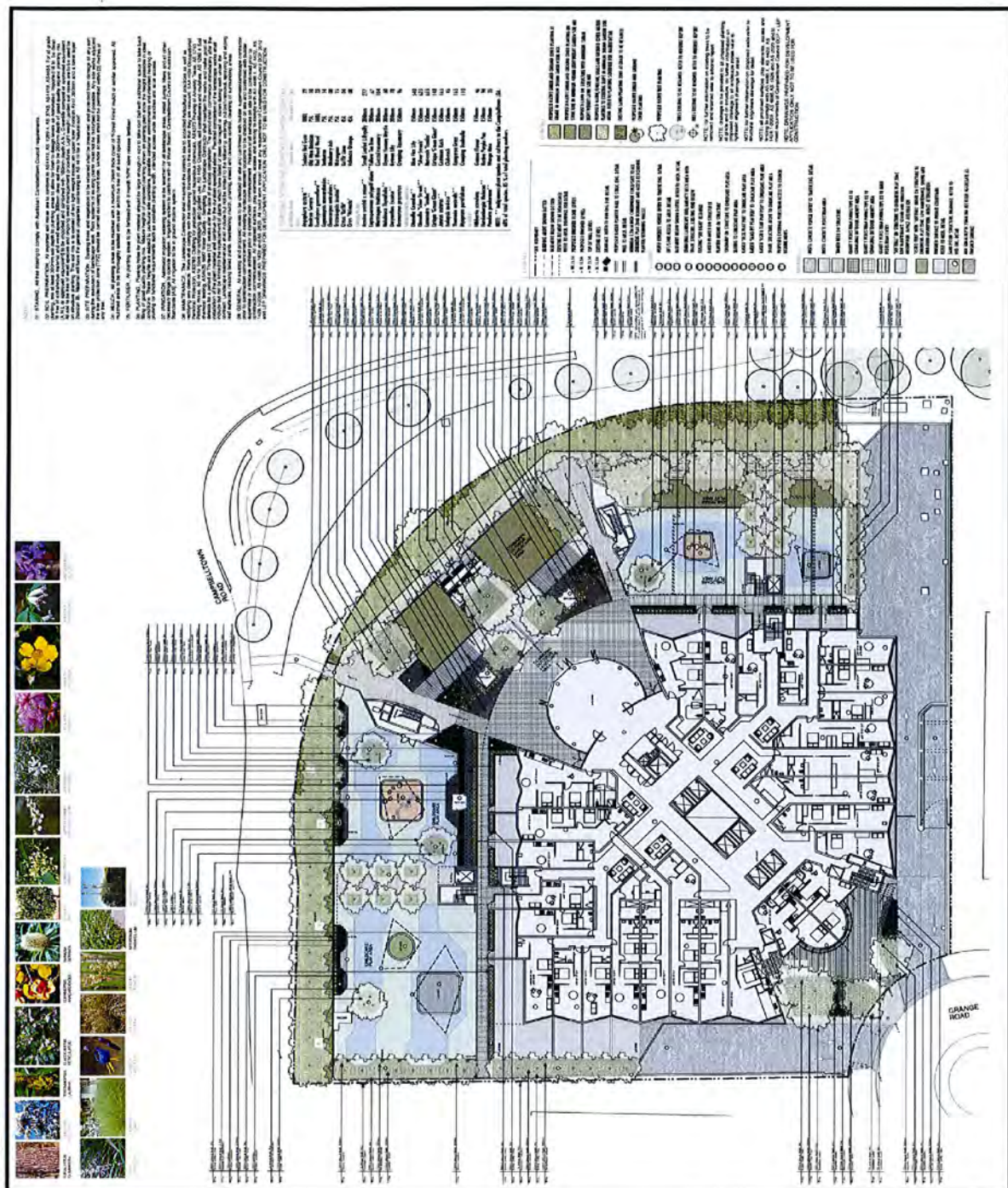
ATTACHMENT 2



LOCALITY PLAN



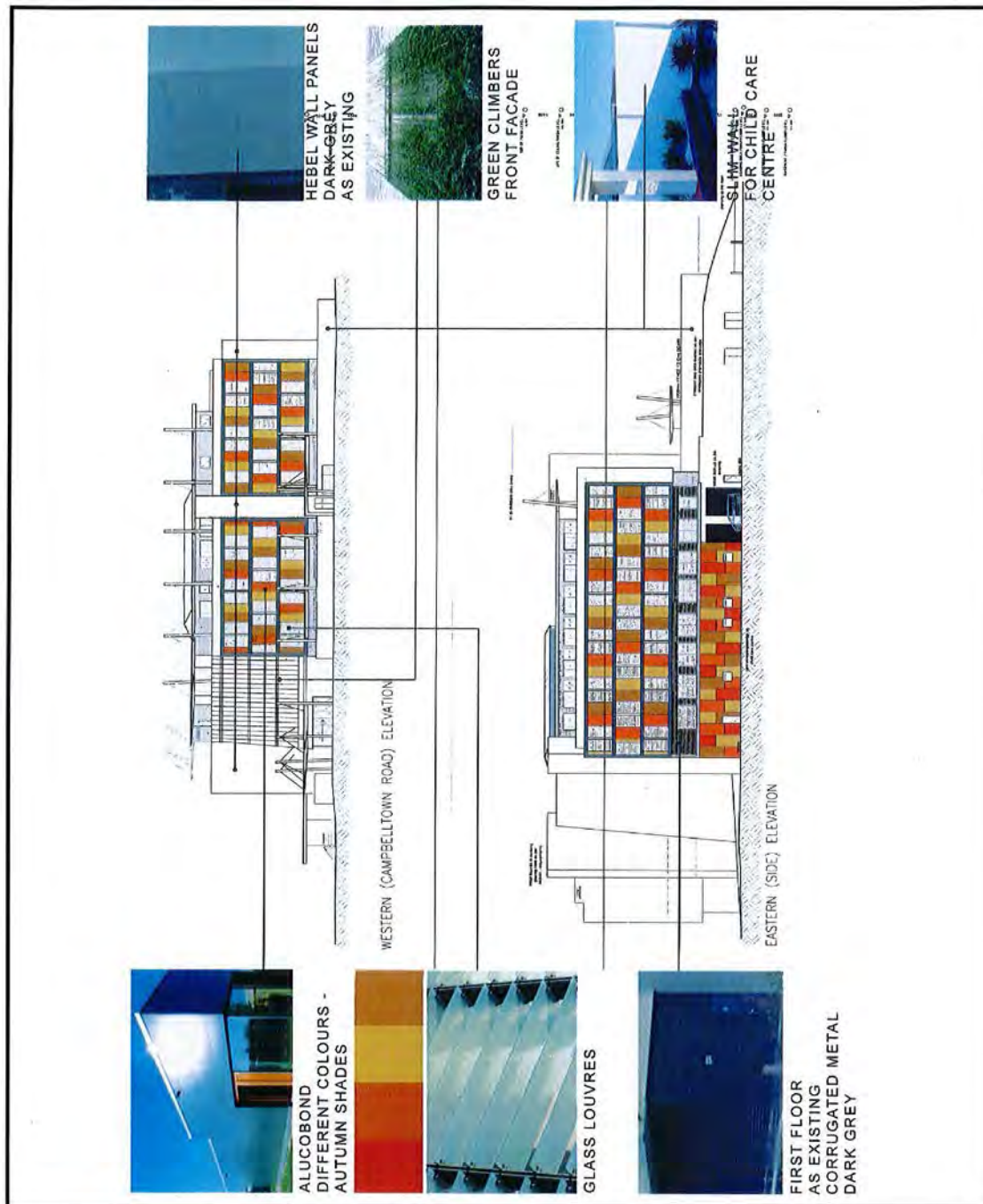
SUBJECT: REFURBISHMENT OF EXISTING BUILDING TO CREATE A 172 PLACE CHILDCARE CENTRE, A RECREATIONAL FACILITY AND 139 SERVICED APARTMENTS.
LOT 503 DP 714753 - No. 6 GRANGE ROAD, LEUMEAH.



SUBJECT: REFURBISHMENT OF EXISTING BUILDING TO CREATE A 172 PLACE CHILDCARE CENTRE, A RECREATIONAL FACILITY AND 139 SERVICED APARTMENTS.
LOT 503 DP 714753 - No. 6 GRANGE ROAD, LEUMEAH.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah

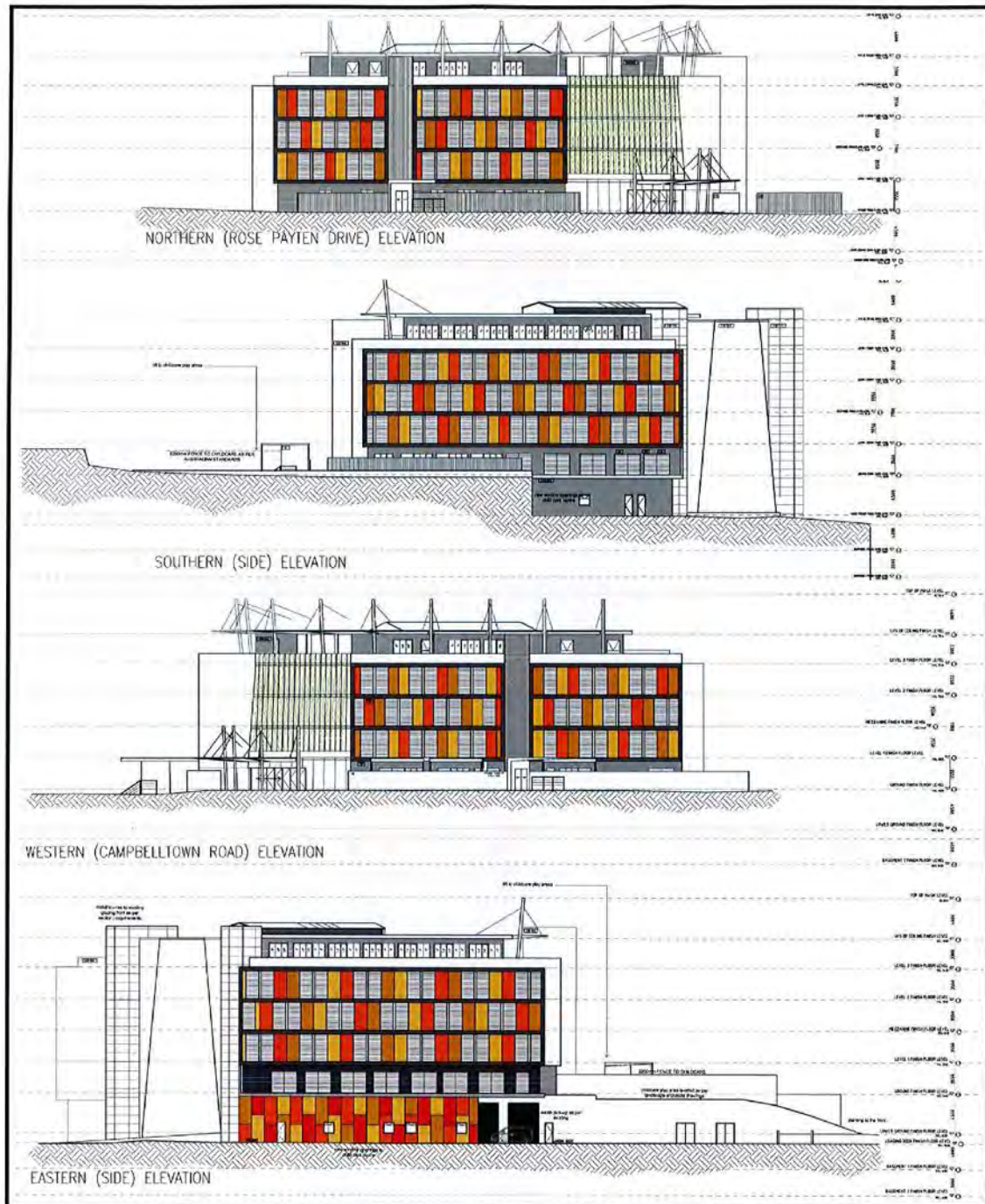
ATTACHMENT 4



ELEVATIONS

SUBJECT: REFURBISHMENT OF EXISTING BUILDING TO CREATE A 172 PLACE CHILDCARE CENTRE, A RECREATIONAL FACILITY AND 139 SERVICED APARTMENTS.
LOT 503 DP 714753 - No. 6 GRANGE ROAD, LEUMEAH.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah



ELEVATIONS

SUBJECT: REFURBISHMENT OF EXISTING BUILDING TO CREATE A 172 PLACE CHILDCARE CENTRE, A RECREATIONAL FACILITY AND 139 SERVICED APARTMENTS, LOT 503 DP 714753 - No. 6 GRANGE ROAD, LEUMEAH.

ATTACHMENT 5



PHOTOMONTAGE

SUBJECT: REFURBISHMENT OF EXISTING BUILDING TO CREATE A 172 PLACE CHILDCARE CENTRE, A RECREATIONAL FACILITY AND 139 SERVICED APARTMENTS.
LOT 503 DP 714753 - No. 6 GRANGE ROAD, LEUMEAH.

3.2 Refurbishment Of Existing Building To Create A 172 Place Child Care Centre, A Recreational Facility And 139 Serviced Apartments - No. 6 Grange Road Leumeah



PHOTOMONTAGE

SUBJECT: REFURBISHMENT OF EXISTING BUILDING TO CREATE A 172 PLACE CHILDCARE CENTRE, A RECREATIONAL FACILITY AND 139 SERVICED APARTMENTS.
LOT 503 DP 714753 - No. 6 GRANGE ROAD, LEUMEAH.

ATTACHMENT 6

Floor Plans – Confidential for privacy reasons

4. COMPLIANCE SERVICES

4.1 Legal Status Report

Reporting Officer

Manager Compliance Services

Attachments

Planning and Environment Division Monthly Legal Matters Status and Costs Summary
(contained within this report)

Purpose

To update Council on the current status of the Planning and Environment Division's legal matters.

Report

This report contains a summary of the current status of the Division's legal matters for the 2014-2015 period as they relate to:

- The Land and Environment Court
- The District Court
- The Local Court
- Matters referred to Council's solicitor for advice.

A summary of year-to-date costs and the total number of matters is also included.

Note: The year to date cost totals itemised in sections one to seven inclusive of the report do not necessarily correlate with the costs to date total of individual matters listed in each section, as the costs to date total of individual matters shown refer to total costs from commencement of the matter, which may have commenced before 1 July.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Oates/Matheson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 21 April 2015 (Greiss/Lound)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 50

That the Officer's Recommendation be adopted.

ATTACHMENT 1

1. Land and Environment Court Class 1 Matters – Appeals Against Council's Determination of Development Applications

Total ongoing Class 1 DA appeal matters (as at 24/03/2015)	3
Total completed Class 1 DA appeal matters (as at 24/03/2015)	1
Costs from 1 July 2014 for Class 1 DA appeal matters:	\$52,046.80

1 (a) John Cephas GALLUZZO

Issue:	An appeal against Council's deemed refusal of development application No. 1416/2014/DA-C that sought consent for construction of a new building, new driveway, new car parking area and other works at 1 Blomfield Road, Denham Court, an increase to the enrolment numbers to 130; and, an upgrade to the intersection of Campbelltown and Blomfield Roads to allow for a specific 'right turn lane' on Campbelltown Road and other necessary changes such as movement of telegraph poles, line marking and construction of a median island.
Property:	Pt Lot 101 DP 602622, 1 Blomfield Road, Denham Court.
Property Owner:	Mr. John Frank Galluzzo
Council File:	Development Application No: 1416/2014/DA-C
Court Application:	Filed on 25 September 2014 - File No. 10799 of 2014
Applicant:	John Cephas Galluzzo
Costs Estimate:	\$20,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
Costs to date:	\$22,564.66
Status:	Ongoing – listed for hearing on 9 and 10 June 2015.
Progress:	The Applicant filed an appeal in the Land and Environment Court of NSW against Council's deemed refusal of development application No. 1416/2014/DA-C that sought consent for construction of a new building, new driveway, new car parking area and other works at 1 Blomfield Road, Denham Court, an increase to the enrolment numbers to 130; and, an upgrade to the intersection of Campbelltown and Blomfield Roads to allow for a specific 'right turn lane' on Campbelltown Road and other necessary changes such as movement of telegraph poles, line marking and construction of a median island.

The appeal was listed before the Court for first mention on 3 October 2014.

On 3 October 2014 the Court, by consent, adjourned the proceedings to 25 November 2014 in order that the parties can participate in a section 34 conciliation conference.

On 25 November 2014, the conciliation conference was abandoned as it was clear that the parties were not going to reach a conciliated agreement. Counsel for the applicant indicated that a notice of motion would be filed seeking to make relevant amendments to the development application. The Commissioner made certain procedural directions and adjourned the proceedings to 16 December 2014 for further directions hearing. Subsequently, a further adjournment which was granted to 23 December 2014 due to delays experienced by the applicant in filing the notice of motion.

Counsel for the applicant appeared by consent before the Court on 23 December 2014 and sought a further adjournment to allow sufficient time for him to finalise the notice of motion, which had only been received by him the previous day from the applicant's instructing solicitor. By consent, the proceedings were adjourned to 22 January 2015 for further directions hearing.

On 22 January 2015 the Registrar made certain procedural directions and adjourned the proceedings to 11 February for further directions hearing.

On 11 February 2015 the Registrar made certain procedural directions and adjourned the proceedings to 11 March for further directions hearing.

On 11 March 2015 the Registrar made certain procedural directions and adjourned the proceedings to 9 and 10 June 2015 for hearing commencing on site at 9.30am on 9 June.

1 (b)

AL-FAISAL COLLEGE LIMITED

Issue:

An appeal against Council's deemed refusal of development application No. 499/2014/DA-C that sought consent for an increase in the number of students from 250 to 700 and the introduction of Years 9, 10, 11 and 12 at the existing school premises.

Property:

Lot 1 DP 1193701, 10 Benham Road, Minto.

Property Owner:

Al-Faisal College Limited

Council File:

Development Application No: 449/2014/DA-C

Court Application:	Filed on 10 October 2014 - File No. 10849 of 2014
Applicant:	Al-Faisal College Limited
Costs Estimate:	\$20,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
Costs to date:	\$23,240.10
Status:	Ongoing – judgment reserved to a date to be confirmed by the Court.
Progress:	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's deemed refusal of development application No. 499/2014/DA-C that sought consent for an increase in the number of students from 250 to 700 and the introduction of Years 9, 10, 11 and 12 at the existing school premises.</p> <p>The appeal was before the Court for first mention on 7 November 2014 where the Registrar gave certain procedural directions and adjourned the proceedings to 29 and 30 January 2015 for on-site hearing.</p> <p>On 21 November 2014, the applicant filed a notice of motion with the Court seeking to vacate the hearing dates and allocate a new timetable. By consent the Registrar gave revised procedural directions and adjourned the proceedings to 12 and 13 March 2015 for hearing commencing on-site at 9.00am on 12 March.</p> <p>Matter was before the Court for hearing on 12 and 13 March 2015 where following the conclusion of evidence and submissions the Commissioner reserved judgment to date to be confirmed by the Court.</p>

1 (c)	MOHAMMED RAHMAN
Issue:	An appeal against Council's refusal of development application No. 1080/2011/DA-RA/A that sought consent for modification of the original development consent for the inclusion of an additional storey comprising 8 units on top of a 3 level (22 unit) residential flat building and associated increase in basement level parking by 10 car parking spaces from 31 to 41 spaces.
Property:	Lot 100 DP 562008, 3 Carlisle Street, Ingleburn.
Property Owner:	Mohammed Emdadur Rahman
Council File:	Development Application No: 1080/2011/DA-RA/A

Court Application:	Filed on 26 November 2014 - File No. 10975 of 2014
Applicant:	Mohammed Rahman
Costs Estimate:	\$20,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)
Costs to date:	\$6,242.04
Status:	Ongoing – listed for conciliation conference on 16 April 2015.
Progress:	<p>The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 1080/2011/DA-RA/A that sought consent for modification of the original development consent for the inclusion of an additional storey comprising 8 units on top of a 3 level (22 unit) residential flat building and associated increase in basement level parking by 10 car parking spaces from 31 to 41 spaces.</p> <p>The appeal was before the Court for first mention on 19 December 2014 where the applicant sought to have the proceedings listed for early section 34 conciliation conference. The Registrar was of the view that such conference was premature, particularly given that the modification application had not been publicly advertised, and gave certain procedural directions, including that Council advertise and notify the modification application for a period of two-weeks commencing on the 20 January 2015. The Registrar adjourned the proceedings to 11 February 2015 for directions hearing.</p> <p>On 11 February the Registrar made certain procedural directions and adjourned the proceedings to 16 April 2015 for a section 34 on-site conciliation conference.</p>

2. Land and Environment Court Class 1 and 2 Matters – Appeals Against Notices, Orders, or Directions issued by Council

Total ongoing Class 1 and 2 appeal matters (as at 24/03/2015)	0
Total completed Class 1 and 2 appeal matters (as at 24/03/2015)	1
Costs from 1 July 2014 for Class 1 and 2 appeal matters:	\$2,970.40

3. Land and Environment Court Class 4 Matters – Civil Enforcement in respect of non-compliance with Planning Law or Orders issued by Council

Total ongoing Class 4 matters before the Court (as at 24/03/2015)	1
Total completed Class 4 matters (as at 24/03/2015)	1
Costs from 1 July 2014 for Class 4 matters	\$82,527.70

3 (a) Abdulhalim ELBAF & Amne ELBAF

Issue: An appeal seeking judicial review of disputed complying development certificate No. CDC 0455/12 issued by the private certifier for the development comprising a residential dwelling and residential outbuilding and associated site works, on the property.

Property: Lot 1 DP 1039153 Zouch Road, Ingleburn.

Property Owner: Mr. Abdulhalim Elbaf and Mrs Amne Elbaf

Council File: No. 2491/2012/CDCPRI

Court Application: Filed on 24 December 2013 - File No. 41030 of 2013

Applicant: Abdulhalim Elbaf and Amne Elbaf

Costs Estimate: \$10,000 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

Costs to date: \$55,313.57

Status: Ongoing – costs hearing completed, judgement reserved to a date to be notified by the Court.

Progress: The Applicants filed an appeal in the Land and Environment Court of NSW seeking judicial review of disputed complying development certificate No. CDC 0455/12 issued by the private certifier for the development comprising a residential dwelling and residential outbuilding and associated site works, on the property.

At the first mention on 7 February 2014 the proceedings were adjourned to 14 February for directions hearing.

On 14 February 2014, the Court, by consent, adjourned the proceedings to 4 April 2014 for directions hearing.

On 4 April 2014 the Court gave certain procedural directions and adjourned the proceedings to 16 and 17 June for hearing.

On 16 June 2014 the Court, by consent, granted the Applicant's application to vacate the hearing dates, pending determination by Council of a fresh DA No. 1138/2014/DA-M for the proposed development comprising the completion of construction of a partly built attached dual-occupancy, fencing, retaining walls, driveways and landscaping. The Court gave certain procedural directions and adjourned the proceedings to 25 July 2014 for mention.

On 25 July 2014 the Court, by consent, granted the Applicant's application to adjourn the proceedings pending determination by Council at its ordinary meeting of 19 August 2014 of DA No. 1138/2014/DA-M for the proposed development comprising the completion of construction of a partly built attached dual-occupancy, fencing, retaining walls, driveways and landscaping. The Court gave certain procedural directions and adjourned the proceedings to 29 August 2014 for mention.

On 19 August 2014, Council at its ordinary meeting gave conditional consent to DA No. 1138/2014/DA-M for the proposed development comprising the completion of construction of a partly built attached dual-occupancy, fencing, retaining walls, driveways and landscaping.

Prior to the directions hearing on 29 August 2014 the parties reached agreement that in view of the granting by Council of conditional consent to DA No. 1138/2014/DA-M the Applicant file a notice of discontinuance in the proceedings and that complying development certificate No. CDC 0455/12 be surrendered. Agreement on costs was not able to be reached.

On 29 August 2014 the Court, by consent, made an order that relevant notice of discontinuance be filed in the proceedings and that complying development certificate No. CDC 0455/12 shall be surrendered by the applicant on determination of costs. The judge made certain orders in respect of submissions to the Court on costs and listed the proceedings for cost hearing on 15 October 2014.

Having regard to the granting by Council of conditional consent to DA No. 1138/2014/DA-M, on 5 September 2014, Council issued Building Certificate 1203/2014/BC-UW for the existing structures on the premises relevantly constructed under complying development certificate No. CDC 0455/12 comprising: lower ground floor level dwelling – mass concrete piers, reinforced concrete footings, reinforced concrete floor slab; upper ground floor dwelling – reinforced concrete floor slab; lower ground floor level attached dual occupancy – mass concrete piers, reinforced concrete footing, reinforced concrete floor slab; upper ground floor level dual occupancy – reinforced concrete floor slab; reinforced concrete block retaining wall; and, brick fence with attached piers.

The costs hearing was completed on 15 October 2014, with judgement reserved to a date to be notified by the Court.

4. Land and Environment Court Class 5 - Criminal enforcement of alleged pollution offences and various breaches of environmental and planning laws

Total ongoing Class 5 matters before the Court (as at 24/03/2015)	0
Total completed Class 5 matters (as at 24/03/2015)	0
Costs from 1 July 2014 for Class 5 matters	\$0.00

5. Land and Environment Court Class 6 - Appeals from convictions relating to environmental matters

Total ongoing Class 6 matters (as at 24/03/2015)	0
Total completed Class 6 matters (as at 24/03/2015)	0
Costs from 1 July 2014 for Class 6 matters	\$0.00

6. District Court – Matters on Appeal from lower Courts or Tribunals not being environmental offences

Total ongoing Appeal matters before the Court (as at 24/03/2015)	0
Total completed Appeal matters (as at 24/03/2015)	0
Costs from 1 July 2014 for District Court matters	\$0.00

7. Local Court prosecution matters

The following summary lists the current status of the Division's legal matters before the Campbelltown Local Court.

Total ongoing Local Court Matters (as at 24/03/2015)	26
Total completed Local Court Matters (as at 24/03/2015)	38
Costs from 1 July 2014 for Local Court Matters	\$6,883.00

File No:	LP20/14, LP21/14, LP22/14 & LP25/14 – Penalty Notice Court Elections
Offence:	Development not in accordance with development consent (working outside of approved hours x 2 and incorrect materials storage x 2)
Act:	<i>Environmental Planning & Assessment Act 1979</i>
Final Costs:	\$2,223.00 – Brief prepared by Council's Legal and Policy Officer and referred to an external solicitor with instruction to appear for Council.
Status:	Completed.
Progress:	<p>The matter was before the Court for hearing on 5 March 2015 where the defendant Trinity Constructions Aust. Pty Ltd entered a guilty plea to three matters with the fourth matter withdrawn by Council on the advice of our solicitor.</p> <p>Following consideration of the evidence and submissions, the Magistrate found the offences proven and imposed a total of \$4,000 in fines together with an order for professional costs of \$2,000 to be paid to Council.</p>

File No:	LP27/14 – Penalty Notice Court Election
Offence:	In charge of dog that attacked animal.
Act:	<i>Companion Animals Act 1998</i>
Final Costs:	\$1,501.50 – Brief prepared by Council's Legal and Policy Officer and referred to an external solicitor with instruction to appear for Council.
Status:	Completed.
Progress:	The matter was before the Court for first mention on 18 November 2014, where the Magistrate directed that the proceedings be adjourned to 2

December 2014 for further mention and that the Court write to the defendant requiring their attendance on that date.

On 2 December 2014, the defendant entered a 'not guilty' plea. The proceedings were adjourned to 3 February 2015 for defended hearing.

Council received prior notice from the Court of the unavailability of the appointed magistrate to hear the matter, accordingly the hearing was vacated. The matter was listed for mention on 3 February where the Registrar relisted the proceedings for defended hearing on 9 April 2015.

Matter was before the Court for hearing on 9 April 2015, where the defendant, Brendan McRitchie maintained his not guilty plea. After hearing the evidence and submissions the Magistrate found the offence proved and imposed a fine of \$1,100 and made an order for Court Costs of \$1,501.50.

File No:	LP29/14 – Penalty Notice Court Election
Offence:	Not comply with order (overgrown premises and refuse).
Act:	<i>Local Government Act 1993</i>
Final Costs:	\$1,500.00 – Brief prepared by Council's Legal and Policy Officer and referred to an external solicitor with instruction to appear for Council.
Status:	Completed.
Progress:	<p>The matter was before the Court for first mention on 18 November 2014, where the defendant entered a not guilty plea by written notice. Proceedings were adjourned to 2 February 2015 for defended hearing.</p> <p>On 2 February there was no appearance before the Court by the defendant. A check of the Court file revealed that the defendant had not been notified of the hearing date; accordingly the magistrate adjourned the proceedings to 8 April 2015 for hearing with direction that the Registrar notify the defendant in writing.</p> <p>Matter was before the Court for hearing on 8 April 2015, where the defendant, Christina Louise</p>

	King, changed her plea to guilty with an explanation. After hearing the evidence and submissions the Magistrate found the offence proved and dealt with the matter under section 10(1)(b) of the Crimes (Sentencing Procedure) Act without penalty conditionally that the defendant be of good behaviour for a period of 12-months and made an order for Court Costs of \$1,500.00.
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File No:	LP01/15 (Sequences 1 to 6) – Charge Matters
Offence:	Menacing dog attack animal in circumstances of recklessness by owner x 1; menacing dog escape premises x 1; and, owner not comply with menacing dog control requirements x 4.
Act:	<i>Companion Animals Act 1998</i>
Costs to date:	\$87.00 – Brief prepared by Council's Legal and Policy Officer and referred to an external solicitor with instruction to appear for Council.
Status:	Ongoing – Application to annul the conviction listed for 20 April 2015
Progress:	<p>The matters were before the Court for first mention on 3 March 2015 where the defendant made no appearance. The Magistrate granted Council's application for the matters to proceed in the defendant's absence. Following consideration of the evidence and submissions the Court imposed fines totaling \$2,400 and made an order for Council's costs in the sum of \$2,073 (Court filing fees and holding fees for the impounded dogs) and a destruction order for the dog held by Council.</p> <p>On 20 March 2015 the defendant filed an application with the Court seeking to have the conviction annulled. The application is listed for determination on 20 April 2015.</p>

File No:	LP02/15 (Sequences 1 to 6) – Charge Matters
Offence:	Menacing dog attack animal in circumstances of recklessness by owner x 1; menacing dog escape premises x 1; and, owner not comply with menacing dog control requirements x 4.
Act:	<i>Companion Animals Act 1998</i>
Costs to date:	\$87.00 – Brief prepared by Council's Legal and Policy Officer and referred to an external solicitor with instruction to appear for Council.

Status: Ongoing – Application to annul the conviction listed for 20 April 2015

Progress: The matters were before the Court for first mention on 3 March 2015 where the defendant made no appearance. The Magistrate granted Council's application for the matters to proceed in the defendant's absence. Following consideration of the evidence and submissions the Court imposed fines totaling \$2,400 and made an order for Council's costs in the sum of \$73 (Court filing fees) and a destruction order for the dog being held by Council.

On 20 March 2015 the defendant filed an application with the Court seeking to have the conviction annulled. The application is listed for determination on 20 April 2015.

File No: LP03/15 (Sequences 1 to 5) – Charge Matters
Offence: Menacing dog escape premises x 1; and, owner not comply with menacing dog control requirements x 4.

Act: *Companion Animals Act 1998*

Costs to date: \$87.00 – Brief prepared by Council's Legal and Policy Officer and referred to an external solicitor with instruction to appear for Council.

Status: Ongoing – Application to annul the conviction listed for 20 April 2015

Progress: The matters were before the Court for first mention on 3 March 2015 where the defendant made no appearance. The Magistrate granted Council's application for the matters to proceed in the defendant's absence. Following consideration of the evidence and submissions the Court imposed fines totaling \$2,000 and made an order for Council's costs in the sum of \$73 (Court filing fees) and a destruction order for the dog being held by Council.

On 20 March 2015 the defendant filed an application with the Court seeking to have the conviction annulled. The application is listed for determination on 20 April 2015.

File No: LP04/15 (Sequences 1 to 2) – Charge Matters
Offence: Dog attack animal in circumstances of

Act:	recklessness by owner; and dog escape premises. <i>Companion Animals Act 1998</i>
Final Costs:	\$87.00 – Matter mentioned before the Court by Council's Legal and Policy Officer.
Status:	Completed.
Progress:	The matters were before the Court for first mention on 3 March 2015 where the defendant, Joy Bates, made no appearance. The Magistrate granted Council's application for the matters to proceed in the defendant's absence. Following consideration of the evidence and submissions the Court imposed fines totaling \$1,900 and made an order for Council's costs in the sum of \$73 (Court filing fees) and an order requiring the owner to surrender the dog to Council and for the dog to be destroyed.

File No:	LP05/15 (Sequences 1 to 5) – Charge Matters
Offence:	Owner not comply with restricted dog control requirements x 5.
Act:	<i>Companion Animals Act 1998</i>
Final Costs:	\$87.00 – Matter mentioned before the Court by Council's Legal and Policy Officer.
Status:	Completed.
Progress:	The matters were before the Court for first mention on 3 March 2015 where the defendant, Jake Audsley, made no appearance. The Magistrate granted Council's application for the matters to proceed in the defendant's absence. Following consideration of the evidence and submissions the Court imposed fines totaling \$2,000 and made an order for Council's costs in the sum of \$73 (Court filing fees) and a control order requiring the owner of the dog to comply fully with the requirements of section 56 of the Companion Animals Act for the keeping of a restricted dog.

File No:	LP06/15 – Penalty Notice Court Election
Offence:	Disobey no-stopping sign.
Act:	<i>Road Rules 2014</i>
Final Costs:	\$0.00 – Dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: Completed

Progress: Matter was before the Court for first mention on 24 February 2015, where the defendant entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved without penalty.

File No: LP07/15 – Penalty Notice Court Election
Offence: Deposit advertising material (bill-poster) on public place.
Act: *Protection of the Environment Operations Act 1997*

Costs to date: \$2,150 – Brief prepared by Council's Legal and Policy Officer and referred to an external solicitor with instruction to appear for Council.

Status: Ongoing – Adjourned to 28 April 2015.

Progress: Matter was before the Court for defended hearing on 10 March 2015. The matter remains part-heard and is further listed on 28 April 2015

File No: LP08/15 – Penalty Notice Court Election
Offence: Disobey no-stopping sign.
Act: *Road Rules 2014*

Final Costs: \$0.00 – Dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: Completed

Progress: Matter was before the Court for first mention on 3 March 2015, where the defendant, Serge Perrine, made no appearance. The Magistrate granted Council's application to have the matter heard in the defendant's absence and after considering the evidence and submissions found the offence proved and imposed a fine of \$242 and made an order for Court Costs of \$85.

File No: LP09/15 – Penalty Notice Court Election
Offence: Double park vehicle.
Act: *Road Rules 2014*

Final Costs: \$0.00 – Dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: Completed

Progress: Matter was before the Court for first mention on 3 March 2015, where the defendant, Denis Emir Romero Canas, entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved and imposed a fine of \$242 and made an order for Court Costs of \$159.

File No: LP10/15 – Penalty Notice Court Election
Offence: Disobey no-stopping sign.
Act: *Road Rules 2014*

Final Costs: \$0.00 – Dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: Completed

Progress: Matter was before the Court for first mention on 3 March 2015, where the defendant entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved without penalty.

File No: LP11/15 – Penalty Notice Court Election
Offence: Not register swimming pool.
Act: *Swimming Pools Act 1992*

Final Costs: \$0.00 – Dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: Completed

Progress: Matter was before the Court for first mention on 24 March 2015, where the defendant entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved without penalty.

File No: LP12/15 – Penalty Notice Court Election
Offence: Deposit litter (cigarette butt) from vehicle.
Act: *Protection of the Environment Operations Act*

Costs to date: \$0.00 – Being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.

Status:	New matter
Progress:	Listed for first mention on 24 March 2015.

File No:	LP13/15 – Penalty Notice Court Election
Offence:	Stop in bus zone – school zone.
Act:	<i>Road Rules 2014</i>
Final Costs:	\$0.00 – Dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	Completed
Progress:	Matter was before the Court for first mention on 24 March 2015, where the defendant entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved without penalty.

File No:	LP14/15 – Penalty Notice Court Election
Offence:	Disobey no-stopping sign.
Act:	<i>Road Rules 2014</i>
Costs to date:	\$0.00 – Being dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	New matter
Progress:	Listed for first mention on 24 March 2015.

File No:	LP15/15 – Penalty Notice Court Election
Offence:	Disobey no-stopping sign – school zone.
Act:	<i>Road Rules 2014</i>
Final Costs:	\$0.00 – Dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	Completed
Progress:	Matter was before the Court for first mention on 7 April 2015, where the defendant entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved without penalty.

File No:	LP16/15 – Penalty Notice Court Election
Offence:	Deposit litter (cigarette butt) from vehicle.
Act:	<i>Protection of the Environment Operations Act</i>

Costs to date:	\$0.00 – Brief prepared by Council's Legal and Policy Officer and referred to an external solicitor with instruction to appear for Council.
Status:	Ongoing
Progress:	Matter was before the Court for first mention on 7 April 2015 where the defendant entered a not guilty plea. Proceedings adjourned for hearing on 4 May 2015.

8. Matters referred to Council's solicitor for advice

Matters referred to Council's solicitors for advice on questions of law, the likelihood of appeal or prosecution proceedings being initiated, and/or Council liability.

Total Advice Matters (as at 24/03/2015)
Costs from 1 July 2014 for advice matters

9
\$33,941.01

9. Legal Costs Summary

The following summary lists the Planning and Environment Division's net legal costs for the 2014/2015 period.

Relevant attachments or tables	Costs Debit	Costs Credit
Class 1 Land and Environment Court - appeals against Council's determination of Development Applications	\$52,046.80	\$0.00
Class 1 and 2 Land and Environment Court - appeals against Orders or Notices issued by Council	\$2,970.40	\$0.00
Class 4 Land and Environment Court matters - non-compliance with Council Orders, Notices or prosecutions	\$82,527.70	\$0.00
Class 5 Land and Environment Court - pollution and planning prosecution matters	\$0.00	\$0.00
Class 6 Land and Environment Court - appeals from convictions relating to environmental matters	\$0.00	\$0.00
Land and Environment Court tree dispute between neighbours matters	\$0.00	\$0.00
District Court appeal matters	\$0.00	\$0.00
Local Court prosecution matters	\$6,883.00	\$0.00
Matters referred to Council's solicitor for legal advice	\$33,941.01	\$0.00
Miscellaneous costs not shown elsewhere in this table	\$0.00	\$0.00
Costs Sub-Total	\$178,368.91	\$0.00
Overall Net Costs Total (GST exclusive)	\$178,368.91	

4.2 Best Practice Upgrade Management and Operation of the Animal Care Facility

Reporting Officer

Manager Compliance Services

Attachments

1. Therian Animal Care Solutions - Animal Care Facility Report (contained within this report)
2. Aerial photograph of the existing Animal Care Facility (contained within this report)

Purpose

To advise Council of a preferred option for the immediate upgrade of the Animal Care Facility and incorporating operational enhancements that will improve accommodation, standards of animal care and welfare as well as encourage better rehoming rates.

History

Council has been involved with extensive and ongoing investigations concerning the Animal Care Facility (ACF) since 2013 when it engaged a consultant to undertake an independent assessment of the Council's ACF operations.

More recently, and following Councillor briefings on 3 March and April 7 2015, a series of options have been presented as a means of upgrading the ACF – both in terms of capital works improvements and operational enhancements.

Broadly speaking, three options can be summarised as:

- Complete upgrade of the ACF in accordance with the 'Therian' refurbishment proposal (Masterplan) with the adoption of a range of service level and best practice improvements in 2015-2016
- A partial upgrade in accordance with identified priority needs with the adoption of some service level and best practice improvements in 2015-2016
- Limited upgrade of the ACF immediately in 2014-15 with the adoption of some service level and best practice improvements in 2015-2016.

It should be noted that the proposed NSW draft standards for dog and cat pounds were released by the NSW Department of Primary Industries late in 2014 for comment, however the consultation did not extend to include individual Councils. A number of Councils including Campbelltown and the Office of Local Government have written to the Department of Primary Industries expressing concern about the lack of consultation and the resource and cost implications likely to arise from the implementation of the proposed standards.

As a result, it is anticipated that the development of the new standards may be delayed for some time to allow for thorough consultation, assessment of the resourcing implications and further consideration by the Government. It is anticipated the outcome of these new standards will have a major impact on Council's Animal Care Facility and as such any future substantial upgrades to the facility need to be planned around the finalisation of the standards to ensure the works comply.

Notwithstanding the above, the preliminary Draft Operational Plan (2015-2016) has been prepared which incorporates a proposed Budget where \$385,000 has been identified for interim works required at the facility in the short term.

Report

Further to Council's previous considerations regarding this matter, this report provides additional details and recommendations (to be considered in conjunction with Council's 2015-2016 budget deliberations), in relation to a preferred ACF upgrade option that incorporates:

- (i) ACF capital works improvements
- (ii) Best practice operational improvements and associated staffing implications.

For comparisons sake, this report also concisely summarises the extent of capital works improvements and service level/best practice operational enhancements for two other options. These two other options are not recommended, particularly as their viability are in doubt given the uncertainty surrounding the forthcoming dog and cat pound standards and the quantum of likely funds available under Council's forthcoming budget.

It is also relevant that this report presents to Council, further information concerning the future of Council's ACF in terms of:

- Council's capacity to deliver more extensive improvements to the ACF better aligned with the previously commissioned 'Therian Masterplan' upgrade proposal
- Alternative models for the delivery of ACF services for the Campbelltown Local Government Area, including the possibility for outsourcing to a contracted operator as well as the potential for a regional 'shared resource' facility
- Working proactively with the community as part of a strategically focused and structured 'prevention programme' with the aim of changing community attitudes and behaviours to minimise the number of unwanted animals that are left for Council to deal with either as strays or surrendered animals at Council's ACF.

Part A - Capital Upgrade, Capacity and Service Level Enhancement Options

Option 1 – The Therian Masterplan

(i) Total ACF Capital Works Upgrade

The Therian report previously commissioned by Council outlined a series of recommendations to retrofit the existing ACF to meet best practice and industry standards.

4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility

The Therian Masterplan is based on the Victorian Code of Practice for the Operation of Shelters and Pounds, which the Therian Report acknowledges as the most stringent code across Australia and was used as a benchmark reference document for the development of the draft NSW Department of Primary Industries standards proposed to apply to NSW Dog and Cat Pounds.

In summary, the Therian Report identified the need for a capital works upgrade of the ACF to address a range of issues including:

- Construction of a new cattery with increased holding capacity from 14 cats to 72 cats and also incorporating two meet and greet rooms, food preparation and laundry areas, store rooms and a vet treatment room. The proposed cattery would have separate areas for holding lost/stray cats and cats for sale
- Major upgrade of existing dog pens and provision of additional kennels to increase animal accommodation from 60 dogs to 120 dogs (comprising 3 x new kennel buildings containing 20 pens each)
- Provision of additional and separate facilities for holding and drop off of other animals (including stock and poultry)
- Retrofit of the former ACF office building to accommodate laundry, grooming and vet treatment / assessment areas.

The capital works cost of implementing this total upgrade is estimated to be in the order of \$4.95m. Furthermore, it should be noted that additional annual maintenance, cleaning and utility expenses would apply, usually in the order of an additional 10% of the capital costs (i.e. \$450,000 per annum).

(ii) Capacity Based and Best Practice Operational Improvements

Potential ACF operational improvements under Option 1 would include the:

- appointment of up to six additional animal attendant staff to cater for the increase to the ACF's animal holding capacity (up to 120 dogs and 72 cats based on the complete refurbishment option) at an annual estimated additional cost of \$400,000 p.a
 - introduction of a comprehensive C3 parvovirus vaccination program for all dogs admitted to the ACF at an estimated annual cost of \$80,000
 - introduction of a volunteer program at an estimated annual cost of \$110,000. The volunteer program would necessitate the employment of a suitably skilled and trained volunteer coordinator to implement and supervise any volunteer program. Council would need to introduce related procedures and provide suitable equipment and training for volunteers
 - engagement of an additional three staff to appropriately resource the ACF to better satisfy Council's existing responsibilities and improve service levels particularly in respect of daily exercising of dogs, cat and dog grooming, promotion and marketing of animals for rescue or sale and more regular updating of the lost dog/animals for sale section of the Council's website. The additional cost to Council is estimated to be in the order of \$200,000 p.a
 - provision of access to a pool of casual staff to maintain 'best practice' service provision. A pool of casual staff could be made available and accessed to replace staff on leave to better sustain day to day operational services. It is estimated that an additional \$50,000 annual allocation would be required
-

4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility

- extension of operating hours to enable the facility to be open to the public on Sundays. The estimated additional cost of opening the current Council operated facility with existing staff levels for three hours on a Sunday would be approximately \$55,000 per annum.

The total additional annual cost of the above operational improvements under Option 1 is estimated at \$895,000 p.a.

Option 2 – Undertake a partial upgrade of prioritised capital works as Stage 1

(i) Partial ACF Capital Works Upgrade

If Council was to consider partial implementation or staging of the capital upgrade work identified in the Therian Masterplan, to target areas of higher relative importance and contribute towards improved operational performance, consideration could be given to undertaking the below mentioned higher priority works as Stage 1:

- Construction of a new cattery with increased holding capacity from 14 cats to 72 cats and also incorporating two meet and greet rooms, food preparation and laundry areas, store rooms and a vet treatment room. The proposed cattery would have separate areas for holding lost/stray cats and cats for sale
- Refurbishment of existing dog kennels
- Refurbishment of 'A/AA' kennel block to remove 'line of sight' between rows of kennels and the introduction of natural lighting and ventilation
- Based on the adoption of the construction of a new cattery, the existing cattery could be converted to provide an additional four dog pens
- Refurbishment of the former ACF administration building to provide facilities for animal assessment and vet treatment (for dogs), dog grooming and laundry facilities
- Associated external works (eg landscaping, fencing, signage, paving).

This capital works upgrade option has a total estimated capital cost in the order of \$1.67m. It should be noted that this upgrade does not cater for the construction of additional dog kennel buildings (to cater for future population growth), stock and poultry holding facilities and "meet and greet" and "exercise" yards as recommended in the Therian Report.

(ii) Capacity Based and Best Practice Operational Improvements

Potential ACF operational improvements under Option 2 would include the:

- appointment of up to three additional animal attendant staff to cater for the increase to the ACF's cat holding capacity up to 72 cats at an annual estimated additional cost of \$200,000 p.a.
 - introduction of a comprehensive C3 parvovirus vaccination program for all dogs admitted to the ACF at an estimated annual cost of \$80,000
 - introduction of a volunteer program at an estimated annual cost of \$110,000. The volunteer program would necessitate the employment of a suitably skilled and trained volunteer coordinator to implement and supervise any volunteer program. Council would need to introduce related procedures and provide suitable equipment and training for volunteers
-

4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility

- engagement of an additional three staff to appropriately resource the ACF to better satisfy Council's existing responsibilities and improve service levels particularly in respect of daily exercising of dogs, cat and dog grooming, promotion and marketing of animals for rescue or sale and more regular updating of the lost dog/animals for sale section of the Council's website. The additional cost to Council is estimated to be in the order of \$200,000 p.a
- provision of access to a pool of casual staff to maintain 'best practice' service provision. A pool of casual staff could be made available and accessed to replace staff on leave to better sustain day to day operational services. It is estimated that an additional \$50,000 annual allocation would be required
- extension of operating hours to enable the facility to be open to the public on Sundays. The estimated additional cost of opening the current Council operated facility with existing staff levels for three hours on a Sunday would be approximately \$55,000 per annum.

The total annual additional cost of the above operational improvements under Option 2 is estimated at \$695,000 p.a.

Option 3 – Defer implementation of the Therian Masterplan (Preferred Option)

As mentioned previously, it is anticipated that the development of the proposed NSW draft standards for pounds and animal shelters will be delayed significantly pending further consultation with local councils and an assessment of the cost and resourcing implications.

In view of the uncertainty as to the final scope, form, and timing for implementation of the standards, there is merit in deferring implementation of any significant capital upgrade of the ACF until after the standards are finalised and known. This is considered to be a prudent and sensible approach and minimises the extent of any financial and other risks that would be associated to committing to a significant capital and operational investment before Council's statutory commitments are fully understood.

However, in recognising this delay, it is believed appropriate that Council grant consideration to a further option to introduce some immediate improvements in the interim, which 'dovetail' with the Therian Masterplan and/or long term strategy for the future operation of the ACF.

In light of the above, the following approach is presented as the Preferred Option for Council's endorsement.

(i) Immediate ACF Capital Works Upgrade

It is recommended under this option that the implementation of the Therian Masterplan be put on hold pending the finalisation of the Government's pound standards and that in lieu, immediate capital works improvements be confined to a refurbishment of the former ACF office building, existing cattery and 'A' block. Importantly, this would provide accommodation for an improved cattery, containing upgraded cat accommodation (to cater for a total of 32 cats) which can be removed and re-installed if and when a new cattery is constructed, in accordance with the Therian Masterplan upgrade proposal (Option 1).

4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility

The range of capital works improvements associated with the preferred option (Option 3), include the below mentioned items as an immediate upgrade:

- Refurbishment and fit out of the former ACF office building as a cattery containing 32 cat modules, treatment room, disabled toilet and vet treatment room
- Enclosure of the former ACF office building awning as a cat play and meet and greet area
- Removal of one row of dog pens in 'A' Block to accommodate a vet treatment room, grooming room, food preparation and storage area, resolving a current animal welfare concern with two dog kennel rows in 'A' Block facing each other
- Conversion of the existing cattery to accommodate four dog pens to partially offset for the loss of seven pens associated with the refurbishment of "A" Block.

This capital works upgrade option has a total estimated capital cost in the order of \$300,000 (excluding GST).

Council could potentially give further consideration to completing any part or all of the Therian Masterplan capital works at a later stage dependent upon the NSW standards for pound and animal shelters being finalised and the availability of the required funding.

(ii) Capacity Based and Best Practice Operational Improvements

The range of capacity based and best practice operational improvements are similar to those presented for Option 2 with the exception of staff numbers required to service the upgraded cattery. Under this option, the number of cats to be accommodated is proposed to be reduced from 72 (under the Therian Masterplan - Option 1) to 32 being the capacity under Option 3.

Potential ACF operational improvements under Option 3 would include the:

- appointment of one additional animal attendant staff member to cater for the increase to the ACF's cat holding capacity up to 32 cats at an annual estimated additional cost of \$67,000 p.a
- introduction of a comprehensive C3 parvovirus vaccination program for all dogs admitted to the ACF at an estimated annual cost of \$80,000
- engagement of an additional three staff members to appropriately resource the ACF to better satisfy Council's existing responsibilities and improve service levels particularly in respect of daily exercising of dogs, cat and dog grooming, promotion and marketing of animals for rescue or sale and more regular updating of the lost dog/animals for sale section of the Council's website. The additional cost to Council is estimated to be in the order of \$200,000 p.a
- provision of access to a pool of casual staff to maintain 'best practice' service provision. A pool of casual staff could be made available and accessed to replace staff on leave to better sustain day to day operational services. It is estimated that an additional \$38,000 annual allocation would be required.

The total annual additional cost of the above operational improvements under Option 3 is estimated at \$385,000 p.a.

4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility

The implementation of a volunteer program and extension of operating hours on Sundays which was included in both Options 1 and 2, is not included as part of Option 3, due to constraints imposed by current resource and staffing levels and associated liability concerns. It is proposed that these operational improvements could be included in a scope of works as part of a tender for the future operation of the ACF as discussed in Part C of this report.

Part B - Budget Implications

The current economic and financial environment presents challenges for the community, all levels of Government including Council, and the business sector. Council is currently finalising the draft 2015-2016 Operational Plan incorporating the budget which has applied the rate peg limit as determined by IPART of 2.4%. Invariably, rate pegging increases are less than the actual increases in costs faced by Council.

In compiling the 2015-2016 Operational Plan and Budget, the limitations in Council's overall operational income combined with the increases in operational expenditure, continues to place pressure on maintaining current service levels. Council has prepared a budget which seeks to balance the demand for services and infrastructure with the community's capacity to pay. Nevertheless, a concerted effort has been made to identify funding to provide for operational improvements at Council's Animal Care Facility. Through additional rating revenue generated through growth throughout the Local Government Area, an additional \$385,000 has been specifically allocated to the Animal Care Facility.

Part C - Future Management

It is recommended that the management and operation of the ACF be retained by Council for the time being, at least whilst the recommended capital upgrade works and capacity and service level enhancements are implemented.

Notwithstanding, it is believed that there would be significant merit in Council proceeding to tender the future operation of the ACF, after the completion of the capital works (i.e. cattery upgrade) recommended under Option 3.

The capacity and best practice improvements identified under the preferred Option 3 could be included in the scope of works for the tender which could also include the additional requirement to implement a volunteer program and provide for extended operating hours on Sundays.

The tender could be for a period for up to three years, during which time the Council should have a clearer understanding of its legal obligations pursuant to the introduction of the Government's pound standards, and be in a potentially better informed position to be able to judge the practicality and 'market based' viability of constructing and operating a 'best practice' animal care facility in line with the Therian Masterplan model. This time would also grant Council a serious opportunity to reach a fully informed position on interest in and the viability of a potential regional animal care facility.

Part D - Other Considerations

1. Regional Animal Care Facility

In consideration of the anticipated population growth of the City (and nearby Council areas such as Camden and Wollondilly) and any potential efficiency gains across participating Councils in operating a shared animal impounding facility, there may be merit in exploring the feasibility of operating a regional animal care facility. If sufficient interest existed amongst adjoining Councils, a Memorandum of Understanding could be developed to seek and define the commitment of participating Councils to work collaboratively towards developing a concept for a regional facility (during the next two-three years as mentioned above).

Given the location and scope for expansion, the existing ACF site (refer to attachment 2) would offer some potential as a preferred site for a regional facility. Such a concept may potentially attract funding from the State Government (as a regional initiative) together with contributions from participating Councils.

2. Strategic Prevention Programme

There is a current animal management challenge faced by many impounding authorities in re-aligning their pound facility capacity to meet ever increasing numbers of unwanted companion animals. In order to pursue a solution, it is suggested that Council instigate a strategic prevention programme which aims to effectively engage the community to minimise future accommodation demands on its facility.

Suitable strategies that could be incorporated into such a Programme include: -

- Undertaking companion animal desexing programmes (including the continuation of Council's existing subsidised desexing programmes)
- Consideration as a work practice, the return of stray animals to registered dog owners where appropriate
- Conducting community education and awareness campaigns to reinforce responsible pet ownership and in particular the need for pet owners to register, desex and prevent their dogs and cats from straying
- Conducting community micro-chipping and registration days.

Part of the development of the strategy would rely on further collaboration with government agencies, community groups and educational authorities to assist in focussing on achieving an improved take up of responsible pet ownership behaviours across the broader community.

Conclusion

This report has outlined three facility upgrade options incorporating capital works, operational change and recommendations regarding the future management of the ACF.

In response to addressing the need for capital upgrade and operational improvement at the ACF, account needs to be taken of the potential implications which may arise from the finalisation of the Government's pound standards.

4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility

Option 3 incorporates capital upgrade works to provide for an improved cattery and facilities for animal treatment and grooming as well as a range of operational improvements which have the capacity to effectively dovetail with future major upgrading of the ACF (i.e. the Therian Masterplan).

It is recommended that Council endorse the allocation of \$300,000 to fund the immediate capital upgrade proposed under Option 3 from budget savings in the current financial year. In addition, it is recommended that Council approve the allocation of \$385,000 funding for inclusion in Council's 2015-2016 Budget to fund a range of Capacity Based and Best Practice Operational Improvements as outlined in the preferred option (Option 3).

In terms of future management, it is recommended that Council call for tenders for the future operation of the ACF for a three year term, after the completion of the interim capital works upgrade proposed under the preferred Option 3. This would provide Council with the opportunity to consider the impact of the Government's proposed pound standards in any future upgrade of the ACF. It is further recommended that the tender proposal contain within the scope of works a requirement to implement a volunteer program and to extend opening hours of the ACF from 9.00am - 12.00pm on Sundays.

In addition and importantly, it is recommended that a strategic prevention program be developed as a high priority.

Officer's Recommendation

1. That Council endorse the allocation of \$300,000 from budget savings in the current financial year, to fund the interim immediate capital works upgrade as proposed in the preferred option (Option 3) outlined in the report.
 2. That Council approve the allocation of \$385,000 funding for inclusion in the Council's 2015-2016 Budget to fund the range of Capacity Based and Best Practice Operational Improvements identified in the preferred option (Option 3) outlined in the report.
 3. That Council invite and consider tenders for the future operation of the ACF (excluding compliance and regulatory functions) for a three year term after the completion of the interim immediate capital works upgrade as per recommendation 1.
 4. That the tender referred to in recommendation 3 incorporate within the scope of services a range of best practice improvements as presented in the preferred option (Option 3) of the report and including extended operational hours on Sundays (9.00am - 12.00pm) and the implementation of a volunteer program.
 5. That further reports as required be presented to Council, reporting on the tender process referred to in recommendation 2, any further facility improvements required as a result of the finalisation of the draft standards for pounds and animal shelters and the feasibility and concept (if appropriate) for the development of a regional (or shared service) animal shelter facility, should there be sufficient interest from other Councils.
 6. That a Strategic Prevention Program be developed as a high priority which aims to effectively engage the community to minimise future companion animal accommodation demands on the Animal Care Facility.
-

Committee Note: Ms Jackson addressed the Committee.

Committee's Recommendation: (Rowell/Thompson)

1. That Council endorse the allocation of \$300,000 from budget savings in the current financial year, to fund the interim immediate capital works upgrade as proposed in the preferred option (Option 3) outlined in the report.
2. That Council approve the allocation of \$385,000 funding for inclusion in the Council's 2015-2016 Budget to fund the range of Capacity Based and Best Practice Operational Improvements identified in the preferred option (Option 3) outlined in the report.
3. That Council invite and consider tenders for the future operation of the ACF (excluding compliance and regulatory functions) for a three year term after the completion of the interim immediate capital works upgrade as per recommendation 1.
4. That the tender referred to in recommendation 3 incorporate within the scope of services a range of best practice improvements as presented in the preferred option (Option 3) of the report and including extended operational hours on Sundays (9.00am - 12.00pm) and the implementation of a volunteer program.
5. That further reports as required be presented to Council, reporting on the tender process referred to in recommendation 2, any further facility improvements required as a result of the finalisation of the draft standards for pounds and animal shelters and the feasibility and concept (if appropriate) for the development of a regional (or shared service) animal shelter facility, should there be sufficient interest from other Councils.
6. That a Strategic Prevention Program be developed as a high priority which aims to effectively engage the community to minimise future companion animal accommodation demands on the Animal Care Facility.
7. That the Animal Care Facility website be updated daily with the following information as per the Renbury Farm website:
 - Photo
 - Profile
 - Type of dog
 - Sex of the animal
 - Description
 - Location of the retrieval
 - Date the dog was seized
 - Date the dog is due for disposal
 - Safety backup.
8. That Council investigate a suitable animal care training package for all staff with the minimum being a Certificate II in Animal Studies.

CARRIED

Council Meeting 21 April 2015 (Greiss/Lound)

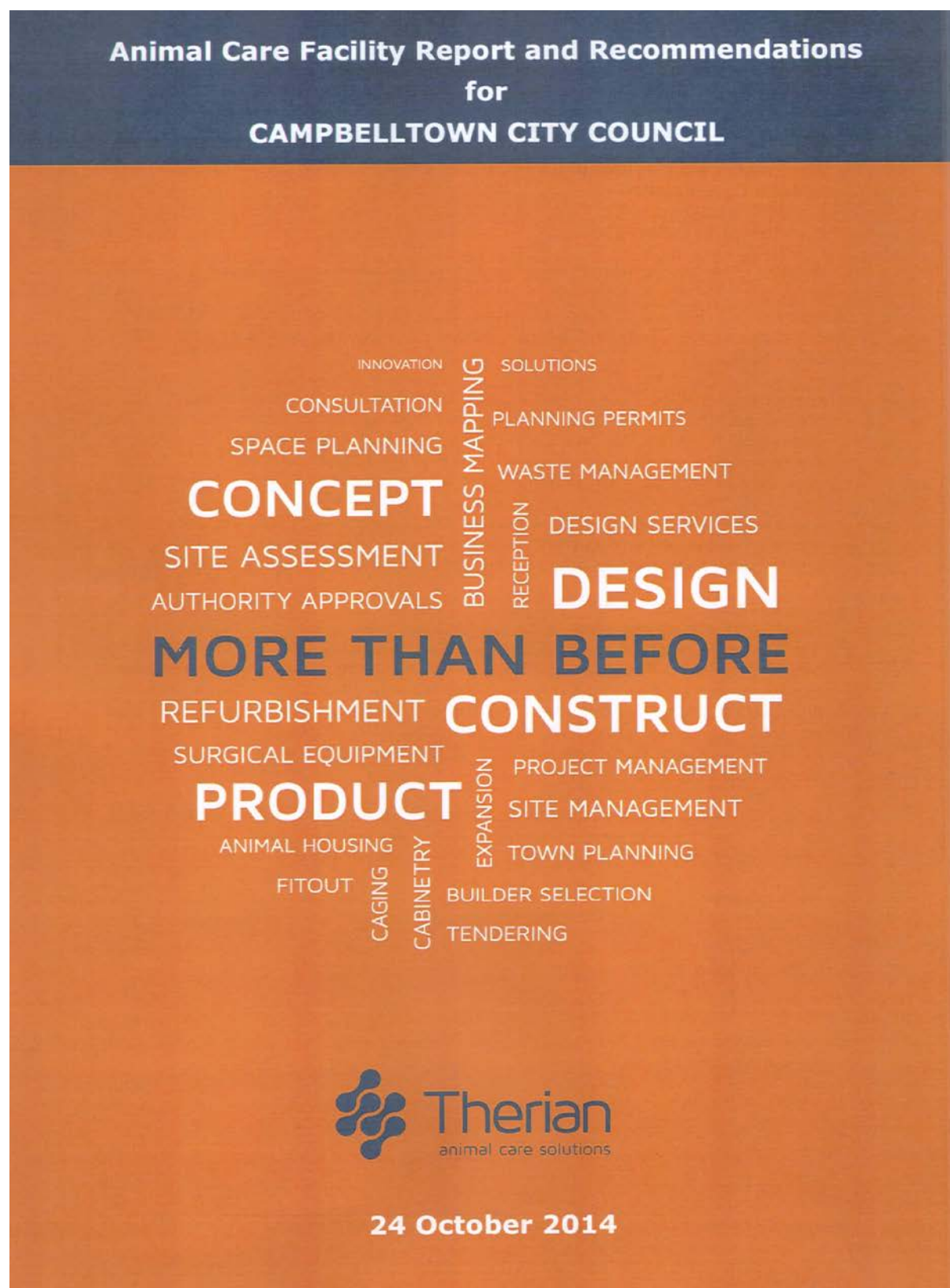
That the Committee's Recommendation be adopted.

Council Resolution Minute Number 50

That the Committee's Recommendation be adopted.

Councillor Mead asked for his name to be recorded in opposition to the resolution for Item 4.2 – Best Practice Upgrade Management and Operation of the Animal Care Facility.

ATTACHMENT 1





**Campbelltown City Council
Animal Care Facility**

Lot 21 Rose Street
Campbelltown NSW 2560

Attention: Mr Paul Curley (email: Paul.Curley@campbelltown.nsw.gov.au)

Subject: Review of current Animal Care Facility and recommendations to bring the facility to best practice and with a view for low kill council animal care facility

Campbelltown City Council has engaged Therian to provide a detailed report on the current Animal Care Facilities and their suitability to comply with the current NSW Animal Welfare Code of Practice No 5 and draft new NSW Animal Welfare Code of Practice currently being developed by the NSW Animal Welfare Advisory Council on behalf of the Department of Primary Industries.

Included in this report is a review of the current facilities, services being offered, statistics from current year and future requirements, including the desire to be a low kill shelter, as provided by Campbelltown City Council.

In addition, we have provided concept site and floor plans of recommendations required to be undertaken of the existing facilities using the existing site plans provided by Campbelltown City Council of the existing pound facilities. These plans show, in broad terms, the refurbishment and expansion works required to the existing facility. Based upon these drawings and the recommendations from the report, Therian will provide overall cost per square metre indicative rates for the refurbishment and expansion activities to assist Campbelltown City Council in determining overall costs of these works.

If you have any questions about our report I would be happy to answer these for you. We look forward to working with Campbelltown City Council as you review our recommendations and look to implement these.

With regards

A handwritten signature in black ink, appearing to read "G Biggs".

Gavin Biggs
Managing Director

4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility



Project Name: CAMPBELLTOWN CITY COUNCIL ANIMAL CARE FACILITY

Site Address: LOT 21 ROSE STREET, CAMPBELLTOWN NSW 2560

Client Name: CAMPBELLTOWN CITY COUNCIL

Report Prepared by:

Gavin Biggs
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 Fax: 07 5657 6788

Record of Revision

Revision	Date	Section	Pages	Details
A	08/10/2014	ALL	ALL	Draft Report for review
B	22/10/2014	ALL	ALL	Preliminary Report
C	24/10/2014	Quarantine	9	Final Report
		Exercise Areas	16	
		Staff Recommendations	18	

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4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility



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CAMPBELLTOWN CITY COUNCIL ANIMAL CARE FACILITY

The aim of this report is to provide an understanding of the current services and facilities provided by the Animal Care Facility at Lot 21 Rose Street, Campbelltown. With these in mind, recommendations have been made to develop a facility that is "best practice", "low kill" and that brings the facility into line with current NSW Codes of Practice.

"BEST PRACTICE" IN DOG AND CAT MANAGEMENT

Campbelltown City Council is committed to achieving "best practice" in the care and management of dogs, cats and other animals entering the Council Animal Care Facility. A new Code of Practice for Pounds and Shelters is currently being developed by the NSW Department of Primary Industries, however for the purpose of this report the recommendations are based on the Victorian Code of Practice for the Operation of Shelters and Pounds. We have based this report on the Victorian code as this code is the most stringent code across Australia and is the code for which the NSW Department of Primary Industries are using as the benchmark when drafting the new NSW code.

"LOW KILL" ANIMAL FACILITY

Council has shown a desire for the current Animal Care Facility to move towards a "low kill shelter".

A low kill shelter means that the facility does all they can to place every "adoptable" animal that comes into the shelter. There is no time limit on an animal's stay, and an adoptable animal will not be euthanized to make room for another. The instances where they may have to euthanize are:

- Animal is too sick or injured (beyond medical treatment)
- Medical treatment cost outweighs the likelihood of adoption
- Unadoptable or suffering due to severe kennel stress
- Behavioural assessment identifies reason for not being adoptable.

The facility cannot be a no kill facility because they are an Open Admissions shelter and therefore they often receive animals for which euthanasia is the most appropriate and humane option. The decision to euthanize is made on the advice of a veterinary practitioner and must be carried out by the veterinarian.



COMPLIANCE WITH NSW CODE OF PRACTICE

- The Shelter Manager is responsible for ensuring that the facility fully complies with all legislation, regulations and the Code of Practice in NSW for the operation of animal pounds and shelters.

New operational protocols must be initiated to allow the Animal Care Facility to move towards operating as a low kill shelter.

- The Shelter operates with low kill protocols to aim to rehome all healthy adoptable animals entering the shelter.
- The Shelter has a written agreement with a local veterinary practitioner/s to attend the shelter on a regular basis to ensure the health and well-being of the animals in care
- The Shelter has written agreements with responsible rescue organisations that assist with re-homing animals from the Shelter
- The Shelter undertakes the highest levels of animal welfare ensuring the care and well-being of all animals in their care is paramount
- The Shelter employs industry trained animal care and management staff
- The Shelter offers ongoing support to new owners on care and management of animals sold e.g. puppy school, dog training etc.
- The Campbelltown Animal Care Facility is known as an "employer of choice" in the animal industry.

STATISTICS

There is limited pound and shelter statistics openly available to make assumptions and comparisons with other councils in the Greater Sydney Basin regarding the number of animals held, length of stay of animals, re-homing rates (to rescue or new owners) and return to owner rates etc. Therefore it is difficult to estimate Campbelltown Animal Facility's performance and compare it with other like council's in the South Western area of Sydney.

The new facility will allow improved disease control, safer handling of animals as they move through the shelter, introduction of enrichment and exercise programs which will lead to more healthy adoptable dogs and cats available to the public. More animals will have the opportunity to be displayed for adoption.

The recommended refurbishment of the facility will allow Campbelltown Council to significantly improve animal welfare standards and raise the benchmark for council animal care facilities. High standards of animal care and management together with excellent working conditions for management and staff will allow Council to be at the forefront of best practice not only for the welfare of animals but by creating a welcoming environment where people feel comfortable when visiting to find their new pets.



FLOW OF ANIMALS ENTERING, RESIDING AND EXITING THE FACILITY

DOGS ENTERING THE FACILITY

- Efficient movement of animals through the facility is essential for animals to be returned quickly to their owners or re-homed as soon as possible
- All dogs entering the facility are recorded and located in Incoming Dogs Holding area for the regulatory period of 7 or 14 days
- All declared dangerous dogs must be housed in the Dangerous Dog area
- All diseased dogs must be housed in the quarantine/isolation area for veterinary inspection and management under veterinary supervision
- All dogs entering the shelter should be vaccinated for parvovirus
- At completion of the regulatory period animals are checked for health and temperament by a veterinarian
- Dogs assessed by the veterinarian as healthy and re-homeable are relocated to the Healthy Hold area of the facility
- Behaviour modification (if required) and enrichment are managed whilst dogs are located in Healthy Hold
- Dogs supplied to responsible rescue organisations may be selected from the Healthy Hold area by their representative and must be accompanied by a staff member
- Dogs are moved from the Healthy Hold area to the Dogs for Adoption area
- Dogs deemed by the veterinarian to be unsuitable for re-homing are to be euthanased by a veterinarian off site. If there is a need to euthanase the animal on site it must be undertaken by the veterinarian in an area that is separated from animal accommodation and must not be carried out in view of any other animals or members of the public.

CATS ENTERING THE FACILITY

- All incoming cats/kittens are to be located in the Strays and Reclaim area of the cat building so as to isolate them prior to a veterinary check
 - All cats are held for the regulatory period
 - At the end of the regulatory period cats that have not been returned to owners are checked for health and temperament by a veterinarian
 - Cats and kittens assessed by the veterinarian as healthy and re-homeable are relocated to the Healthy Hold area
 - Grooming, enrichment and human contact is paramount whilst cats/kittens are in Healthy Hold
 - Cats/kittens supplied to responsible rescue organisations may be selected from the Healthy Hold area when accompanied by a staff member
 - Cats are moved from the Healthy Hold area to the Adoptions area (Adoption room for cats, enclosure in reception area for kittens) on approval of the Shelter Manager
 - The Shelter has protocols in place to ensure the recording of all animals deemed to be euthanased by a veterinary practitioner are
-



completed in full together with correct procedures in the disposal of the animal in line with regulatory requirements for the disposal of animals

- Cats and kittens deemed by the veterinarian to be unsuitable for re-homing are to be euthanased by a veterinarian off site. If there is a need to euthanase the animal on site it must be undertaken by the veterinarian in an area that is separated from animal accommodation and must not be carried out in view of any other animals or members of the public.

OTHER ANIMALS ENTERING THE FACILITY

Livestock and poultry entering the shelter must be housed in the appropriate enclosures allocated in the rear of the facility. Veterinary consultations for these animals will be undertaken in their relevant enclosures.

RECOMMENDATIONS

A flow chart must be developed which tracks the movement of all animals through the facility from entry to re-homing including the process of handling, isolation and care of diseased animals entering the facility.

The flow chart will indicate areas open and closed to public access, staff only etc. All staff are to be trained in the flow process and protocols to be adhered to in each sector of the shelter. Special protocols and training must be developed for the management of dangerous and menacing dogs including housing, handling, feeding and exercise. In consultation with the visiting veterinarian protocols are to be initiated for the care and management of dogs and cats identified with disease.

Animal records must be updated tracking the progress of all animals through the shelter.

QUARANTINE / ISOLATION FOR DISEASED ANIMALS

There are currently no quarantine facilities available at the shelter.

RECOMMENDATIONS

This report recommends a thorough review to instigate protocols for the quarantining of animals:

- 10 kennels in the new building G should be allocated to incoming/quarantine dogs.
 - At least 2 (preferably 4) cat cages needed to hold diseased animals
 - Under the Victorian Code of Practice for Shelters and Pounds all animals must be vaccinated on admission and serve an eight day quarantine period prior to being made available for re-homing. The only exception is if the animal was previously vaccinated and presented with a current vaccination certificate and is free from infectious disease
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- Currently council does not vaccinate dogs with C5 or cats with F3 vaccination until the animals are ready to be adopted. The animal is desexed, microchipped, vaccinated and wormed prior to re-homing
- Council introduce a regime of vaccination of each animal entering the shelter for parvovirus
- The introduction of a flow process of animals through the shelter will allow for the separation of incoming animals', healthy hold animals and animals for sale within the shelter and will assist with disease control management. The recommended construction of isolation/quarantine facilities for animals entering the shelter is paramount for diseased animals or animals developing disease whilst in the shelter
- A written protocol must be developed and instigated in consultation with the veterinarian to give guidance on disease management and vaccinations. This should include the need for every animal to be C5 vaccinated for dogs and F3 vaccinated for cats on admission
- Protocols must be developed in consultation with the veterinarian to cover information and training of staff in zoonoses as discussed under staff health.

In line with the Victorian Code of Practice for Operation of Pounds and Shelters it is a requirement that all establishments must provide an area for isolation for animals suspected of having an infectious disease or must have a written agreement with a veterinary practitioner to provide isolation facilities off site.

This report recommends that the allocated quarantine kennels be utilised for use by diseased animals.

DANGEROUS DOGS

There is currently no area allocated in the shelter for the care and management of dogs declared dangerous.

RECOMMENDATIONS

This report recommends the following protocols be instigated:

- 10 kennels in new building G should be allocated to dangerous dogs and isolation
- Only the most highly trained staff are to attend to these animals
- Strict staff protocols to be instigated to ensure safety of staff
- Must be located in an area restricted from public access
- Staff to be trained in additional handling techniques if required

ANIMAL HOUSING

DOGS

There are a total of 58 kennels, as per the below table. The average height for the kennels is 2200mm.

4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility



Block	No of Pens	Length (mm)	Width (mm)	Square Metres	Notes
AA	9	2700	1500	4.05	Except for AA10 which is only 130mm wide
A	7	2900	1500	4.35	
B	7	2900	1500	4.35	
C	10	2900	1500	4.35	
D	10	3000	1500	4.50	
E	9	3000	1500	4.50	Except for E1 (security kennel) which is 2800mm x 1400mm, and E9 (double-sized kennel) which is 3000mm x 2600mm
F	6	2900	1500	4.35	
					Except for F1 & F2 (security kennels) which are 2700mm x 1400mm

Based upon the above pen sizes, all current pens comply with the Victorian Code of Practice for one large dog per pen (3.5m²)

RECOMMENDATIONS

120 dog kennels are recommended utilising the Mason Sani-Kennel System. Modifications to the existing kennel buildings and construction of additional kennel building is required to accommodate the increased number of dogs held.

- Kennel design and construction complies with the Victorian Code of Practice for Operation of Pounds and Shelters including requirements for Dangerous Dogs and disease isolation/quarantine areas
- Renovation and construction to include the introduction of North facing windows in outside walls to increase light and warmth in winter
- Use of an overhang to reduce overheating in summer of these north facing windows
- Ventilation by way of louvre windows at the north and south side of each dog run. Supplementary exhaust fan ventilation is to be mounted above the dog pens on the south side of each dog building
- Drainage to comply with the Victorian code if installed outside the kennels
- Existing drains will need to be reconfigured as box drains with grate covers
- Lighting should be as close as possible in duration and intensity to natural conditions. Sunlight is the preferred means of lighting with shaded areas provided. Artificial lighting should be provided where needed to allow areas to be thoroughly cleaned and animals checked
- One dog per dog pen
- Only dogs that have lived together in the past are to be co-housed or where evidence is available to justify the action. These animals are to be inspected regularly in case of disputes.
- Building H, B and C hold healthy hold dogs
- Building I holds healthy hold/for adoption

4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility



- Building E and D Dogs for adoption

On inspection of the facility the existing dog runs are well constructed brick buildings which can be modified to suit new dog kennels within. There are considerable benefits that can be achieved from refurbishment of the existing buildings such as:

- New kennel fit-out in each existing building as these already comply with the code of practice for kennel runs, including sealing to the floor and upgrading of partition walls to stop cross contamination, no gaps to cause visual stimulation
- The benefit of refurbishing in stages allowing the shelter to continue operation and not shut down
- Enhancements to the existing infrastructure would include windows, ventilation, new epoxy floor surfaces, visual barriers, prefabricated Mason kennel division panels and other items as detailed in the drawings attached to this report which will be tailored to the existing buildings
- Construction of new dog kennel runs and a cat holding building
- Construction of new exercise runs and meet and greet yards
- Improved veterinary facilities
- A planned facility flow system for animals moving through the shelter
- The savings gained by retaining the existing buildings can be redirected to staff resources and training and animal enrichment, exercise yards and stock yards
- Given the gradient of the land of the existing site, if a decision were made to knock down and rebuilt the facilities, considerable excavation costs would be incurred whilst the end result would be a similar layout to the current building layout

This report recommends refurbishment of the existing compliant buildings, better utilisation of existing space and the introduction of new buildings as a preferred alternative to achieve Council's objectives.

CATS

No of Pens	Length (mm)	Width (mm)	Square Metres	Height (mm)
15	1200	750	0.90	850

RECOMMENDATIONS

72 condominium style cat enclosures are recommended to manage the increased number of cats/kittens held. Existing cat accommodation does not comply with the Victorian Code of Practice and therefore it is recommended that a new building to house cats be constructed in the area above the existing car park.

- Cats must not to be group housed with the exception of a queen and kittens or a litter of kittens
- Condominium style enclosures recommended



- Specific areas allocated for Incoming Hold, isolation/quarantine and Healthy Hold
- This report recommends that a space in the reception area be allocated for a kitten enclosure plus a smaller enclosure to display one or two adult cats for sale
- Housing must be individually ventilated to avoid cross contamination of disease
- Each enclosure to have an area for the cat to escape/hide. Litter areas should be kept well separate of feed and sleep areas
- Use of dual purpose feed bowls should be discouraged
- Water bowls should be wide and shallow (saucer shape)

In addition it is recommended 4 additional condominium style cat enclosures be located in the existing Administration Building reception area for adoption of kittens.

OTHER ANIMALS

Limited areas are currently available for the housing of additional animals at the shelter. These may include horses, cattle, goats, sheep, pigs and poultry.

RECOMMENDATIONS

Two large animal paddocks are to be provided with each paddock split in the middle to allow for the separation of animals if required. Each large animal paddock is to have a roofed stable area for protection against the elements.

One poultry yard is to be provided and is to include a roofed area for protection against the elements plus a small wading pool.

FENCING

Currently there is fencing throughout the site which is compliant with the current Code of Practice. There are some deficiencies in terms of management of the public throughout the site as currently the public can wander around all buildings once inside the front gate. This is not good for risk management or disease management.

RECOMMENDATIONS

The Animal Care Facility must have a fence erected around all animal holding areas and exercise areas to prevent the escape of any animals. The fence should be chainlink wire fencing no less than 1.8 metres in height and constructed in accordance with the Victorian Code of Practice clause 3.2.1.

NUTRITION

There is currently no dedicated feed up area for the facility.



RECOMMENDATIONS

This report recommends the allocation of space in the old administration building to accommodate a feed up kitchen, good storage area, washing up facilities with hot and cold water and constructed to enable easy cleaning and disinfection. The feed up area is to be located as close to the animals kennels as possible.

- Food to be distributed on trolleys to ensure all WHS conditions apply for staff safety and well being
- Food must be provided in sufficient quantity and nutritional quality to meet the daily requirements for the condition and size of the animal.
- Dogs and cats must be fed once per day
- Animals between four and six months of age must be fed a minimum of twice a day
- Animals up to four months of age must receive a minimum of three feeds a day
- A nutritional regime including individual quantities of food is to be established in consultation with the visiting veterinarian
- Food must be stored in sealed containers which must be vermin proof
- All animals in the shelter must have access in their housing at all times to a sufficient supply of fresh clean water.
- Food and water containers must be non-spillable and be designed to be easily cleaned and disinfected. Containers must not cause injury to the animals
- For dogs and weaned puppies one food and water container must be provided for each animal.
- For cats there must be one feeding bowl per adult and one feeding bowl per three kittens

This report recommends the construction of 2 stables in the paddock to accommodate a horse, cattle, goat, sheep, pigs etc. fenced to ensure that no animals can escape to other areas of the shelter. This incorporates an undercover area for rest, shade, food. Fresh water must be available at all times in the enclosure. The enclosure should be located at the rear of the shelter surrounded by appropriate fencing and accessible by float/trailer/truck transporting animals to the area.

A fenced enclosure should be erected to accommodate poultry and must include a covered dry area for sleeping, resting, food and water containers.

GROOMING

There is currently no animal grooming undertaken at the shelter.

RECOMMENDATIONS

It is recommended that an area be allocated as a grooming room within the within the old administration building with a trained groomer on staff to supervise the animals.



- The grooming area should be large enough to hold two grooming tables, storage, hot and cold water, grooming and drying equipment.
- At least two cages to contain dogs and four cages to contain cats appropriately separated
- A hydrobath for dogs to be bathed prior to sale and for long term residents
- Cats should be groomed on a regular basis to reduce matting of coat

HYGIENE

Protocols must be initiated to ensure the shelter must be clean and hygienic at all times

- All kennels cages and modules must be cleaned out at least once per day or more often if required
- Animal housing must not be allowed to remain wet if the animal is returned to the area
- Hoses and taps used for wash down must be positioned to reach all kennels with hoses being of a weight and length so as not to cause injury to staff whilst in use
- All faeces, used bedding, used cat litter and uneaten food must be removed prior to cleaning
- All watering and feeding utensils must be cleaned daily using chemicals in accordance with the manufacturer's instructions
- Cats must be provided with clean litter daily
- Used litter and uneaten food must be placed in a waste disposal device
- Waste disposal must be in accordance with the requirements of the appropriate statutory authority
- Use of a trade waste service for collection and disposal of waste is preferable
- Waste must not be incinerated unless the incinerator is registered with the appropriate authority
- Disinfection of kennels, cages and modules must be done whenever the animal housing area is vacated or every eighth day with a hospital grade disinfectant. Phenol must NOT be used
- Material Safety Data Sheets for all chemicals used in the establishment must be current and kept on site in an accessible format
- All animals housed at the facility must be inspected by staff, at least once each day. Puppies and kittens must be inspected at least twice a day

EXERCISE AREAS

The Shelter currently has no secure exercise areas for dogs or cats in the facility.



RECOMMENDATIONS

DOGS

At least 10 (preferably 15) exercise lawn areas be constructed. The surface area should be grass or preferably artificial grass and one third of the area is to be covered by utilising a shade sail. A permanent supply of clean drinking water is to be available in each exercise area.

- Exercise areas must be securely fenced (min 1.8 metres in height) and designed to prevent the escape by any animal
- The use of plants in a hedge or other suitable solid barrier should be applied to the outside of the fence up to 1 metre from ground level to avoid eye contact of dogs between exercise areas
- Where more than one animal is in the area a staff member must supervise the animals to ensure the animals are not in danger of attack or other injury
- Exercise areas are to be used for temperament testing and enrichment training
- On leash dog walking tracks should be provided on the perimeters of the shelter grounds to allow leash and harness training of dogs
- Faeces disposal bag stations must be installed in exercise areas and on walking tracks throughout the shelter

CATS

It is recommended that at least one area within the cat building be made available for enrichment and socialisation. This area should allow natural light and sunlight and be constructed with a variety of high and low level areas where the cats/kittens can easily access. This should be in the form of ramps/stairs to allow the cats to rest high above the ground level. The enclosure should be large enough to house more than one cat at one time where they are deemed to socialise. Enrichment toys should be included on the ground.

- Exercise areas must be securely enclosed and designed to prevent escape by any animal
 - A permanent supply of clean fresh drinking water is to be in the area at all times and dry food as deemed necessary
 - More than one litter tray is required to accommodate more than one animal and must be cleaned as soon as soiled or on completion of the exercise time.
 - Animals should not be left in the exercise areas for extended periods and should be returned to their enclosures on completion of exercise.
 - Exercise areas must be cleaned daily
-



TEMPERAMENT ASSESSMENT AND BEHAVIOUR MODIFICATION FOR DOGS AND CATS

We did not witness any temperament assessment being carried out on dogs or cats, and if this is being carried out, it is more ad-hoc rather than routine on all animals.

RECOMMENDATIONS

In line with Council's desire to become a low kill shelter it is recommended that a behaviour assessment, temperament testing and behaviour modification process instigated. A staff member must be trained in behaviour assessment and temperament testing

- All dogs and cats entering the shelter are placed in the Incoming Dog and Cat areas where they are initially assessed by the Manager or Supervisor and the Behaviour Assessment staff member of the shelter for any obvious behaviour or temperament issues
- Stray dogs and cats serving the regulatory 7 or 14 day stay should be monitored during the regulatory period to ensure their well-being and the safety of both animal and staff
- Dogs and cats having not been returned to their owners at the end of the regulatory period must be checked for health and temperament by a veterinary practitioner to allow them to be re-homed
- Animals will be euthanased on advice from the veterinary practitioner when deemed the animal to be suffering from illness or having severe behaviour issues and no quality of life. Euthanasia must be carried out by a veterinary practitioner
- Dogs and cats being assessed for re-homing will be moved to the Healthy Hold area where they will have their behaviour monitored, be exercised, socialised and given any other behaviour modification training that is required for them to be re-homed
- Dogs and cats held for longer periods of time must be health checked by a veterinary practitioner once a month to ensure their well-being whilst in the care of the shelter. A protocol for diet, exercise, socialisation and enrichment is to be in place for these animals
- New owners purchasing an animal that has been undertaking behaviour modification training will be briefed and given information to allow the new owner to continue with any continuing training required. A contact at the shelter should be given for the new owner to contact for further assistance

VETERINARY CONSULTING ROOM(S)

There is currently no dedicated space allocated in the shelter for use by the visiting veterinary practitioner.



RECOMMENDATIONS

A recommendation of this report is to allocate an area within the old administration building to be and fitted with an examination table, overhead lighting, hot and cold water, autoclave and sufficient veterinary supplies as required by the veterinarian.

This consultation room may be required for any on site euthanasia's deemed by the veterinarian.

STAFF

Staffing at the shelter is currently:

- 3 Animal attendants (1 allocated to grounds maintenance)
- 2 Animal management officers (on the road)
- 1 investigator (when required for complaints)
- 2 Administration staff
- 1 Acting Animal Control Co-ordinator

Total Full Time Staff: 9

The current holding capacity at the facility is for 60 dogs and 14 cats.

RECOMMENDATIONS

In line with Council's desire to move towards a low kill shelter, the requirement of refurbishment will necessitate the increase of capacity to 120 dogs and 72 Cats. Based on the current intake numbers for both dogs (1,878) and cats (1065) an increase of 100% in dog capacity and an increase of 500% in cat capacity is considered sufficient to manage animals housed given that the time an animal stays in the shelter may be extended.

Staff ratios vary greatly across the industry with many shelters struggling at 50 animals to 1 attendant. The following staffing levels are recommended whilst considering that staff numbers may be restricted by availability of resources:

- A Staff ratio for a capacity of 120 dogs and 72 cats (equiv. 25 animals to 1 staff)
- Engage 8 full time staff – trained with Certificate IV in Animal Studies
- Includes 1 staff member trained in behaviour assessment & temperament testing
- Includes 1 staff member trained in dog and cat grooming
- Engage 1 full time grounds maintenance person
- Recruit a 'pool' of not less than 6 casual staff (maximum 8)
- Administration staff x 2 (further assistance could be drawn from casual pool in peak times, data entry etc)
- Animal management officers x 2
- Investigator – minimum of 1
- Animal Control Co-ordinator x1



Total Staff Required for Low Kill Operation = 15 full time, 6-8 casual

Rationale: All seven staff will be fully trained and competent in animal handling. Two would be nominated to undertake additional training in behaviour assessment and grooming with cross training available to other interested animal staff. The pool of casual staff would be recruited and trained internally to back up full-time staff allowing 'top up' the staff levels when running at full capacity and 'fill-in' for staff on sick or annual leave.

STAFF HEALTH

Potential health risks for humans exist when working and some animals harbour disease causing organisms which can be transmitted to humans (zoonoses). To protect the staff health a list of common diseases associated with animals must be prominently displayed throughout the facility and staff must be educated in prevention of zoonoses.

Staff health must be protected by being provided with or have access to:

- Personal protective clothing
- Hot and cold hand washing facilities with disinfectant soap at the facility
- Adequate information and training on health, hygiene and safety at induction
- Tetanus immunisation

Members of the public must be provided with access to hot and cold water hand washing facilities with disinfectant soap and public toilet.

All staff are to be trained in the WHS requirements for the facility in line with current harmonisation legislation to ensure a safe healthy working environment.

OCCUPATIONAL HEALTH AND SAFETY

Current practices in the shelter in public access areas must be addressed. In particular where the public can view the dogs and cats, allowing them to put fingers through wire etc. whilst attempting to socialise with the animals in their enclosures.

RECOMMENDATIONS

A written protocol for OH & S needs to include:

- The careful management and regular observation of all public spaces in the shelter ensuring clean hygienic conditions with no unmarked trip hazards
 - Signage should address the conditions of public entry and management of children whilst in the shelter
-



- Safety of public whilst in the shelter is paramount
- Safety of public when viewing all animals in the shelter
- Construction of kennels to allow vision of animals without physical contact
- Sufficient clear signage throughout the shelter incorporating restricted areas and public areas
- Warnings on kennel doors if required regarding the temperament of an animal
- Meet and greet areas for animals and new owners must be supervised by staff and have appropriate signage

SECURITY AND FIRE EQUIPMENT

A security system with back to base capability is in place in the shelter and cameras are sufficient in the administration area however the ones in the shelter are insufficient, of poor quality and do not cover the entire animal holding area.

Fire extinguishers are located in the administration building and there are no fire extinguishers present in any other areas of the shelter. Hoses are available in all kennel buildings however these are only 1" diameter used for wash down and not for the purpose of fire -fighting. With the considerable presence of bush around the perimeters of the property this lack of equipment poses a major problem in an emergency situation.

RECOMMENDATIONS

The preparation of an Emergency Management Plan is of paramount importance. The plan must be developed and instigated by council in consultation with fire prevention experts and assistance from the Rural Fire Service. This will include the correct selection of fire extinguishers and the installation of fire hoses and reels with range to cover all buildings on the shelter site and are easily accessible for fire services in an emergency.

The evacuation plan must include plans for the evacuation any public on site and the evacuation or lock down of animals and staff. Fire wardens are to be appointed and regular fire and evacuation trials are to be undertaken. Copies of the evacuation plan and emergency meeting points are to be visually displayed throughout the facility and staff are to be fully trained and drilled in use of fire equipment.

A protocol should be introduced to allow visitors and prospective new owners visiting the shelter to sign in at reception prior to viewing animals and sign out once leaving the shelter. This action must be a requirement of the evacuation plan.

MEET AND GREET AREAS



There is currently no space allocated at the shelter to allow new and prospective owners a socialise with a dog or cat/kitten they may wish to purchase

RECOMMENDATIONS

DOGS

This report recommends the construction of 3 Meet and Greet lawns behind the Dog Adoption building of the Shelter to allow a quiet space for dogs and new owners to get to know one another.

- Meet and greet areas must be securely fenced (min 1.8 metres high) and designed to prevent the escape by any animal. A double gate system at entry is preferred
- A portion of the lawn must be shaded by a sail and a permanent supply of fresh clean water is to be available
- The use of plants in a hedge or other suitable solid barrier should applied to the outside of the fence up to 1 metre from ground level to avoid eye contact of dogs between lawns
- Staff are to supervise transport of dogs to and from meet and greet areas allowing new owners sufficient time to socialise with the dog

CATS

It is recommended that cat condominiums within the reception area are provided to allow the display of kittens for sale. This report recommends that an additional enclosed area or room is dedicated to house at least one adult cat for sale with enough room for an adult to sit and socialise with the cat, which is to be constructed in the new cat building.

The ability to display kittens and one or two cats in the reception area of the facility will increase the re-homing rate.



AREA TO PHOTOGRAPH ANIMALS FOR SALE

There is currently no allocated area available for staff to take photos of animals for sale.

RECOMMENDATIONS

It is recommended that the Meet and Greet Lawns be utilised for outdoor photographs. Photographs of cats can be taken when displayed in the reception area or for adoption area of the cat building.

POINT OF SALE

RECOMMENDATIONS

It is recommended that a small display of leashes, collars, food and bedding be installed in the reception area for new owners. This may include worming, flea and tick prevention products.

SALE OF ANIMALS

RECOMMENDATIONS

It is recommended that the shelter prepare a "points to consider" information sheet for new pet owners explaining the commitment required to own a dog or cat. The purpose of this document is to make sure people are aware of the responsibility they are undertaking with the purchase of a pet.

All animals sold from the shelter must:

- Be desexed, microchipped, vaccinated and wormed prior to sale
 - All documentation relating to desexing, microchipping, vaccination certificates etc. must accompany the dog or cat on sale
 - Information sheets on the care and management of the animal sold should accompany the animal and include:
 - Diet and feeding program
 - Breed specific information if required
 - Information on responsible pet ownership
 - Where to seek veterinary advice
 - Information on puppy school and dog training
 - Specific information for animals who have recently undertaken behaviour modification
 - Advice on collars, leashes, harnesses
 - It is recommended that all dogs are bathed and cats groomed prior to leaving the shelter for their new homes
 - Flea and tick prevention should also be applied
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DOG TRAINING / PUPPY SCHOOL

RECOMMENDATIONS

A staff member with behaviour and temperament testing experience can undertake dog training

- Puppy pre-school and basic dog training facilities would enhance the image of the shelter and offer new owners basic training
- Offers an additional income stream

It is recommended that Puppy Pre-School and basic dog training be offered to new owners as an additional service and revenue stream.

An allocated outdoor contained area of the paddock would be allocated for dog training and puppy pre-school. It is also recommended that a room(s) to accommodate indoor puppy training is provided. This room could also be used for behaviour assessment.

REFERENCE DOCUMENTS

The following documentation was referenced in this report:

- Campbelltown City Council Planning and Environmental Committee Meeting 12 August 2014 – Compliance Services Quarterly Statistics April to June 2014 plus 2013/2014 yearly statistics - Dogs and Cats
 - Victorian Department of Primary Industry Code of Practice – Management of Dogs and Cats in Shelters and Pounds Revision 1 (attached to this report)
 - New South Wales Department of Primary Industry Animal Welfare Code of Practice No 5 - Dogs and Cats in Animal Boarding Establishments (attached to this report)
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Business Mapping

We will map your business movements to evaluate your needs, assess future growth potential and best staff flow movements.

Authority Approvals

We will develop floor plans, site plan and elevations including specialist engineering documentation for submission to obtain Planning Approval by the local authorities. We then manage the approval process with council through to a successful planning permit.

Detailed Design

After receiving planning approval, we develop architectural drawings, detailed material and installation specifications for all architectural systems. We retain, co-ordinate and direct engineers for the design of air conditioning, plumbing, electrical power & lighting and structural engineering systems.

Construction Phase

Next we request builders to tender the construction of your project. We work with you to choose the successful builder. From here, our expert team is on site to make sure that your needs are being looked after and your project is completed on time and on budget with any issues that arise being resolved in a prompt and diligent manner.

“ *Gavin Biggs and the Therian team have created, designed and delivered an outstanding, unique, state-of-the-art veterinary facility.* **”**



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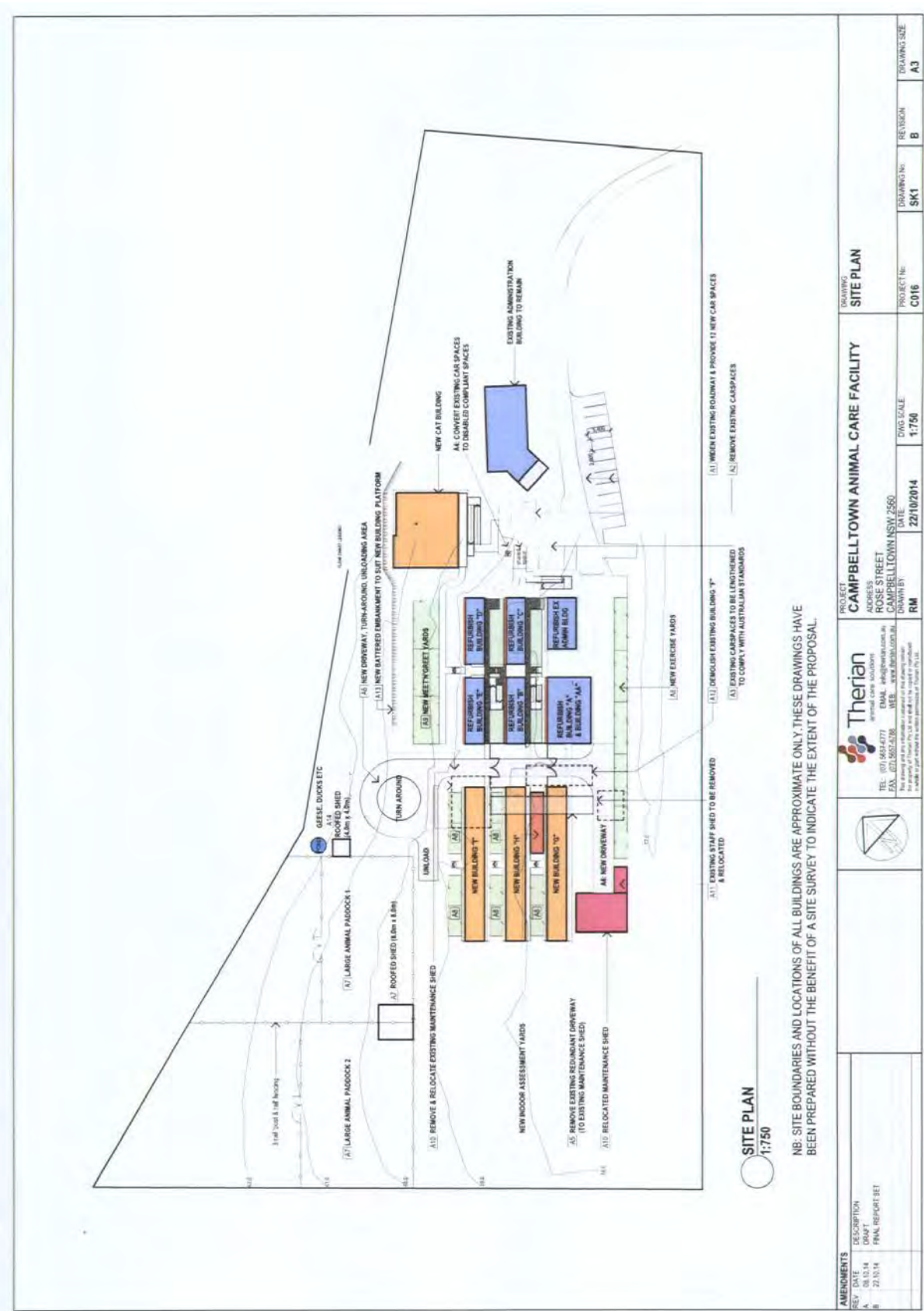
Fax: +61 7 5657 6788

info@therian.com.au

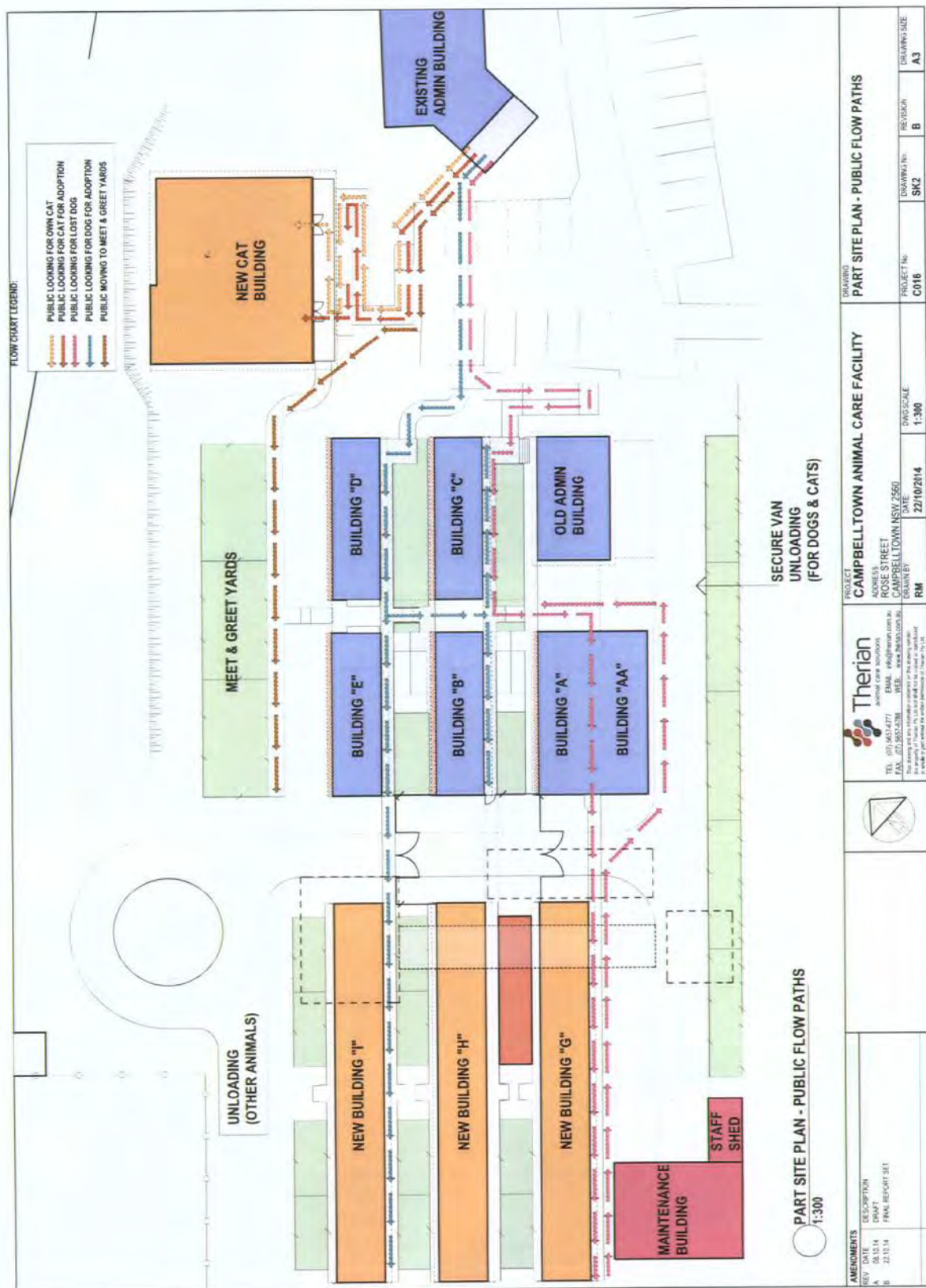
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10/75 Waterway Drive, Coomera, QLD 4209, Australia

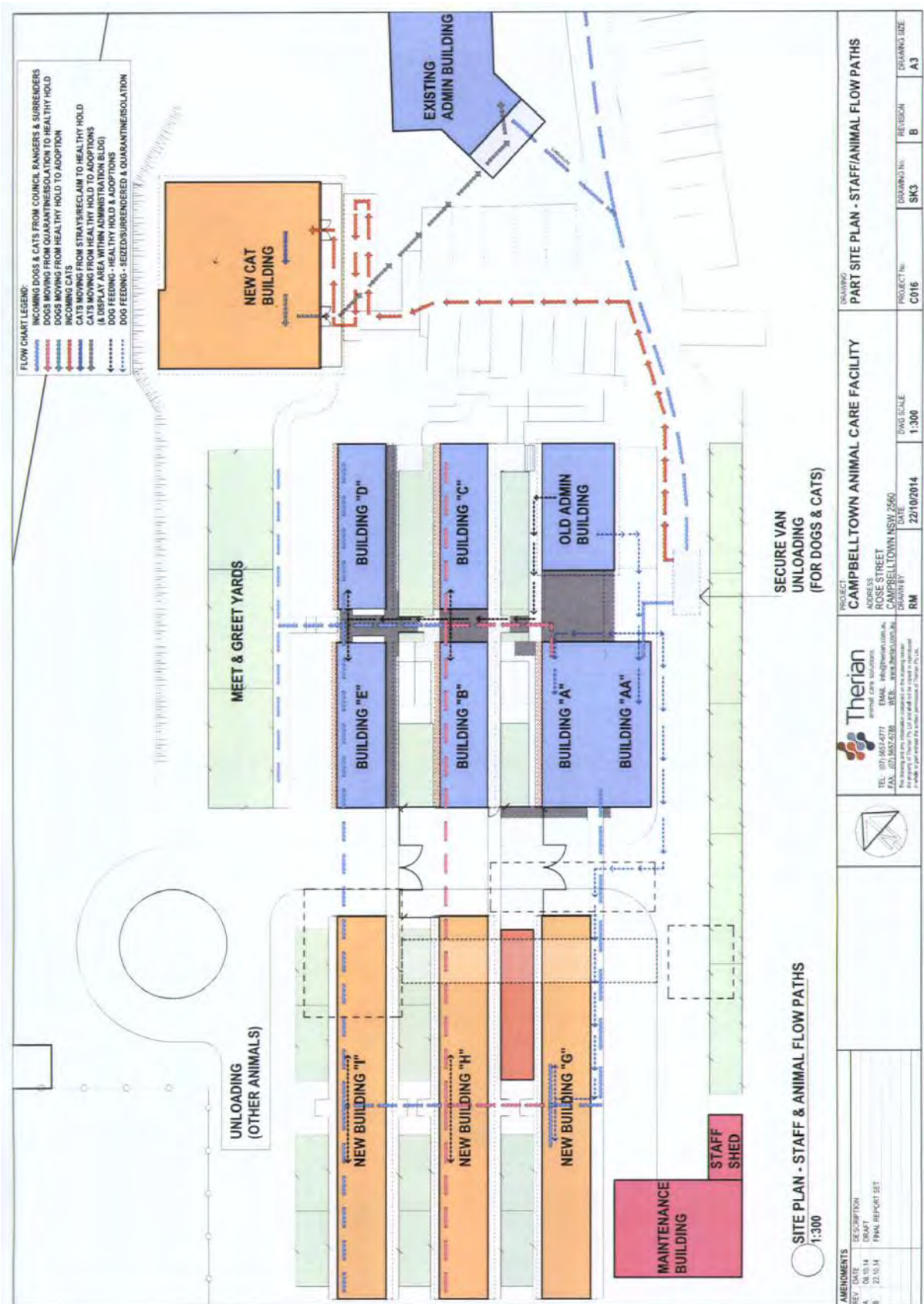
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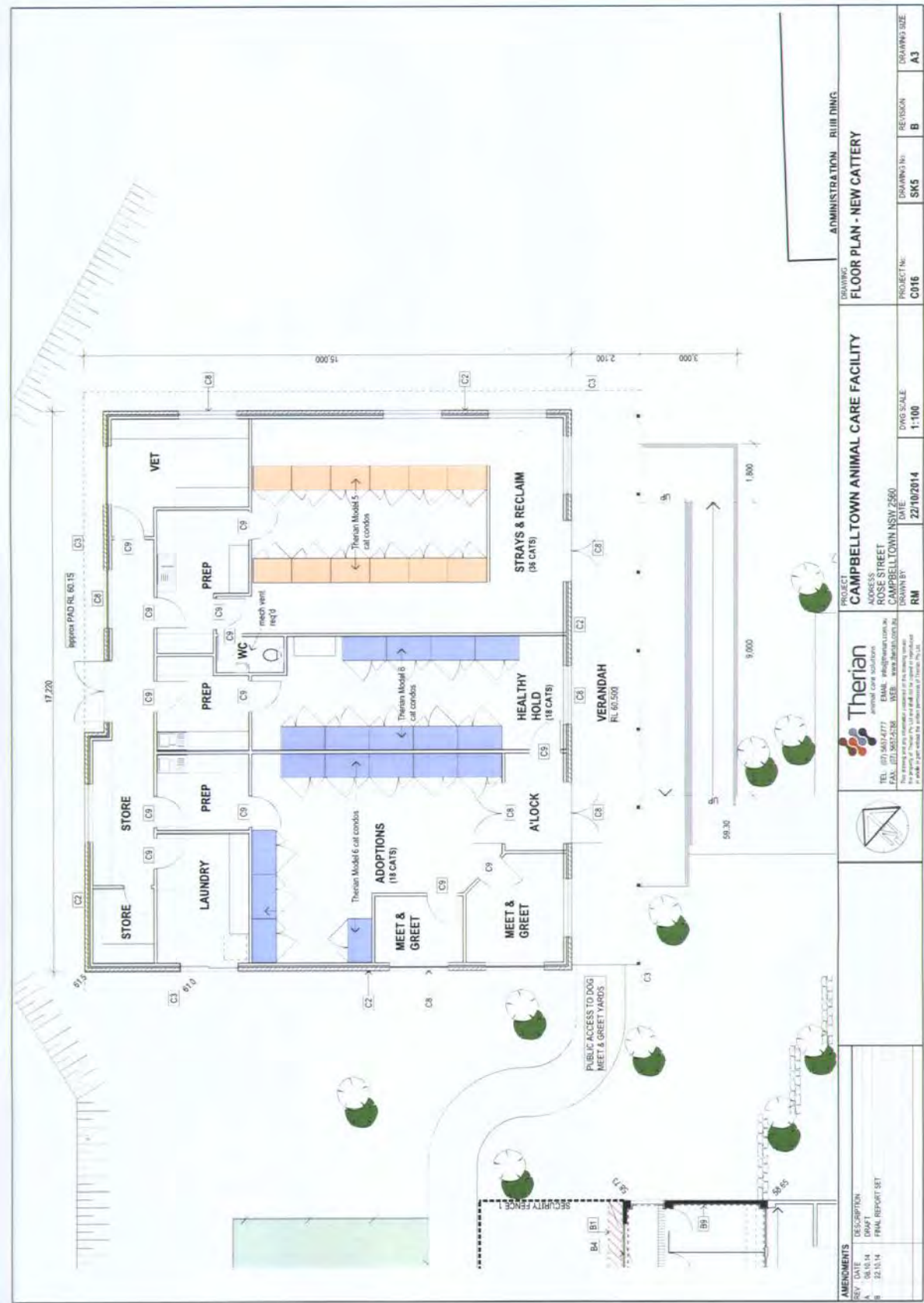
4.2 Best Practice Upgrade Management And Operation Of The Animal Care Facility

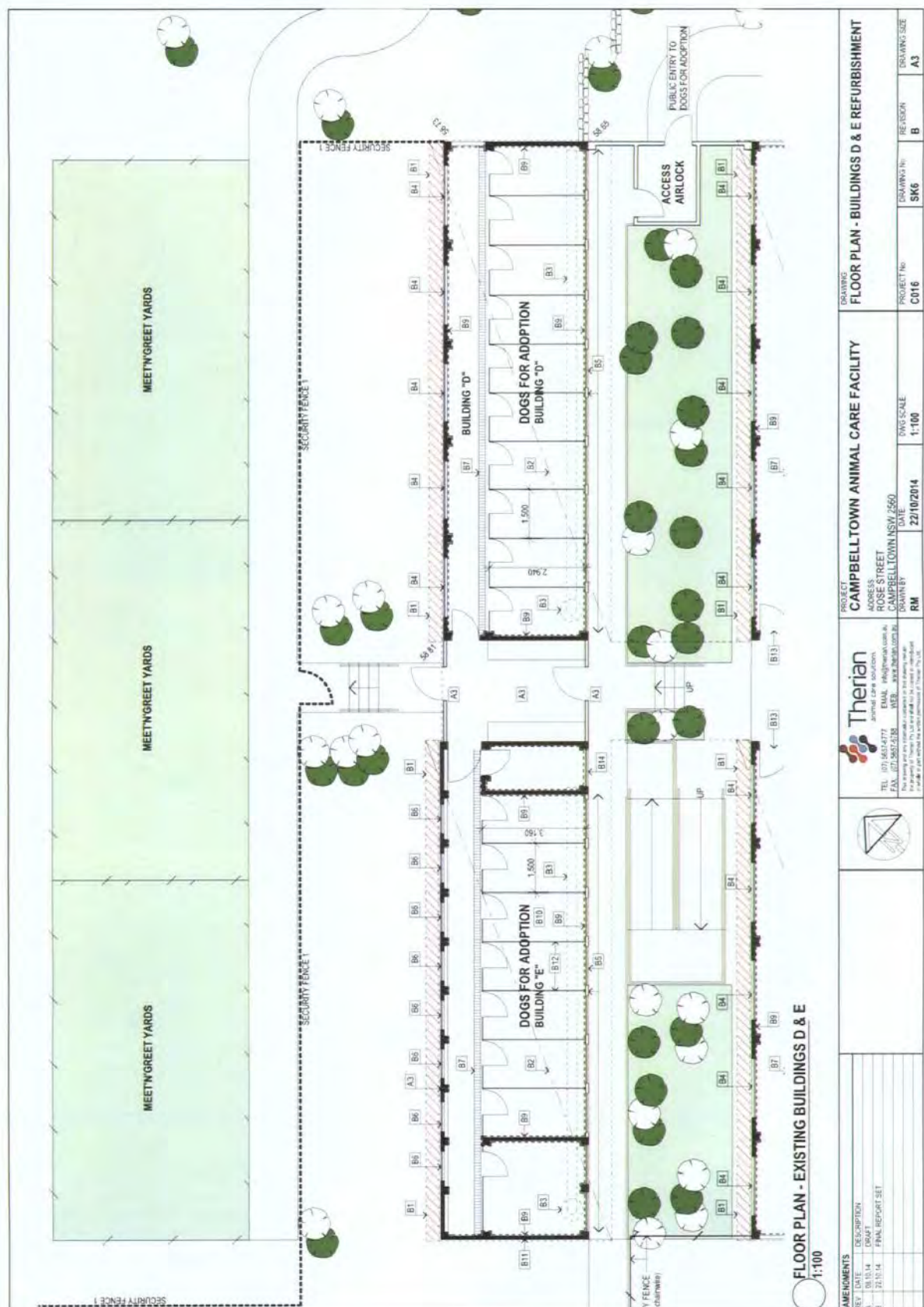


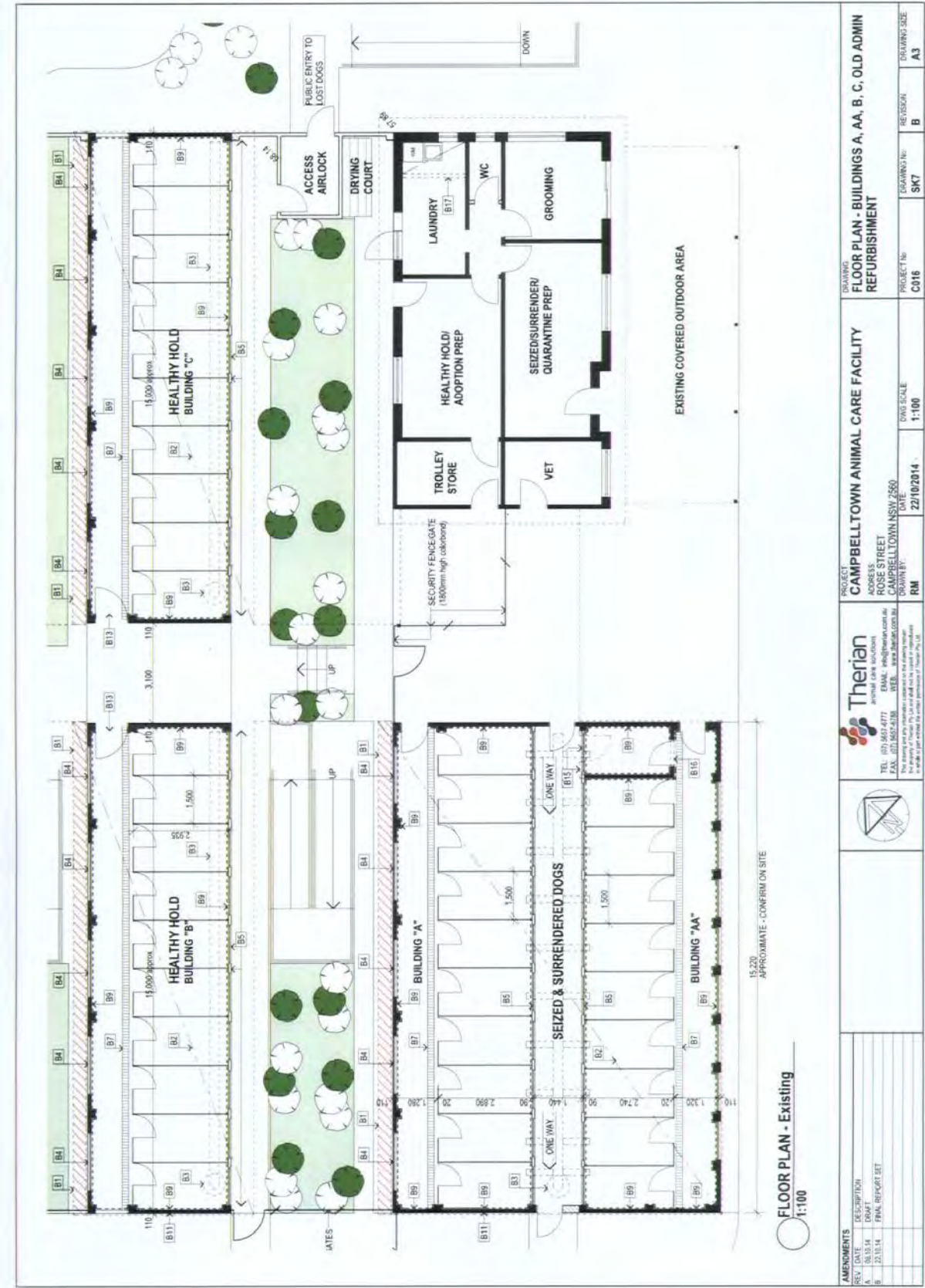
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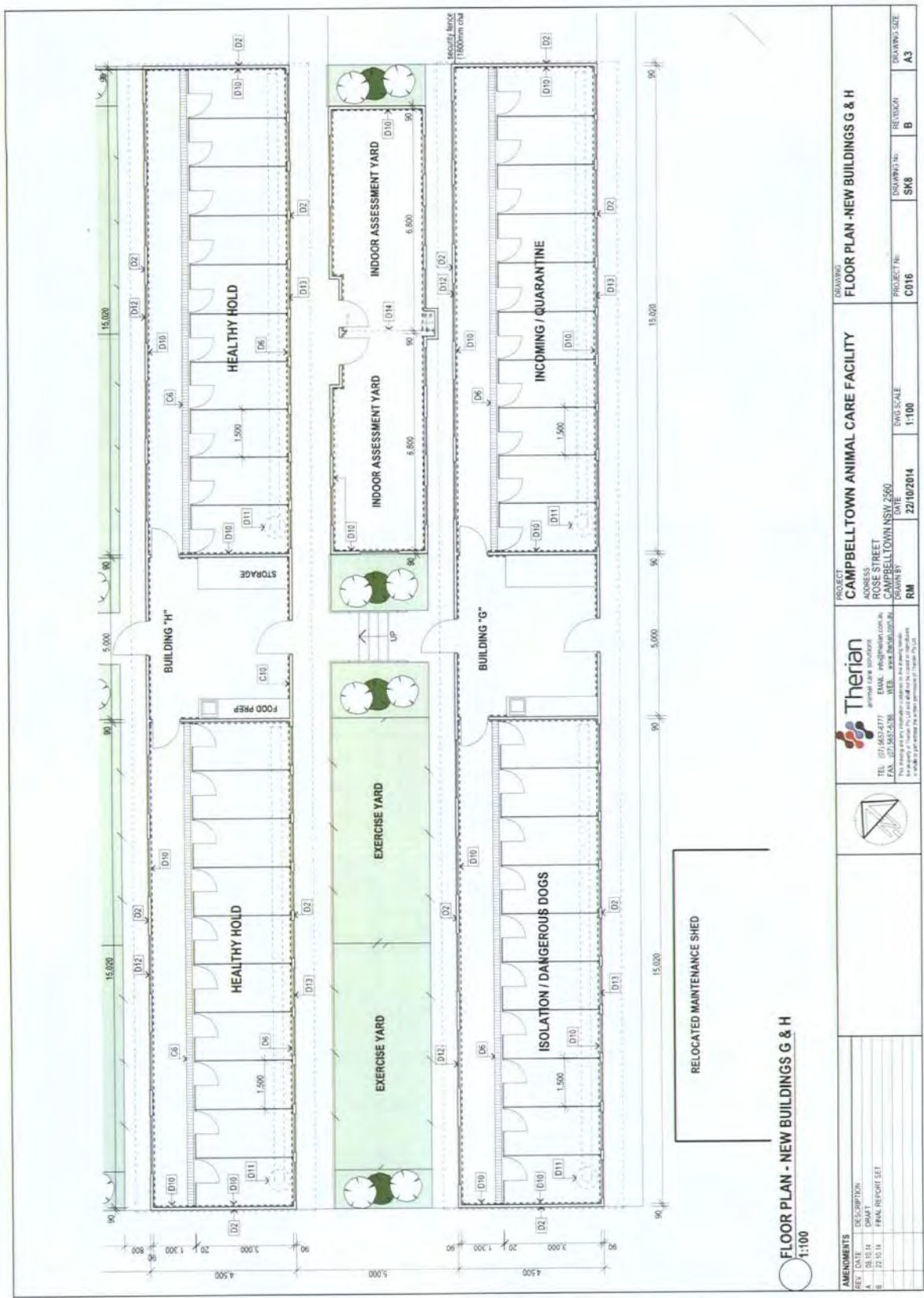


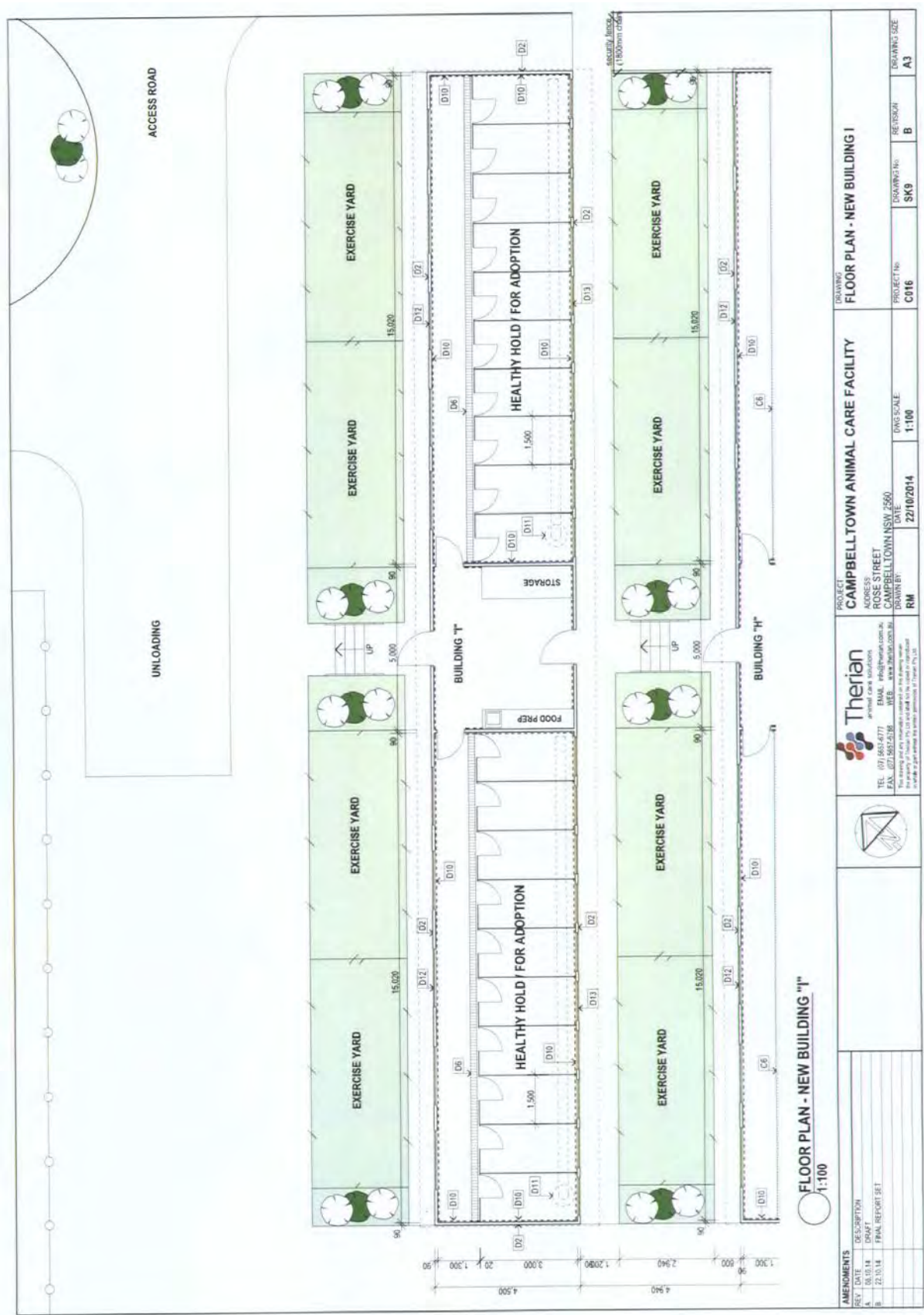
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ATTACHMENT 2

Aerial Photograph - Existing ACF Site



5. GENERAL BUSINESS

5.1 Nature Photography Competition

Committee's Recommendation: (Greiss/Rowell)

That a report be presented to Council that addresses the potential for the inclusion of a new urban photography category into Council's Macarthur Nature Photography Competition from 2015 onwards and also consider renaming the competition to allow for the addition of this new category.

CARRIED

Council Meeting 21 April 2015 (Greiss/Lound)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 50

That the Committee's Recommendation be adopted.

5.2 Local Members of State Parliament

Committee's Recommendation: (Greiss/Kolkman)

1. That Council write to the newly elected State Members, Councillor Anoulack Chanthivong, Member for Macquarie Fields and Mr Greg Warren, Member for Campbelltown, congratulating them on their appointments and advising them that Council is looking forward to working with them during their term of Parliament.
2. That Council write to State Members, Mr Jai Rowell Member for Wollondilly, and Mr Chris Patterson, Member for Camden congratulating them on their re-election.
3. That Council write to the previous State Members, Mr Andrew MacDonald and Mr Bryan Doyle thanking them for their support during their respective terms in Parliament.

CARRIED

Council Meeting 21 April 2015

This item was moved forward and dealt with in conjunction with the Mayoral Minute - Item 4.1 - State Election Results.

Confidentiality Motion: (Kolkman/Thompson)

That the Committee in accordance with Section 10A of the *Local Government Act 1993*, move to exclude the public from the meeting during discussions on the items in the Confidential Agenda, due to the confidential nature of the business and the Committee's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

CARRIED

20. CONFIDENTIAL ITEMS

20.1 Confidential Report Directors of Companies

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business

Motion: (Kolkman/Thompson)

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

CARRIED

There being no further business the meeting closed at 10.04pm.

G Greiss
CHAIRPERSON
