

Reports of the Planning and Environment Committee Meeting held at 7.30pm on Tuesday, 10 May 2016.

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 10 May 2016

Present

Councillor G Greiss (Chairperson)
Councillor R Kolkman
Councillor D Lound
Councillor A Matheson
Councillor M Oates
Councillor T Rowell
Councillor R Thompson
Director Strategy - Mr J Lawrence
Acting Director Planning and Environment - Mr J Baldwin
Manager Community Resources and Development - Mr B McCausland
Acting Manager Development Services - Mr B Leo
Manager Environmental Planning - Mr A Spooner
Manager Governance and Risk - Mrs M Dunlop
Environmental Planning Coordinator - Ms R Winsor
Senior Environmental Officer - Ms A Cave
Executive Assistant - Mrs K Peters

Apology Nil

Also in Attendance

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

His Worship the Mayor, Councillor Hawker
Councillor Mead

Acknowledgement of Land

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

DECLARATIONS OF INTEREST

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

Pecuniary Interests - nil

Non Pecuniary – Significant Interests - nil

Non Pecuniary – Less than Significant Interests

Councillor Hawker - Item 3.3 - Construction and use of a retail building as a supermarket with specialty stores including a licensed liquor outlet and associated car parking, site landscaping, civil works and advertising signage - Willowdale Drive, Denham Court - Councillor Hawker advised that he is a member of the Joint Regional Planning Panel and that he will leave the Chamber during discussion on this matter.

Other Disclosures - nil

1. WASTE AND RECYCLING SERVICES

No reports this round

2. ENVIRONMENTAL PLANNING

2.1 Campbelltown Comprehensive Koala Plan of Management

Reporting Officer

Manager Environmental Planning

Attachments

Draft Campbelltown Comprehensive Koala Plan of Management (contained within this report)

Purpose

To seek Councils endorsement of the draft Campbelltown Comprehensive Koala Plan of Management for public exhibition.

Introduction

The koala is classified as a Vulnerable species under both the NSW *Threatened Species Conservation Act 1995* (TSC Act) and Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act).

Campbelltown is fortunate to be home to a healthy free-living koala population. In recognition of this Campbelltown has been nominated under the NSW Recovery Plan for the Koala as a priority area for the preparation of a Comprehensive Koala Plan of Management (CKPoM). Section 69 of the TSC Act requires Council (as the relevant public authority) to prepare a CKPoM for the Campbelltown Local Government Area in accordance with the provisions of State Environmental Planning Policy 44 – Koala Habitat Protection (SEPP44).

SEPP 44 aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline by:

- a) requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat,
 - b) encouraging the identification of areas of core koala habitat, and
 - c) encouraging the inclusion of areas of core koala habitat in environment protection zones.
-

The Campbelltown CKPoM has been prepared in accordance with the provisions of SEPP 44. Should it be adopted, the CKPoM would assist in the promotion of the sustainability of the local koala population and would provide a consistent framework for the assessment of development applications that have been identified as having potential to impact upon core koala habitat within the Campbelltown Local Government Area (LGA).

History

Council commenced work on a draft CKPoM in 1996 for the Campbelltown LGA. In 2005 Council considered its first draft Campbelltown CKPoM, prepared by the Australian Koala Foundation (AKF). The plan was placed on public exhibition and feedback was sought from the community and government agencies.

The 2005 draft Campbelltown CKPoM was not adopted by Council in its entirety nor was it approved by the Director General of the former Department of Planning (now Department of Planning and Environment). The plan was unsupported in its entirety predominately due to the fact that it proposed to rezone large areas of public and private land identified as koala habitat for environmental protection purposes.

Following consideration of the outcomes of the public exhibition of the plan, Council resolved 'that Council proceed with the completion of the draft CKPoM based on the information contained within this report'. Council also adopted a series of Interim Arrangements, primarily associated with the identification of koala habitat, habitat restoration works and threat abatement. As a result, all development applications and rezoning proposals affected by SEPP44 within the LGA have continued to be assessed on a case by case basis.

In late 2012 Council was awarded funding from the NSW Government to assist with the completion of a CKPoM for the Campbelltown LGA. In March 2013, Council engaged EcoLogical Australia (ELA) to prepare a revised draft plan.

A Koala Advisory Project Reference Group (KAPRG) was established at this time to provide stakeholder input into the plan's preparation. Membership comprised of representatives from state government authorities, and local community organisations. This group included the NSW Office of Environment and Heritage (OEH), National Parks and Wildlife Services (NPWS), Department of Planning and Environment (DPE), Rural Fires Services (RFS), Western Sydney University (WSU), Macarthur National Parks Association (NPA) and Officers from Campbelltown City Council.

A preliminary draft was provided by ELA to Council in July 2013. The document was subsequently reviewed by Council and the KAPRG. Concerns were raised with a number of aspects of the preliminary draft and further work was undertaken.

In April 2015, Council engaged koala expert Dr Steve Phillips (of Biolink) to conduct an independent review of the draft CKPoM. The review identified a number of issues with the draft CKPoM with Dr Phillips being subsequently engaged to modify and finalise the draft plan. It is worth noting that Dr Phillips services were procured in accordance with Council's policy, as Biolink was the second preferred consultant under the initial procurement process.

Dr Steve Phillips presented on the draft CKPoM to the KAPRG (13 October 2015), and to Councillors on two separate briefing nights (24 November 2015 and 2 February 2016). Stakeholder feedback has been incorporated into the draft exhibition document accordingly.

Current development assessment situation

The Campbelltown LGA has been identified under the NSW Recovery Plan for the Koala and SEPP 44 as a priority for the preparation of a CKPoM. In lieu of a CKPoM Council officers are continuing to assess development applications against the applicability of SEPP44 on a case by case basis. This is increasingly resulting in the requirement for the preparation of Individual Koala Plans of Management (IKPoM) for each property where a development is proposed. In the last year alone, Council staff have assessed more than 20 individual koala habitat assessments including 12 IKPoMs. This approach is inefficient for a number of reasons including; inaccurate and varying methodologies, lack of consistency, difficulty in ongoing monitoring, long term certainty, discrepancies in vegetation compensation measures, and most significantly the cost incurred by applicants for the preparation of these documents and ongoing monitoring. As a result, applicants are being frustrated by the obligations of the assessment process and incurring significant costs. Council staff are also expending additional time and effort trying to manage the process which includes seeking approvals from external government agencies.

The adoption of a CKPoM for the Campbelltown LGA, focusing on landscape scale development, is favoured by both the NSW Department of Planning and Environment (DPE) and NSW Office of Environment and Heritage (OEH) as it will provide a greater degree of reliability and efficiency in terms of koala habitat assessment. Importantly, compliance with the CKPoM constitutes compliance with SEPP 44 for relevant matters in the Campbelltown LGA.

Report

Aims and structure of the plan

The draft CKPoM has been prepared in accordance with the provisions of SEPP 44, and provides a strategic approach to the protection, management and restoration of koala habitat for the entire LGA. The aims of the plan are to:

- a) enable persistence (to the maximum extent possible) of a koala population of at least 300 koalas over the life of the plan
- b) support the harmonious co-existence of the community and koalas
- c) provide regulatory and non-regulatory mechanisms to safeguard the future of the Campbelltown koala population.

The plan is broken up into two main parts:

- Part A: Background Information - provides background information on the Council planning area, and answers key questions about the legislative context of the plan.
 - Part B: Working Provisions - explores the objectives of the plan and the working provisions, including the development assessment framework and associated measures including compensation for the loss of koala habitat. This part provides a strategic and consistent approach to koala habitat management and planning at a landscape scale throughout the Campbelltown LGA planning area.
-

The Campbelltown LGA has been divided into four Koala Management Precincts (KMPs) to be able to focus management efforts into known areas of core koala habitat that align with existing land zones in the Campbelltown Local Environmental Plan 2015 (CLEP). The KMPs seek to use a precinct-based approach to manage threats to koalas at a local scale and conserve core koala habitat by incorporating management and conservation measures into the planning processes. As the majority of preferred koala habitat that is known to be occupied by koalas will be managed within KMPs, areas outside of KMPs (where less habitat is occupied), will have reduced development controls contained within the plan.

The science behind the plan utilises grid cells to determine the extent of core koala habitat based on generational persistence modelling – as evidenced by the presence of one or more koala records for each of the three most recent koala generations (1994 – 2012). The plan employs a number of practical approaches to streamline the process for applicants submitting development applications in areas of core koala habitat including:

- the use of a precinct based approach through the creation of KMP's in the areas of core koala habitat (mainly areas zoned E3 Environmental Management), effectively expedites the process for landowners by reducing the level of investigation required, therefore saving applicants valuable time and money.
- creation of a development assessment flowchart to assist the user in navigating the requirements of the plan.
- provision of clear and consistent field survey methodology for applicants to undertake koala habitat assessments.
- development of compensatory tree planting or financial contribution options for developers to provide offset requirements and compensate for the loss of Preferred Koala Food Trees (PKFTs).

The CKPoM provides a high level of transparency for the community regarding koala conservation activities in Campbelltown, the location of identified koala habitat, identifying threats posed to koalas in Campbelltown and an opportunity to engage constructively in the further development of koala conservation measures in the region. The plan contains 37 actions to achieve the aims and objectives of the plan relating to identifying key habitat, implementation of conservation programs, community education and ongoing research into the Campbelltown koala population. These actions will be achieved in co-operation with the community and key stakeholders.

The effectiveness of the plan and its actions will be measured through a koala population monitoring program, as arguably without a robust monitoring program it will be difficult to gauge the success of the plan. There are a number of options for population monitoring, including obtaining basic presence/absence data (which could be undertaken through citizen science surveys), to more detailed investigative survey programs that are required to provide more comprehensive data on koala habitat, and the size and health of populations. This is important as an understanding of the distribution of age classes within a given population is fundamental for effective conservation and management planning, and to ensure any significant changes such as declines in the local population are effectively captured, and can be appropriately addressed. The costs for Council to implement a population monitoring program range from an annual cost estimate of \$15,000 for basic presence/absence monitoring, to around \$25,000 for the more comprehensive program. Therefore it is recommended that a Koala Population Monitoring Program be considered as part of Councils future annual budget process.

Administration and funding of the draft Plan

Administration and delivery of the draft plan will largely be the responsibility of Council's Environment Unit. With regards to an implementation budget, the majority of the actions identified in the plan will be funded through an existing Council position and/or budget. However, a number of actions identified would require additional funding from either Council and/or external grant funding opportunities.

Council officers have already commenced delivery of a number of management actions prescribed in the plan including:

- installation of 18 new koala crossing warning signs, and undertaking upgrades to 12 existing signs at strategic locations throughout the Campbelltown LGA.
- successfully pursuing external grant funding opportunities to support numerous CKPoM actions:
 - \$45,000 from Hawkesbury-Nepean Catchment Management Authority (CMA), 2013, Enhancing Urban Koala Linkages – Smiths Creek Reserve
 - \$35,000 from NSW Greater Sydney Local Land Services (GSLLS), 2014, Improving Urban Koala Habitat Linkages and Community Stewardship - Smiths Creek Reserve, Ruse
 - \$17,640 from NSW GSLLS, 2015, Koala habitat and water quality improvements – Scattergood Reserve
 - \$24,875 from NSW GSLLS, 2016, Mitigating key threats to the Campbelltown koala population (Road fatalities, dog attacks and habitat loss)
- drafting a financial contribution program to compensate for the loss of Preferred Koala Food Trees (PKFTs) to fund tree planting and habitat restoration works in koala habitat.

Delivery and Reporting

Council is the responsible authority for the CKPoM, and the implementation of this plan will be undertaken as per the management actions table outlined in the draft CKPoM. Council will rely on both internal funds and external grant funding to implement the actions contained within the plan.

Public consultation

Given the implications of the plan to the wider community and future potential development in the area, it is considered appropriate to undertake consultation with the community and key stakeholders including relevant government agencies. It is therefore recommended that the draft CKPoM be placed on public exhibition for 30 days at a number of locations across the City including Council's Civic Centre, libraries and on Council's website (with links to Council's Koala webpage). Moreover, if supported by Council, the draft plan will be presented to the KAPRG, for further comment.

Formal approval of the draft plan is required by both Council and the Director General of NSW Department of Planning and Environment before the draft plan can come into force. Once approved, the CKPoM holds statutory weight and becomes the framework under which the impact of development upon koala's and their habitat in the Campbelltown LGA will be assessed. On considering the CKPoM, there is no further requirement for the provisions of SEPP44 to be considered in the assessment of individual applications.

Officer's Recommendation

- 1 That Council endorse the attached draft Campbelltown Koala Plan of Management for public exhibition over a 30 day period.
- 2 That, subject to no submissions requiring major modifications of the plan being received during the exhibition period, the endorsed Campbelltown Koala Plan of Management be submitted to the NSW Department of Planning and Environment for subsequent approval.
- 3 That Council commit to undertaking a comprehensive koala population monitoring program, on a biennial basis, and allocate appropriate funds during the annual budget process to support the implementation of the plan.

Committee Note: Mr R Lonza addressed the Committee.

Committee's Recommendation: (Kolkman/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 May 2016 (Greiss/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

ATTACHMENT 1



COMPREHENSIVE KOALA PLAN OF MANAGEMENT

Prepared by Biolink for Campbelltown City Council



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Template design

Max Massa

Frontcover

"Valentine" the koala at Winbourne Place, Airds.
Photo courtesy of Alana Keane

Backcover

Mum and bub at St Helens Park.
Photo courtesy of Carla-Maree Simmons

Authors

This Comprehensive Koala Plan of Management (CKPoM) has been prepared by Dr Stephen Phillips (Biolink) with support from Alexandra Cave (Campbelltown City Council).

Dr Stephen Phillips is the Managing Director of Biolink ecological consultancy. He is a professional wildlife ecologist and former university lecturer with over 35 years of experience in all facets of natural area management, from the investigation and planning of new conservation areas to the design of specialised survey programs for threatened plants and animals.

Stephen is an internationally acknowledged authority on the ecology, conservation and management of koalas, has spoken at national and international conferences and written popular articles, book chapters and scientific papers, the latter published in various conference proceedings and journals such as *Pacific Conservation Biology*, *Australian Mammology*, *Biological Conservation*, *Australian Journal of Botany*, *Australian Zoologist*, *Wildlife Research and Conservation Biology*.

Other contributors

Preparation of this document has benefited from input and discussions with the Koala Management Project Reference Group (PRG), and internal workshops with Campbelltown City Council (Council) Environment and Planning staff. A series of formal PRG meetings that included relevant stakeholder groups were held during the course of the development of this Plan. Key members of the PRG include: Andrew Spooner, Renee Winsor, Angela Taylor, Alexandra Cave, Jeff Burton, Graham Pascoe and Troy Lessels (Campbelltown City Council), Associate Professor Robert Close (Western Sydney University), Pat Durman (Macarthur Branch of the National Parks Association), Lou Ewins and Deborah Ashworth (NSW Office of Environment and Heritage), Kate Carter (NSW Rural Fire Service), Michelle Dellagiacoma (NSW Department of Planning and Environment) and Vicki Lett (NSW National Parks and Wildlife Service and WIRES).

Others who have assisted during the course of the project include Dr David Phalen and Dr Hamish Baron (University of Sydney), Mike Roache and Kylie Madden (Office of Environment and Heritage), Martin Smith (NSW National Parks and Wildlife Service), Scott Hetherington (Tweed Shire Council), Dr John Callaghan (Biolink) and a number of individuals associated with local wildlife rescue groups, including WIRES and Sydney Wildlife.

This document considers an underlying koala habitat study undertaken by Eco Logical Australia (Ward, 2014) with funding provided by the NSW Office of Environment and Heritage. This CKPoM also acknowledges the following contributions including koala records from the Western Sydney University research database as collected by Associate Professor Robert Close, and wildlife history spatial data provided by the NSW Rural Fire Service.

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Definitions and acronyms

The following definitions and acronyms are used throughout this document:

AoS	means an Assessment of Significance under the NSW TSC Act
APZ	means Asset Protection Zone
CRUI	means Campbelltown Rural-Urban Interface KMP
CLEP	means Campbelltown Local Environmental Plan 2015
CKPoM	means Comprehensive Koala Plan of Management
Core koala habitat	means any parcel of land that either: a) occurs either in or within 500 m of a arbitrarily placed series of 2km x 2km (400 ha) grid-cells covering the entire LGA and within which records of koalas occur for each of the three most recent koala generations, or b) any area of native vegetation (including largely cleared land with scattered trees) that returns a SAT-derived koala activity level of 10% or greater.
Council	means Campbelltown City Council
DBH	means (tree) diameter at breast height, this being a measurement around the tree trunk at a height of 1.3 m off the ground
DA	means a Development Application
DCP	means Development Control Plan
DoD	means the Commonwealth Department of Defence
DotE	means the Commonwealth Department of the Environment
DPE	means the NSW Department of Planning & Environment
ECA	means the Ecological Consultants Association of NSW
EIANZ	means Environment Institute of Australia and New Zealand
EP&A Act	means the NSW <i>Environmental Planning and Assessment Act, 1979</i>
EPBC Act	means the Commonwealth <i>Environment Protection and Biodiversity Conservation Act, 1999</i>
HLA	means key koala Habitat Linkage Areas, being important areas of preferred koala habitat that support major movement corridors for koalas
IKPoM	means an Individual Koala Plan of Management prepared under SEPP 44
IUCN	means International Union for Conservation of Nature
KAAR	means Koala Activity Assessment Report
KMA	means Koala Management Area
KMC	means Koala Management Committee
KMP	means Koala Management Precinct
KMPRG	means Koala Management Project Reference Group
KTP	means Key Threatening Process under the NSW TSC Act
LEP	means Local Environmental Plan

LCAMP	means Local Companion Animals Management Plan under the <i>Companion Animals Act, 1998</i>
LGA	means Local Government Area
Major development	means a DA that relates to the subdivision of a single lot of land into three or more lots and/or will result in the loss of three or more PKFTs for each ha of assessable land to which the DA relates.
Minor development	means a DA that relates to the construction of a single residential dwelling on land with a dwelling entitlement and which requires the removal of no more than 2 PKFTs or the subdivision of a single lot of land into no more than two lots and/or which will result in the loss of no more than two PKFTs for each hectare of assessable land to which the DA relates
MNES	means Matters of National Environmental Significance under the EPBC Act
MOU	means Memorandum of Understanding
Native vegetation	means any species of tree or shrub endemic to NSW
NPW Act	means the NSW National Parks and Wildlife Act, 1974
NPWS	means NSW National Parks and Wildlife Service
OEH	means the NSW Office of Environment & Heritage
PKFT	means a Preferred Koala Food Tree being, any one of the following species that has a DBH > 200mm: <ul style="list-style-type: none"> • Blue-leaved Stringybark <i>Eucalyptus agglomerata</i> • Woollybutt <i>E. longifolia</i> • Grey Gum <i>E.punctata</i> • Forest Red Gum <i>E. tereticornis</i> • Manna Gum <i>E. viminalis</i>
Preferred koala habitat	means any vegetation community categorized as primary or secondary (class A, B or C) koala habitat as illustrated by Figure 5.1 in Part 2.1, or identified as such by other processes arising from the Plan.
RFS	means the NSW Rural Fire Service
RMS	means NSW Roads & Maritime Services
SAT	means the Spot Assessment Technique
SEE	means a Statement of Environmental Effects
SEPP 44	means State Environmental Planning Policy No. 44 (Koala Habitat Protection)
Shelter tree	means a tree species known to be commonly or preferentially utilised for roosting or thermoregulatory purposes; in the Council LGA being any one of the following tree species that has a dbh > 350mm: <ul style="list-style-type: none"> • Turpentine <i>Syncarpia glomulifera</i> • Brush Box <i>Lophostemon confertus</i>
Significant koala activity	means a SAT-derived koala activity level of 10% or greater
SIS	means a Species Impact Statement under the NSW TSC Act
SLA	means Strategic Linkage Area, being a broadly defined area of land approximately 200m wide (that are yet to be identified) for the purpose of facilitating movement of koalas within and between KMPs
Stadia-metric survey	means a survey showing the precise location of an object, in this case a PKFT or a shelter tree
Suitably qualified and/or accredited	means an individual with post-graduate qualifications in koala ecology and/or demonstrable work experience that includes publication of works on koala ecology in peer-reviewed scientific literature and/or accreditation as a koala specialist by Council and/or a professional body such as the EIANZ
Sydney Wildlife	means Sydney Metropolitan Wildlife Services Inc
TSC Act	means the NSW <i>Threatened Species Conservation Act, 1995</i>
VAR	means Vegetation Assessment Report
WIRES	means NSW Wildlife Information, Rescue and Education Services
WSU	means Western Sydney University



Koala at Cowra Place, Leumeah. Photo courtesy of Barbara Swainston

PREAMBLE EXECUTIVE SUMMARY

The koala (*Phascolarctos cinereus*) has suffered a dramatic decline in numbers and distribution since the arrival of Europeans, aspects of which have included hunting for the fur trade in the late 19th and early 20th centuries. Even though the fur trade ceased in the late 1930s, millions of koala pelts were exported over a 50 year period preceding this date (Fowler, 1993). Many koala populations in NSW now survive in fragmented and isolated habitat, while some areas in which koalas remain more common are increasingly subject to ongoing pressures, in particular clearing for agriculture, logging and urban expansion.

The koala is listed as 'Vulnerable' to extinction under the NSW *Threatened Species Conservation Act, 1995* (TSC Act) because of declining numbers and habitat. In 2008, the State Government approved the NSW Recovery Plan for the koala under Part 4 of the TSC Act, which identifies actions to be taken to ensure the long-term viability of the koala in nature, and the parties who are responsible for undertaking these actions. These actions include:

- habitat management
- community education
- monitoring, research and mapping.

Campbelltown has one of the last known koala populations in the Sydney region and was identified in the approved recovery plan as a priority area for preparation of a CKPoM. The conservation of koalas and their habitat within parts of the Campbelltown Local Government Area (LGA) has long been of interest to the local community. This interest has resulted in a number of scientific studies focused on koala habitat use, distribution and abundance, movement patterns, planning and welfare issues. The historical clearing of fertile plateau land for agricultural and then urban development, resulted in remnants of the Campbelltown LGA's koala population persisting on lower carrying capacity habitat on the plateau/gorge-land interface. A series of major fires in the latter part of the 20th century and in particular from 1955 to 1975 are considered to have further diminished the local population. While a detailed population estimate remains to be determined, and in the light of evidence indicating that koala numbers have increased in recent decades, the total population size is likely in the order of no more than 100 – 150 individuals as at the time this CKPoM was being prepared.

State Environmental Planning Policy No.44 – Koala Habitat Protection (SEPP44) came into effect in 1995 with the aim of reversing trends in koala population decline by encouraging better management of habitat that supports the species. The principal aim of SEPP44 is to 'encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline.' SEPP44 is a prescribed consideration under the *NSW Environmental Planning and Assessment Act, 1979* (EP&A Act) for all development applications (DA) that may impact on koalas or their habitat.

One of the proposed ways of achieving the stated aim of SEPP44 is for a CKPoM to be prepared for part or all of an LGA so as to enable a consistent, landscape-based approach to matters relating to how koalas and their habitat are managed. The Campbelltown CKPoM has been prepared in accordance with the provisions of SEPP44, and provides a strategic approach to the protection, management and restoration of koala habitat for the entire LGA. Compliance with the CKPoM will constitute compliance with the provisions of SEPP44. The documentation that follows is intended to function as a CKPoM for the whole of the Campbelltown LGA and is comprised of two key parts:

1. Part A (Background Information) initiates the CKPoM process by placing koalas, humans and the habitat they share into an appropriate Commonwealth, State and Local Government planning context. This section explains how the different levels of governance work and how the balance between a growing human population and that of the natural environment ideally remains balanced through frameworks such as LEPs. Also detailed are the legislative interactions intended to afford protection to biodiversity elements of the Campbelltown LGA, with particular emphasis on koalas and their habitat. The recent listing of koalas as a threatened species for purposes of the Commonwealth Government's *Environmental Protection and Biodiversity Conservation Act, 1999* (EPBC Act) is particularly relevant given its capacity in the context of 'important' koala populations to potentially over-ride State legislation.

2. Part B (Working Provisions) establishes the statutory framework for future koala management by recognising four Koala Management Precincts (KMPs) within the LGA, where management actions can be focussed to assist implementation of a long-term, sustainable management regime. Habitat buffers are also proposed, to provide an early warning system to notify the proponents of development and associated decision makers to the proximity of important areas of koala habitat. A voluntary mechanism to create a network of Strategic Linkage Areas (SLAs) is also put forward with a view to enhancing connectivity both within KMPs and across the broader Campbelltown LGA over time.

Several new mechanisms to assist control of development outcomes within KMPs are also established in Part B. One important part is the way in which areas of native vegetation are assessed within KMPs through a requirement for a Vegetation Assessment Report (VAR). While outside of KMPs, koala population assessment procedures are standardised to ensure that best practice measures are applied through the requirement for a Koala Activity Assessment Report (KAAR). Through this process, Council's Planners are supplied with information in a standardised way that enables interaction with other elements of the CKPoM's assessment and determination process. Also detailed in the document, are compensation and offsetting mechanisms arising from the loss of Preferred Koala Food Trees (PKFTs), to assist the undertaking of koala habitat rehabilitation works on private and public lands which are being managed for conservation purposes. In terms of the decision making process, the CKPoM also defines Council's discretionary capacity in terms of dealing with non-conforming subdivision proposals within unoccupied habitat areas outside of designated KMPs. Subject to considerations relating to the numbers of PKFTs that may need to be removed, the Plan also makes a distinction between 'minor' and 'major' development, with the intent to streamline the planning and approval process for single dwelling entitlement and small subdivision applications.

Part B also establishes procedures by which the Campbelltown koala population will be monitored over time, and how the efficacy of the CKPoM will be regularly reviewed and updated. Also identified, are mechanisms to assist broader community engagement with the conservation of koalas and their habitat, matters requiring further research and the need for better networking and engagement between Council and relevant stakeholders.

Memorandums of Understanding (MoU) relating to the need for greater collaboration between Council and agencies such as the Commonwealth Department of Defence (DoD), NSW Office of Environment & Heritage (OEH), NSW National Parks and Wildlife Service (NPWS), NSW Rural Fire Service (RFS) and NSW Roads and Maritime Services (RMS) are also envisaged, these bodies having key roles to play in terms of collectively working towards the CKPoM's stated objective of assisting in the long-term maintenance and sustainable management of a permanent, free living koala population in the Campbelltown LGA.

PART A BACKGROUND INFORMATION



PART ONE

INTRODUCTION

The aim of SEPP44 is to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over the species' present range, and reverse a state-wide trend of population decline. Among measures required to assist this aim is the preparation of Koala Plans of Management.

In addition to conservation measures enacted by SEPP44, the NSW Government's TSC Act additionally lists koalas as a Vulnerable species and in December 2008, a Recovery Plan for the koala was approved by the NSW Government (DECC, 2008). Objectives of the approved Recovery Plan include:

- the integration of koala habitat conservation into Local and State Government planning processes
- development of appropriate road risk management in areas of koala habitat
- implementation of strategies which minimise the impacts of domestic dogs on free ranging koalas
- development and implementation of strategies to reduce the impact of fires on koala populations
- the rehabilitation and restoration of koala habitat and populations.

In 2012, the koala (combined populations of QLD, NSW and ACT) was listed as Vulnerable under the Commonwealth Government's EPBC Act.

Given the recent Commonwealth listing and the preceding, long history of statutory protection in NSW, it is arguable that much has really been achieved in terms of sustainable management of free-ranging koala populations. Indeed, mitigating the processes that threaten the viability and survival of free-ranging koala populations is not a straightforward task. However, we do know what the problems are, and the knowledge is there to enable such matters to be managed more sustainably. In this context and with regard to background studies (outlined in Section 2.3) that inform this Plan, the following management issues will need to be addressed in order to ensure a sustainable future for koalas inhabiting the Campbelltown LGA:

1. ongoing loss of PKFTs along with fragmentation/modification of important habitat areas supporting resident koala populations
2. increasing numbers of koala mortalities due to vehicle-strike and domestic dog attacks
3. bushfire management.

These issues are not unique to the Campbelltown LGA, although the potential extent and severity of the associated impacts of habitat loss/modification and vehicle-strike have become more apparent in recent years as koala numbers have slowly recovered to now reoccupy some of their former range in the east of the LGA. While a number of actions have been taken by Council and other stakeholders to address some issues, it is clear that further measures will be required if the potential for the population to be sustainably managed over the long-term is to be achievable. Indeed, such a goal will require actions that:

- (i) facilitate and encourage coordinated action across all levels of governance
- (ii) effectively resource Council to enable it to be the lead agency in terms of implementing required management actions on lands under its governance
- (iii) ensure that best practice koala habitat and population assessment procedures are applied
- (iv) adequately inform and engage all sectors of the community in the processes of sustainable koala management.

1.1 The planning area

This document functions as a CKPoM for koalas and their habitat in the Campbelltown LGA south-west of Sydney, NSW. Including areas of the National Parks and Wildlife Services (NPWS) estate that are otherwise exempt from SEPP44, the Campbelltown LGA covers a total area of 311.66 square kilometres (31,166ha), approximately half of which has been mostly cleared and is bounded to the southwest by the Nepean River and by the Georges River to the northeast. The M5 South-West Motorway passes through the north western section of the Campbelltown LGA.

The following information is primarily derived from the work of (Callaghan et al 2005).

1.1.1 The human environment

The Campbelltown LGA has grown from a country locality supporting a small population of less than 1,000 people in the latter part of the 19th century, to an urban centre now supporting more than 150,000 residents. Until the 1950s, the LGA comprised of small farms located around the urban landscape of Campbelltown with emerging urban villages expanding out from railway platforms at Glenfield, Macquarie Fields, Ingleburn, Minto, Leumeah and Menangle Park. During the 1960s, all of the villages except Menangle Park were expanding and a planned satellite city concept guided urban development which joined Leumeah to Campbelltown and developed the suburbs of Bradbury and Ruse.

In the 1970s, Campbelltown became a growth corridor in the planned urban expansion of Metropolitan Sydney under the Sydney Region Outline Plan 1970 – 2000 and the New Cities of Campbelltown – Camden – Appin Structure Plan. The New Cities Structure Plan identified sensitive environmental land adjacent to the Georges River, together with vegetated corridors joining the river and its tributaries. The identified land, which is adjacent to the Campbelltown urban area from Glenfield south to St Helens Park, was identified as Regional Open Space. A majority of the Regional Open Space has been acquired by the NSW Government for conservation purposes and further management options are being considered.

Today, the Council LGA is home to more than 150,000 people who occupy diverse housing from low density to medium density and limited high rise residential apartments, in the suburbs and centres. Dispersed lifestyle housing opportunities occur in the rural-residential areas fringing the suburbs and

centres, while a small number of people reside on rural holdings (CLEP, 2015). The current landuse zonings that apply across the LGA are illustrated in Figure 1.1.

Embedded in the matrix of sensitive environmental lands are the plateau landscapes of Wedderburn, Kentyln and Minto Heights. These plateau areas have a long history of agricultural use which has been followed in more recent years by subdivision for rural residential purposes, so the sustainable management of koalas, agriculture and rural-residential lifestyles is a key focus of this plan. Elsewhere arguably less sensitive land from Macquarie Fields south to St Helens Park has been zoned Scenic Protection with a two ha standard for subdivision and erection of houses, as have other largely forested areas to the west and south of Campbelltown City. In contrast, the greater proportion of forested lands to the east is under the control of the DoD's Australian Army's Holsworthy Barracks.

Overall, this pattern of land tenure and use means that controls on koala habitat vary throughout the LGA in response to differing legislative requirements that inter alia affect such things as planning, bushfire management and the clearing of native vegetation; most importantly however it also means that meaningful koala conservation and management is a responsibility shared across the entire community and relevant stakeholders.

Campbelltown is a developing regional centre, and significant future projected growth pressure is anticipated for the region.

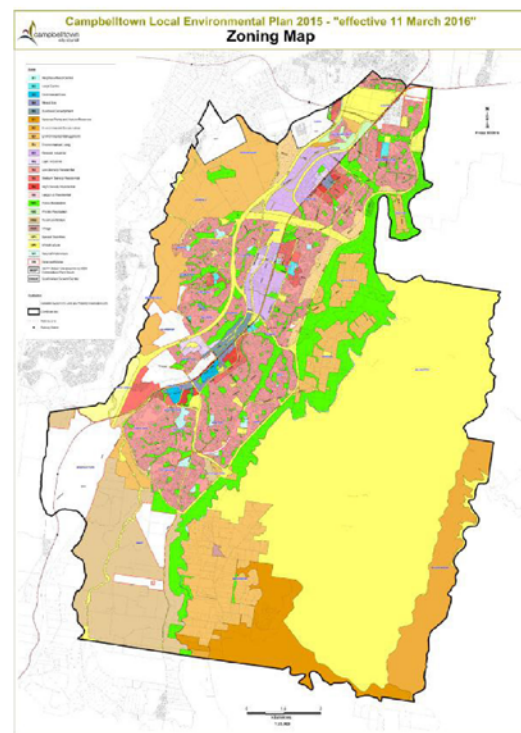


Figure 1.1: Campbelltown City Council LGA land-use zoning map (CLEP, 2015)

Forward projections by the Department of Planning and Environment (DPE) indicate that Campbelltown's population is set to increase by close to 50% in the next 15 years (DPE, 2014). Therefore, in addition to the fundamental need to provide quality assets and infrastructure to ensure that the city can cope with a range of future challenges, the identification and protection of important biodiversity conservation values in the LGA (such as core koala habitat) is imperative to ensure long-term, sustainable planning outcomes.

1.1.2 The natural environment

a) Topography and geomorphology

The Campbelltown LGA consists predominately of sandstone and plateau landscapes, the eastern and southern parts deeply dissected by gorges associated with O'Hare's, Williams, Stokes and Pheasants Creeks and the Nepean, Woronora and Georges Rivers. Elevations within the Campbelltown LGA range from approximately 100m above sea level in the gorges to 240m above sea level on the plateau.

The east and south of the Campbelltown LGA are characterised by Hawkesbury Sandstone geology and geomorphology with steep, cliffed benches along the Georges River, and stepped platforms exposing prominent interbedded shale layers associated with O'Hare's and Pheasants Creeks. On the plateau tops, transitional beds of shale and sandstone are common and are exposed in some areas to produce an impervious layer with associated 'hanging swamps'. In the western and northern sections of the LGA, the landscape is dominated by gentle undulating rises associated with Wianamatta Shale formations. Floodplain landscapes, including the southern section of the Cumberland Plain, occur in the north and west.

Soil types within the LGA range from yellow earths, sandy skeletal podzols and red podzols associated with plateau formations to brown, red and yellow podzols and prairie soils on the Wianamatta Shales. The yellow earth soils are generally confined to residual plateau tops where the underlying strata are composed of lightly cemented, quartz rich sandstone. The podzols have clay subsoil as a result of weathering of the

underlying shale, claystone or siltstone with the red podzols developing from material with an iron rich component.

b) Climate

The climate of Campbelltown can be described as temperate with warm to hot summers (maximum temperatures in excess of 30 degrees) and cool to mild winters. The LGA typically experiences its wettest periods in January – February and June with average annual rainfall in the range of 700 to 900mm.

c) Flora and fauna

Land units in the western and north western parts of the LGA include scattered trees and remnant stands of eucalypt forest and woodland communities. In the southeast, the vegetation is predominantly woodland with Blue-leaved Stringybark (*Eucalyptus agglomerata*) and Red Bloodwood (*Corymbia gummifera*) the dominant canopy species. Grey Gum (*E. punctata*) becomes dominant where interbedded lenses of shale occur, but is replaced as the dominant canopy species by Blackbutt (*E. pilularis*) where sandstone outcrops occur.

To the south, the vegetation changes to one dominated by Scribbly Gum (*E. racemosa*), Red Bloodwood (*C. gummifera*) and Blue-leaved Stringybark (*E. agglomerata*). Narrow-leaved Apple (*Angophora bakeri*) occurs as a dominant lower-stratum tree on some easterly aspects. Other land units support wet heathlands under a woodland canopy of Sydney Peppermint (*E. piperita*), Smooth-barked Apple (*A. costata*) and Red Bloodwood (*C. gummifera*), interspersed with pockets of Whip-stick Mallee Ash (*E. multicaulis*).

Historical accounts indicate that the Campbelltown area once supported a rich and diverse fauna assemblage. Despite the loss of some species over time since settlement, more than 330 fauna species have been recorded within the LGA. Forty-four of these species are listed as threatened under the TSC Act, 16 of which are also listed under the EPBC Act. Many of these species also have global significance, and are listed on the IUCN Red List for Threatened Species. Iconic threatened species found in the LGA range from the tiny Red-crowned Toadlet (*Pseudophryne australis*) to the Giant Burrowing Frog (*Heliophorus australiacus*) and Broad-headed



Core koala habitat at Pyere's Crossing, Kentlyn.
Photo courtesy of Renee Winsor.

Snake (*Hoplocephalus bungaroides*), Glossy Black Cockatoo (*Calyptorhynchus lathami*), several species of micro-bat and of course, the koala (*P. cinereus*).

1.2 Statutory context

Interest in the management of koalas is reflected by a range of Commonwealth and State-based statutory measures that are intended to minimise impacts on koalas and their habitat. A brief overview of the legislation at work within the Campbelltown LGA is provided below.

1.2.1 Commonwealth legislation

a) Environment Protection and Biodiversity Conservation Act 1999

The koala is listed as a Vulnerable species throughout NSW for purposes of this legislation. In order to assist the conservation of important populations, the EPBC Act has the ability to over-ride the majority of State legislation. For EPBC Act purposes, the Campbelltown koala population readily meets two criteria required for identification as an important population, these being:

- it is a key source population either for breeding or dispersal
- it is a population necessary for maintaining genetic diversity.

Some large-scale DA/re-zonings that have the potential to impact on koalas and/or their habitat within the LGA may require referral to the Commonwealth Government as a consequence of the EPBC Act listing; Significant Impact Guidelines (DotE 2013) are available to assist this process, as are referral guidelines for the vulnerable koala (DotE 2014).

b) Defence Act 1903

This legislation governs the management of Commonwealth lands comprising those areas of the Holsworthy Barracks that fall within the Council LGA. Unless otherwise exempted from compliance by discretionary powers of the Minister, all infrastructure and capability projects, operations, training exercises, research trials, other projects and even maintenance activities potentially constitute 'actions' for the purposes of the aforementioned EPBC Act. Defence must not undertake actions that cause a significant impact on Commonwealth Matters of National Environmental Significance (MNES) without obtaining approval from the Federal Minister for the Environment.

1.2.2 State legislation

a) Threatened Species Conservation Act 1995

The koala is listed as Vulnerable to extinction throughout NSW for purposes of this legislation.

As a consequence of TSC Act links to other legislation such as the EP&A Act (see below), the potential for negative impact up koalas must be assessed by way of what is generally known as a 7 – part test or Assessment of Significance (AoS). A Species Impact Statement (SIS) will be required for any DA and/or rezoning that the AoS determines as having the potential for a significant impact on a local population of koalas.

The NSW Recovery Plan for the Koala (DECC, 2008) has been prepared under the TSC Act, and outlines conservation actions being undertaken in NSW to support the koala.

The Commonwealth government considers the protection of threatened species and its habitat to be primarily each State's responsibility. A draft approval bilateral agreement provides

for accreditation of NSW processes for approval of proposed actions that would otherwise be assessed by the Australian Government for approval under the EPBC Act. Only one decision including conditions on approval is made by NSW, accounting for State matters and Commonwealth MNES.

b) Environmental Planning & Assessment Act 1979

The EP&A Act sets out the laws under which planning in NSW takes place. The main parts of the EP&A Act that relate to development assessment and approval are Part 4 (Development Assessment) and Part 5 (Environmental Assessment).

The EP&A Act also makes provision for the creation of environmental planning instruments which provide for the protection of koala habitat, including State Environmental Planning Policies (SEPPs), Local Environmental Plans (LEPs) and Development Control Plans (DCPs).

Within the Campbelltown LGA, those planning instruments of particular relevance to koalas include:

- State Environmental Planning Policy No. 44 (Koala Habitat Protection)

SEPP44 "aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:

- a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and
- b) by encouraging the identification of areas of core koala habitat
- c) by encouraging the inclusion of areas of core koala habitat in environment protection zones".

Under SEPP44:

"Core koala habitat" means an area of land with a resident population of koalas, evidenced by attributes such as breeding females (that is, females with young) and recent sightings of and historical records of a population.

"Potential koala habitat" means areas of native vegetation where the trees of the types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.

Clause 6 only applies to land in relation to which a DA has been made that has an area (or together with any adjoining land in the same ownership) of more than 1 ha. Clause 5 excludes land dedicated or reserved under the *National Parks and Wildlife Act, 1974* (NPW Act), such as Dharawal National Park. In order to give effect to the aims of the SEPP44, Clause 15 provides that LGAs listed in Schedule 1 of the SEPP (which includes Campbelltown) should:

- a) survey the land within its area so as to identify areas of potential and core koala habitat
- b) make or amend a local environmental plan:
 - (i) to include land identified as a core koala habitat within an environment protection zone
 - (ii) to identify land that is a core koala habitat and apply special provisions to control the development of that land
- c) give consideration to preparing an appropriate development control plan for land that is or adjoins an area of core koala habitat.

Under Clause 6 of SEPP44, Local councils cannot approve development on lands greater than 1ha without an investigation of potential and where warranted, core koala habitat as described in Clause 7 and 8. The Department of Planning Circular No. B35 guides councils through the process of addressing koala conservation through either Individual Koala Plans of Management (IKPoM) for small, localised developments, or CKPoM that apply to part or the whole of a LGA. A site-specific IKPoM must accompany any DA where core koala habitat is found to occur. However, if a CKPoM has been approved for the area, then individual DAs no longer need to include an IKPoM – as long as the DA is not inconsistent with the requirements of the CKPoM. In this way, the adoption of a CKPoM effectively streamlines the process for proponents applying to undertake development in areas of core koala habitat. However, an applicant may still prepare an IKPoM if they so choose.

Clause 10 states that a council must take into consideration the guidelines made by the Director-General, DPE. Appendix B sets out how this Plan has addressed these guidelines.

- Draft Campbelltown Local Environmental Plan 2015

In response to the State Government's requirement for all NSW councils to adopt new planning controls based on state-wide standards, Council has prepared a Campbelltown Local Environmental Plan 2015 (CLEP 2015). Formerly known as the Draft Campbelltown Local Environmental Plan, 2014, the CLEP 2015 has now been finalised with its publication on the NSW Legislation website in December 2015, and gazetted in March 2016.

The CLEP 2015 is a legal document that aims to control land use and development across the Campbelltown LGA and guides planning decisions, largely through the application of land use zones and development controls.

The plan applies to most land in the Council area. It consolidates and updates a wide range of existing planning controls and introduces some new policy positions that describe what development may be permissible in specific locations. It sets out future growth, as well as environmental and infrastructure goals for the city, and identifies what landowners can do on their properties.

- Campbelltown (Sustainable City) Development Control Plan 2014

The Sustainable City DCP is Council's primary DCP; its specific purpose is to provide more detailed provisions to supplement the CLEP 2015 by promoting high quality development and encouraging safe and livable environments.

Part 11 of the DCP sets out controls relating to the management of native vegetation and wildlife habitat (flora and fauna), including the requirement for koala habitat assessments.

c) Rural Fires Act 1997

The Rural Fires Act 1997 effectively created the NSW Rural Fire Service (RFS) and its associated command structure. Among other things, the objects of this legislation provide for the protection of the environment by requiring its key management focus (ie fire prevention, mitigation and suppression) to be carried out having regard to the principles of ecologically sustainable development as defined by Section 6 (2) of the Protection of the Environment Administration Act 1991.

Because of the nature of bush fires and the danger they pose to life and property, both managed and emergency bushfire hazard reduction have legal priority. Environmental Planning

Instruments such as those referred to above cannot prohibit, require development consent for or otherwise restrict activities associated with bushfire planning and management. Similarly, Part 5 of the EP&A Act does not apply to managed bushfire hazard reduction work carried out on land other than excluded land if:

- (a) the work is carried out in accordance with a bushfire risk management plan that applies to the land
- (b) there is a bushfire hazard reduction certificate in force in respect of the work and the work is carried out in accordance with any conditions specified in the certificate
- (c) the work is carried out in accordance with the provisions of a bushfire code applying to the land specified in the certificate."

Similar legal over-ridings are in place in respect of the TSC Act and the NPW Act.

- Bush Fire Environmental Assessment Code for NSW

The purpose of this Code is to provide a streamlined environmental assessment process for use by issuing authorities and certifying authorities in determining bushfire hazard reduction certificates. The Code has been prepared pursuant to sections 100J to 100N of the *Rural Fires Act, 1997*. Section 4.5 of the Code sets out standards for the protection of biodiversity, including determining the presence of threatened species and management conditions set out in the Threatened Species Hazard Reduction List. Under this list, the species specific conditions outlined for koalas relate to the:

- Use of fire: Low intensity fire only in areas formally identified as koala core habitat or koala high use habitat
- Mechanical forms of hazard reduction: No tree removal.
- 10/50 Vegetation Clearing Code of Practice 2014.

This Code of Practice under Section 100Q of the *Rural Fires Act, 1997* permits landowners within a 10/50 Vegetation Clearing Entitlement Area to clear certain vegetation near their homes, and enable residents to guard their homes against bushfire with a minimum amount of red tape. In August 2015, a review of the 10/50 scheme was conducted by the NSW RFS, DPE and OEH, and the Code of Practice was amended in September 2015 to incorporate the 30 recommendations made in the final report.

- The Rural Fires Amendment (Bush Fire Prevention) Bill 2015

This Bill amends the *Rural Fires Act 1997* to make provision with respect to bushfire hazard reduction work and vegetation clearing work associated with the 10/50 Vegetation Clearing Code of Practice. Under the Code, land parcels (lots) which are wholly or partly mapped within core koala habitat as identified in CKPoMs, are now excluded from the operation of the 10/50 scheme meaning tree clearing measures associated with the Code of Practice cannot be applied. However, it should be noted that core koala habitat as identified in approved IKPoMs are not excluded from the operation of the Code of Practice.

d) Companion Animals Act 1998

The *Companion Animals Act 1998* requires dogs to be under the control of a competent person when in public places they should not be permitted to roam and/or attack other animals including native wildlife, such as koalas. In practice, enforcement of these key aspects of the Act can be problematic.

The Act provides for the preparation of a Local Companion Animals Management Plan (LCAMP), to enable a council to fulfil its responsibilities under the Act by determining relevant

objectives and priorities along with a clear program of implementation.

e) Local Government Act 1993

The *Local Government Act, 1993* requires Council to have in place an Integrated Planning and Reporting Framework to ensure that Council operations and strategic planning are meeting the needs of the community. Among other things, budgetary items such as those arising from nominated actions in the Plan must be sanctioned within this framework before they can be actioned. Within this framework, Strategy 1.2 under Council's Delivery Program 2012-2016 and Operational Plan 2015-2016 (Strategy 1.2.1) commits to the development and completion of a CKPoM.

f) Roads Act 1993

Among other things, the *Roads Act 1993* regulates the carrying out of activities on public roads, including those managed by Local Government authorities. Section 88 in Division 3 of this Act enables Council to lop or remove any tree (including a PKFT) that is growing in or overhanging a road reserve, and exempts them from the need to consider any other State Act or law to the contrary.

g) National Parks and Wildlife Act 1974

Under the NPW Act, the Director-General of NPWS is responsible for the care, control and management of all national parks, historic sites, nature reserves, reserves, Aboriginal areas and state game reserves.

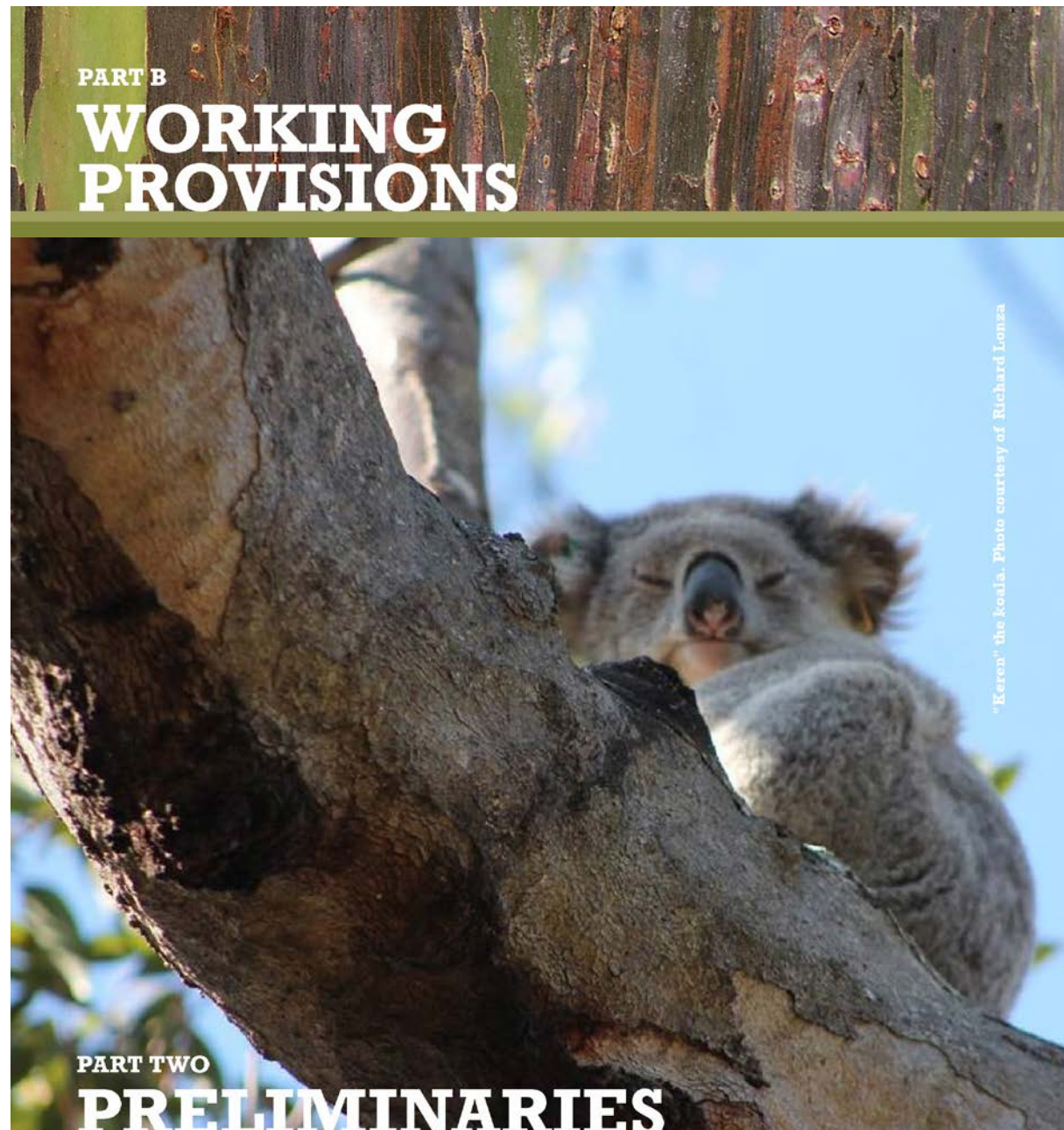
The Director-General is also responsible under this legislation for the protection and care of native fauna and flora (including koalas) and Aboriginal places and objects throughout NSW.

1.2.3 Legislative overview

A review of relevant legislation confirms an extensive framework of legal protection afforded to koalas and their habitat on which long-term sustainable management of the Campbelltowns koalas can be based. However, current land use zonings (other than environmental protection areas) do not accurately reflect their value as koala habitat. Hence, there is a need for consistency and coordination of actions at all levels of governance, planning and management if a long-term sustainable future for the koalas in the Campbelltown LGA is to be realised. The Plan that follows is intended to provide the basis for this, but it needs to be well coordinated. While Council is arguably best placed to co-ordinate orderly implementation, it also needs both resources and cooperation to achieve this outcome.



Koala at Peter Meadows Creek, Minto Heights.
Photo courtesy of Andy Attewell



PART B
WORKING PROVISIONS

PART TWO
PRELIMINARIES

2.1. Name of plan
(i) This document is called the Campbelltown Comprehensive Koala Plan of Management ,2016 (CKPoM), hereafter referred to as "the Plan".

2.2. Area to which the plan applies
(i) Excluding the National Park estate, the Plan applies to those lands identified by Figure 2.1.

2.3. Supporting documentation
(i) Documents and literature relevant to the development of this Plan include:

- J. Callaghan, T. Curran, J. Thompson and A. Taylor (2005) Campbelltown City Council Draft Comprehensive Koala Plan of Management. Part 2: Resource Document. Australian Koala Foundation
- S. Ward, B. Failes and S. Woodgate (2013) Resource Document: Koala Habitat Study in Draft Campbelltown Comprehensive Koala Plan of Management. EcoLogical Pty Ltd

2.4. Commencement date

- (i) The Plan was adopted by resolution of Council on [insert date] and approved by the Director-General, DPE on [insert date].
- (ii) Council shall incorporate a clause that activates the approved provisions of the Plan for purposes of any LEP that covers all or part of the area to which the Plan applies.

2.5. Relationship to other koala plans of management

- (i) The Plan does not supersede any other approved IKPoM that has been prepared in accordance with SEPP 44 and which is currently in force on lands to which the Plan applies, unless there is provision within that IKPoM for ongoing amendment and/or revision, in which case relevant provisions of the Plan must be applied and incorporated.

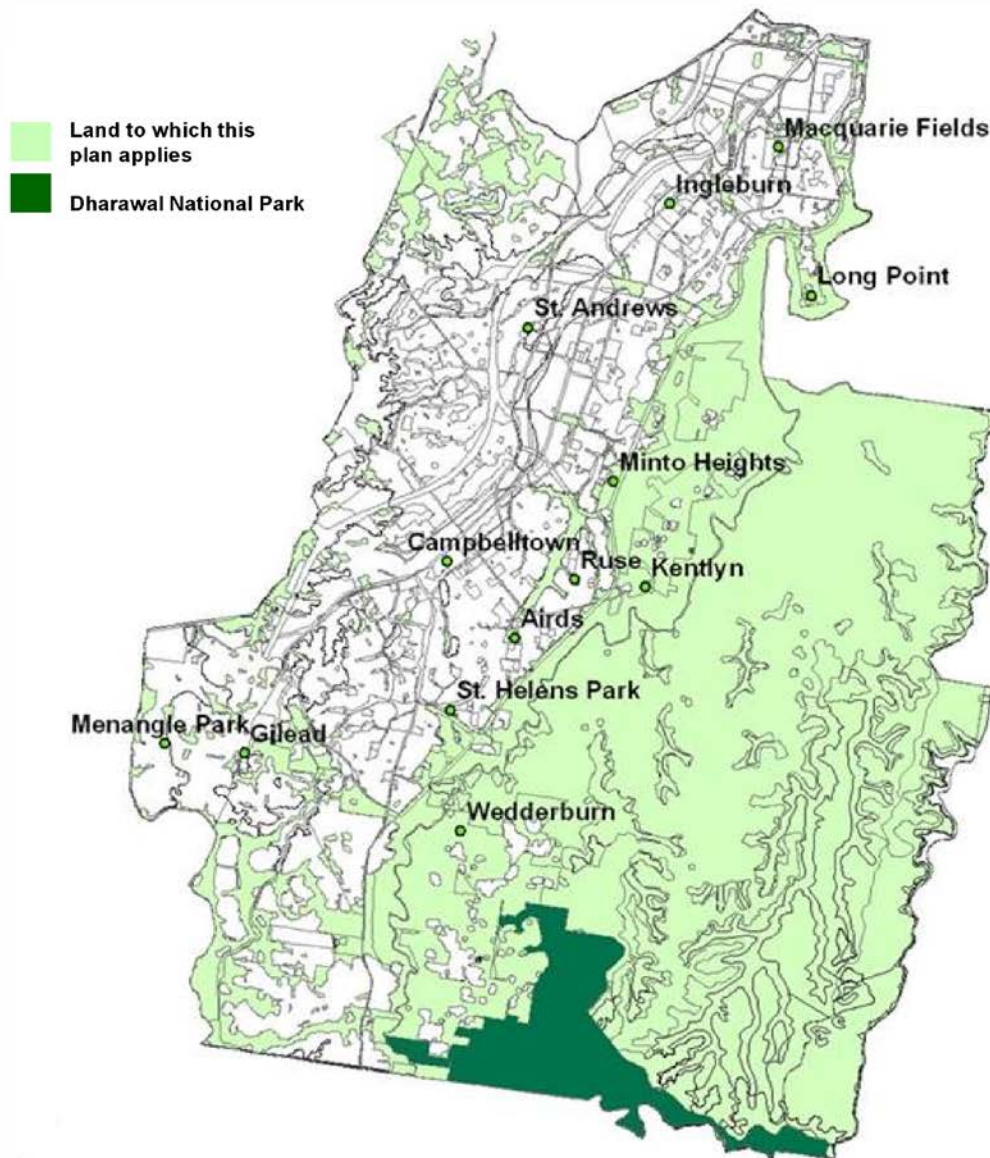


Figure 2.1: The Campbelltown City Council LGA - the land to which the plan applies.

Note: The NPWS estate (Dharawal National Park) is otherwise excluded from the provisions of SEPP44.



3.1 Visions and aims

(l) In accordance with the aims and objectives of SEPP44 and the approved NSW Koala Recovery Plan, the overall vision of this Plan is to:

"provide for the long-term maintenance of a viable, free-ranging koala population in the Campbelltown LGA."

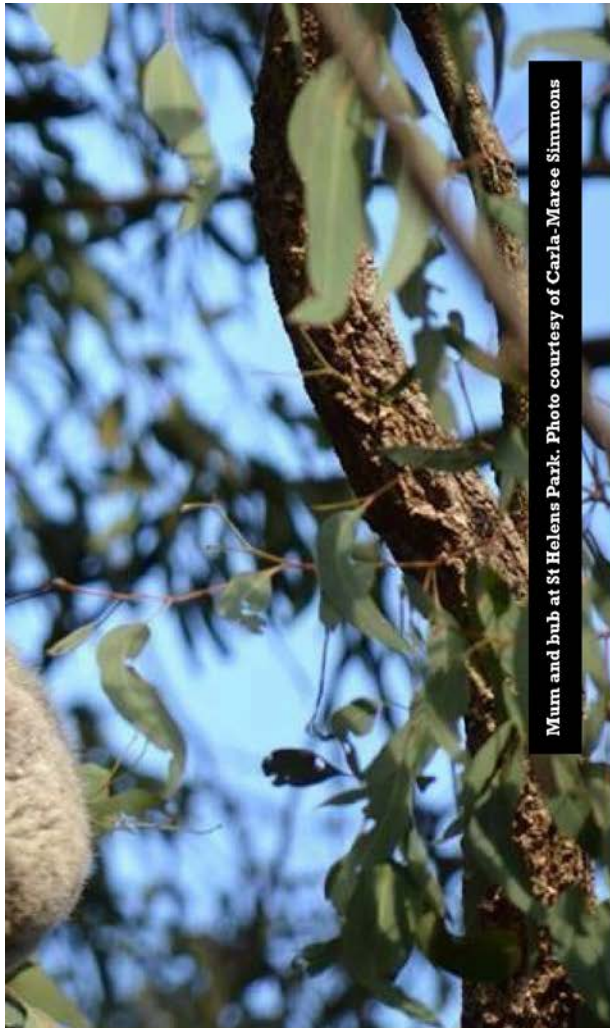
This vision is to be realised by way of the following aims:

- a) To the maximum extent possible, enable persistence of a koala population of at least 300 koalas over the life of the Plan
- b) To support the harmonious co-existence of the community with koalas
- c) To provide regulatory and non-regulatory mechanisms to safeguard the future of the Campbelltown koala population.

3.2. Objectives

(i) The aims of the Plan will be realised by way of the following objectives:

- a) Seeking support and engagement from all relevant stakeholders with a view to increasing the extent of koala friendly habitat and associated connectivity options
- b) Incorporating best-practice habitat assessment procedures to ensure that adequate detail is provided with all development and/or rezoning applications, along with an accompanying set of development standards and controls
- c) Developing appropriate fire management regimes to minimise bushfire risk
- d) Minimising koala mortalities due to vehicle-strike and domestic dog attacks



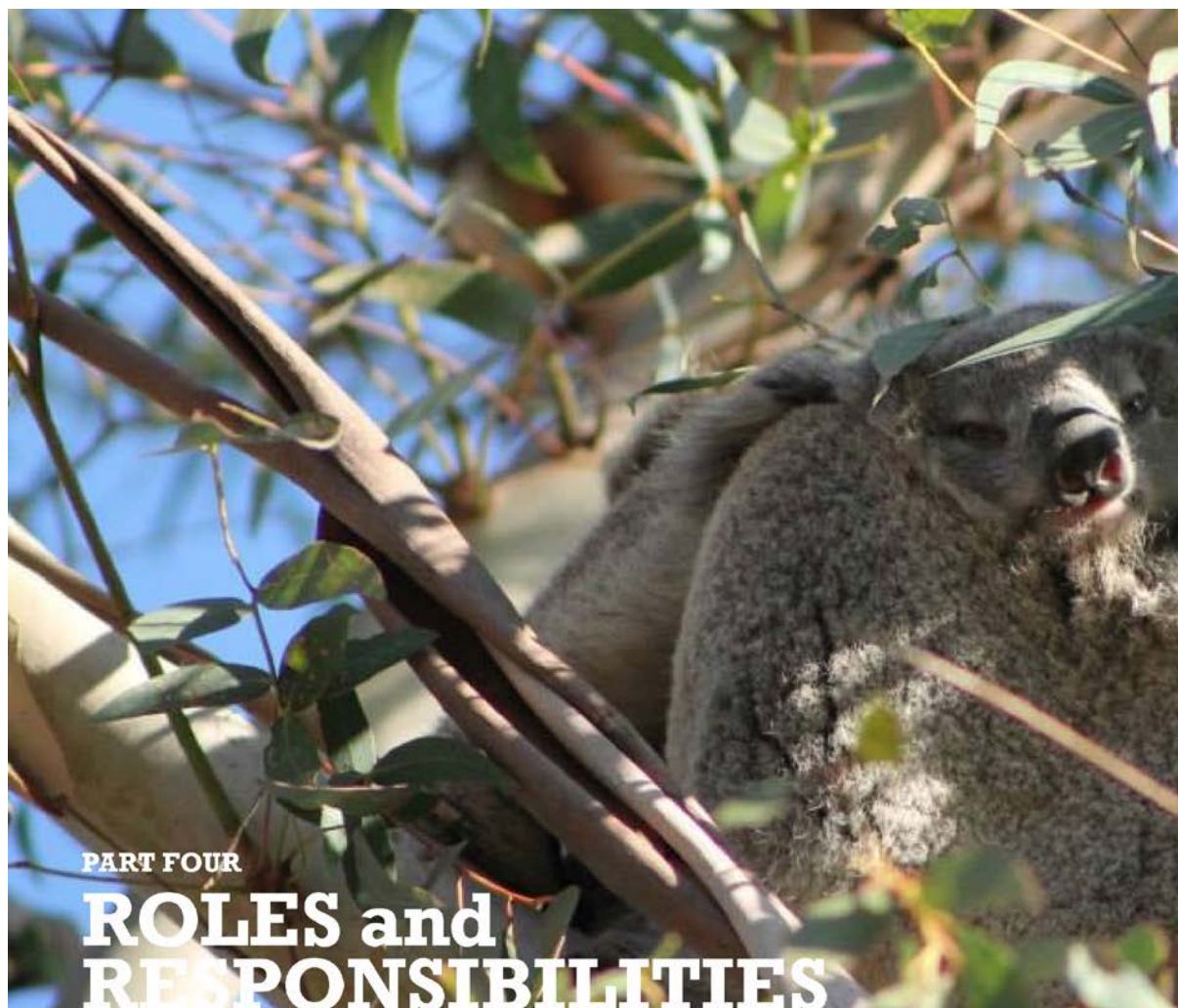
Mum and bub at St Helens Park. Photo courtesy of Carla-Maree Simmons



Hazard reduction burn at Freres Crossing Reserve, Kendlyn. Photo courtesy of Troy Lessels

- e) Formulating a strategic program of koala habitat regeneration and/or rehabilitation projects
- f) Increasing community and public awareness through education programs promoting koala conservation and management
- g) Securing financial compensation through DAs for the removal of PKFTs, and utilising funds to provide resources for koala habitat restoration and rehabilitation initiatives
- h) Establishing procedures for long-term monitoring of the conservation status of the Campbelltown koalas, so as to assess the efficacy of the Plan and enable regular review
- i) Identifying koala welfare and research needs intended to improve and inform long-term management of the Campbelltown LGA's resident koala population
- j) Procuring MOU's related to issues such as fire management that are intended to encourage better networking and cooperative management between other agencies whose activities can have a significant influence on koala conservation in the planning area.

Do you want to keep up to date on koalas in the Campbelltown LGA?
Head to www.campbelltown.nsw.gov.au/koalas



PART FOUR

ROLES and RESPONSIBILITIES

Context: responsibilities for the management of koalas and their habitat are spread widely across the community. While some land tenures (such as National Park estate) and activities (such as fire hazard reduction) are excluded from the provisions of SEPP 44, it is important that all stakeholders strive to manage remaining areas of habitat in the Campbelltown LGA without detriment to koalas. To facilitate/coordinate this commitment, a lead agency is essential.

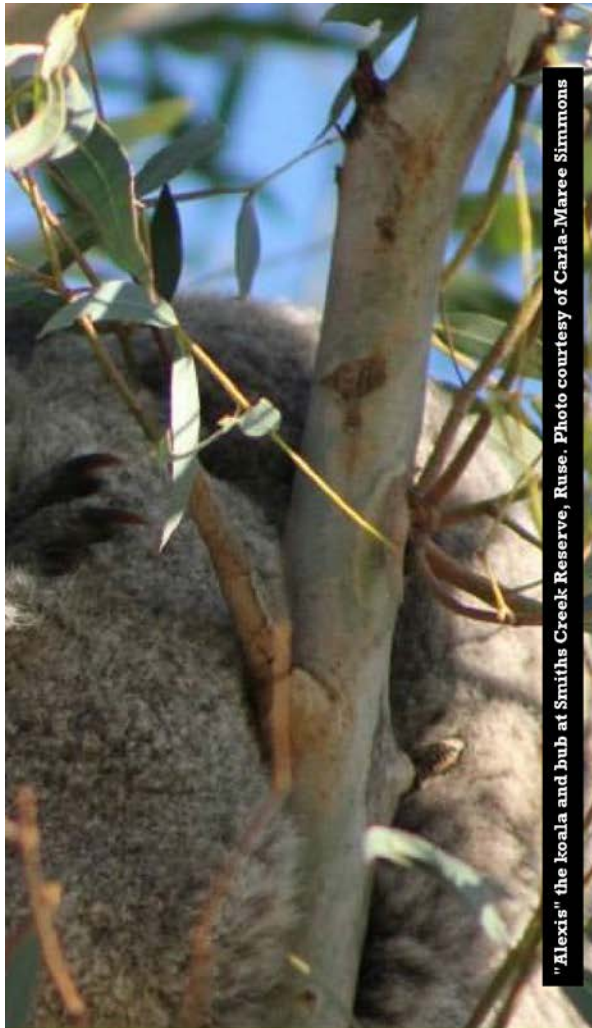
Overall objective: to create the framework for coordination and integration of the actions of all agencies responsible for land management across the lands to which the Plan applies, and ensure broad community representation and inter-agency involvement in the processes of koala management.

4.1 Lead authority

(i) Council will be the lead authority to champion sustainable koala management within the Campbelltown LGA by:

- developing, implementing and enforcing planning controls that relate to the management of koala habitat
- undertaking and supervising habitat rehabilitation works;
- supporting koala welfare groups
- preparing and implementing education programs
- monitoring koala populations and the effectiveness of the Plan
- integrating the provisions of the Plan into all other plans and policies associated with governance of the area to which the Plan will apply.

Council will seek the support of government agencies in managing the Campbelltown LGA's koala population, particularly in respect of those elements of the Plan such as fire control, vehicle-strike on State-owned roads and the management of Commonwealth land and National Park estate which fall outside Council's responsibility.



Council will advise and work with landowners who will be encouraged to review their land management practices in light of the Plan, and examine the potential of their holdings to assist with koala management and/or habitat rehabilitation measures.

Council will advise and work with developers to ensure adoption of best practice measures to accommodate and/or assist koala management in the context of development proposals.

Council will assist the Campbelltown community to become more actively involved with the management effort through participation in habitat regeneration/rehabilitation programs and assisting licensed welfare activities, being better informed about koala management issues and increasing levels of vigilance and engagement with koalas.

4.2. Establishment of a koala management committee

(i) Council shall establish a Koala Management Committee (KMC) to assist with implementation of the Plan.

(ii) Within the first six months following commencement of the Plan, Council shall have drafted and adopted Terms of Reference for the KMC and arranged for the first meeting.

(iii) The Terms of Reference shall include the following:

- minimum representation by Council, OEH, RFS, WSU and a minimum of two persons from the local community
- a chairperson elected from the members who shall retain that position for a period of no greater than 12 months
- a minimum of three meetings a year for the first 5 years of the Plan, and thereafter as required but no less than twice a year.

Keen to get involved in koala conservation?

Check out Council's environmental grant webpage for more information on current projects.

Head to www.campbelltown.nsw.gov.au/environmentalgrantprograms



Mum and bub at Smiths Creek Reserve, Ruse. Photo courtesy of Carla-Maree Simmons

PART FIVE
KOALA MANAGEMENT FRAMEWORK

Context: achieving the vision of the Plan requires a consistent approach to matters of koala habitat and koala population management. This includes establishing a clearly enunciated framework by which key management components of the koala management strategy can be discussed.

Overall objective: to set out a strategic framework for koala management that will form the basis of all future actions, allow Council to respond to specific opportunities as they arise and to focus, prioritise and direct the management actions required to achieve the objectives of the Plan.

5.1 Classification of preferred koala habitat

(i) For purposes of the Plan the term preferred koala habitat means:

- a) any vegetation community categorised as Primary, Secondary (Class A), Secondary (Class B) or Secondary (Class C) koala habitat as illustrated by Figure 5.1 of the Plan
- b) any area that is largely cleared but otherwise contains scattered PKFTs
- c) any other land identified as such by other processes arising from the Plan.

5.2 Identification of core koala habitat

(i) For purposes of the Plan, core koala habitat is determined as any area of land that:

- a) occurs in or within 500m of any one of the 21 x 400ha grid cells identified as an area of generational persistence (ie containing one or more koala records for each of the three consecutive koala generations 1994 – 2012) as illustrated by Figure 5.1 of the Plan

- b) any area of native vegetation (including largely cleared land with scattered trees) that returns a SAT-based koala activity level of 10% or greater¹.

5.3 Review of koala habitat mapping

- (i) Council will give consideration to the need to update the mapping of areas of preferred and core koala habitat with each major review of the Plan.

¹ Based on an assessment undertaken in accord with methodology specified in Appendix D.

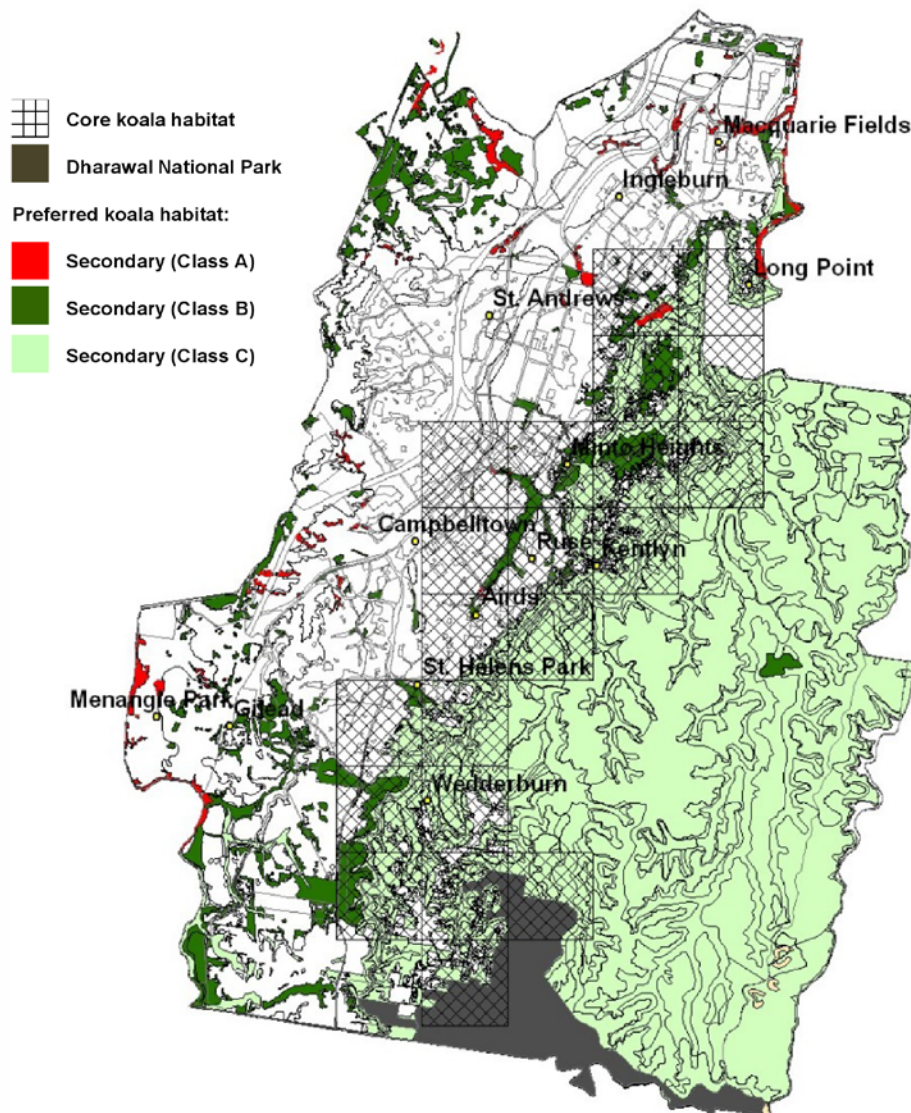


Figure 5.1: Extent of preferred and core koala habitat across the Campbelltown LGA.

Note: Areas of Secondary Class A, Class B, and Class C collectively constitute preferred koala habitat. The approximate extent of core koala habitat as evidenced by the presence of one or more koala records for each of the three most recent koala generations 1994 - 2012.

5.4 Koala Management Precincts

For purposes of the Plan, there is a need to be able to focus management efforts into known areas of core koala habitat, while also enabling the dynamic between occupied and unoccupied areas of preferred koala habitat to be managed as single landscape units for planning purposes. The best way to achieve this is to use a precinct-based approach. Precinct boundaries have been aligned with CLEP 2015 planning boundaries to identify areas under the planning control of Council that are considered capable of assisting the long-term survival of koalas, given effective management of their habitat, protection from threats such as domestic dog

attack and cars and enhancement of a suitable network of habitat linkages to assist the free movement of animals. The key determinants of KMPs, primarily based on the underlying principles of core koala habitat as defined by SEPP 44 are:

- evidence of generational persistence (ie historical koala records) for at least the three most recent koala generations
- evidence indicating the presence of one or more resident koala populations (including breeding females).

(i) Within the broader context established by Part 3 of the Plan, the underlying objectives for the KMPs are to assist broader management and conservation efforts across the lands to which the plan applies by optimising the amount of koala-friendly habitat (including fire management and connectivity issues) and reducing the incidence of mortalities due to vehicle-strike and domestic dog attack.

(ii) Four KMPs are recognised for purposes of the plan, the boundaries of which are illustrated in Figure 5.2. Further details are as follows:

a) Wedderburn KMP

(i) The Wedderburn KMP covers an area of 1386ha as indicated in Figure 5.2(a) of the Plan.

(ii) Management objectives for this KMP are as detailed in Part 3, Sec 3.2 (a – f) of the Plan.

b) Kentlyn KMP

(i) The Kentlyn KMP covers an area of approximately 360ha as indicated in Figure 5.2(b) of the Plan.

(ii) Management objectives for this KMP are as detailed in Part 3, Sec 3.2 (a – f) of the Plan.

c) Minto Heights KMP

(i) The Minto Heights KMP covers an area of approximately 217ha as indicated in Figure 5.2(c) of the Plan.

(ii) Management objectives for this KMP are as detailed in Part 3, Sec 3.2 (a – f) of the Plan.

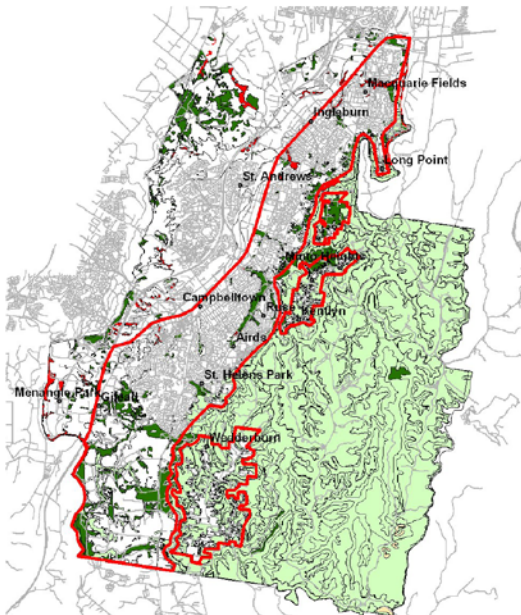


Figure 5.2: KMPs in the Campbelltown LGA showing the extent of the CRUI KMP

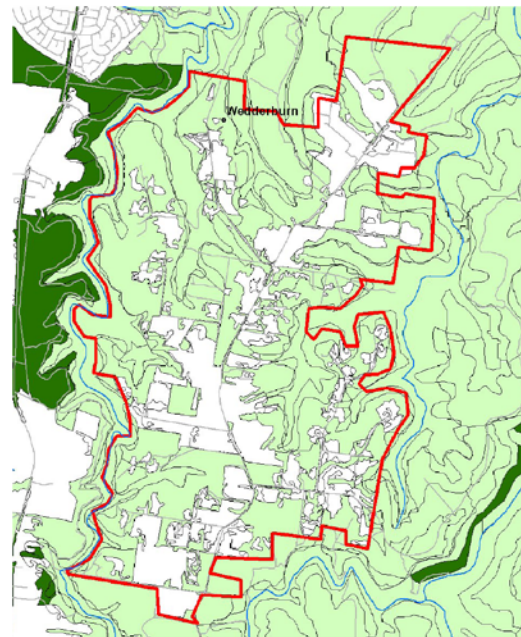


Figure 5.2(a): Boundaries of the Wedderburn KMP (500 buffer not illustrated)

d) Campbelltown Rural-Urban Interface KMP

(i) The Campbelltown Rural-Urban Interface (CRUI) KMP covers an area of approximately 8100ha as indicated in Figure 5.2 of the Plan.

(ii) The purpose of the CRUI KMP is to acknowledge the presence of areas of preferred and core koala habitat within rural and urbanised areas of the Council LGA, as well as – in the south-west, the presence of potential linkages connecting the Wedderburn KMP with the Nepean River.

(iii) Management objectives for this KMP are as follows:

- minimise losses of and or further fragmentation of otherwise contiguous patches of preferred koala habitat > 10 ha in size
- ensure connectivity options between Wedderburn KMP and the Nepean River are optimised and maintained in perpetuity

- maximise retention of preferred koala food trees
- minimise numbers of koala mortalities due to domestic dog attack and vehicle strike through community education.

5.4.1 Changes to KMP boundaries

(i) Changes to the boundaries of KMPs established by this Part and/or the creation of new KMPs can only be enacted through the procedures detailed in Part 10 (Monitoring, reporting and review) of the Plan.

5.4.2 Relationship of KMPs to EPBC Act and other legislation

(i) Excluding the CRUI KMP, all lands within KMPs identified by the Plan comprise:

- a) the habitat of an important koala population as defined by the EPBC Act Significant Impact Guidelines (DECC, 2008)
- b) areas of core koala habitat within the meaning of SEPP 44.

Why create KMPs?

The use of a precinct-based approach through the creation of KMPs in areas of core koala habitat (mainly consisting of areas zoned E3 Environmental Management) effectively expedites the DA process for landowners by reducing the level of investigations required, therefore saving applicants time and money.

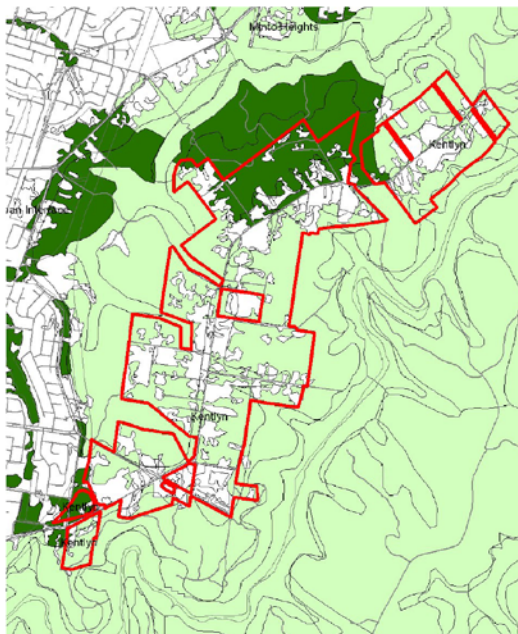


Figure 5.2(b): Boundaries of the Kentlyn KMP (500 buffer not illustrated)

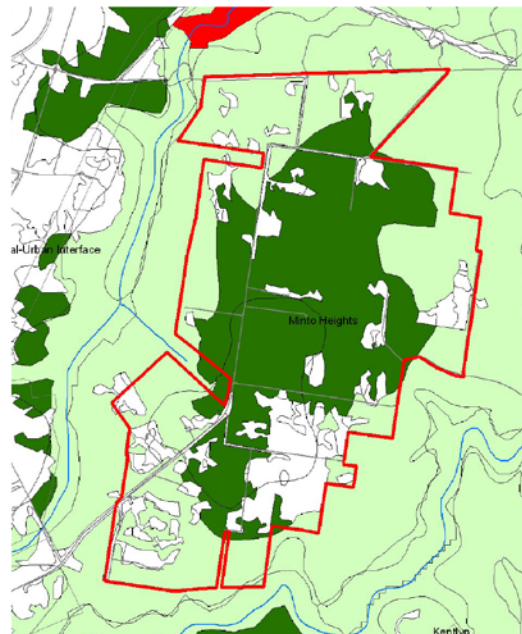


Figure 5.2(c): Boundaries of the Minto Heights KMP (500 buffer not illustrated)

5.5 Strategic linkage areas

At the landscape scale, local koala populations are maintained by processes of recruitment and dispersal from other populations in the general area. Koalas are at their most vulnerable when on the ground travelling between trees, hence safe movement of koalas across the landscape can be facilitated by the presence of vegetation.

(i) A schematic illustration showing key koala Habitat Linkage Areas (HLA) within the Campbelltown LGA is provided in Figure 5.3 of this plan.

(i) Within the first three months of the Plan, Council and the KMC will establish an ongoing process soliciting expressions of interest from landholders within KMPs to have their land identified as part of a SLA that assists in affording safe passage for koalas into and between key koala HLA's.

(ii) Subject to landholder permission and available funds, where a SLA occurs across cleared land, revegetation containing PKFTs to at least a Woodland standard (ie scattered trees/discontinuous canopy cover) will be facilitated by Council.

(iii) Works associated with the establishment of additional vegetation cover in SLAs may be funded from grant monies obtained by landholders and/or Council.

(iv) The provision of grant monies referred to in (iii) will be contingent on the landholder entering into a conservation agreement or other restriction that functions to protect the habitat on the land containing the SLA. Council will investigate a range of financial and non-financial incentives to promote conservation to encourage private landholders to actively manage their lands for conservation purposes.

5.6 Section 149 Certificates

(i) Pursuant to Section 149(5) of the EPA Act, Council may include advice on such other relevant matters affecting the land of which it may be aware. This could include information on the presence of mapped areas of preferred koala habitat and/or SLA.

What is the difference between key koala HLAs and SLAs?

Key koala HLAs identify important areas of preferred koala habitat that support major movement corridors for koala dispersal across the Campbelltown LGA.

For purposes of the Plan, a SLA means a broadly defined but indicative area of land approximately 200m wide (that are yet to be identified) for the purpose of facilitating the movement of koalas within and between KMPs.



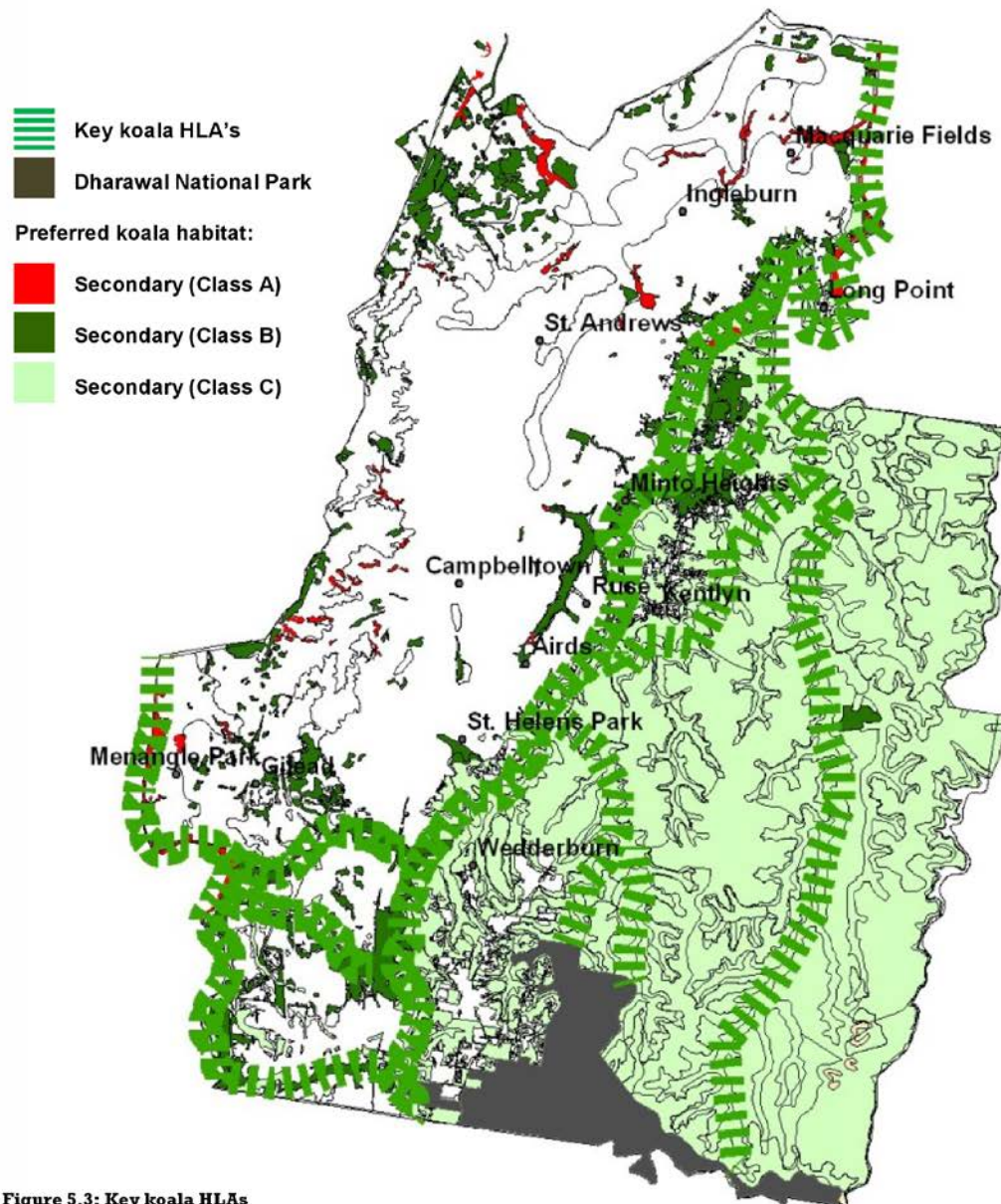
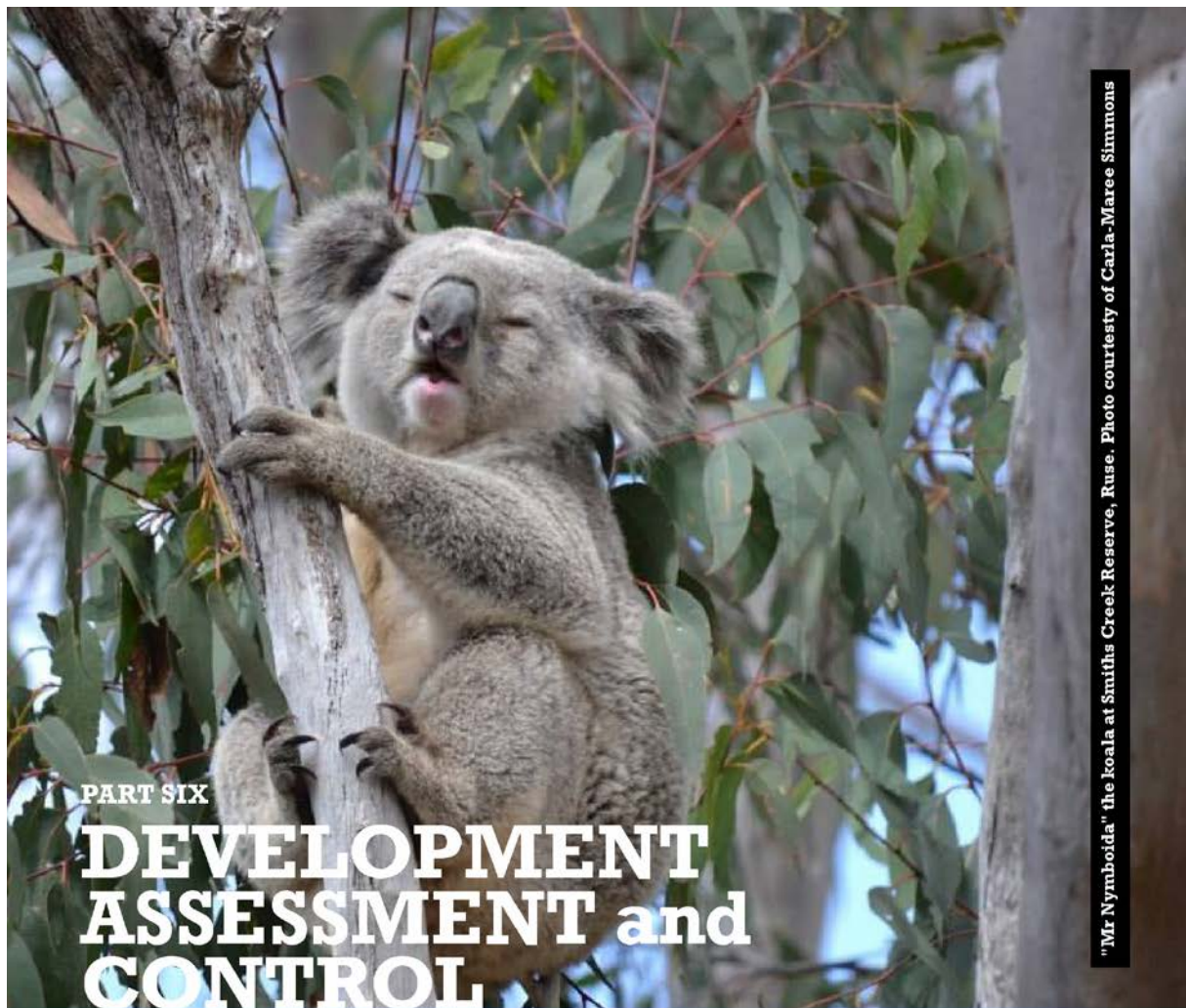


Figure 5.3: Key koala HLAs

Are you interested in restoring koala habitat on your property?

For more information, contact Council's Senior Environmental Officer on 02 4645 4151 or email koalas@campbelltown.nsw.gov.au



"Mr Nymboida" the koala at Smiths Creek Reserve, Ruse. Photo courtesy of Carla-Maree Simmons

PART SIX

DEVELOPMENT ASSESSMENT and CONTROL

Context: to assist future assessments and associated planning decisions, it will be essential for Council to have unambiguous data on koala habitat use to ensure that potential impacts are effectively minimised in areas of core koala habitat.

Overall objective: to ensure that koala habitat is correctly assessed for purposes of development and/or rezoning applications so any potential for negative impact can be identified, and to protect and effectively manage remaining koala habitat through application of best practice measures.

6.1 Application and exclusions

(i) Subject to the exclusions specified in (ii and iii) below and unless otherwise specified elsewhere, this Part applies to all lands to which the Plan applies.

(ii) This Part does not apply to a DA that does not require the removal of native vegetation and which otherwise relates to:

a) a boundary adjustment, alterations or additions to a lawfully erected building

b) lands that are wholly located outside of a KMP that either singly or together with any adjoining land in the same ownership have an area of less than 1ha, whether or not the DA applies to the whole or only part of the land.

(ii) Although the adoption of this plan replaces the requirement for the preparation of an IKPoM under SEPP 44, the applicant can opt to prepare an IKPoM instead.

6.2 General guidelines

6.2.1 Register of development

(i) Council shall establish and maintain a register of development and/or rezoning applications that arise from 6.1 above. The register must include a mechanism to ensure that any matters concerning koala habitat arising from the development can be tracked and mapped for monitoring and review purposes. This includes nominated actions in any Statement of Environmental Effects (SEE) and the policing of associated consent conditions.

(ii) The register must also include details of any lands with an associated program of habitat restoration and/or rehabilitation that is being undertaken as a consequence of Part 8 of the Plan.

(iii) A summary of items entered into the register must be provided to each meeting of the KMC.

(iv) The register shall be available for public inspection at any time during normal office hours.

6.2.2 Assessment and control standards

(i) A DA for any land the subject of Clause 6.1 above must include an assessment of the proposed development against the flowchart located in Figure 6.

(ii) Council cannot approve a DA that does not conform to the required controls and standards arising from this part unless:

- a) there are proven to be extenuating circumstances
- b) the overarching objectives of the Plan are not unduly compromised
- c) any proposed deviation has the support of the KMC.

6.2.3 Strategic linkage areas

(i) Council cannot approve a DA to which this section applies unless it is satisfied that the proposal will not sever or otherwise interfere with the movement of koalas within a designated SLA.

6.2.4 Rezoning applications

(i) A planning proposal pursuant to Section 55 of the EPA Act should demonstrate consistency with this Plan so as to identify the likely impact on koala habitat and populations of the type of development to be facilitated by the rezoning.

6.3 Assessment of koala habitat

6.3.1 Vegetation assessment report

(i) A rezoning or DA must establish if the land being the subject of the application contains any preferred koala habitat by way of a Vegetation Assessment Report (VAR).

(ii) As a minimum, the VAR shall include:

- a description of the tallest stratum cover as well as details of the species composition of each vegetation community
- a checklist of native vegetation species occurring in each vegetation patch, including any isolated paddock trees on partially cleared lands
- a stadia-metric survey that identifies the precise location, identity and dbh of all native vegetation proposed to be removed and/or within 20m of the proposed development footprint, including any proposed infrastructure, easements and APZs
- a statement as to whether any PKFTs were recorded.

6.3.2 Koala activity assessment report

(i) Subject to the qualification detailed in 6.3.2 (v) below, this section only applies to land that is located outside the boundaries of a KMP and on which PKFTs have been identified as a consequence of a VAR.

(ii) A DA for any land the subject of 6.3.2(i) must include a Koala Activity Assessment Report (KAAR) for that land.

(iii) The KAAR must employ the methodology outlined in Appendix D of the Plan so as to assess the site for levels of use by koalas.

(iv) The KAAR must be undertaken by a suitably qualified and/or accredited person, being an individual with post-graduate qualifications in koala ecology, and/or demonstrable work experience that includes publication of works on koala ecology in peer-reviewed scientific literature and/or accreditation as a koala specialist by Council and/or a professional body such as the EIANTZ or ECA. Council will maintain a register of suitably qualified and/or accredited people and/or organisations.

(v) Council may also require a KAAR to be prepared for any development within a KMP where detailed information on the distribution of koala activity and movement is required to assist evaluation of development design, and also reserves the right to have any KAAR prepared pursuant to this section peer-reviewed.



6.4 Development standards

6.4.1 Application

(i) This section applies to all rezoning and DA's that relate to all areas of core koala habitat by virtue of the following:

- being lands within the boundaries of a KMP
- where a KAAR has identified the presence of significant koala activity levels (being activity levels $\geq 10\%$).

6.4.2 Retention of PKFTs.

For the purposes of this plan, development has been classified into 'minor' and 'major' development (see explanation in caption below).

(i) There shall be no removal of PKFT ≥ 200 mm DBH as a consequence of any new DA, beyond what is permissible under the definitions for minor and major development.

(ii) The applicant must demonstrate to the satisfaction of Council that the protection of all PKFTs is consistent with the requirements of AS 4970-2009 (Protection of Trees on Development Sites).

(iii) Retained PKFTs that occur within residential allotments arising from the subdivision of land must be protected by a covenant or other effective restriction on the user on title of the land where appropriate.

6.4.3 Swimming pools

(i) All new swimming pools must incorporate a design component such as a shallow ramp or other design feature that will enable egress by koalas and/or a stout rope (minimum 50 mm diameter), one end of which must be secured to a stable poolside fixture, the other end of which must trail in the pool at all times.

(ii) Without contravening provisions of the *Swimming Pools Act 1992*, fencing must also be of a type that prevents access to the pool area by koalas (eg not be of timber or have timber posts or have shrubs and trees within 1m of either side of the fence that would allow koalas to climb over).

6.4.4 Domestic dogs¹

(i) Either the keeping of domestic dogs on any new residential lots arising from the subdivision of land shall be prohibited by an effective restriction as to user on the title of the land or other suitable planning measure

(ii) Resulting residential lots must be the subject of a covenant, imposing a legal requirement to install a dog-proof yard, whether the prospective owner has the immediate intention of owning a dog or not. The yard must enclose a PKFT-free, minimum area of approximately 300m² around a residential dwelling or part thereof. Yard-fencing must be a minimum of 1.8 m high and either be partially buried or have an associated buried component to a minimum depth of 0.3m. All gates into the enclosed area must be of the same height and general structure as the yard-fence and must have minimum clearance above ground to allow for swinging of the gate, below which must be a solid barrier such as concrete to deter digging.

6.4.5 Other fencing

(i) Fencing of residential lots must not impede the movement of koalas. Fences that do not impede koala movement may include:

- hedges or screens of trees and/or shrubs
- fences where the bottom of the fence is a minimum of 300mm above the ground to allow koalas to freely move underneath
- open post and rail fences
- post and 4 or 5 strands of wire whereby the bottom strand of wire is not barbed and a minimum 300mm above the ground at any in-line fence post and/or dropper.

6.4.6 Road design

(i) Road design standards and/or approved vehicle calming devices must be incorporated on any new roads such that motor vehicles are restricted to a maximum speed of 40km/hr within the development area.

¹ Excludes an "assistance animal" as defined for purposes of Part 6 of the Companion Animals Act 1998

Is my DA classified as 'minor' or 'major' development?

Minor development means a DA that relates to the construction of a single residential dwelling on land with a dwelling entitlement and which requires the removal of no more than two PKFTs or the subdivision of a single lot of land into no more than two lots and/or which will result in the loss of no more than two PKFTs for each hectare of assessable land to which the DA relates.

Major development means a DA that relates to the subdivision of a single lot of land into three or more lots and/or will result in the loss of three or more PKFTs for each ha of assessable land to which the DA relates.

Did you know...

Significant koala activity levels for the Campbelltown population are those $\geq 10\%$.

Ongoing evaluation of the significant use activity level threshold in east-coast low density koala populations has been assisted by the large data sets collected by the NSW OEH from the south-east forests of NSW. These data have unequivocally established that activity levels below 10% are associated with transient use (ie tree species / faecal pellet associations appear random), whereas those above 10% are not (ie pattern non-random and associated with preferential utilisation of food tree species typical of habitat use by individual koalas with established home range patterns clearly indicative of resident koala populations).

(ii) Outside of residential subdivisions, where new roads or road upgrades are proposed that traverse areas of preferred koala habitat and are predicted to accommodate in excess of 1,500 vehicle movements/day, the following standards will apply:

(a) approved wildlife exclusion fencing must be installed along both sides of the road, the lower half of which must be clad with galvanised tin sheeting on the outside face.

(b) round pipe koala-grids or other approved devices must be installed at fence-ends and driveways and other access points to prevent koala access to the road corridor.

(c) on new roads, koala underpasses comprising a minimum of 1.2m X 1.2m reinforced concrete box culverts must be installed at regular intervals that approximate one underpass per 250m of exclusion fencing.

(d) in areas where the installation of exclusion fencing and underpasses are not possible due to topographical or engineering constraints, wildlife-activated signage, street lighting and appropriate vehicle calming devices such as speed humps, roundabouts and/or chicanes must be deployed.

(e) detailed design in accordance with (i) and (ii) above must be prepared in consultation with a suitably qualified and/or accredited person.

6.4.7 Protection of koalas from disturbance

(i) Clearing of native vegetation and/or earthworks as part of any development approval consent from Council must be temporarily suspended within a range of 25m from any tree which is concurrently occupied by a koala and must not resume until the koala has moved from the tree of its own volition.

(ii) Any clearing of land must not commence until the area proposed for clearing has been inspected for the presence of koalas by a suitably qualified and/or accredited individual and approval given in writing.

(iii) Approval to proceed with the clearing of vegetation in accordance with this section is only valid for the day on which

the inspection has been undertaken.

(iv) The individual referred to in (ii) above, or a nominated representative, must remain on site during any approved clearing of vegetation. If clearing operations are being undertaken concurrently in different sections of a property, a suitably qualified and/or accredited individual must be present in each section.

6.5 Discretionary planning controls

The majority of preferred koala habitat occupied by koalas within the Campbelltown LGA will be managed within KMPs in accordance with Section 6.4 of the Plan. Outside of KMPs, less habitat is occupied and consideration can be given to relaxing development controls of the Plan.

6.5.1 Unoccupied areas of preferred koala habitat

(i) This section applies to all rezoning applications and/or DA's that have identified areas of preferred koala habitat and/or the presence of individual PKFTs and:

- are not within a KMP
- where a KAAR undertaken within the preceding 12 month period has established that koalas are not present
- where a KAAR has identified the presence of transient koala activity levels of less than 10%.

(ii) for the purposes of Section 6.4.2 of the Plan, Council may exercise discretion subject to the application demonstrating to the satisfaction of Council that that retention of PKFTs greater than 200mm DBH has been maximised and that the proposed tree removal will not prejudice the overall vision, aims and objectives of the Plan.

(iii) for the purposes of Sections 6.4.3 – 6.4.6 of the Plan, Council may exercise discretion in terms of requiring the development to conform.

(iv) Part 7 of the Plan applies to any DA being considered for the purposes of this section.



6.5.2 Non-conforming developments

In the event that extenuating circumstances beyond the capacity of the Plan to resolve can be demonstrated, some basis may exist for Council to consider modifying a development proposal in such a way as to not compromise long-term koala management objectives.

(i) This section applies to a DA relating to land to which this Part applies and:

- that is within a KMP
- if outside of a KMP, where a KAAR undertaken in accordance with Section 6.4.2 has established the presence of koalas.

(ii) Notwithstanding the requirements of Section 6.4 and at the discretion of Council, a DA for the subdivision of land for the creation of three or more lots may be approved for enclaving in such a way as to permanently exclude koalas by way of fencing, koala-grids and gateways of a type that do not allow koalas to enter the area.

(iii) Any DA to be considered for enclaving must be accompanied by a KAAR.

(iv) Areas of land where the presence of koalas has been established by a KAAR cannot be included in any land that is proposed for enclaving.

(v) In considering any application for the purposes of this section and only after consultation with the KMC, Council must be satisfied that all options relating to conformity with Section 6.4 of the Plan have been explored and exhausted.

(vi) For the purposes of (v) above, the KMC must provide a written response which must be considered by Council as part of the assessment process.

(vii) Council may consequently consider approval of the application subject to:

a) All roads and pedestrian access ways entering the enclaved area including suitable approved devices such as specially constructed koala-grids¹ and gates to prevent koalas from entering the area.

b) The design and specifications of the fencing, koala-grids and/or gates referred to in (ii) above being designed in consultation with a suitably qualified and/or accredited individual. Where the use of fencing is not considered necessary, sufficient justification in writing must be provided within the documentation supporting the DA.

c) Lands on which the fencing is to be installed must be managed in perpetuity by the proponent with access to Council afforded by way of formal easement.

d) The original DA for development of land to be enclaved providing the following plans to the satisfaction of Council:

- the precise location of the fencing
- details of conformity with (a) to (c) above.

e) The costs of providing and installing fencing, and maintenance thereof must be met by the proponent. No development works pursuant to a construction certificate being provided, are to be undertaken on the land to be enclaved, other than fencing approved as a consequence of (vii) above until the fencing referred to in (b) above is installed and operational.

(viii) Part 7 of the Plan applies to all lands that are within any area to be enclaved.

(ix) The balance of lands relating the DA and which are not to be enclaved, will be subject to the requirements of Part 6.4 of the Plan.

¹ Specifications to require use of 60mm tubular steel pipes at 200mm centres

When submitting my DA, what information do I need to provide to Council?

Use the Development Assessment Flowchart in Figure 6.1 to determine what information you are required to provide to Council to support your DA.



Mum and bub at Heritage Heights Crescent in St Helens Park. Photo courtesy of Newspix





Context: the loss of native vegetation is listed as a Key Threatening Process (KTP) and can be a contributing factor to koala population decline. For koalas, a number of issues arise with regard to compensating for habitat losses arising from development:

1. compensatory plantings take time before they can provide the food resource that the removed trees provided
2. proposals for compensatory plantings may not necessarily be in the most appropriate location in terms of longer-term koala management objectives
3. compensatory plantings cannot be guaranteed in perpetuity, particularly if undertaken on lands that do not have a secure conservation tenure
4. there is no supervision of planting to ensure that the planting succeeds over time

5. there are no standards by which compensation can be determined for the loss of habitat.

While controls can be put into place to attempt to address these issues, none will provide an efficient management regime to ensure the compensatory planting will be effective. If compensatory planting has to be accommodated as a last resort, then overall responsibility should be borne by a responsible authority, such as Council, to supervise such planting in the most appropriate location having regard to the requirements for koala management as set out in the Plan.

Overall objective: to provide a standardised approach to the compensation and offsetting of koala habitat loss with a transparent assessment process that enables loss to be quantified; and to belatedly provide a mechanism for effectively resourcing koala habitat rehabilitation and regeneration programs.

7.1 Compensation for loss of koala habitat – major development

(i) This section applies to any DA that relates to the subdivision of land into three or more lots and to which Part 6 applies whereby development consent results in the removal of PKFTs and/or shelter trees.

(ii) Where a proponent chooses to seek the removal of PKFTs or shelter trees in accordance with a DA, provision must be made to compensate for the loss of the associated habitat.

(iii) To ensure that the provision of compensation is:

- commensurate with the importance of the habitat approved to be removed
- applied in an area that most appropriately contributes to the long-term sustainable management of Campbelltown's koala population the proponent of the development shall agree to either:

(a) at the applicant's expense, enter into a legally binding agreement with Council to make a monetary contribution towards the Koala Habitat Rehabilitation Program detailed in Part 8 of the Plan, or

(b) at the applicant's expense, enter into a legally binding agreement with Council to undertake rehabilitation works in areas identified by the Koala Rehabilitation Program detailed in Part 8 of the Plan. This will include payment of a Compensation Guarantee in the form of a Bank Bond which will be released once the required works have been implemented in accord with the agreement. The purpose of the Compensatory Guarantee is to allow Council to implement the required works in the event that the proponent is unable or unwilling to comply.

(iv) The amount of the monies referred to in 7.1(iii)(a-b) above will be based on the value of the required 'compensation units' arising from the total number and size of PKFTs and shelter trees that will be removed, as follows:

(a) Compensation for loss of PKFTs that have a dbh between 20 – 25cm DBH will be at the rate of 80 compensation units for every cm of DBH (or part thereof).

(b) Compensation for loss of PKFTs and/or shelter trees that have a dbh > 25cm dbh but < 60cm will be at the rate of 150 compensation units for every cm of DBH (or part thereof).

(c) Compensation for loss of PKFTs and/or shelter trees that have a dbh of > 60cm will be at the rate of 250 compensation units for every centimetre of dbh (or part thereof).

(v) The value of a compensation unit as at the date of commencement of the Plan is \$1.00, this value to be adjusted annually using the CPI increase for the 12 months prior to the review date.

(vi) Council must establish a special trust fund into which the monetary amount determined as compensation for the purposes of 7.1(iii)(a) above can be placed, and from which only habitat rehabilitation or regeneration works identified through the provisions of Part 8 of the Plan can be funded.

(vii) Nothing in this Part prohibits the proponent from undertaking compensatory plantings and/or habitat rehabilitation measures on lands being the subject of the DA. However, such an action cannot otherwise be used to discount the obligations of the proponent for the purposes of this Part unless an agreement as outlined in 7.1(iii)(b) above is in place.

(viii) Development consent shall be conditional upon the

agreement referred to in 7.1(iii) above being registered and in place prior to issuing of a construction certificate.

7.2 Compensation for loss of koala habitat – minor development

(i) This section applies to any DA that does not relate to the subdivision of land into three or more lots and to which Part 6 applies whereby development consent results in the removal of PKFTs and/or shelter trees.

(ii) Where a proponent chooses to seek the removal of PKFTs and/or shelter trees in accordance with a DA, provision must be made to compensate for the loss of the associated habitat.

(iii) To ensure that the provision of compensation is:

- commensurate with the importance of habitat approved to be removed
- is applied in an area that most appropriately contributes to the long-term sustainable management of the Campbelltown koala population.

the proponent of the development shall agree to compensate for the loss of any PKFTs and/or shelter trees at a ratio of no less than 20 replacement trees (or the monetary equivalent¹) for every one that is removed.

(iv) the location of the compensatory plantings shall be at the discretion of Council in the context of Part 8 of the Plan.

Note: Compensation case studies that explore hypothetical offsetting scenarios can be found on the following pages.

- 1 Monetary equivalent proposed as \$35 per replacement tree

Koala fact:

Campbelltown occurs on low nutrient soil substrates, which means that the growth rate of Eucalypts are considerably slower when compared to high nutrient substrates, such as those found on the NSW north coast. This means that PKFTs take a much longer time to grow to a size that is palatable for koalas.



Compensation case study A

A landowner in Wedderburn is seeking development approval to build a house on their 2ha property. The property is located in the Wedderburn KMP, and as such the area is known to be 'core koala habitat', therefore the applicant is required to complete a VAR.

The VAR confirms that there are 37 PKFTs on the property. The applicant proposes to remove eight PKFTs in order to build their house. However, the proposed removal of this number of trees means that the DA is classified as non-complying development under the CKPoM – and the applicant would be required to submit their DA to the KMC for special consideration.

The applicant decides to review their application, and in doing so to design their development to reduce impacts to PKFTs. The applicant manages to reduce the proposed number of trees to be removed down to four trees, comprising three PKFTs, and one shelter tree. The proposed development now meets the definition requirements of minor development.

The applicant is required to compensate for the loss of PKFTs and shelter trees under the plan, and has the option of either:

1. Offsetting the four PKFTs to be lost at a ratio of 20:1 (offset: loss) and planting 80 replacement trees on site, or
2. Paying Council \$35 per replacement tree, in this instance being (80 x \$35), totalling \$2,800.

The applicant does not have enough space on site to plant 80 trees, therefore the applicant elects to make a financial contribution to Council's koala habitat rehabilitation trust fund to the amount of \$2,800.



Koala sitting on fence. Photo courtesy of iStock



Case study A - Example Wedderburn site

Compensation case study B

A property developer is seeking development approval to subdivide a 5 ha land parcel in Ingleburn into a number of smaller allotments. The proposed development is classified as Major Development under the plan. The land is situated outside of a KMP, and therefore both a VAR and KAAR are required. The VAR confirms the presence of PKFTs, but the KAAR establishes that koalas are not present on site.

The subdivision is conditionally approved with Council requiring the retention of a number of the largest PKFTs, but allowing removal of a total of nine PKFTs across the site. The amount of compensation payable to Council's koala habitat rehabilitation fund is calculated as follows:

Tree species	Scientific name	DBH	Compensation units	Amount
Grey Gum	<i>Eucalyptus punctata</i>	45cm	150	\$6750
Grey Gum	<i>Eucalyptus punctata</i>	48cm	150	\$7200
Grey Gum	<i>Eucalyptus punctata</i>	28cm	150	\$4200
Grey Gum	<i>Eucalyptus punctata</i>	59cm	150	\$8850
Blue-leaved Stringybark	<i>Eucalyptus agglomerata</i>	32cm	150	\$4800
Blue-leaved Stringybark	<i>Eucalyptus agglomerata</i>	21cm	80	\$1680
Forest Red Gum	<i>Eucalyptus tereticornis</i>	80cm	250	\$20000
Manna Gum	<i>Eucalyptus viminalis</i>	22cm	80	\$1760
Turpentine	<i>Syncarpia glomulifera</i>	67cm	250	\$16750
TOTAL				\$71,990

* The amount for each tree is calculated by multiplying the DBH by the compensation units at a cost of \$1 each.





PART EIGHT

HABITAT REHABILITATION & RESTORATION

Context: additional koala habitat areas will assist in sustaining a free-ranging koala population in perpetuity. This habitat is ideally perceived to include the in-filling of gaps within and adjoining existing areas of preferred koala habitat, in addition to SLAs. It is important that resources are used effectively to gain this additional koala habitat and that it is available in perpetuity for the koala population. The best means of achieving this is for Council to take an overseeing role for all rehabilitation and/or revegetation works.

Overall objective: to provide a coordinated program of habitat rehabilitation and linkage creation.

8.1 Habitat rehabilitation

(i) Where necessary, Council shall coordinate the rehabilitation of koala habitat across all lands to which the Plan applies. Council will seek partners and funding to secure the rehabilitation.

(ii) Within the first 18 months of the Plan and in consultation with the KMC, Council shall prepare a Koala Habitat Rehabilitation Program (the Program) for lands to which the Plan applies. The Program must identify and prioritise largely un-vegetated areas with a secure conservation tenure and/or conservation agreement for habitat restoration and/or rehabilitation purposes.

(iii) As a component of (ii) above, Council will actively seek interest from government agencies and private landholders within KMPs and SLAs to have their land considered for rehabilitation purposes.

(iv) Council will use the funds obtained by the habitat compensation measures detailed in Part 7 of the Plan to resource the Program, together with other such funding sources as may be available from time to time.

(v) Habitat rehabilitation plans must be prepared for each rehabilitation project. Habitat rehabilitation plans that are prepared by a proponent in accordance with 7.1 (iv) (b) must be approved by Council prior to works commencing, and all habitat rehabilitation plans must include the following information:

- the total area proposed for rehabilitation
- description and condition of current vegetation cover
- the number of trees to be planted, location of plantings and planting densities
- details of the sourcing of all seedlings (demonstrating local seed stock will be used)
- a schedule of management, monitoring and maintenance activities to ensure establishment and ongoing protection and management of planting(s)
- the length of the proposed monitoring and management periods, the timing of key milestones and reporting requirements

- provisions for planting mortality replacements
- nominate responsible parties for the undertaking of all works and activities included in the Plan
- if the revegetation is to take place on other than public land, how the revegetation will be maintained in perpetuity for the benefit of koalas.

(vi) As a general rule, PKFTs must comprise no less than 25% of the tree species used for rehabilitation purposes.

(vii) A Council officer will be made responsible for overall planning, supervision, resourcing and coordination of revegetation works. This officer will liaise with the KMC regarding the Program.

(viii) Where priority areas for koala habitat restoration are identified on land managed by Council, provision should be made in the relevant Plan of Management for this work.

Did you know that Council has a number of Bushcare groups operating in various locations throughout the Campbelltown LGA.

Interested in joining? For more information, contact Council's Bushcare Coordinator on 4645 4194 or email bushcare@campbelltown.nsw.gov.au





PART NINE

COMMUNITY EDUCATION

Context: while there is generally community support for koalas, there is limited appreciation of the threats they face and the measures required to ensure longer-term sustainable management of existing populations.

Overall objective: to increase the wider community's awareness of threats to koala habitat and populations, together with measures required to better manage the species and to facilitate active engagement of the community with koala management.

9.1. Education strategy

(i) In conjunction with the KMC, within the first 18 months of the Plan Council shall prepare a Koala Education Strategy aimed at raising awareness about the need for the involvement of the broader community in the management of the Campbelltown koalas. Measures may include, but are not limited to:

- a brochure aimed at visitors to the Campbelltown LGA
- a program targeted at providing information sessions at schools



- signage on roads through areas known to be occupied by koalas
 - regular workshops for the community on measures necessary to assist the koala management effort
 - a web-based mechanism allowing or advising residents to record koala sightings and other incidents of interest to koala management
 - a koala management page or pages on the Council website that provides access to the Plan, along with details of koala management measures and actions that residents, landowners etc. can take to assist longer-term koala management efforts.
- (ii) In addition to the measures to encourage habitat regeneration on private lands, Council will promote discussions with private landholders about options for conservation of koala habitat on their lands, including offering incentive instruments such as voluntary Conservation Agreements to assist in conservation of koala habitat.

Have you seen a koala? Report the sighting to Council on 02 4645 4151 or email koalas@campbelltown.nsw.gov.au or head to our website at www.campbelltown.nsw.gov.au/koalas



Dr Rob Close and Angela Taylor at Riverside Drive, Kirds. Photo courtesy of Andy Attewell

PART TEN

MONITORING, REPORTING and REVIEW

Context: appropriate measures are required to inform stakeholder interests in the distribution, abundance and conservation status of Campbelltown's resident koala population(s), assess the effectiveness of the Plan's working provisions and if necessary, identify if and how they should be amended.

Overall objective: To ensure that the Plan remains relevant and that planning controls are regularly reviewed so as to achieve the vision and aims of the Plan.

10.1 Population monitoring

(i) Within and immediately adjoining the boundaries of three embedded plateau KMPs recognised for purposes of the Plan, Council will monitor the amount of habitat being utilised by koalas by reassessing the occupancy rate and/or levels of koala activity, ideally within the first year following commencement of the Plan, and thereafter at intervals of every two years.

(ii) For purposes of the monitoring program, a series of approximately 50 field sites at 500m intervals will be established as permanent monitoring points, the locations of which are known to Council.

(iii) Each monitoring event must involve an assessment of koala habitat use at each of the 50 sites that arise from those created by 10.1(ii) above.

(iv) The minimum data set to be collected from each field site that is sampled for purposes of (iii) above must include either:

- a) a full measure of koala activity (ie application of SAT methodology applied in accord with Appendix D) from a central point located at the site coordinates, along with the number of koalas sighted in a 250m x 40m (1ha) transect, or
- b) a determination as to whether koalas are using the site based on 10 minute searches for koala faecal pellets around the base of and/or beneath the canopies of any PKFTs that are located within a 25m radius of the site coordinates (or other tree species if no preferred koala food trees are present).

(vi) A determination as to which of the two preceding options will be utilised will be made on the basis of resources available to Council at each monitoring event.

(vii) For the first monitoring event, coordinates for the centre of the site must be documented and the precise location permanently identified so as to enable it to be found for the purpose of subsequent monitoring events.

(viii) Monitoring and any associated data analysis must be undertaken by suitably qualified and/or accredited Council officers or other individuals who must also gather data from organisations such as the Macarthur Veterinary Group, WIRES and Sydney Wildlife on any koala incidents that may have occurred in the time period that has elapsed since the previous monitoring event.

(ix) As a component of every third monitoring event, Council will undertake a view of historical koala records using the methods described in Appendix C.

10.2 Performance indicators

(i) For monitoring purposes, the benchmark habitat occupancy rate to be achieved for koala populations inhabiting the three embedded plateau KMPs and adjoining lands should ideally average 45 - 50% of sampled field sites.

(ii) Notwithstanding the influence of events beyond the control of Council, the Plan can only be deemed successful if the occupancy rate estimated by the historical records analysis referred to in 10.1(ix) above is not significantly less than the estimate established by the monitoring program.

(iii) Generally, conclusions relating to changes in the occupancy rate within KMPs should only be undertaken at every third monitoring event (ie every six years) by examining both the occupancy trend over the intervening six year period and by a direct comparison to the occupancy estimate of the six years previous.

(iv) Any statistically significant reduction in either the occupancy rate or the number of field sites returning evidence of koala activity when compared to that estimated by the previous monitoring period, will warrant further investigation as to cause and so trigger a formal review of the Plan.

10.3 Reporting

(i) A report detailing the results of the field survey must be prepared by the person or organisation referred to above and forwarded to Council and the KMC within one month following completion of the field assessment.

(ii) Among other things, the report must include the following:

(a) a comparison of the extent of koala activity using baseline data from the initial monitoring event and that of any other surveys undertaken in accord with this Part, including consideration of the performance indicators

(b) a review of koala incidents obtained as a result of 10.1(v) above

(c) in relation to koalas and their habitat, a breakdown of the number and outcomes of development and/or rezoning applications that have been approved in accordance with Part 6 of the Plan

(d) the area of koala habitat rehabilitation achieved in areas identified for restoration according to the criteria outlined in Part 8

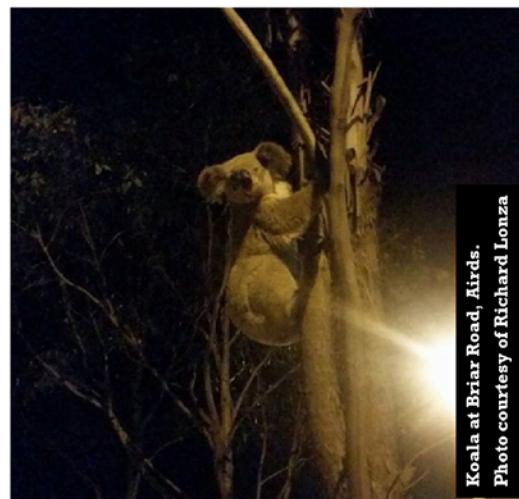
(e) any other observations and data of relevance to koala management

(f) recommendations for any amendment of the Plan by Council.

10.4 Review

(i) At every third reporting event, the KMC must undertake a major review of the Plan by considering the reports referred to in 10.3 above, along with any associated recommendations for amendment of the working provisions.

(ii) At every major review, the KMC will consider and evaluate the need to incorporate additional survey techniques such as use of specialised telephone applications, phone-in surveys and/or annual koala census days to augment the field survey component.





Context: an important aspect of koala management within the Campbelltown LGA is the care and rehabilitation of koalas. This is undertaken in a voluntary capacity by organisations such as the Macarthur Veterinary Group, WIRES and Sydney Wildlife. There is a need for stronger ties and liaison with Council in the context of koala welfare and the management and rehabilitation of wild koalas. There is also a need to address the matter of the rescue, care and rehabilitation of the LGA's koalas.

Overall objective: identification of koala welfare and research needs intended to improve and inform long-term management of the Campbelltown koalas.

11.1 Koala care and welfare

(i) To assist with the rapid rescue of koalas in the Campbelltown LGA, a direct link to the emergency contact details of WIRES/ Sydney Wildlife/Macarthur Veterinary Group website will be provided through Council's website.

(ii) Within the first three months of the Plan, Council must seek a formal submission from WIRES/Sydney Wildlife/Macarthur Veterinary Group as to how Council may best materially assist with the rescue, care treatment and rehabilitation of koalas across the Campbelltown LGA.

(iii) Council will investigate the merit of designating public parks, reserves and recreational areas within KMPs or linkage areas as dog-free zones.



11.2 Koala research

(i) Council will encourage further research, investigations and assessments into habitat use by the Campbelltown koalas, including further and ongoing refinement of the vegetation mapping layer which otherwise informs the Plan.

(ii) In collaboration with stakeholders, Council will encourage further and ongoing research into how best to reduce the potential for koala vehicle-strike and attacks on koalas by domestic dogs.

(iii) In collaboration with OEH, WSU and other stakeholders,

Council will encourage further and ongoing research into various aspects of koala disease and the genetic composition of the Campbelltown koalas.

(v) Council will establish permanent vegetation growth and koala use monitoring plots within any area replanted and/or rehabilitated for the purposes of improving habitat connectivity within the lands to which the Plan applies.

(vi) Council will continue to work closely with RFS on issues associated with fire management specifically in and around KMPs.

Did you know: the University of Sydney's Koala Health Hub at the Faculty of Veterinary Science in Camden is committed to koala care, management and research? The Koala Health Hub provides diagnostic services to koala care groups in NSW, free of charge.



Koala at Winbourne Place, Airds. Photo courtesy of Andy Attawell

PART TWELVE

OTHER THREATS

Context: the most significant threats to long-term koala population viability in the Campbelltown LGA are wildfire, incidental mortalities due to vehicle-strike and domestic dog attack, and habitat loss. While management of fire is outside of the control of Council, it is hoped that through the workings of the Plan, Council will be able to influence the management of fire to reduce the potential for negative impact, and effectively reduce habitat loss. The numbers of koalas being killed by vehicle-strike is also increasing commensurate with recovery of the Campbelltown koala population generally.

Overall objective: highlight the risks associated with fire and vehicle-strike through provisions intended to result in engagement with key agencies involved.

12.1 Fire management

(i) Council will encourage all relevant authorities and landowners to adopt a 'minimal use of fire' policy within KMPs identified by the Plan by way of:

(a) undertaking bush fire hazard reduction using mechanical means

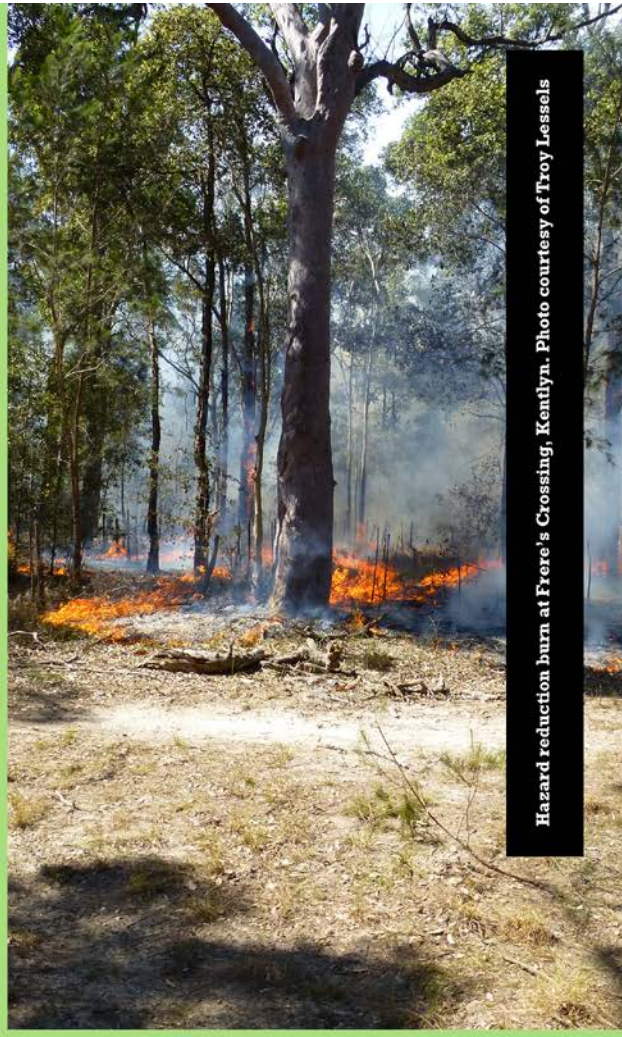
(b) extinguishing any bushfire at the first practical opportunity.

(ii) Council will ensure that maps indicating the location of core koala habitat areas within the Council LGA are made available to all RFS stations.

(iii) Council will instigate appropriate koala awareness training for RFS members, Council staff and others involved with the management of fire, assessment of DAs and provision of hazard reduction certificates.

(iv) Council will assist the RFS in conducting community education in respect to the processes required to manage bushfires and hazard reduction in KMPs.

(v) Council will assist in the preparation of protocols for land management agencies and the RFS to cooperate with the local



Hazard reduction burn at Frere's Crossing, Kentdyn. Photo courtesy of Troy Lessels



Koala crossing warning sign at Junction Road, Ruse. Photo courtesy of Alexandra Cave

wildlife carer/rehabilitation groups and OEH concerning fauna welfare issues following bushfires.

12.2 Vehicle-strike

- (i) Within the first six months of the Plan and in consultation with RMS, Council shall prepare a koala road-kill mitigation strategy for those roads within KMPs and Campbelltown LGA generally where koala road-kills are known to occur.
- (ii) The strategy referred to in (i) above must identify best-practice solutions and prioritise a five year program of works intended to reduce the risk of koala road mortalities.

**If you find an injured koala,
call the WIRES koala hotline
on 0466 318 688 or Sydney
Wildlife on 02 9413 4300**

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Appendices

- Appendix A** - **Schedule of management actions**
- Appendix B** - **Conformity with DPE/ OEH requirements for CKPoM compliance with SEPP44**
- Appendix C** - **Analysis of historical koala records in Campbelltown**
- Appendix D** - **Undertaking koala habitat assessments using Regularised Grid-based SAT (RG-bSAT) Sampling**
- Appendix E** - **Draft DCP provisions**

Appendix A: Schedule of management actions

Action ID	Description of Action	Priority (H/M/L)	Target Start Date	Action Duration	Indicative Budget	Funding Source
Roles and responsibilities						
1	Establish a KMC to guide the development of the plan, oversee the implementation of management activities, and to consider non-conforming DAs	H	< Six months	Quarterly	Internal	Council
2	Develop a koala-specific webpage on the Council website providing information on koalas relevant to the LGA	H	< One month	Ongoing updates	Internal	Council
3	Provision of effective mechanisms for community reporting of koala sightings (including telephone, email and website)	H	< One month	Ongoing	Internal	Council
Koala Management framework						
4	Preparation of koala habitat provisions for inclusion in the CLEP, 2015 to activate provisions of the plan	H	When plan adopted	3 months	Internal	Council
5	Creation of an interactive koala habitat planning layer to support the koala habitat provisions	H	< Two years	6 months	Internal	Council
6	Preparation of compensatory provisions for inclusion in the DCP for offsetting the loss of PKFTs and shelter trees	H	When plan adopted	3 months	Internal	Council
Development assessment and control						
7	Develop an interactive DA register to enable the review of conditions of consent for past DAs approved within koala habitat	M	< Two years	6 months	Internal	Council
8	Council to amend the Tree Removal Application under Section 78A of the EP&A Act in regards to PKFTs and shelter trees that triggers the requirements of the Plan	H	< One month	3 months	Internal	Council
9	Council to update Section 149 Planning Certificates under the EP&A Act to include information on the presence of koala habitat	H	< Six months	6 months	Internal	Council
10	Develop a monitoring program to randomly audit the compliance of DA conditions of consent for properties subject to this plan (and under approved IKPoMs)	H	< Six months	Ongoing	Internal	Council
Compensatory measures						
11	Develop a Council-owned land register listing properties suitable for offsetting and compensatory PKFT plantings	M	< Six months	6 months	Internal	Council
12	Maintain a register of landholders who are interested in rehabilitating koala habitat and developing the conservation value of their property	L	< Two years	Ongoing	\$10,000	External grants
Habitat rehabilitation and restoration						
13	Identify priority restoration sites for core koala habitat in order to target revegetation of strategic koala habitat corridor linkages	M	< One year	6 months	\$40,000	External grants
14	Letterbox drop property owners providing information on koala conservation	L	< Two years	Ongoing	\$5,000	External

	agreements, targeting landowners in key koala HLAs as shown in Figure 5.3						grants
15	Provide and support habitat restoration measures within koala habitat, through direct delivery and conservation partnerships	M	< One year	Annually	\$15,000	External grants	
16	Investigate opportunities for the rezoning of core koala habitat on Council owned lands for environmental protection purposes	L	< Two years	3 months	Internal	Council	
17	Undertake koala community planting projects to develop environmental stewardship in urban parks and local reserves	M	< One year	Annually	\$10,000	Council	
Community education							
18	Develop a koala awareness strategy to facilitate increased positive community engagement and awareness of koala conservation actions	M	< Six months	3 months	Internal	Council	
19	Provide community seminars and workshops to actively engage residents and stakeholder groups on koala related issues	M	< One year	Annually	Internal	Council	
20	Develop koala education programs for primary schools, particularly for those areas in close proximity to core koala habitat	L	< Two years	Annually	Internal	Council	
21	Install educational koala signage and plaques in local schools to encourage younger generations to actively engage on koala related issues	L	< Two years	Ongoing	\$5,000	External grants	
22	Develop a koala field ID guide for eco-tourism purposes to encourage education and promote koala conservation	L	< Two years	Annually	\$5,000	External grants	
Monitoring, reporting and review							
23	Develop a koala population monitoring program involving the establishment of a series of monitoring sites within the LGA	H	< One year	Triennial	\$35,000	External grants	
24	Coordinate annual community citizen science transect-based koala searches of designated monitoring sites ¹	H	< One year	Annual	\$15,000	External grants	
25	Annual report to Council on the implementation of management actions and performance indicators identified in the Plan	H	< One year	Annually	Internal	Council	
26	Explore funding opportunities through various external grant programs for the implementation of management actions identified in this plan	H	When plan adopted	Ongoing	Internal	Council	
Koala welfare and research							
27	Keep informed of recent developments and news regarding koala health through regular liason with key research stakeholders	L	< Six months	Ongoing	Internal	Council	
28	Explore opportunities with local utility contractors to provide cut PKFT branches to the Koala Health Hub at the University of Sydney's Faculty of Veterinary Science	M	< One year	Ongoing	Internal	Council	
Other threats							
29	Identify koala threat mortality hot spots through an up to date sightings, injury and	M	< One year	6 months	Internal	Council	

¹ (based on the scientifically rigorous methodology as per NPWS Community Koala Surveys Bongil Bongil National Park program)

	fatality recording framework						
30	Install koala crossing warning road signage to improve road safety in key areas subject to high koala mortality	H	When plan adopted	3 months	Internal	Council	
31	Contact NSW RMS to upgrade road signage to reflect reduced speeds (60km/hour), and enforce speed limits on state roads in koala habitat	L	< Two years	1 month	Internal	Council	
32	Lobby NSW RMS to incorporate koala-friendly crossings (such as fauna overpasses and culverts) into state road designs in koala habitat (ie Appin Road upgrade)	H	< Six months	3 months	Internal	Council	
33	Install signage in high-risk dog attack areas in koala habitat outlining leashed area restrictions to notify and educate dog owners	M	< Two years	3 months	Internal	Council	
34	Letterbox drop property owners in high-risk dog attack areas to educate residents and promote responsible dog ownership	M	< Six months	3 months	\$5,000	External grants	
35	Implement appropriate regulatory tools and compliance measures in reserves subject to leashed area restrictions	L	< Two years	Ongoing	Internal	Council	
36	Develop an interactive internal mapping system to query history and extent of hazard reduction burns across the LGA to inform future burns in koala habitat	M	< One year	Ongoing	Internal	Council	
37	Provide RFS with core koala habitat planning mapping the subject of this Plan, to ensure exclusion from the operation of the 10/50 scheme	H	< Three months	3 months	Internal	Council	

Appendix B:

Conformity with DPE/ OEH requirements for CKPoM compliance with SEPP44

Item	How the item is addressed in the CKPoM
Identification of authors	Authors and others associated with the drafting of the CKPoM are identified on Page <i>i</i> of the CKPoM.
Primary aims consistent with clause 3 of the SEPP and comply with clause 15(a) of SEPP 44 (identification, protection and management of koala habitat).	The primary aims and objectives are detailed in Part 3 of the CKPoM.
Additional aims	
Identify and list the koala food tree species in the study area, derived from <ul style="list-style-type: none"> a) SEPP 44 b) local sources c) field and community surveys. 	Koala food tree species for the Campbelltown LGA are identified in supporting documentation; PKFTs are named in the definitions and acronym section of the CKPoM on page <i>vi</i> and <i>vii</i> .
To map koala habitat within the study area.	Mechanisms for categorisation of vegetation communities are identified in supporting documentation and in Part 5 (Koala management framework) of the CKPoM; Map of preferred koala habitat is included as Figure 5.1 of CKPoM.
To identify and reduce the threatening processes acting on the local koala population.	Threatening processes are identified in supporting documentation (ie ELA koala habitat study, 2014), mechanisms for their reduction are detailed in Parts 6 (Development assessment and control), 8 (Habitat rehabilitation and restoration) and 12 (Other threats) of the CKPoM.
To identify steps to reverse the current trend of koala population decline, for example <ul style="list-style-type: none"> • to identify and conserve koala habitat • to implement appropriate planning controls • to institute a long-term program of monitoring and reporting of koalas and koala habitat • to nominate areas for restoration programs. 	No decline apparent; measures in CKPoM (all Parts) are specifically intended to enable long-term sustainable future for koalas in study area.
Background	
Physical environment - description of the physical aspects of the study area (climate, geology, soil types and their nutrient status, and topography) as it relates to koala habitat.	Part 1.1.2 of Part A (Background information) of CKPoM refers.
Biotic environment - description of the biotic environment of the study area including flora, fauna, feral animals and ecosystems as it	Part 1.1.2 of Part A (Background information) of CKPoM refers.

relates to koala habitat.	
History - summary of history of land-use, and include a current map of land tenure. History of koalas and koala habitat in the study area.	Supporting documentation refers, current map of land tenure is provided in Part 1 (Introduction) - Figure 1.1 of the CKPoM.
Regional status of koalas and koala habitat to identify potential linkages between koala habitat in the study area and neighbouring areas and the highest priority areas of koala habitat.	Supporting Documentation refers while details of key linkage areas within the broader study area, and extending into neighbouring areas is provided in Figure 5.3 of CKPoM.
A discussion of the existing planning instruments which are applicable to the protection of koala habitat (including where copies can be obtained)	Existing planning instruments covering the study area are outlined and discussed in Part 1.2 (Statutory context) of CKPoM.
Methodology	
a) Survey of the study area for koala habitat, including the following procedures:	
1. vegetation survey to produce a vegetation map of plant associations	Supporting documentation and Appendix to CKPoM refer.
2. community-based koala survey to provide records of both current and historical koala locations	Supporting documentation refers.
3. field survey to determine which plant associations and tree species contain koalas.	Supporting documentation refers.
b) Maps of koala habitat, including	
1. Potential koala habitat. This will be a map of all plant associations containing preferred koala food trees based on the list of trees generated for the study area.	A map of preferred and core koala habitat is provided in Figure 5.1 of the CKPoM.
2. Core koala habitat.	An assessment of generational persistence has enabled areas of contemporaneous core koala habitat to be identified, the basis for which is detailed in the supporting documentation, and provided in Part 5 (Koala management framework) - Figure 5.1 of the CKPoM.
Threatening processes	
Identify and describe the threatening processes affecting koalas and koala habitat.	CKPoM Part A (Background Information) refers.
Current LEP zoning of koala habitat areas and the effects of activities which may be permissible under these zonings to the extent that they facilitate or contribute to threatening processes.	Part 1.1 of Part A (Background Information) of CKPoM refers.
The extent of these problems to address the importance of each in the study area.	CKPoM Part A (Background information) refers.
Management	
General management principles and policies for koala management. For example, koala protection or management should	Part B (Working provisions) of CKPoM refers.

extend over areas of fragmented habitat which support a koala population and identified links between koala habitat.	
Planning controls and regulation. The recommendations in Section 2.4 and 2.5 of the Department of Urban Affairs and Planning (DUAP) Circular No B35, should be applied. All areas mapped as koala habitat should be included in these legislative provisions.	Part 6 (Development assessment and control) of CKPoM refers.
Encourage land owners to enhance and protect koala habitat – proactive measures.	Part 9 (Community education) of CKPoM refers.
Threatening processes addressed by appropriate detailed management actions to negate or ameliorate threats.	Parts 6 (Development assessment and control) and 12 (Other threats) refer.
Koala welfare - management of sick and injured koalas placed in care for rehabilitation and release. The role that local koala care groups play in koala welfare and conservation should be identified and discussed.	Part 11 (Koala welfare and ongoing research) of CKPoM refers.
Research - identify areas requiring further research that will assist in the long-term management of koalas.	Part 11 (Koala welfare and research) of CKPoM refers.
Public education and information - strategies to educate and inform the public of the management and conservation of the local koala population.	Part 9 (Community education) of CKPoM refers.
Coordination - management recommendations should take a regional approach - neighbouring lands and include issues on all land tenures (including DoD, NPWS and Crown Lands).	Part 4 (Roles and responsibilities) of CKPoM designates Campbelltown City Council as lead agency.
Implementation - how the plan is to be implemented including time-frames and responsibilities.	Appendix A of CKPoM refers.
Review	
Formation of a steering committee to assist in overall implementation (eg establishing time-frames for implementation) and content and assigning responsibilities and resources.	Section 4.2 of CKPoM establishes a KMC to oversee/assist with implementation of the Plan.
Performance indicators - Detailed performance indicators, with incorporated timeframes to assess the success or failure to meet the aims of the Plan. These indicators will guide the monitoring program. Appropriate indicators should include rates of habitat loss and/or creation, feedback from community groups and achievement of deadlines.	Part 10 (Monitoring, reporting and review) of the CKPoM refers.
Monitoring - an ongoing program of monitoring of the koalas and koala habitat, be defined by the performance indicators.	Part 10 (Monitoring, reporting and review) of the CKPoM refers.
Reporting - reporting of the status of koalas in the study area and the LGA is required.	Part 10 (Monitoring, reporting and review) of the CKPoM refers.
Public exhibition: the views of the community should be obtained through public exhibition of a draft plan. Any comments should be collated and incorporated into the plan if appropriate.	CKPoM is to be placed on public exhibition for 28 days following Council resolution.

Appendix C

Analysing the historical record: aspects of the distribution and abundance of koalas in the Campbelltown City Council Local Government Area 1900 – 2012.

**Report to Campbelltown City Council
March 2016**

Background

Analysis of historical fauna records can inform management and conservation decisions. The koala is an iconic Australian mammal and has been the focus of one national survey (Phillips 1990). While in NSW, at least three statewide surveys have also occurred (Gall 1978; Reed and Lunney 1990; Lunney *et al.* 2009). Analyses of historical koala records are increasingly being used to inform planning outcomes at the Local Government Area (LGA) level (Lunney *et al.* 1998; Phillips *et al.* 2007; Phillips and Hopkins 2010). The range parameters Extent of Occurrence (EoO) and Area of Occupancy (AoO) are two key measures pertaining to the spatial distribution of a species, the EoO being that area encapsulating the outermost limits of the area in which the species can be found, while the AoO is that area within the EoO in which the species actually occurs (Gaston 1997). The AoO is typically estimated by enumerating the number of occupied grid cells and is thus sensitive to sampling parameters such as study area and grid cell size.

As a consequence of databases in the public domain which invite contribution, coupled with a mandatory requirement in some instances to report species records, relatively large data sets are now available for use. However, the adhoc nature of data collection and associated reporting indirectly results in a suite of statistical issues which can make objective interpretation of such data problematical.

The boundaries of the Campbelltown LGA encompass an area of approximately 31, 200ha. This report is part of a process initiated by Campbelltown City Council to progress towards the adoption of a Comprehensive Koala Plan of Management (CKPoM) for the LGA. Herein an analysis of historical koala records for the LGA is undertaken, with a view to examining the following issues:

- (i) identifying any changes/trends in the geographic distribution of koalas within the Campbelltown LGA over time
- (ii) determining the extent to which the historical records may be capable of assisting/informing decisions relating to koala conservation by way of identifying important historical and contemporaneous source populations, the latter additionally qualifying as core koala habitat for the purposes of SEPP 44.

Knowledge gained from the preceding process in conjunction with data derived from habitat mapping and radio-tracking studies, has also been used to derive an indicative koala population estimate for the entire LGA.

Methods

An inherent problem associated with survey data such as historical koala records, is that they are typically observer-biased and do not reflect the results of a systematic survey effort. Hence, quantitative range parameters such as the Area of Occupancy (AoO) and concepts such as generational persistence could potentially miscalculate the full extent of any indicative change (positive or negative) and/or the locations of such things as source populations respectively, if existing bias cannot be accommodated; it is with such considerations and limitations in mind that the following methodological approach was developed.

Historical koala records were provided by Council, these being those previously collated by Ward *et al.* (2013) from Western Sydney University (WSU), and the NSW Office of Environment and Heritage (OEH) Wildlife Atlas databases for the time period 1900 - 2012. Once collated, records were sorted chronologically by koala generation (determined to approximate six years (Phillips 2000)) dating backwards from 2012. The resulting data set was then further partitioned in order to enable comparisons pre 1995 and post 1994 (the timeframes 1995 - 2000, 2001 - 2006 and 2007- 2012 approximating the time intervals for the three most recent koala generations respectively). This approach enables results to be considered in the context of International Union for Conservation of Nature (IUCN), Commonwealth and State-based conservation criteria which place weight on the concept of population change over a time period of three consecutive (taxon- specific) generations (WCUSSC 1994).

Extent of occurrence

The *EoO* was determined as the total area enclosed by a Minimum Convex Polygon (MCP) derived by connecting the outer-most koala records over time for each koala generation for which sufficient data was available. Three *EoOs* for the Campbelltown LGA were determined as follows:

- a) that encapsulating all known koala records over time (the historical *EoO*)
- b) that for the time period 1900 – 1994
- c) that for the three most recent koala generations 1995 - 2012.

Area of occupancy

Although the more useful of the two range parameters, changes in the *AoO* over time are harder to quantify because there is an increase in available records over the last

two decades. The following procedures were applied in order to minimise the influence of chronological bias.

A 2km x 2km (400ha) fixed-grid overlay constrained by the boundaries of the historical EoO was used to create a series of cells for sampling purposes. The 400ha grid cell size was considered the minimum necessary to accommodate spatial uncertainty in the data (use of different mapping datums, observer error, etc), while the actual number of records themselves became academic, the primary scoring mechanism being whether a koala record was either present or absent. Fifty percent of the grid cells were then randomly selected through each of 10 iterations for each time period examined, the number of cells within which koala records were present enumerated and converted to a proportion of the total area occupied. Differences between time periods were analysed using two sample *t*-tests. In order to deal with the disproportionately greater number of koala records in recent years, sampling iterations for the three most recent koala generations was based on a single suite of randomly selected records, the number being equal to that for all preceding generations.

Generational persistence

The records were also examined for re-occurrence over timeframes that were beyond the life spans of individual koalas. The term Generational Persistence Assessment (GPA) is used to describe this process; examining the data for repeated records of koalas within a localised area over overlapping generational time spans, and so identifying the presence of long-standing (20 years+) historical resident and/or source populations (ie core koala habitat as defined by SEPP 44). For the purpose of this report, "localised" was considered to include that area defined by the 2km grid cell around each koala record, with generational persistence inferred by the presence of records for each of the three most recent koala generations.

The proximity of some records to grid cell edges invariably warrants the need to include an appropriate buffer to areas of generational persistence, the size of which necessitates considerations of the koala home range size as follows:

- Buffer width (m) = square root of average adult female home range size (m²), modified to accommodate spatial overlap.
-

Estimating population size

Population size was estimated by intersecting the 1995 – 2012 EoO with underlying vegetation mapping in order to estimate the amount of preferred koala habitat. This result was then modified by the AoO (including bounds) to indicate the likely number of hectares currently occupied by resident koala populations. This value was then divided by a koala density estimate determined by reducing the average home size of an adult female koala by 50% to accommodate some spatial overlap (35%) with other females and breeding males (15%) respectively. An indicative population estimate can then be derived as follows:

$$N = [PKH \times AoO (\pm 95\% CL)] \times D/2$$

where:

N = population estimate

PKH = amount of available habitat (in ha) contained within the 1995 – 2012 EoO

AoO = record-derived occupancy estimate expressed as a proportion

D = mid-point of range of female koala home range size determined by Ward (2002).

Results

Koala records

A total of 1,600 koala records were contained in the dataset of Ward *et al.* (2014), of which 1,588 had a date reliably attributed to them; hereafter the results of analyses utilising only dated records are presented. The chronological distribution of these koala records is presented in **Figure 1**.

The earliest records of koalas in the Campbelltown LGA (ca 1900) occur at Campbelltown and in the area now known as Minto Heights. Through the 1960s to the 1980s, sporadic records appear in the Wedderburn area, Minto Heights – Kentlyn and between St Andrews and Ingleburn. The frequency of reporting of koala records gathers momentum from the late 1980s through to 2006, this time period coinciding with the first statewide survey (Gall 1978), thereafter the National Koala Survey (Phillips 1990; Reed and Lunney 1990) and most recently Dan Lunney's 2006 community-based koala survey for NSW (Lunney *et al.* 2009).

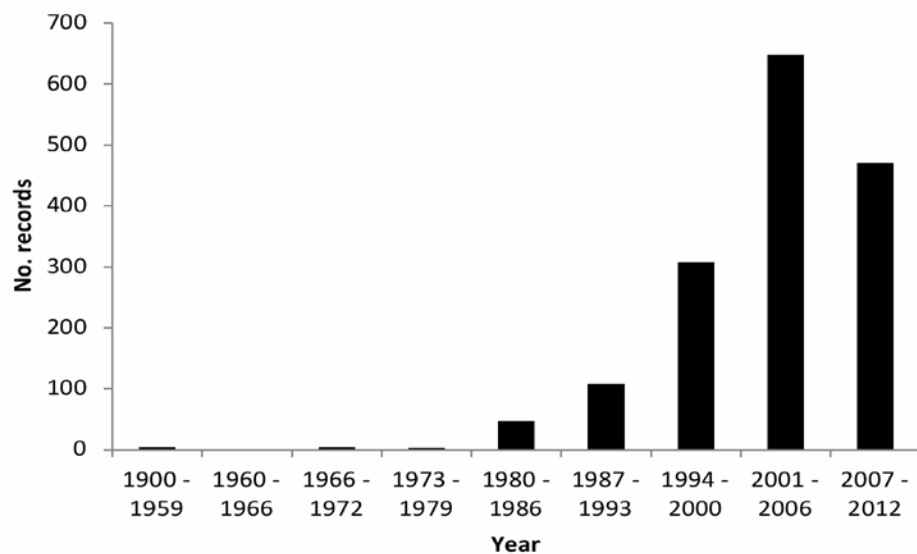


Figure 1: Chronological distribution of 1,588 koala records for the Campbelltown LGA over the period 1900 - 2012.

Extent of Occurrence

Available koala records reveal an historical *EoO* of approximately 15,225ha, this being the area captured by a MCP with vertices that intersect the outer-most koala records in the dataset for the time period 1900 - 2012 (Figure 2).

The records further imply that an *EoO* of this size has not always been the case, the time period 1900 -1994 being substantively smaller at approximately 63% (9,509ha) of this area (**Figure 3**). As might be deduced from this difference, the trend over the last three consecutive koala generations (1995 - 2012) appears to have been one of overall range expansion / recovery, the associated *EoO* estimated at 14,863ha (**Figure 4**).

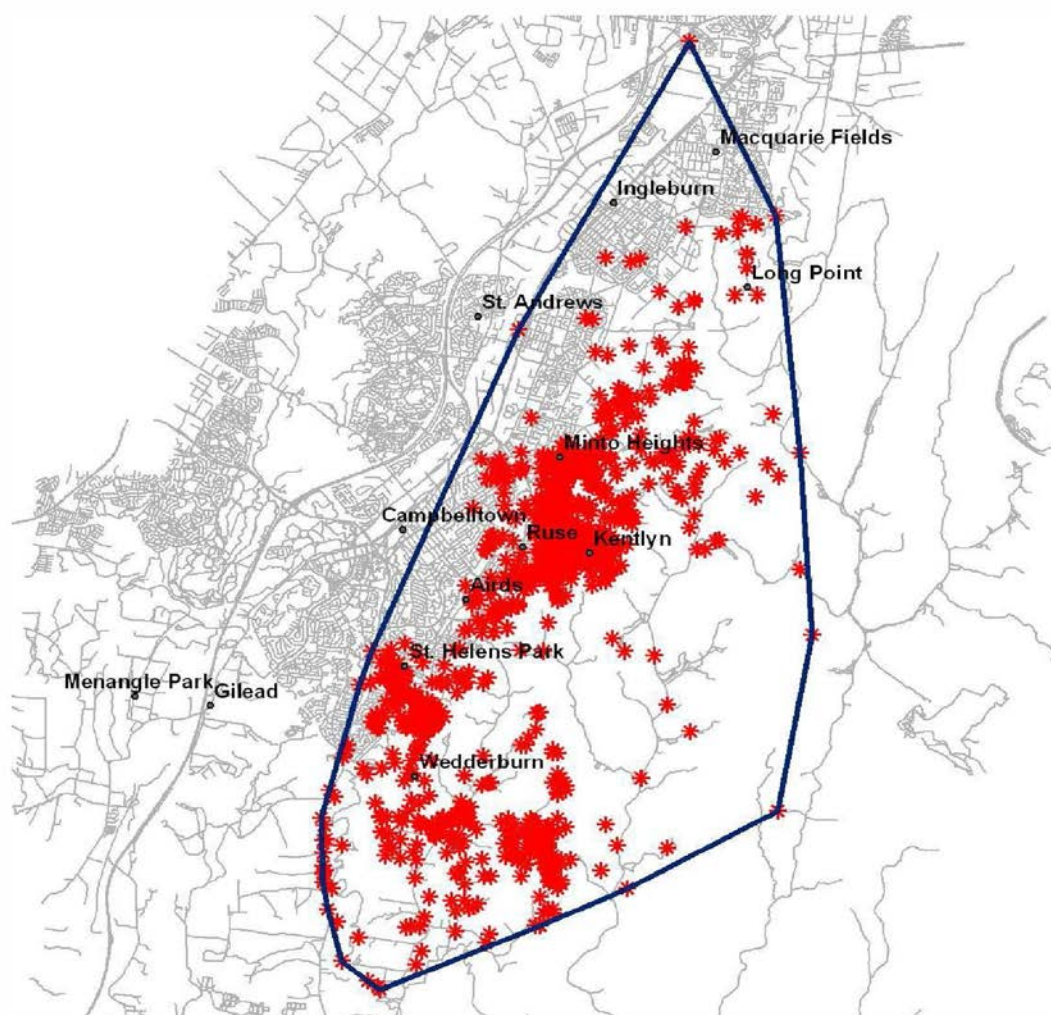


Figure 2: Historical EoO of koalas (red asterisks) in the Campbelltown LGA over the period 1900 - 2012.

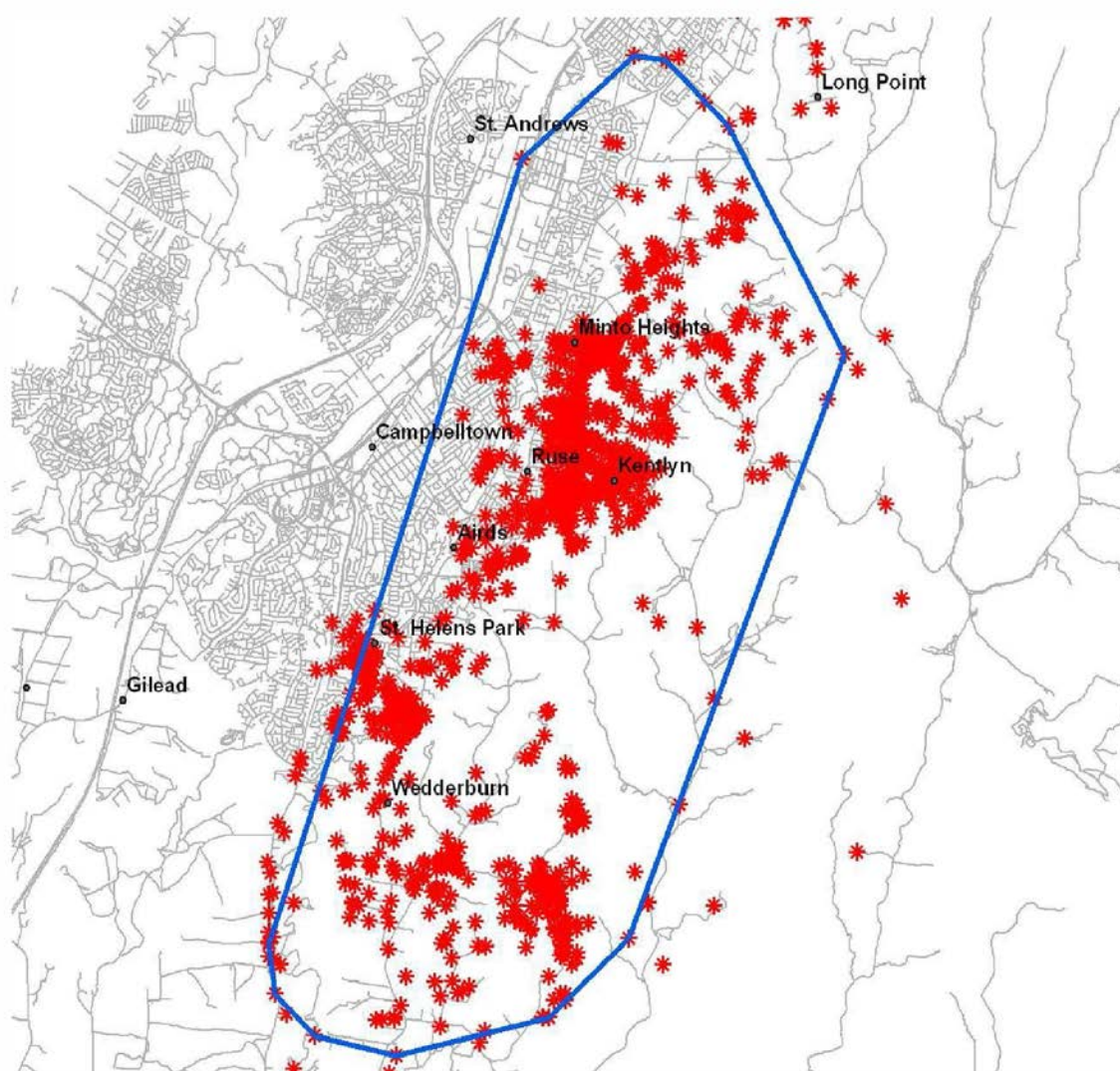


Figure 3: Historical EoO of koalas (red asterisks) in the Campbelltown LGA over the period 1900 - 1994 (Note: red asterisks outside of blue MCP indicate post 1994 records).

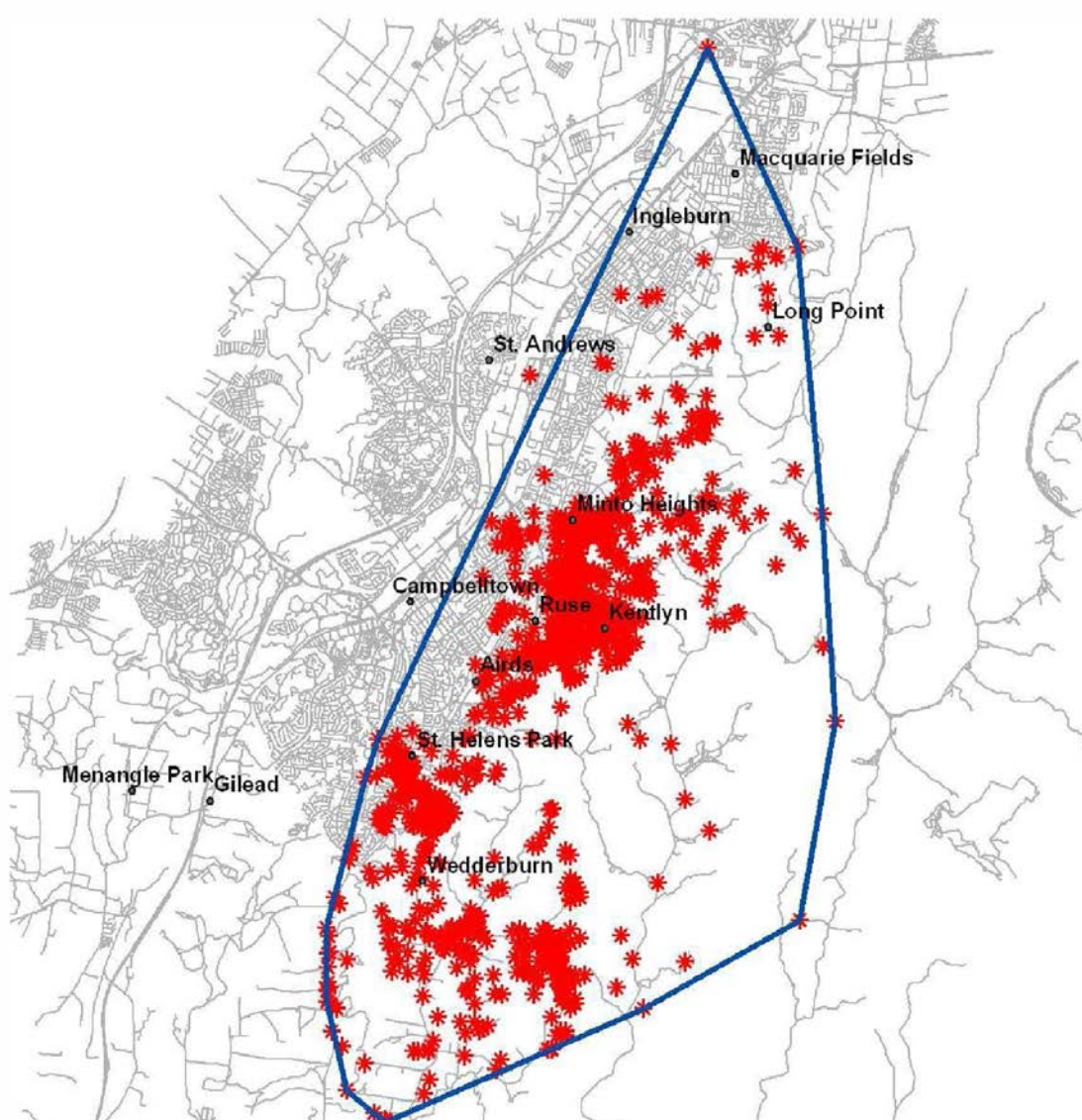


Figure 4: Historical EoO of koalas (red asterisks) in the Campbelltown LGA over the period 1995 – 2012 (Note single pre 1995 record in St Andrews).

Area of Occupancy

The occupancy rate estimated from the 163 records that comprise the entire subset of data for the time period 1900 - 1994 was compared to that of a single suite of 163 randomly selected records for the time period 1995 - 2012. Randomly sampling 50% of the grid cells within the historical EoO over 10 iterations returned the following results:

1900 – 1994

Mean AoO estimated at $41.23 \pm 7.39\%$ (SD) of available habitat.

1995 – 2012

Mean AoO estimated at $46.42 \pm 5.58\%$ (SD) of available habitat.

Analysis of the data associated with these two outcomes confirms that there has been a statistically significant increase in the extent of the study area being occupied by koalas over the last three koala generations [1900 - 1994 vs 1995 - 2012: $t = -2.16984$, 28_{df} , $P < 0.05$ (two-tailed test)].

Generational persistence

During the three koala generations from 1977 to 1994, the records indicate two areas of generational persistence, coinciding with the Wedderburn Plateau and Kentlyn – Minto Heights localities. This result (**Figure 5**) implies the presence of small and localised population cells over that time period.

The subsequent three generation subset (years 1995 - 2012) indicates a substantive increase in the area of generational persistence, with records from the aforementioned locations persisting through to 2012 (**Figure 6**). The most evident change when contrasted to that in Figure 6 is the increased number of grid cells along the interface of the Campbelltown urban environment where it abuts adjoining bushland areas.

Ward (2002) determined the size of female koala home range areas to vary between 11 – 61ha. Making allowance for estimated home range overlap of 50%, the midpoint of these estimates is $0.5 \times 36\text{ha}$ or $180,000\text{m}^2$, the square root of which is 424m.

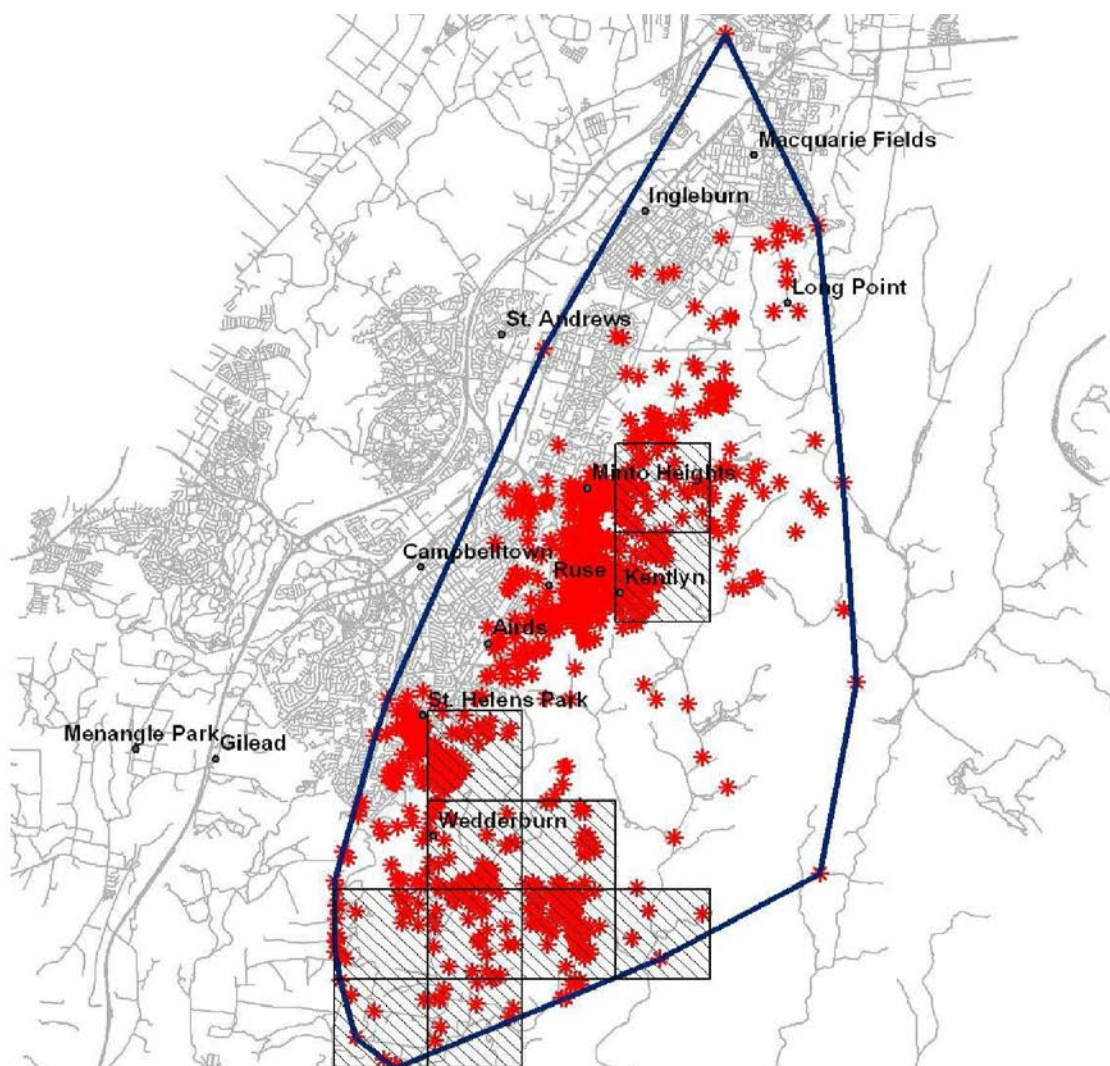


Figure 5: Areas of generational persistence (diagonally crossed grid cells): 1977 – 1994.

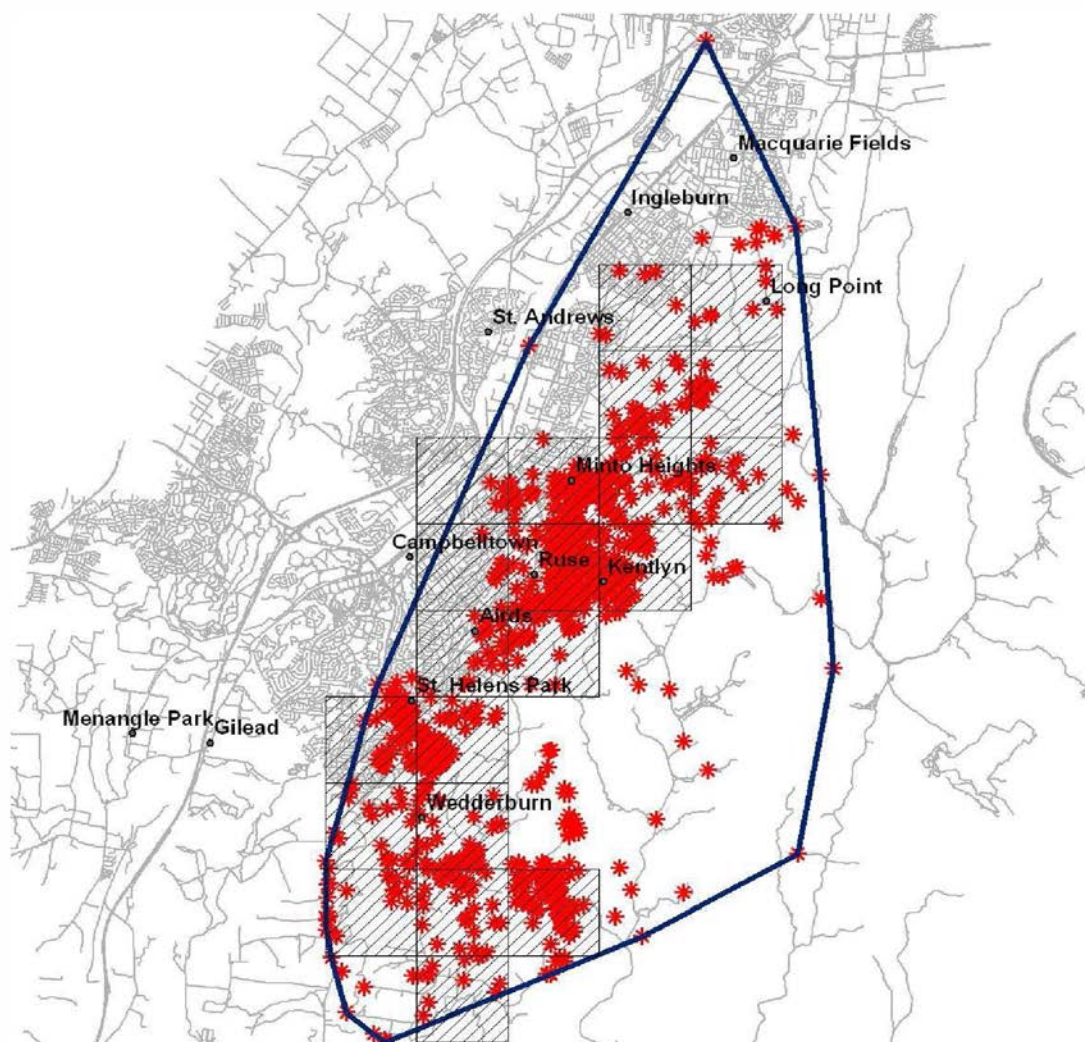


Figure 6: Areas of generational persistence (diagonally crossed grid cells): 1995 – 2012.

Estimating population size

The 1995 – 2012 EoO contains approximately 6,857ha of preferred koala habitat, $46.42\% \pm 3.09\%$ (95% CI) of which has been estimated as currently occupied by koalas. Using the modified home range size of 18ha, allows a population estimate for the Campbelltown LGA of 177 ± 12 (95% CI) koalas to be derived.

Key Outcomes

- The historical records indicate that koalas have a long history of occupation in the Campbelltown LGA. The population appears to have been on a recovery trajectory over at least the last three koala generations.
 - The recovery trend is well supported by analysis of changes in the key range parameters EoO and AoO. There have been progressive increases in the EoO leading up to the mid 1990s, with that for the, three last koala generations exceeding that of all generations before it. The current EoO for koalas in the Campbelltown LGA approximates an area of 14,000ha.
 - Commensurate with the increase in the *EoO*, there has also been a statistically significant increase in the *AoO*. Optimal occupancy rates for free ranging koala populations are estimated to be approximately 50% of available habitat, a measure which already appears be the case within the Campbelltown LGA.
 - GPA implies the presence of two source populations in the Wedderburn and Minto Heights – Kentlyn areas up until the mid 1990s. Thereafter, the 1995 - 2012 GPA data alludes to both an expansion of these areas into adjoining bushland areas abutting localities of St Helens Park, Airds, Ruse and Long Point.
 - A minimum buffer width of 425m is deemed necessary to effectively accommodate likely koala ranging patterns on peripheral GPA cells.
 - Recovery and range expansion described herein accommodates neither complacency nor apathy in its outcomes. The estimated numbers of koalas comprising the Campbelltown koala population remain low such that a recovery, long-term sustainable management-themed CKPoM will be necessary.
-

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Appendix D

Undertaking koala habitat assessments using Regularised Grid-based SAT (RG-bSAT) Sampling

PREAMBLE

The ecology of koalas in the Campbelltown LGA is, among other things, influenced by the availability of, and access to preferentially utilised food tree species. The purpose of this appendix is to assist landholders and proponents of development to identify important habitat areas that are currently being utilised as part of normal koala ranging, socialising and feeding patterns. The overall approach is as follows:

STEP 1

Determine appropriate sampling intensities for the site to be assessed using the following table:

Table C.1 Sampling Intensity per Unit Area

Area of land being subject of DA or rezoning application	<u>Initial</u> SAT sampling intensity	<u>High</u> SAT sampling intensity
< 15ha	250m intervals	125m intervals
15 - 50ha	500m intervals	250m intervals
> 50ha	700m intervals	350m intervals

STEP 2

Overlay the proposed development site with a square grid the dimensions of which correspond to the “high SAT sampling intensity” specifications in the table above, then use the resulting grid-cell intersections to identify those points that fall on areas of land where 30 trees of any species that have a DBH \geq 100mm could theoretically be sampled within a radius approximately equal to that of 50% of the sampling intensity being utilised (eg 150m = 75m radius, 250m = 125m etc). Note that this approach requires areas of cleared land with scattered trees to be included for assessment purposes.

When overlaying the grid, ensure that adjoining areas of land are included to the extent that an overlap consistent with the relevant “initial SAT sampling intensity” interval has been achieved (ie provision is made to sample adjoining areas of habitat and so place the site into a broader koala management context).

STEP 3

- a) Preliminary sampling of the site should be undertaken at intervals commensurate with the “initial SAT sampling intensity” specified in Step 1.
 - b) Sampling is to be undertaken at each sampling point using the Spot Assessment Technique (SAT) of Phillips and Callaghan (2011).
-

c) In the event that koala activity is recorded at any of the initial sampling sites, then the surrounding “high SAT sampling intensity” sites within the boundary of the land under assessment (or immediately adjoining areas) must also to be sampled where there is an activity level transition from high or medium use to that of low use.

STEP 4

In the absence of a suitable spatial modelling technique such as splining, all SAT sites where significant koala activity has been recorded must become the central point of a grid cell, the size of which must be commensurate with sampling intensity as follows.

- For 125m sampling intersections, the grid cell size will be 125m x 125m (1.56 ha)
- For 250m sampling intersections, the grid cell size will be 250m x 250m (6.25 ha)
- For 350m sampling intersections, the grid cell size will be 350m x 350m (12.25 ha)

All areas within a grid cell identified in Step 4 and that have an activity level of 10% or greater must be regarded as supporting a resident koala population for the purposes of this plan.

The overall process is illustrated in Figures 1 – 3, below.



Figure 1: Nominal study area – in this example, 300ha - comprising some cleared areas and a heterogeneous mix of vegetation communities.



Figure 2: Study area overlain with a point-based, regularized grid at 350m intervals for sampling purposes, each grid cell intersection point that falls within an area of forest subsequently sampled for koala activity using the Spot Assessment Technique of Phillips and Callaghan (2011).



Figure 3: Once field survey has been completed, areas supporting significant koala activity (ie in this example, habitat areas surrounding LB5_038, 050,061,075 and 112) can be interpolated using thin-plate splining techniques and associated contouring to provide a more refined outcome. A coarser outcome producing the same result would be to make each of the aforementioned sites the centre of 12.25ha grid cells. In this image, the extent of significant koala activity is indicated by the outer orange line.

Appendix E

11.4

Design requirements for developments in core koala habitat

11.4 Design requirements for developments in core koala habitat

Objectives:

- To assist in the effective implementation of the Campbelltown Comprehensive Koala Plan of Management (CKPoM) for development within core koala habitat
- To facilitate development sympathetic to the local koala population, in order to minimize the impacts of development on koala habitat.

11.4.1 Management of core koala habitat

- a) Development applications for properties located in core koala habitat, and relating to a boundary adjustment, alterations, or additions to a lawfully erected building; and where no removal of native vegetation is proposed, are required to:
- i) be designed and located in such a way as to avoid any adverse indirect impacts to preferred koala food trees (PKFTs).
 - ii) incorporate fences in a way that allows for the movement of koalas through the property, either through:
 - the installation of koala-friendly fencing (that allows the movement of koalas)
 - incorporating structures that enables koalas to climb over fencing
 - retaining mature vegetation on either side of fences.
 - iii) confine domestic dogs to a dog run, or koala-proof fenced enclosure during peak koala activity levels, being between 6pm and 6am.
 - iv) design swimming pools with a graduated shallow edge, or fitted with a permanent flotation device to prevent koalas drowning.

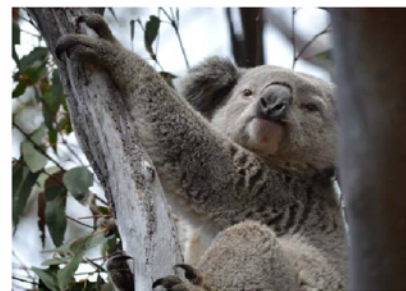


Plate 11.4.1 - The protection of koala habitat is essential to provide for the long-term maintenance of a viable, free-ranging koala population in the Campbelltown LGA (Koala "Mr Nymboida" in Ruse. Photo courtesy of Carla-Maree Simmons).

Note:

Many koala populations in NSW now survive in fragmented and isolated habitat, while some areas in which koalas remain more common are increasingly subject to ongoing pressures, in particular clearing for agriculture, logging and urban expansion.

Campbelltown has one of the last, disease-free koala populations in the Sydney region. Therefore it is essential to put in place design measures that support the harmonious co-existence of the community with koalas.



2.2 Outcome of the Public Exhibition of the Noxious Weed Management Strategy

Reporting Officer

Manager Environmental Planning

Attachments

Updated draft Noxious Weed Management Strategy (contained within this report)

Purpose

To inform Council of the outcome of the public exhibition of the draft Noxious Weed Management Strategy and seek Council's endorsement of the updated draft Noxious Weed Management Strategy.

History

Council at its meeting held 10 May 2016, considered a report on a draft Noxious Weed Management Strategy and resolved:

- '1. That Council endorse the attached draft Campbelltown Noxious Weed Management Strategy for public exhibition.
2. That the draft Campbelltown Noxious Weed Management Strategy be re-submitted to Council at the conclusion of the public exhibition for adoption. That following the conclusion of the public exhibition, the outcome of the exhibition be reported back to the full Council.
3. That Council write to the Minister for Primary Industries and Minister for the Environment requesting a review of the funding model for noxious weed management with additional emphasis on the eradication of African Olive.'

This report updates Council on the outcomes of the above resolutions.

Report

Public Exhibition

The draft Campbelltown Noxious Weed Management Strategy (the draft strategy) was placed on public exhibition for one month (from Tuesday 1 March 2016 until Friday 1 April 2016) at the following locations:

- Council's Civic Centre
 - all Council libraries
 - Council's website.
-

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

The exhibition of the plan was advertised in the local notices section of the Campbelltown Advertiser and the Macarthur Chronicle.

Submissions Received

One submission was received from a resident in regards to a minor mistake relating to a plant name and corresponding picture, the draft strategy contained in the attachment to this report, has consequently been corrected.

Council Resolution

A letter was sent to both the Minister for Primary Industries and the Minister for the Environment requesting a review of the funding model for noxious weed management with additional emphasis on the eradication of African Olive.

Implementation and funding of the Strategy

Whilst many of the actions prescribed under the draft strategy are currently being implemented under Council's current Weed Management Programs, new or amended actions will be incorporated into future works programs and will guide Council's approach to noxious weed management.

Council staff will continue to actively pursue grant funding opportunities to assist with the management of noxious weeds, however grant funding programs are highly competitive and success in obtaining grants is never guaranteed. Therefore in order to implement the draft strategy, Council should seek to increase its internal funding of noxious weed management through quarterly budget reviews and the annual budget process.

Conclusion

The draft Noxious Weed Management Strategy was placed on public exhibition for a period of 32 days. Council received one submission from the community regarding the strategy and Council officers are of the view that with the minor change completed, no further changes to the publicly exhibited Noxious Weed Management Strategy are considered warranted.

The draft Noxious Weed Management Strategy has been developed in line with relevant legislation relating to noxious weeds and their management and in consultation with various sections within Council through the Sustainable Land Working Party.

The implementation of this draft Strategy if approved by the Council, will be undertaken through an annual schedule of works. The effectiveness of the actions in achieving the goals of the draft Strategy will be measured against nine indicators including: the number of inspections undertaken, the area of bush regeneration and weed treatment completed and the number of educational activities delivered. Council's performance against these indicators will be reported through its annual State of the Environment Report. Where indicators show a decrease in achievements or there are significant changes in related policy and/or legislation, a review of the strategy will be undertaken.

Officer's Recommendation

That Council adopt the draft Noxious Weed Management Strategy as attached to this report.

Committee's Recommendation: (Kolkman/Rowell)

That the Officer's Recommendation be adopted.

CARRIED

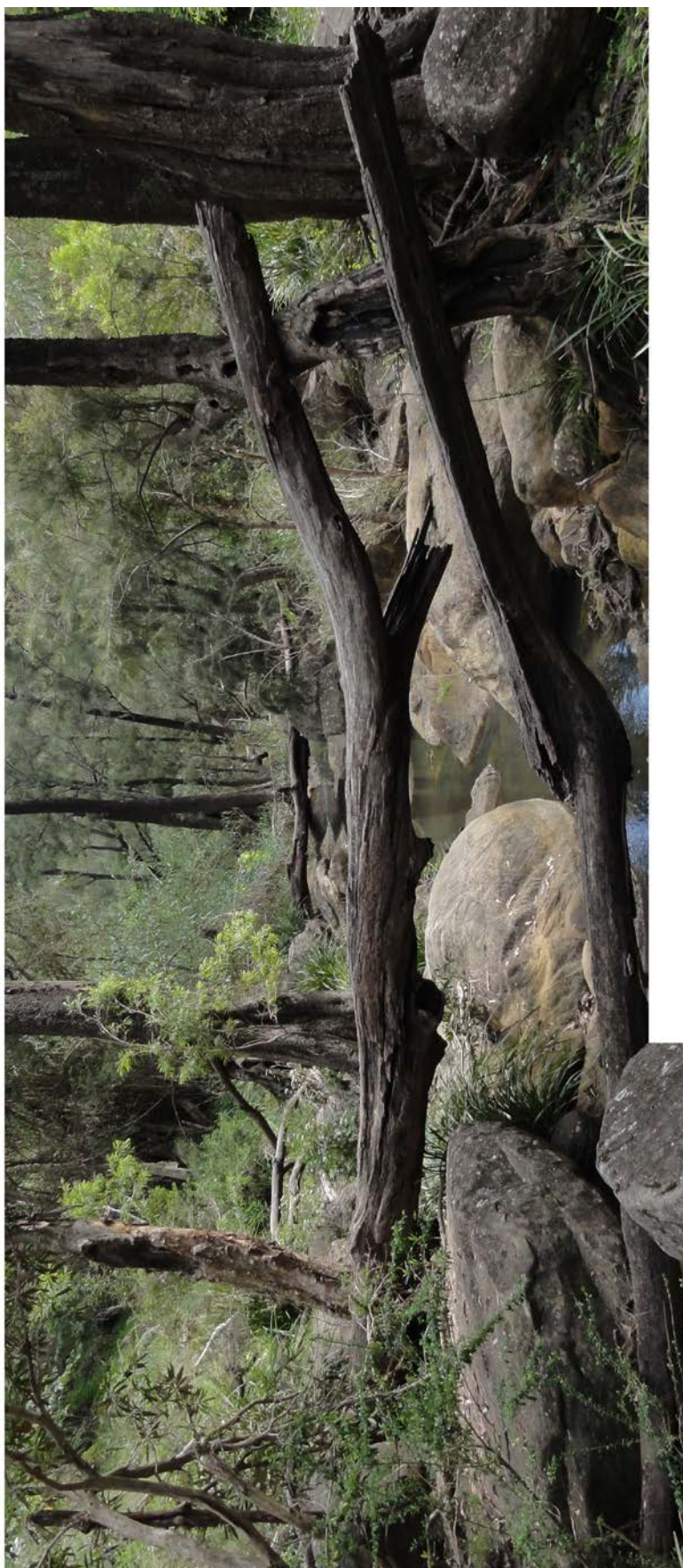
Council Meeting 17 May 2016 (Greiss/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

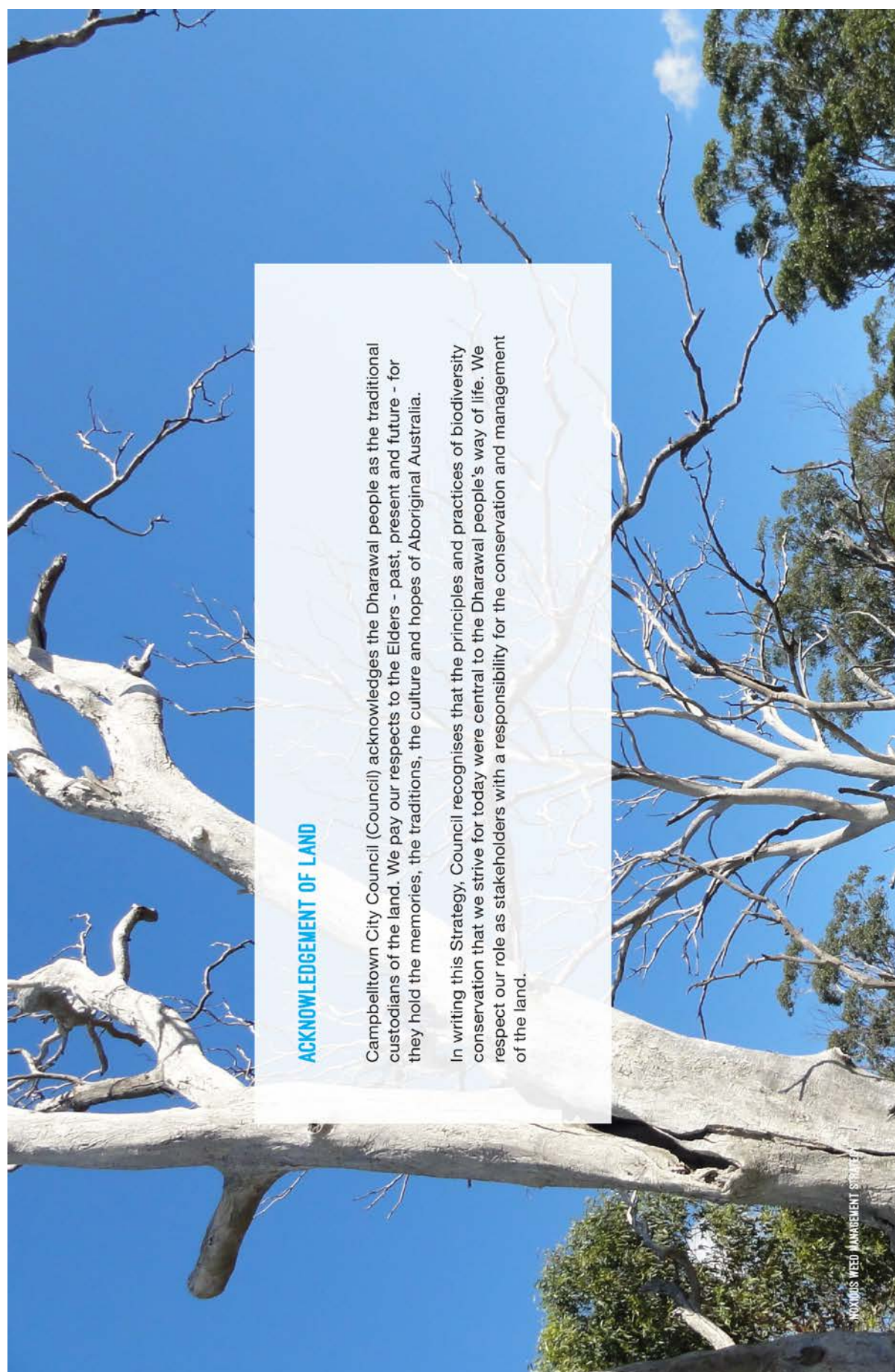
ATTACHMENT 1



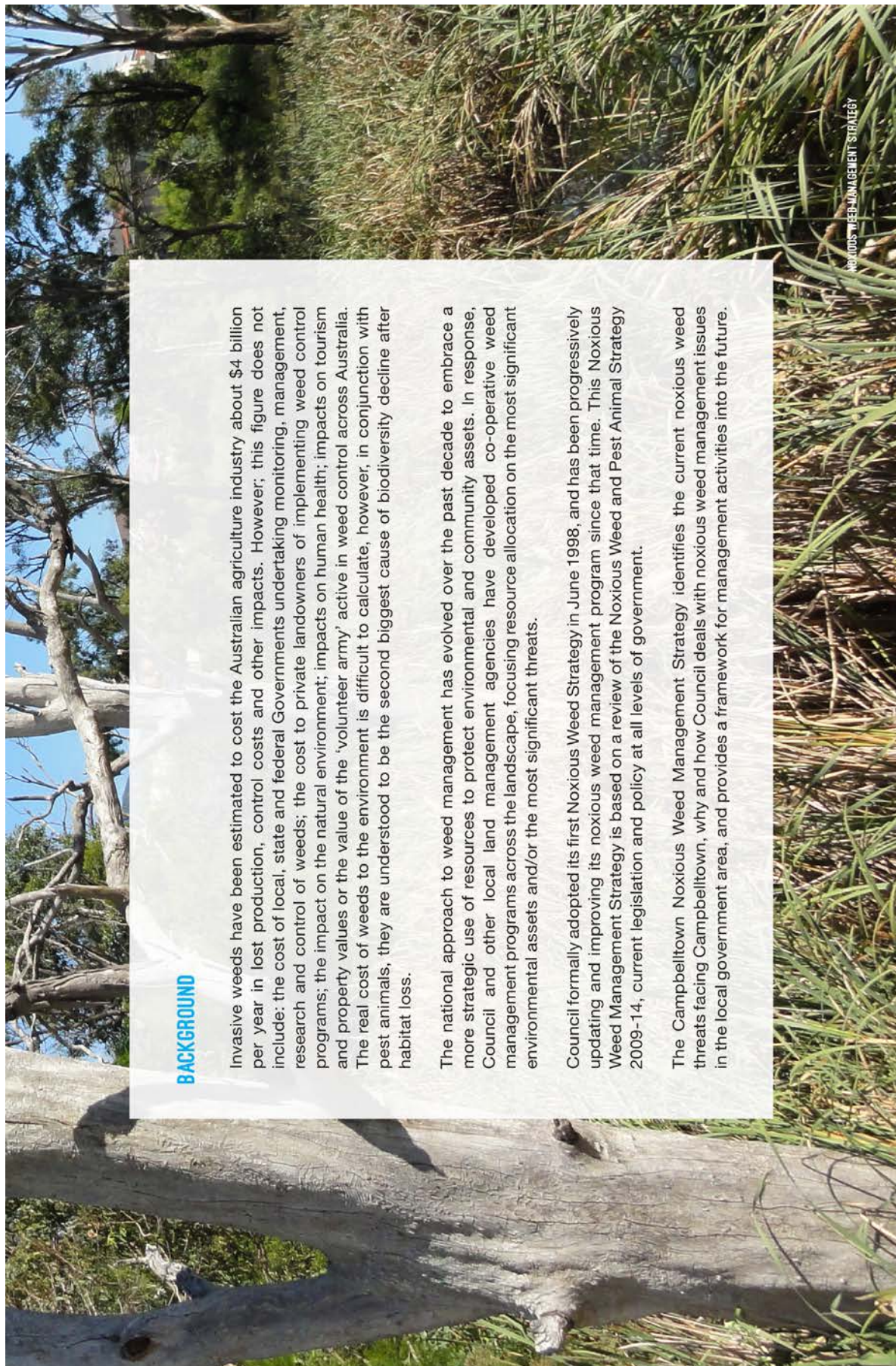
NOXIOUS WEED MANAGEMENT STRATEGY



2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

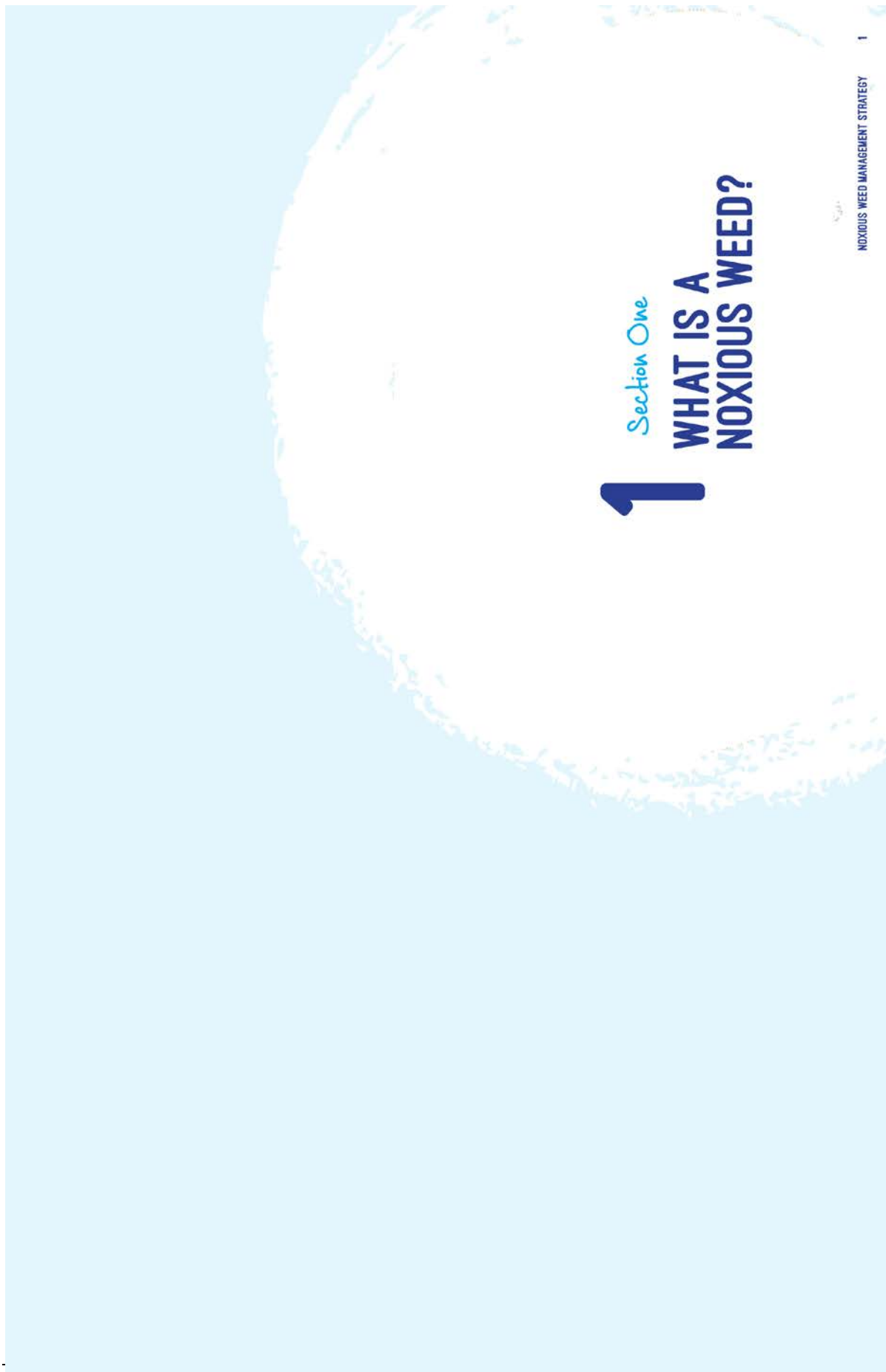


2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy



2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

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2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy



1.1 IMPACTS OF NOXIOUS WEEDS

Many noxious weeds are considered to be among the greatest threats to biodiversity and ecosystem function and pose a huge threat to waterways and bushland areas in the Campbelltown Local Government Area (LGA). Adverse impacts of noxious weeds on the environment and agriculture include:

- competition with local native plants for sunlight, moisture and nutrients
- inhibition of native plant germination
- alteration of Endangered Ecological Communities as well as habitat for threatened species
- encouraging more frequent and intense fires
- changes to soil characteristics such as nutrient cycles, pH, moisture and microbiology
- increased nutrient levels in water and lower levels of oxygen, which threaten or kill fish and other aquatic fauna
- degraded landscape values and impeded access impacting on urban amenity and tourism
- harbor for feral animals.

1.2 SOURCES OF NOXIOUS WEEDS

Major sources and causes of noxious weed spread in the environment are:

- disturbance in natural areas
- plants escaping from gardens
- dumping of waste, particularly garden and construction waste, in bushland
- wind and vehicle transport of seeds along highways and railway corridors
- use of weed contaminated soil or horticulture products
- transmission by fauna, eg through bird droppings
- planting of exotic species into public reserves by residents and government authorities
- spread of weed seed on clothing of bushwalkers
- nutrient-enriched runoff from sources such as stormwater, septic tanks, sewerage overflows, pet wastes, washing of cars, and fertiliser runoff
- poor vegetation management practices such as over clearing, slashing and trampling by public land management authorities, developers, recreationalists and the community.



2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy





2.0 PURPOSE OF STRATEGY

The Campbelltown Noxious Weed Management Strategy provides clear principles and guidelines for Council and the community on how noxious weeds within the Campbelltown LGA are to be managed and the mechanisms available to facilitate control or removal.

This strategy will assist with the numerous requests that Council receives from the public every year for noxious weed management. It provides direction for how requests will be prioritised and actioned according to their significance, importance and alignment with this strategy and its objectives. The strategy aims to foster strategic noxious weed management practices to drive effectiveness, provide long term cost savings and create long term sustainability in programs to benefit the community and local environment.

ON AVERAGE,
MORE THAN 700
NOXIOUS WEED
INSPECTIONS ARE
UNDERTAKEN
EACH YEAR IN THE
CAMPBELLTOWN
LGA





2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

3.0 CAMPBELLTOWN'S LOCAL ENVIRONMENT

The Campbelltown LGA is located on the south-western edge of the Sydney metropolitan area, approximately 53 kilometers from the Sydney CBD, and occupies an area of approximately 312 square kilometres. The LGA extends from Glenfield in the north to Menangle Park in the south. It comprises 38 suburbs and is surrounded by five other LGAs - Liverpool, Camden, Wollondilly, Sutherland and Wollongong. Campbelltown has a population of approximately 155,915 (Forecast ID 2015)², with urban development predominately situated within a linear urban corridor that follows the alignment of the M5 Motorway/Hume Highway and the Main Southern Railway line.

Topography within the LGA is generally flat, with the exception of the Scenic Hills in the west and the riparian areas particularly along the Upper Georges River; the majority of land within the LGA lies approximately 200 metres above sea level.

The LGA is located within the catchments of two principal Sydney waterways, the Georges and Nepean River systems. These waterways support a diverse variety of plants and animals, as well as provide for community amenity and recreation opportunities.

Cumberland Plain Woodland and Shale-Sandstone Transition Forest are the two main native vegetation communities within the LGA and are both listed as Critically Endangered Ecological Communities under the *Threatened Species Conservation Act 1995* and the *Environment Protection and Biodiversity Conservation Act 1999*. The Dharawal National Park is situated (in part) within the south east of the LGA and contains relatively pristine bushland. Campbelltown also supports many threatened flora and fauna species, along with potential habitat for these, including environmentally significant areas such as the Georges River Corridor.

² <http://forecast.id.com.au/campbelltown/population-summary>

3.1 NOXIOUS WEEDS IN CAMPBELLTOWN

Noxious weed declarations are made by the NSW Department of Primary Industries (NSW DPI) on a Local Government Area basis. Many weeds that are significant on a statewide basis are declared noxious for a range of areas, even if they are not identified in an area, such as Senegal tea plant (*Gymnocoronis spilanthoides*), which is not known to exist within the LGA. The declaration of species not known to exist in an area provides higher levels of surveillance as well as prompt action and funding for treatment through the NSW DPI.

In the Campbelltown LGA, 125 noxious weed species are declared, however, only 44 of these species are known to currently exist or have previously been recorded in the area (refer to NSW DPI website for a full list: <http://weeds.dpi.nsw.gov.au/WeedDeclarations>). Some of these species are well established and widespread, while others are relatively recent introductions in small isolated populations. A substantial proportion of weeds declared

noxious within NSW have their origins as garden plants. Many weed species within the Macarthur area were originally planted for a particular purpose, such as hedges, wind breaks, shade trees and for soil stabilisation. Other species were likely to have been inadvertently introduced through stormwater, vehicles, clothing, or soil from areas where an infestation exists.





Prickly pear - Opuntia spp



4.1 STAKEHOLDERS

There are a number of key stakeholders associated with noxious weed management in the Campbelltown LGA, ranging from local residents managing noxious weeds on urban or rural properties, to larger businesses and organisations such as Sydney Trains, Roads and Maritime Services (RMS) and Sydney Water, with large land holdings. The activities that this strategy recommends directly or indirectly affect these stakeholders, and as such, will often require partnership to ensure the best outcomes for management of noxious weeds in the area. The stakeholders and their roles are outlined in Table 1.



2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

TABLE 1 : LIST OF STAKEHOLDERS AND THEIR ROLES IN NOXIOUS WEED MANAGEMENT

STAKEHOLDER	ROLE					
	Funding	Governance	Enforcement	Partnerships	Landholder	Legislation and policy
Campbelltown City Council	●	●	●	●	●	
Local control authorities – Sydney Water, Roads and Maritime Services, Transport for NSW		●		●	●	
Local residents and landowners					●	
Georges River Combined Councils Committee		●		●		
Sydney Weeds Committee		●		●		
Sydney South-West Regional Weeds Committee		●		●		
Greater Sydney Local Land Services	●	●		●		●
Tharawal Local Aboriginal Land Council				●	●	
Adjoining councils – Wollondilly, Camden, Liverpool, Sutherland	●	●	●	●	●	
Department of Primary Industries	●	●	●	●		●
Department of Planning				●	●	
Office of Environment and Heritage	●	●		●	●	●
Department of Lands	●	●		●	●	
Crown Lands Department	●			●	●	
						NOVONIS WEED MANAGEMENT STRATEGY 3

4.2 LEGISLATION AND POLICY

Legislation

Noxious weed management is informed and regulated by various state and commonwealth legislation relating to planning, protection and management of the environment. Key pieces of legislation are outlined below.

Noxious Weeds Act 1993

The objectives of the *Noxious Weeds Act 1993* are:

- a. to reduce the negative impact of weeds on the economy, community and environment of this State by establishing control mechanisms to:
 - i. prevent the establishment in this State of significant new weeds, and
 - ii. prevent, eliminate or restrict the spread in this State of particular significant weeds, and
 - iii. effectively manage widespread significant weeds in this State,
- b. to provide for the monitoring of and reporting on the effectiveness of the management of weeds in this State.

Under the Act, the Minister for Primary Industries has the power to make orders declaring plants as “noxious weeds”. Weeds can be declared “noxious” if they pose a threat to agriculture, the environment or community health, and there is a public benefit from such declaration.

NOXIOUS WEED CLASSIFICATIONS

Under this Act, noxious weeds are classified into five categories based on their perceived threat (see Table 2). Each classification has different control requirements which specify levels of control or management required to be undertaken by the responsible landowner or authority. They range from Class 1 to Class 5, where Class 1 is seen as the highest control priority. Species are classified noxious in specific Local Government Areas. Some species may be declared noxious across the state, while others may only be noxious in one specific area. Classifications for species may also differ across local area boundaries. A list of species for each LGA can be found on the Department of Primary Industry's website at <http://weeds.dpi.nsw.gov.au>

TABLE 2 : NOXIOUS WEED CLASSES WEED TYPES AND CONTROL REQUIREMENTS

CONTROL CLASS	WEED TYPE	CONTROL REQUIREMENTS
CLASS 1	Plants that pose a potentially serious threat to primary production or the environment and are not present in the State or are present only to a limited extent.	The plant must be eradicated from the land and the land must be kept free of the plant. The weeds are also "notifiable" and a range of restrictions on their sale and movement exist.
CLASS 2	Plants that pose a potentially serious threat to primary production or the environment of a region to which the order applies and are not present in the region or are present only to a limited extent.	The plant must be eradicated from the land and the land must be kept free of the plant. The weeds are also "notifiable" and a range of restrictions on their sale and movement exist.
CLASS 3	Plants that pose a potentially serious threat to primary production or the environment of a region to which the order applies, are not widely distributed in the area and are likely to spread in the area or to another area.	The plant must be fully and continuously suppressed and destroyed.*
CLASS 4	Plants that pose a potentially serious threat to primary production, the environment or human health, are widely distributed in an area to which the order applies and are likely to spread in the area or to another area.	The growth of the plant must be managed in a manner that reduces its numbers, spread and incidence and continuously inhibits its reproduction.*
CLASS 5	Plants that are likely, by their sale or the sale of their seeds or movement within the State or an area of the State, to spread in the State or outside the State.	There are no requirements to control existing plants of Class 5 weeds. However, the weeds are "notifiable" and a range of restrictions on their sale and movement exists.
NOTE: All Class 1, 2 and 5 weeds are prohibited from sale in NSW. * In some cases the following wording has also been inserted "the plant may not be sold, propagated or knowingly distributed"		

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

Threatened Species Conservation Act 1995

The primary objective of the *Threatened Species Conservation Act* (TSC Act) is to conserve biological diversity. The Act provides for the listing of threatened species populations and ecological communities. The Act also provides for the preparation of recovery plans for rare or endangered species and vegetation communities and the designation of areas as habitat critical to the survival of those listed as endangered.

Under the Act, threats that can potentially impact on the survival or evolutionary development of a species, population or ecological community can be determined as key threatening processes. The proliferation of some species of weeds such as African olive and Bitou bush have been identified as key threatening processes, meaning that their management is of a high priority.

Policy

There are various strategies, plans and documents that guide the management of noxious weeds within the Campbelltown LGA, these are outlined in Figure 1. While many of these documents are developed on a regional or state-wide basis, implementation at the local government level is essential for effective noxious weed management.

Other relevant legislation relating to noxious weeds includes;

- *Environment Protection and Biodiversity Conservation Act 1999*
- *Biological Control Act 1985*
- *Environmental Planning and Assessment Act 1979*
- *The Local Government Act 1993*
- *Pesticides Act 1999*
- *Local Land Services Act 2013*
- *National Parks and Wildlife Act 1974.*



2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

Figure 1: Policy framework across the three levels of government

FEDERAL			
The Australian Weed Strategy			
Goal 1	Prevent new weed problems		
Goal 2	Reduce the impact of existing priority weed problems		
Goal 3	Enhance Australia's capacity and commitment to solve weed problems		
STATE			
NSW Invasive Species Plan 2008-2015		Key Threatening Processes and Threat Abatement Plans	NSW New Weed Incursion Plan
Goal 1	Exclude (prevent the establishment of new invasive species)	The proliferation of some weed species are listed as key threatening processes, for example, the invasion, establishment and spread of Lantana camara, and invasion of native plant communities by African olive (<i>Olea europaea Cuspidate</i>), meaning that they must be considered during a development assessment process. Threat Abatement Plans may also be developed to prescribe actions to address the threat.	Aims to guide the achievement of goals 1 and 2 of the NSW Invasive Species Plan, coordinating the surveillance and identification of weeds and weed pathways, risk assessment of species and implementation of effective barriers to prevent their establishment.
Goal 2	Eradicate or contain (eliminate or prevent the spread of new invasive species)		
Goal 3	Effectively manage (reduce the impacts of widespread invasive species)		
Goal 4	Capacity (ensure NSW has the ability and commitment to manage invasive species).		
NSW Alligator Weed Strategy 2010-2015			Sydney Metropolitan Catchment Action Plan
Aims to prevent new incursions, ensure the early detection of any new incursions and actively manage existing infestations.			Target B5 - By 2016, the impact of invasive species on biodiversity is reduced by decreasing the number, distribution and impact of terrestrial and aquatic invasive weeds and pest animals; and by promoting a better understanding of invasive pathogens.
LOCAL			
Upper Georges River Strategic Environmental Management Plan		Pesticide Use Notification Plan 2015	Community Strategic Plan, Operational Plan and Delivery Plan
A guiding framework that focuses on the past, present and future health of the Upper Georges River catchment, through the analysis of four key themes: management, land use, community engagement and on-ground projects including weed management.		The plan guides Council's staff and contractors in how they notify members of the community of pesticide use in public places throughout the Campbelltown LGA particularly in regards to works in close proximity to sites listed as "sensitive areas" in the plan.	A 10 year plan that outlines the aspirations and objectives of the community and sets out the strategies to achieve them. Strategy 1.2: Protection of the natural environment The Operational and Delivery Plans detail specific actions to achieve the strategies of the Community Strategic Plan including the review and implementation of the Noxious Weed Management Strategy.

4.3 WEEDS OF NATIONAL SIGNIFICANCE

Weeds of National Significance (WoNS) are the priority species for sustained nationally coordinated action under the Australian Weeds Strategy. Species declared as WoNS will be targeted for coordinated national management involving various stakeholders, including local government, for the purpose of preventing further impacts, reducing or restraining their spread and/or eradicating them from parts of Australia.

A total of 32 WoNS have been identified by Australian governments, based on their invasiveness, potential for spread, and environmental, social and economic impacts. Each WoNS has a strategic plan that outlines strategies and actions required to prevent spread and reduce impact of the weed, as well as identifying responsibilities for each action.

Individual landowners and managers are ultimately responsible for managing WoNS. Federal government grant funding for weed control programs is often targeted to achieving WoNS strategic goals. Of the 32 WoNS species, 18 occur in the Campbelltown LGA. These include: Alligator weed, Boneseed, Blackberry, Prickly pear, Bridal creeper, Lantana, Serrated tussock and Willows.

Unlike declared noxious weeds, there is no legal obligation to control WoNS with exception for those that are also declared noxious.

18 OF THE 32
WEEDS OF
NATIONAL
SIGNIFICANCE
OCCUR IN THE
CAMPBELLTOWN
LGA



Blackberry – *Rubus fruticosus* aggregate

4.4 GOVERNANCE

Weeds don't recognise borders – what is a problem in one Council area is quite often also a problem in the next. The state government has helped to establish a governance framework to assist Local Control Authorities (LCAs)³ in working together, obtaining funding and efficiently and effectively using resources.

Weed Action Program

The NSW Weeds Action Program 2015-2020 (WAP) is a NSW Government initiative to reduce the impact of weeds, guided by the NSW Biosecurity Strategy 2013-2021 and the NSW Invasive Species Plan 2015-2020.

The WAP aims to ensure consistent and coordinated regional planning and local delivery of weed management approaches through 11 statutory regional weed committees comprising LCAs, public and private landholders, and community members as sub committees to Local Land Services (LLS)⁴. The committees are aligned with LLS borders and are legislatively obligated to develop regional plans and priorities for weeds and surveillance.

Funding is provided under the WAP by the NSW Government for weed control projects (see section 10 – Funding).

³ Local Control Authorities – are the body responsible for noxious weed control functions under the *Noxious Weed Act 1993* for an area. For a local government area these are generally councils.

⁴ An amalgamation of previous Catchment Management Authorities, Livestock Health and Protection Authorities and certain aspects of the NSW Department of Primary Industries

Sydney Weeds Committees

Weeds Advisory Committees are formed by groups of stakeholders across LLS regions of NSW (see figure 2). The Sydney Weeds Committee provides a platform for discussion regarding weed management issues across the different land holdings and to facilitate potential partnerships across land tenures.

The Sydney Weeds Committee was established in 2010 with the aim of improving weed management across all land tenures in the Sydney Region and Blue Mountains Region. The committee is comprised of four regional weeds committees with representatives from government and non-government agencies and practitioners across the broader Sydney region.

South-West Regional Weeds Committee

The South-West Regional Weeds Committee is a sub-committee of the Sydney Weeds Committee. It is comprised of technical officers from Campbelltown, Wollondilly, Sutherland, Fairfield, Bankstown and Liverpool Council's as well as representatives from other government organisations such as NSW National Parks and Wildlife Service and Sydney Trains. The Regional Weeds Committee acts to address more localised issues, provide local support and identify partnership opportunities.

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

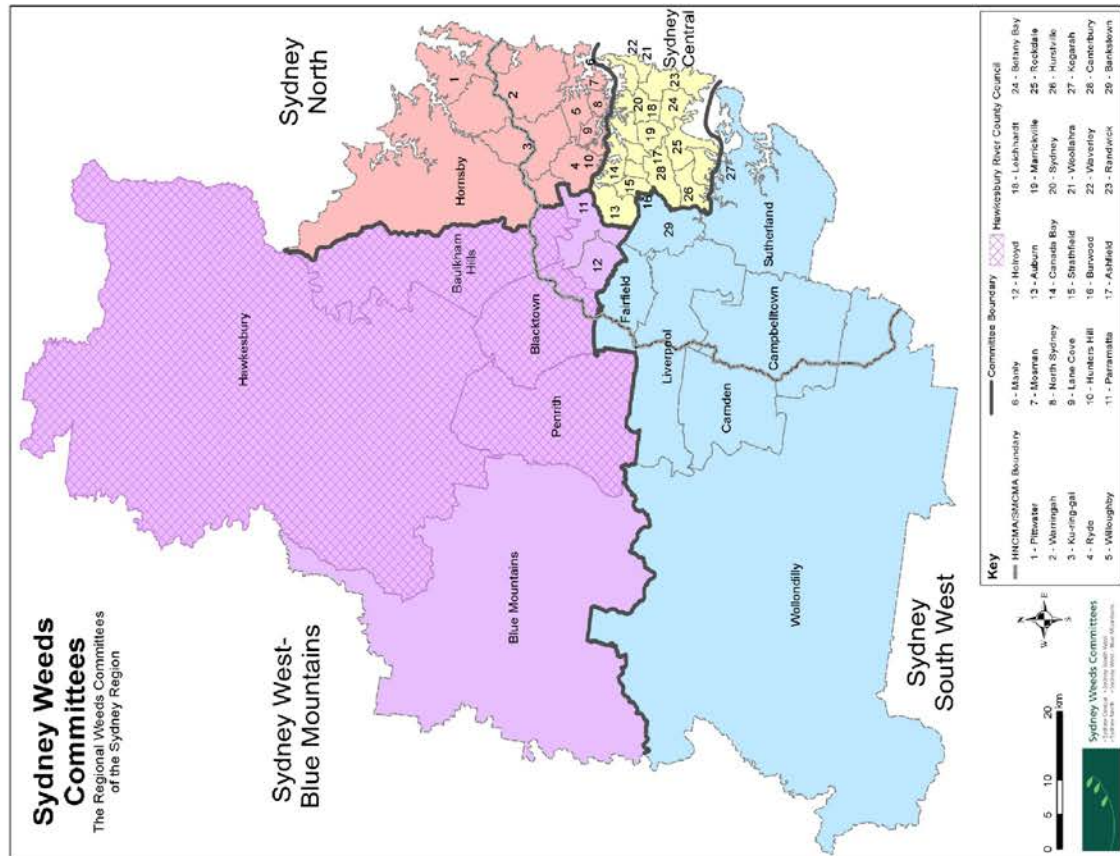


Figure 2: Regional Weeds Committees of the Sydney Region



5.1

COUNCIL AND NOXIOUS WEED MANAGEMENT

Under the *Noxious Weeds Act 1993*, there are many different obligations and requirements for different land owners and managers across NSW. In NSW, local government agencies (councils) are responsible for the implementation of the *Noxious Weeds Act 1993* and are referred to as Local Control Authorities (LCAs). The role of a LCA also includes enforcement of the *Noxious Weeds Act 1993* to ensure that noxious weeds are controlled and prevented from spreading across their own land holdings and private land holdings. Council also undertakes noxious weed control and management on its own lands based on strategic priorities as outlined below.

NSW government organisations (such as Roads and Maritime Services, Sydney Water and Sydney Trains) are also recognised as LCAs and are obligated to control noxious weeds on their lands.

5.2

PRIORITISING NOXIOUS WEED MANAGEMENT

Noxious weed management requires strategic direction and a coordinated approach to ensure that management activities are targeted to produce long term sustainable and cost-effective outcomes for both the community and the environment.

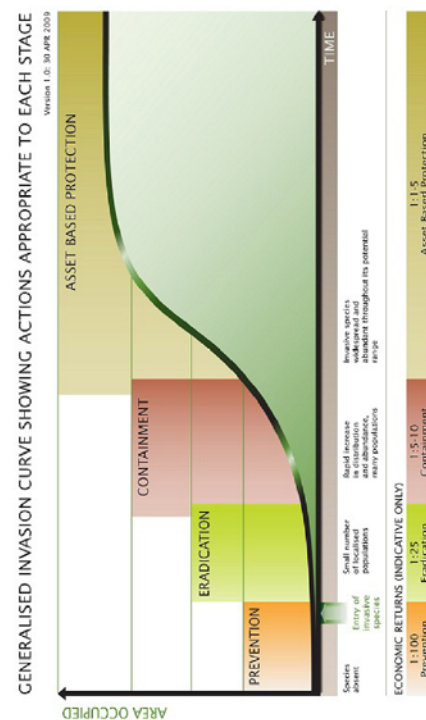
Noxious weeds and the way in which they are managed can be very different, depending on infestation size and density, the type of weed, its location and by the impacts it is having on land use, the community or the environment. Noxious weed management can be targeted to eradicate an individual plant, contain an infestation to stop its further spread, or can be a part of a larger bush regeneration program which is implemented over many years.

Control of noxious weeds can be achieved by hand removal, using machinery, spraying with herbicide or by changing conditions and promoting growth of a more desirable species. These different methods are implemented to control various species of noxious weeds in many different situations with protection of our high value environmental areas at the forefront of Council's actions.

Council undertakes weed management on lands under its care and control, these lands are managed for a variety of uses including conservation, tourism and recreation uses. Each of these land uses has its own particular and unique suite of weed problems and priorities. No single weed management approach can be applied equally to all areas.

Council's management programs and corresponding works will conform to Council's responsibilities under the relevant legislation and are often bound by strict guidelines for associated grant funding such as those prescribed within the Weed Action Program. These depict priority areas and significant noxious weed species for treatment. Council's strategic direction for weed control is broadly based on the NSW DPI weed invasion curve (as shown in Figure 3).

Figure 3: NSW Department of Primary Industries weed invasion curve



Based on the actions recommended through the weed invasion curve, Council as a LCA prioritises and focuses its works to:

- conduct routine private property and high risk pathway inspections to prevent weeds from becoming established in the environment
- assess sources of weed infestation
- eradicate high risk weeds from the environment
- contain high risk weeds within their current locations
- protect assets such as endangered ecological communities, waterways, parks and reserves
- integrate pest control (harbor removal, weed dispersal) where practical
- ensure all works undertaken are cost effective.

In developing programs, Council will determine the level of action required through the NSW Weed Risk Management system (see appendix 1) and the priority rankings for specific noxious weed species (see appendix 2). Noxious weed infestations that are determined to be a low priority may be considered for removal, however, budget allocations will be directed to higher priority issues.

In undertaking noxious weed removal, Council will also assess existing habitat requirements for native fauna to ensure that impacts upon wildlife at the site are appropriately managed.



5.3 COUNCIL'S NOXIOUS WEED MANAGEMENT PROGRAMS

Weed Action Program

The NSW Weed Action Program (WAP) aims to reduce the impact of noxious weeds on the environment, agriculture and the community based on the four goals listed within the NSW Invasive Species Plan 2008-2015. Under the auspice of the WAP, the NSW Government (via the various weeds committees) provides key funding to LCAs for noxious weed management.

Council receives significant funding each year through the WAP to undertake specific projects, inspections of private properties and of high risk pathways (such as main artillery roads, railway corridors, nurseries and aquariums) for weed distribution.

Council is obligated to monitor and report on its actions under the WAP.

Aquatic weed control

During the 1990s, it was evident that aquatic weed growth was affecting many waterways within NSW, in particular the Sydney Basin. Aquatic weed growth was impacting on local business, agriculture, recreational activities and the environment. In 2006, a significant salvinia outbreak choked sections of the Georges River, highlighting the issue and prompting swift action. Aquatic weeds continue to be a problem in the Campbelltown LGA, with many waterways still affected. Aquatic noxious weeds are considered to be a high priority for treatment and control as they have the potential to devastate local ecosystems and spread quickly if left untreated.

In 2008, the Sydney Weeds Committee held discussions with various stakeholders to investigate the most cost efficient, strategic and sustainable control of aquatic weeds. As a result, regional weed management plans have been developed for Ludwigia spp (*L.peruviana*, *L.longifolia* and *L.repens*) and Alligator weed.

24 NOXIOUS WEED MANAGEMENT STRATEGY

Since 2003, Council has undertaken annual mapping of aquatic weeds within key waterways across the LGA (see Figure 4). In 2011, commensurate treatment of aquatic noxious weeds was incorporated into the mapping project to ensure a more cost efficient and effective mapping and treatment program. Mapping of all infestations is undertaken on an annual basis with treatments of identified aquatic noxious weeds undertaken on a bi-annual basis. Treatment methods for aquatic noxious weed include hand removal and disposal offsite to prevent further spread and herbicide application in accordance with Australian Pesticide Veterinary Medicines Authority (APVMA) permits for off label use of herbicide.

Water primrose flower - *Ludwigia peruviana*



2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

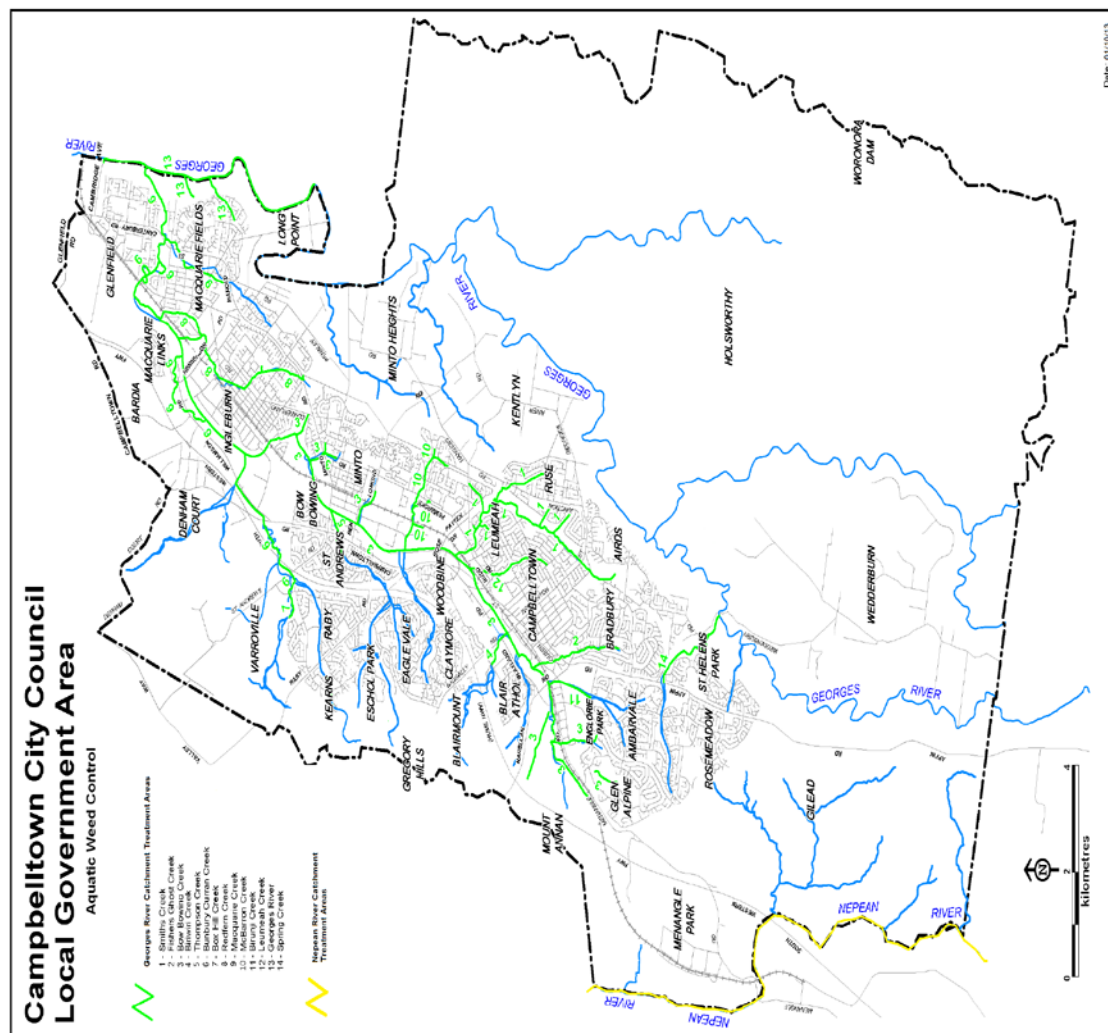
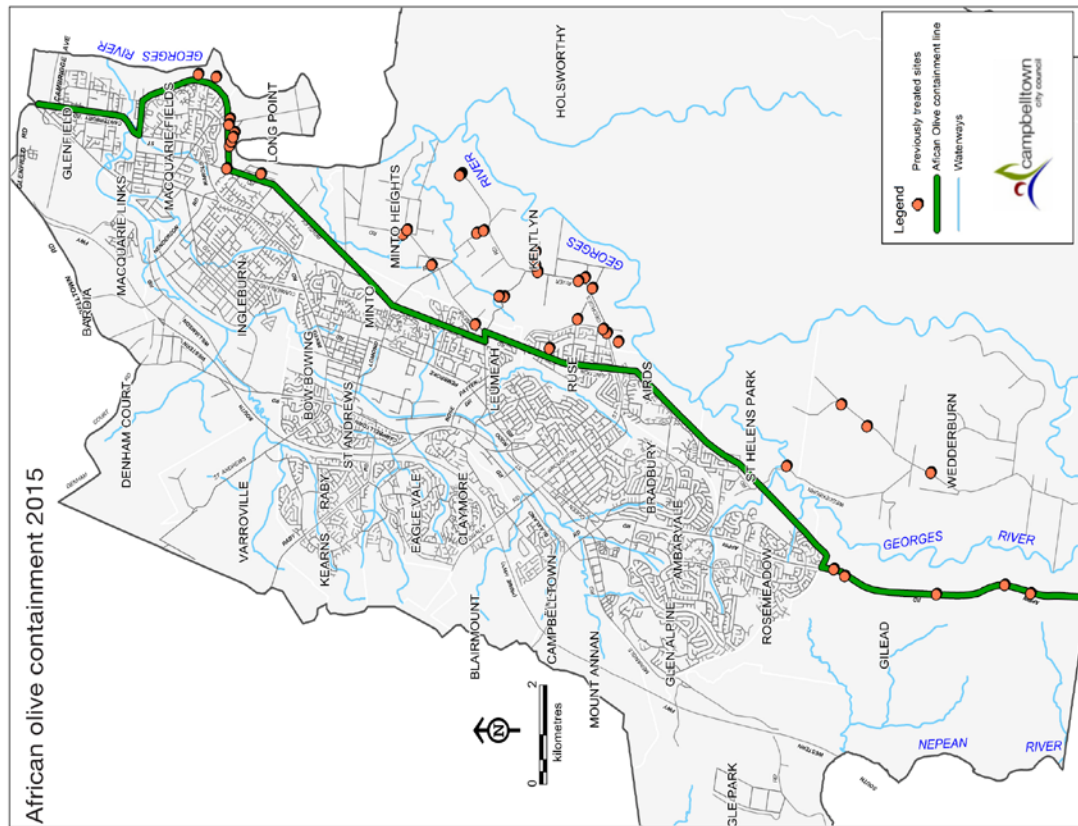


Figure 4: Waterways covered under Council's Aquatic Weed Control and Mapping Project



African olive control and containment

African olive was first noted as a potential problem weed in the Sydney Basin in the mid-1970s, by which time it had formed shrubby thickets on the steeper slopes and hills in the Camden-Cobbitty area, particularly on the Razorback Range. By the 1980s it was described as a major invading weed of grazing and park lands in the Macarthur area.

African olive predominantly exists in the western part of Campbelltown, on undulating clay soils found within Cumberland Plain Woodland. Infestations have rapidly spread east through urban areas, affecting many high value environmental assets while slowly encroaching on the sandstone soils of the Georges River Corridor. Invasion of native plant communities by African olive is listed as a key threatening process under the *Threatened Species Conservation Act 1995*.

In recognition of the fact that the species has become overwhelmingly established in some areas, the Sydney Weeds Committee has recommended prioritising the protection of highest value environmental assets and establishing containment lines within the Macarthur region to contain the species where possible. Consequently, Council has established an African olive containment line in an attempt to prevent the further spread of African olive into the Georges River Corridor and neighbouring council areas (see Figure 5).

African olive infestations found on the eastern side of the containment line are strategically managed by targeting scattered occurrences along roadsides and in public reserves. On private land, enforcement actions under the *Noxious Weed Act 1993* are implemented.

Figure 5: African Olive containment line and Council work sites

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

Terrestrial weed control program

In accordance with priorities set out in section 8.2, Council's terrestrial weed program is focused on Threatened Ecological Communities (TEC) sensitive environmental areas such as waterways, high risk weed species and expanding on further opportunities to promote natural regeneration. These works often form part of externally funded grant programs that focus on using bush regeneration techniques to remove weeds and promote regeneration of native species to ensure long term, sustainable environmental outcomes. Grant funding comes with strict guidelines focused on the eradication or containment of specific noxious weed species or improvement of certain areas such as; regional wildlife corridors, TECs or conservation of threatened species. These programs are often focused on primary or initial weed control with minimal funding available for follow up or maintenance weed control, hence the need for a strategic approach to treat areas that can be maintained and where long-term sustainable benefits can be realised.⁵

Past programs have targeted high risk noxious weeds such as Kei apple (*Dovyalis caffra*) or key strategic sites such as Fishers Ghost Creek in Bradbury, Smiths Creek Reserve in Ruse/Leumeah, Noorumba Reserve in Rosemeadow and many areas throughout the Georges River Corridor.

Regional weed management

Regional weed management programs continue to be developed and implemented by various government and non-government land managers to address weed issues that are not confined to local government or catchment boundaries. Many of the programs have involved the development of regional weed management plans to guide strategic onground works, often targeting prevention, eradication and containment of specific species or protection of vegetation communities.

Over the years, regional weed management plans have been produced for species including Ludwigia, Alligator weed, Boneseed and African olive. A regional approach to weed management ensures the best outcomes by providing commitment to a consistent system, method and increased cost-effectiveness through consolidation of resources. Council continues to work in partnership with the other MACROC councils (Camden and Wollondilly) on common weed management issues such as the alligator weed management program along the Nepean River and the Acer control program (targeting removal of Acer Negundo along the foreshores of the Nepean River).

⁵ While many urban streams are impacted by noxious weed infestations such as balloon vine, works in these areas may be viewed as not cost-effective due to the significant ongoing financial investment required to maintain them.

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

Council inspection and compliance program

Under the Noxious Weed Act 1993 private land holders or managers of private land are required to control noxious weeds according to the species control class for their area.⁶ It is their responsibility to be aware of the weeds declared noxious in the area and take the appropriate action to notify, control and prevent their spread.

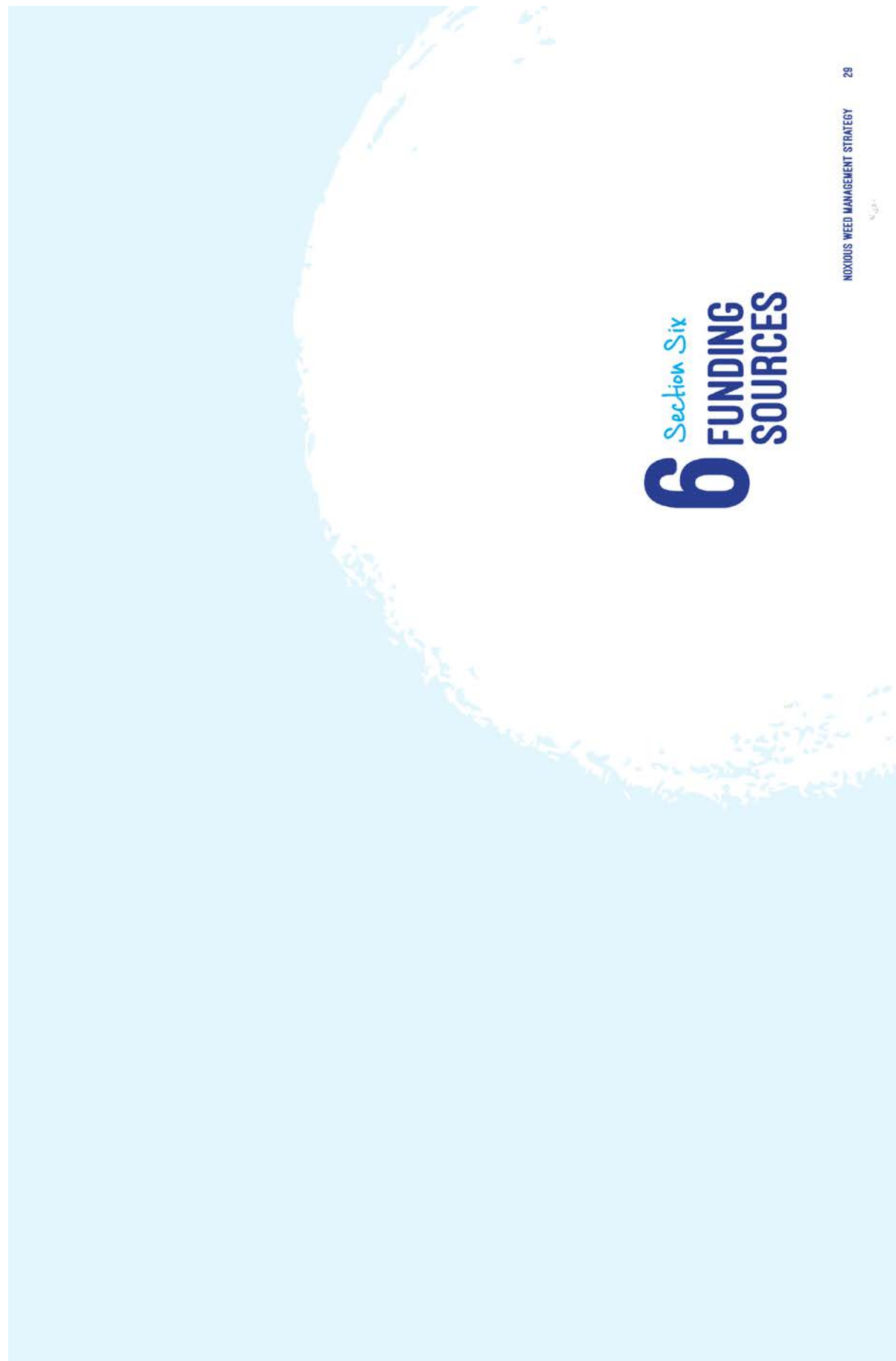
As a Local Control Authority for noxious weeds, Council has powers under the *Noxious Weeds Act 1993* to enter private property, inspect, collect any plant material, and enforce control of noxious weeds. Council undertakes a pro-active strategic inspection program each year based on identifying high risk weeds to prevent further spread and reduce impacts on the community, agriculture and our local environment. Inspections are generally targeted at specific weed species in areas where weeds have been identified, high biodiversity assets such as TECs, significant waterways or high risk pathways such as main roads, nurseries and aquariums where weeds could be imported into the area. Inspections are guided by requirements under the WAP, which specify state-determined priorities and numbers of inspections.

Council also responds to customer requests for weed inspections, such as neighbourhood concerns over allergy-causing species and weed spread. Where properties are found to contain noxious weeds, Council will act in accordance with the procedure for enforcement of the *Noxious Weeds Act 1993*, as set out in Appendix 3.



⁶ See Table 2 for list of classifications and control requirements and <http://weeds.dpi.nsw.gov.au> for list of noxious weeds and their classes for the LGA.





6.1 COUNCIL FUNDS

Council employs a full time Environmental Project Officer (Ecological Protection) to coordinate its noxious weed management program, including weed control works on Council land, inspections and enforcement, monitoring and reporting. Council also coordinates a bushcare volunteer program. Activities under the program include bush regeneration and weed control at sites determined by community interest and environmental value. Council provides funds to assist in the delivery of these programs, which is supplemented by grant funding.



6.2 GRANT FUNDING

Grants are funds generally provided by other levels of government, which are obtained through a competitive application process. Grant funding may be for specific programs or projects and is generally associated with strict conditions regarding works, outcomes and expenditure. A summary of recognised potential grant opportunities is provided below:

Weed Action Program (WAP)

The WAP is delivered through the NSW DPI, with funding distributed among councils and agencies within the Sydney Weeds Committee Inc. These funds come with strict guidelines and follow specific procedures to achieve prescribed weed control objectives, which are often targeted across a broad regional basis. The WAP is a five year program, with applications for funding required on an annual basis prior to the next round of funding. The program is based around the goals of the NSW Invasive Species Plan and the actions recommended under the weed invasion curve (see Figure 3).

Local Land Services

NSW Local Land Services is a NSW Government department which offers various avenues of grant funding for environmental restoration projects, education programs, feral animal management and weed control. These projects are available on an annual basis and are often targeted at local councils, landcare groups or trust groups.

NSW Environmental Trust

The NSW Environmental Trust is an independent statutory body established by the NSW Government to fund a broad range of organisations to undertake projects that enhance the environment of NSW. The Trust's main responsibility is to facilitate and supervise the expenditure of grant funding for a wide range of environmental based programs including community education, restoration and rehabilitation, land acquisition, research and waste management. The Trust is administered by the Office of Environment and Heritage (OEH).

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

Fisheries Habitat Grants

The NSW Department of Primary Industries - Fishing and Aquaculture provides grant funding for local councils, environmental and community groups and private landholders to enhance and rehabilitate degraded recreational fish habitat. This is undertaken through a range of on-ground works including removal or modification of structures that effect fish passage, rehabilitation of riparian lands and removal of exotic vegetation from waterways.

Australian Biodiversity Fund

The Australian Biodiversity Fund is an ongoing program under the Australian Government's Land Sector Package of the Clean Energy Future plan. The overall objectives of the Biodiversity Fund are to help land managers establish, manage and enhance native vegetation on their land, increase stores of carbon in the landscape and, in so doing, maintain ecosystem function and improve the resilience of ecosystems to the impacts of climate change. Funding is available on a yearly basis and requires the project to be implemented over a 10 year period, with only the first six years funded under the program.

Crown Land Public Reserve Management Funding Program

The NSW Department of Primary Industries – Crown Lands is responsible for the sustainable and commercial management of Crown land throughout NSW. Crown Land is comprised of public facilities such as parks, heritage sites, community halls and bushland reserves. Each year the Crown Lands Department provides funding for works on crown lands (some of which may be under Council's care and control) through the Public Reserve Management Funding Program, for weed and pest animal management, reserve improvement and infrastructure projects that will benefit the community or the local environment.

Federal Government Green Army Program

In 2014, the Federal Government commenced its Green Army Program, whereby paid work teams undertake environmental improvement programs across Australia. The teams are made up of up to ten 18-25 year old participants, with each being employed by service providers for a period of six months. During this time, participants develop skills in bush regeneration while obtaining qualifications in WHS, First Aid and Conservation and Land Management. Land holders requesting works can apply to have teams work on their lands. The works must meet certain criteria such as achieving quantifiable environmental outcomes and long term benefits.

Federal Government Work for the Dole Program

The Work for the Dole program provides work experience for job seekers in activities where they can gain skills, experience and confidence to move from welfare to work, while giving back to their community. Each project is six months in duration, and programs can be implemented for individual participants or groups, with funding provided for project consumables such as supervision and personal protective equipment. The works can be implemented for a wide range of tasks, including bush regeneration, and must set out clear aims and objectives with the focus on providing the job seeker with a real life work experience.

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy





7.0

OBJECTIVES

1. IMPROVE COUNCIL'S CAPACITY TO EFFECTIVELY MANAGE NOXIOUS WEEDS

- 1.1 Establish and maintain cross-divisional partnerships within Council to better manage noxious weeds
- 1.2 Increase knowledge of Council staff to identify noxious weed management issues, understand impacts and implement management practices to control

2. INCREASE LANDHOLDER COMMITMENT TO NOXIOUS WEED MANAGEMENT

- 2.1 Educate the community on the effects of noxious weeds on the environment and effective management practices
- 2.2 Increase voluntary noxious weed control and community stewardship of bushland assets
- 2.3 Improve the natural appearance and visual amenity of land within the Campbelltown LGA

3. EFFECTIVELY MANAGE THE IMPACT OF NEW AND EXISTING INVASIVE SPECIES INCURSIONS UPON THE CAMPBELLTOWN ENVIRONMENT

- 3.1 Prevent new incursions of noxious weed species from becoming established in the environment
- 3.2 Understand and address noxious weed threats and associated impacts.

4. UNDERTAKE NOXIOUS WEED MANAGEMENT IN A STRATEGIC, COORDINATED AND COST EFFECTIVE MANNER

- 4.1 Deliver cost-effective noxious weed management works within prescribed budgets
- 4.2 Collaborate resources across Council and work in partnership with key stakeholders
- 4.3 Identify and secure additional funding to address noxious weed issues within Campbelltown
- 4.4 Effectively monitor and report on noxious weed distribution and Council's management programs

5. IMPROVE BIODIVERSITY WITHIN KEY ENVIRONMENTAL AREAS SUCH AS THE GEORGES RIVER CORRIDOR

- 5.1 Ensure all works are undertaken in a strategic manner to increase long term environmental benefits

6. ACTIVELY PARTICIPATE IN AND PROMOTE AN EFFECTIVE GOVERNANCE FRAMEWORK FOR NOXIOUS WEED MANAGEMENT IN CAMPBELLTOWN

- 6.1 Ensure consistent and effective policies and procedures are in place
- 6.2 Achieve strategic, equitable and feasible outcomes through governance platforms



8.0 STRATEGIC ACTION PLAN

IN ORDER TO ACHIEVE THE OBJECTIVES SET OUT IN THIS STRATEGY COUNCIL HAS DEVELOPED A SUITE OF ACTIONS TO GUIDE PROGRAMS AND WORKS. THESE ACTIONS ARE OUTLINED BELOW. IN ADDITION, COUNCIL WILL PREPARE AN ANNUAL SCHEDULE OF WORKS AND ACTIVITIES TO BE IMPLEMENTED TO ACHIEVE THESE ACTIONS

Goal 1.1

Establish and maintain cross-divisional partnerships within Council to better manage noxious weeds

- Endorse and communicate the Noxious Weed Management Strategy as a corporate document
- Continue to ensure that all relevant development applications, planning proposals, design plans and Reviews of Environmental Factors are referred to Council's Environment Unit for review
- Develop and deliver training to Development Officers to identify noxious weed issues and opportunities for their management in development applications
- Address noxious weed issues through internal working groups, eg Sustainable Land Working Party
- Develop and deliver noxious weed awareness and management training for Council staff including: project managers, horticulturalists, landscapers and drainage maintenance teams

Goal 1.2

Increase knowledge of Council staff to identify noxious weed management issues, understand impacts and implement management practices to control noxious weeds

- Council Officers attend external training regarding noxious weed management
- Develop and deliver noxious weed awareness and management training for Council staff including: project managers, horticulturalists, landscapers and drainage maintenance teams
- Provide resources and support to assist Council field staff in identifying and managing noxious weed issues

Goal 2.1

Educate the community on the effects of noxious weeds on the environment and effective management practices

- Provide information to residents on noxious weed issues through Council's established communication forums, educational programs and events
- Develop and distribute information to rural/semi-rural properties addressing noxious weed identification and management issues
- Provide advice and support to residents through noxious weed inspection program
- Provide information and training to Bushcare volunteers on noxious weed issues
- Respond to noxious weed enquiries
- Assist in the preparation of weed management plans for private land holders where required

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

Goal 2.2

Increase voluntary noxious weed control and community stewardship of bushland assets

- Promote and deliver Council's Bushcare program
- Provide information to residents on noxious weed management through Council's established communication forums, educational programs and events
- Provide information and training to Bushcare volunteers on noxious weed management
- Provide advice and support to residents through noxious weed inspection program established communication forums, educational programs and events
- Provide information and training to Bushcare volunteers on noxious weed management
- Provide advice and support to residents through noxious weed inspection program

**ON AVERAGE,
BUSHCARE
VOLUNTEERS WORK
MORE THAN
1,000 HOURS EACH
YEAR IN THE
CAMPBELLTOWN LGA**

Goal 2.3

Improve the natural appearance and visual amenity of land within the Campbelltown LGA

- Promote and deliver Council's Bushcare program
- Prepare and deliver an annual noxious weed management program in accordance with adopted operational plan, budget and annual schedule of works
- Provide advice and support to residents through noxious weed inspection program
- Develop Vegetation Management Plan guidelines to ensure a consistent and best practice approach to noxious weed and vegetation management
- Monitor and enforce conditions of consent relating to noxious weed management eg. Vegetation Management Plans
- Investigate biobanking opportunities for Council lands
- Incorporate noxious weed control into environmental asset management plans

Goal 3.1

Prevent new incursions of noxious weed species from becoming established in the environment

- Deliver Council's noxious weed inspection program, prioritising high risk pathways and high value environmental assets
- Identify and report new noxious weed incursions to the NSW DPI
- Prioritise management of new incursions

Goal 3.2

Understand and address noxious weed threats and associated impacts

- Prepare and deliver an annual noxious weed management program in accordance with adopted operational plan, budget and annual schedule of works
- Develop and/or review regional action plans for high risk species
- Develop and/or review regional action plans for high priority environmental and social assets
- Undertake mapping and monitoring of noxious weed distribution across the LGA
- Develop Vegetation Management Plan guidelines to ensure a consistent and best practice approach to noxious weed and vegetation management
- Monitor and enforce conditions of consent relating to noxious weed management, eg Vegetation Management Plans
- Assist in the preparation of weed management plans for private land holders where required

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

Goal 4.1

Deliver cost-effective noxious weed management works within prescribed budgets

- Allocate prescribed budgets and monitor expenditure regularly through the financial year
- Prepare and deliver an annual noxious weed management program in accordance with adopted operational plan, budget and annual schedule of works
- Seek partnerships to support training and employment opportunities for community members in the management and control of weeds including the use of the Green Army Program and the Work for the Dole Program

Goal 4.2

Collaborate resources across Council and work in partnership with key stakeholders

- Develop and/or review regional action plans for high risk species
- Develop and/or review regional action plans for high priority environmental and social assets
- Investigate and pursue regional cost effective and environmentally beneficial noxious weed control projects

Goal 4.3

Identify and secure additional funding to address noxious weed issues within Campbelltown

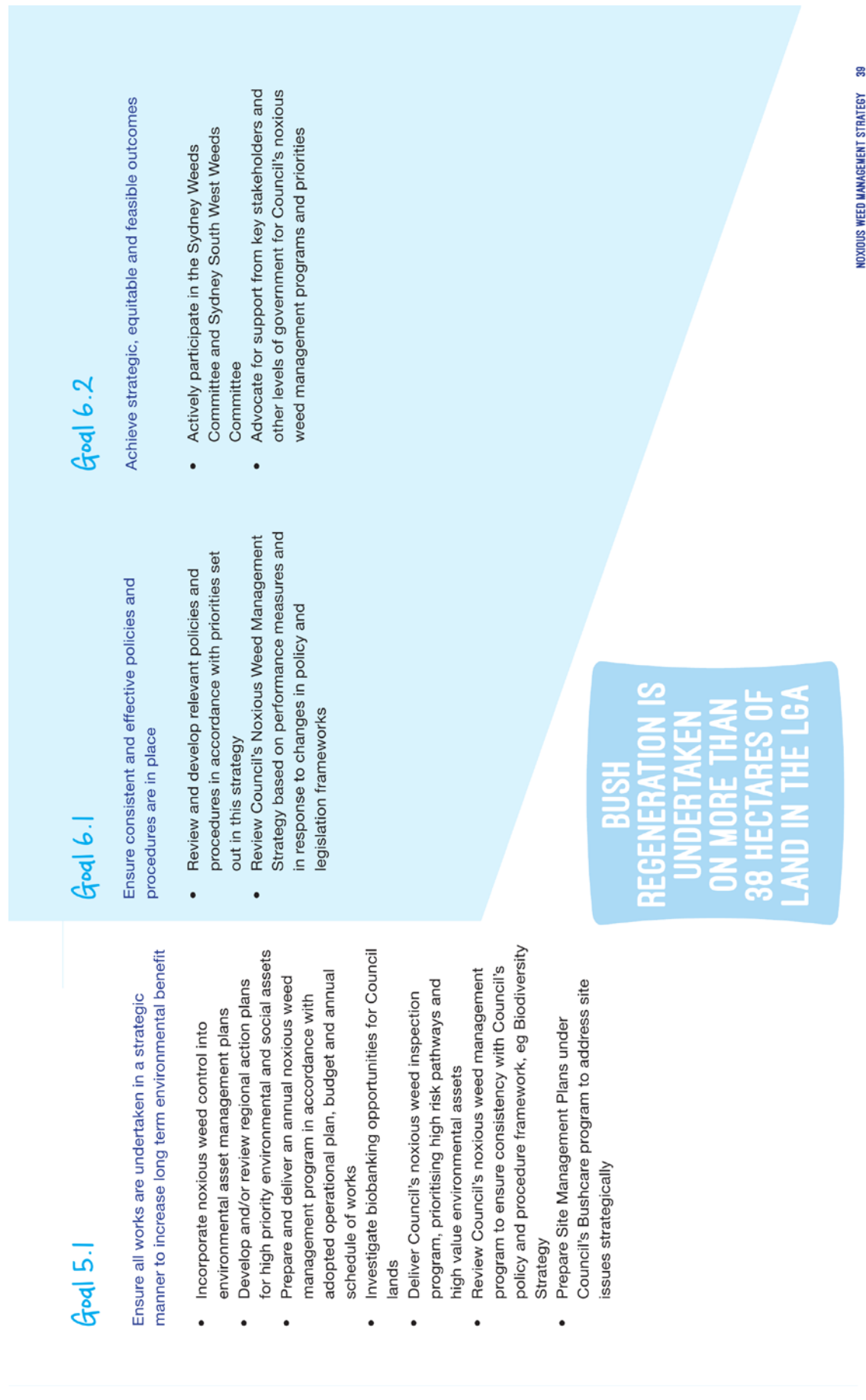
- Seek grant funding opportunities
- Investigate biobanking opportunities for Council lands
- Establish an offsetting fund to assist with maintenance and management of noxious weeds at offsetting sites

Goal 4.4

Effectively monitor and report on noxious weed distribution and Council's management programs

- Undertake ongoing monitoring of Council's bush regeneration works to evaluate effectiveness and guide future works
- Investigate opportunities for improved monitoring and recording of information on noxious weed distribution and management
- Report on Council's activities through the annual State of the Environment Reporting
- Review Council's Noxious Weed Management Strategy based on performance measures and in response to changes in policy and legislation frameworks

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy



2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy



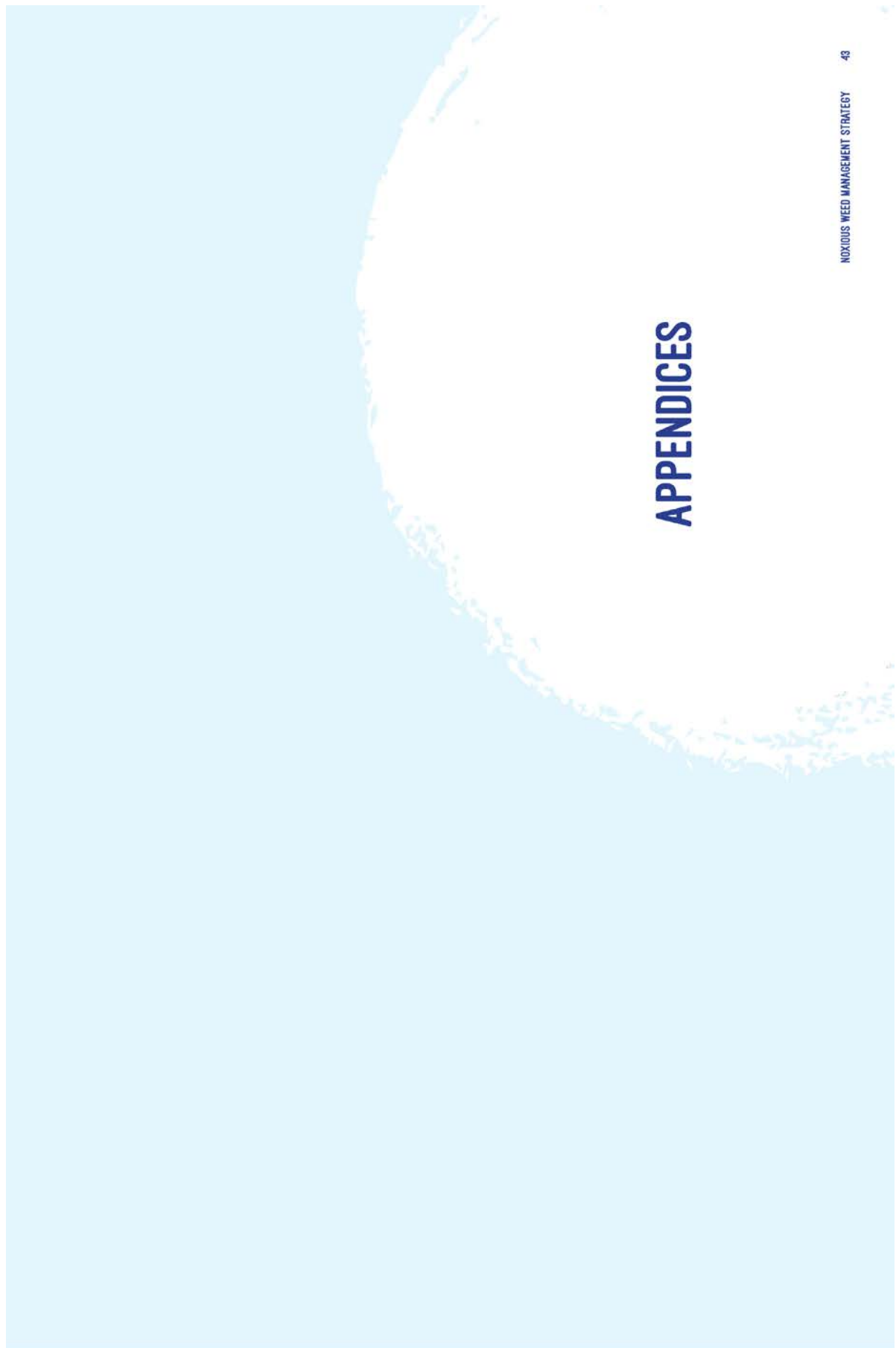


9.0 REVIEW, EVALUATION AND REPORTING

THE IMPLEMENTATION OF THIS STRATEGY WILL BE UNDERTAKEN THROUGH AN ANNUAL SCHEDULE OF WORKS, AS OUTLINED IN THE PREVIOUS SECTION. THE EFFECTIVENESS OF THESE WORKS IN ACHIEVING THE GOALS AND ACTIONS PRESCRIBED IN THIS STRATEGY WILL BE MEASURED AGAINST THE FOLLOWING INDICATORS:

- Number of inspections undertaken
- Number of high risk sites inspected
- Area of bush regeneration and weed treatment
- Number of alligator weed and ludwigia infestations reported
- Number of new weed incursions reported to NSW DPI
- Number of noxious weed enquiries from the community
- Number of educational activities including reference to noxious weed issues and management
- Number of weed advice letters issued
- Number of weed control notices issued.

Council's performance against these indicators will be reported through its annual State of the Environment report. Where Council is determined not to be performing, that is, where indicators are consistently demonstrating a decrease in achievements or there are significant changes in related policy or legislation from any level of government, a review of the strategy will be undertaken.



2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy



2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

APPENDIX 1 WEED RISK ASSESSMENT (NSW DPI)

The NSW Weed Risk Management (WRM) system is a tool developed by the NSW DPI to evaluate noxious weed declarations in NSW and to assist weed managers in NSW to determine priorities for weed management at state, regional and local levels.

The system uses a series of questions to arrive at a score for weed risk based on invasiveness, impacts, potential distribution and a score for feasibility of coordinated control, including control costs, persistence and current distribution (see Table 3). The scores are cross-referenced using the matrix to determine what level of action is appropriate. This assists land managers in determining management priorities and the associated level of resources required.

TABLE 3: WEED RISK ASSESSMENT MATRIX

WEED RISK	FEASIBILITY OF COORDINATED CONTROL				
	Negligible (113+)	Low (56-113)	Medium (31-55)	High (14-30)	Very high (<14)
Negligible (<13)	LIMITED ACTION	LIMITED ACTION	LIMITED ACTION	LIMITED ACTION	MONITOR
Low (13-38)	LIMITED ACTION	LIMITED ACTION	LIMITED ACTION	MONITOR	MONITOR PROTECT PRIORITY SITES
Medium (39-100)	MANAGE SITES	MANAGE SITES	MANAGE SITES	PROTECT PRIORITY SITES	CONTAIN SPREAD
High (101-192)	MANAGE WEED	MANAGE WEED	PROTECT PRIORITY SITES	CONTAIN SPREAD	DESTROY INFESTATIONS
Very high (192+)	MANAGE WEED	MANAGE WEED PROTECT PRIORITY SITES	CONTAIN SPREAD	DESTROY INFESTATIONS	ERADICATION

ALERT

APPENDIX 2 PRIORITY RANKINGS FOR NOXIOUS WEED SPECIES WITHIN THE CAMPBELLTOWN LGA

Priority Ranking	Actions	Species
Prevention	Aim to prevent new incursions of weed species into the Campbelltown LGA, actions include: <ul style="list-style-type: none"> ongoing inspections of all high risk pathways eg road and rail corridors ongoing inspections of all high risk sites eg markets, aquariums and nurseries 	Any species not known to exist in the Campbelltown LGA
Eradication of Weed	Aim to eradicate the weed species from the Campbelltown LGA, actions include: <ul style="list-style-type: none"> detailed surveillance and mapping to locate all infestations destruction of all infestations including seed banks prevention of entry to geographic area, and movement and sale within must not grow and all cultivated plants to be removed monitor progress towards eradication 	Boneseed - <i>Chrysanthemoides monilifera</i> ssp. <i>monilifera</i> Bitou bush - <i>Chrysanthemoides monilifera</i> ssp. <i>Rotundata</i> Cat's claw creeper - <i>Dolichandra unguis-cati</i> (syn. <i>Macfadyena unguis-cati</i>) Water hyacinth - <i>Eichhornia crassipes</i> Salvinia - <i>Salvinia molesta</i>
Containment of Weed	Aim to contain and reduce the extent of the weed species in the Campbelltown LGA, actions include: <ul style="list-style-type: none"> detailed surveillance and mapping to locate all infestations control of all infestations, aiming for a significant reduction in weed density prevention of entry to geographic area, and movement and sale within must not allow to spread from cultivated plants monitor change in current distribution 	Alligator weed - <i>Alternanthera philoxeroides</i> Coolatai grass - <i>Hypparrhenia hirta</i> Green cestrum - <i>Cestrum parqui</i> Madeira vine - <i>Anredera cordifolia</i> Serrated tussock - <i>Nasella trichotoma</i> Water primrose - <i>Ludwigia peruviana</i> Yellow bells - <i>Tecoma stans</i>

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

Priority Ranking	Actions	Species
Manage Assets and/or Priority Sites (EECs)	<p>Aim to manage assets reduce the overall economic, environmental and/or social impacts of the species and to maintain the overall economic, environmental and/or social value of key sites/assets through targeted management, actions include:</p> <ul style="list-style-type: none"> • research and develop weed management plans for the species, including herbicides and biologic control where feasible • promote weed management plans to private landholders • monitor decrease in species impacts with improved management • identify key sites/assets in the geographic area and ensure adequate resourcing to manage the species 	<p>African boxthorn - <i>Lycium ferocissimum</i> African olive - <i>Olea europaea ssp. cuspidata</i> African lovegrass - <i>Eragrostis curvula</i> Bathurst/Noogoora/Hunter/South American/Californian/cockle burrs - <i>Xanthium spp</i> Balloon vine - <i>Cardiospermum grandiflorum</i> Blackberry - <i>Rubus fruticosus aggregate</i> Bridal creeper - <i>Asparagus asparagoides</i> Castor oil plant - <i>Ricinus communis</i> Chilean needle grass - <i>Nasella neesiana</i> Chinese celts - <i>Celtis sinensis</i> Fireweed - <i>Senecio madagascariensis</i> Giant reed / Elephant grass - <i>Arundo donax</i> Ground asparagus - <i>Asparagus aethiopicus (syn. Protasparagus aethiopicus)</i> Honey locust - <i>Gleditsia triacanthos</i> Harrisia cactus - <i>Harrisia species</i> Lantana - <i>Lantana camara</i> Mother of millions - <i>Bryophyllum delagoense</i> Morning glory (Purple) - <i>Ipomoea indica</i> Morning glory (Coastal) - <i>Ipomoea calrica</i> Patterson curse - <i>Echium plantagineum</i> Prickly pear - <i>Opuntia and Cylindropuntia spp</i> Privet (Broad and Small-Leaved) - <i>Ligustrum lucidum and Ligustrum sinese</i> Scotch broom / English broom - <i>Cytisus scoparius subspecies scoparius</i> Sagittaria - <i>Sagittaria platyphylla (syn. Sagittaria graminea variety platyphylla)</i> St Johns wort - <i>Hypericum perforatum</i></p>

2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy

Priority Ranking	Actions	Species
Limited Action	The weed/pest species would only be targeted for coordinated control in the LGA if its presence makes it likely to spread to land uses where it ranks as a higher priority.	<p>Includes but not limited to:</p> <ul style="list-style-type: none"> • Crofton weed - <i>Ageratina adenophora</i> • Bamboo – <i>Phyllostachys</i> spp • Giant reed – <i>Arundo donax</i> • Wandering Jew - <i>Tradescantia fluminensis</i> • Firethorn – <i>Pyracantha</i> spp • Moth vine - <i>Araujia sericifera</i> • Coral tree – <i>Erythrina</i> spp • Cobblers peg/Farmers friend - <i>Bidens pilosa</i> • Mist flower - <i>Ageratina riparia</i> • Fishbone fern - <i>Nephrolepis cordifolia</i> • Arum lilly - <i>Zantedeschia aethiopica</i> • Spider plant - <i>Chlorophytum comosum</i> • Whiskey grass - <i>Andropogon virginicus</i> • Rhodes grass - <i>Chloris gayana</i> • Paspalum - <i>Paspalum dilatatum</i> • Kikuyu - <i>Pennisetum clandestinum</i> • Clover – <i>Trifolium</i> spp • Plumbago - <i>Plumbago auriculata</i> • Asthma weed - <i>Parietaria judaica</i>

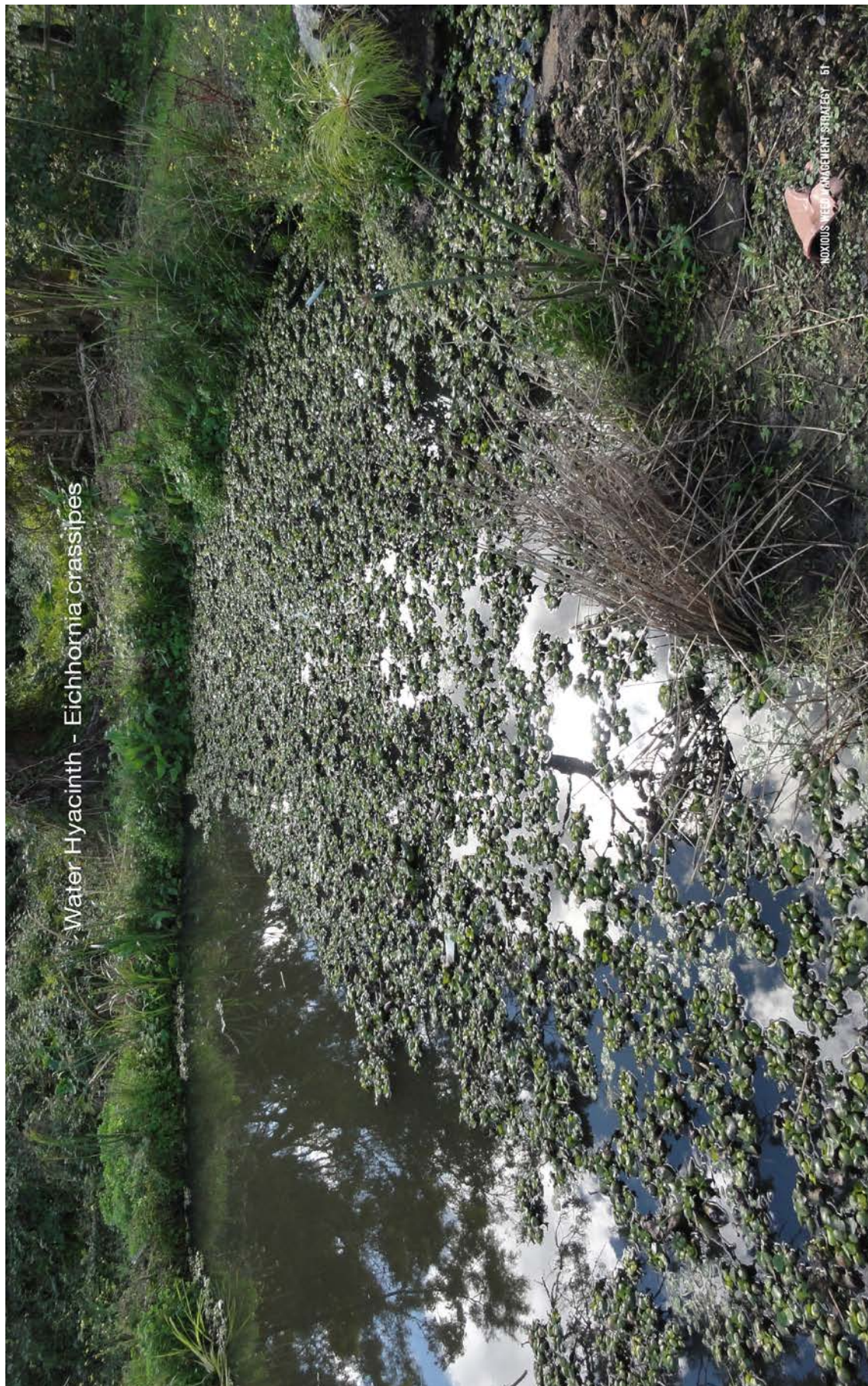
2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy



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2.2 Outcome Of The Public Exhibition Of The Noxious Weed Management Strategy



2.3 Proposal to rename and name roads within the Claymore Urban Renewal Project

Reporting Officer

Manager Environmental Planning

Attachments

Location map (contained within this report)

Purpose

To seek Council's approval to rename a section of Dobell Road in Claymore to Glenroy Drive and to seek Council's approval of Rosslyn Drive as a new road name for use within the Claymore Urban Renewal Project area.

History

The Claymore Urban Renewal Project was approved by the then Minister for Planning and Infrastructure on 24 May 2013.

Council last considered a report on road names within the Claymore Urban Renewal Project area at its meeting on 15 December 2015, Planning and Environment Committee Item 2.1 – Proposed Road Names for use within the Claymore Urban Renewal Project, and resolved:

1. That Council approve the revised list of proposed road names (using surnames only) listed in the attachment to this report for use within the Claymore Urban Renewal Project area.
 2. That Council publicly exhibit its proposal to use these road names for a period of 28 days by placing advertisements in local newspapers and notifying the authorities prescribed by the *Roads Regulation 2008*.
 3. That should no objections to the proposal to use the exhibited road names be received during the exhibition period, Council publish notice of the new road names in the NSW Government Gazette.
 4. That Council write to the Minister for Roads Maritime and Freight requesting support for the use of both first and surnames as a sign of both respect and identification when individuals names are being used as street names in future subdivisions.
-

The proposed road names drawn from the theme of famous Australian artists were publically exhibited over December 2015 and January 2016. The Geographical Names Board raised objection to three of the proposed names on the grounds that they duplicated names in the Camden LGA. It is anticipated that the remaining nine names will be gazetted in late May 2016 and can be allocated to new streets within Stages 1 and 2 of this renewal project. Council, on 15 February 2016, wrote to the Hon Duncan Gay, MLC, Minister for Roads, Maritime and Freight in regard to resolution 4 and is awaiting a reply to the issues raised.

Report

The suburb of Claymore was developed in the 1970s by the NSW Housing Commission. The houses within this suburb were originally constructed to face internal service roads and walkways rather than the main collector roads and were accordingly addressed to these internal streets. This suburb is now the subject of an urban renewal project which will result in its layout being significantly altered with the demolition of many of the existing houses, the removal of many of these internal service roads, the creation of a number of new streets and the creation of new allotments fronting both these new streets and the existing collector roads.

Proposal to rename a section of Dobell Road to Glenroy Drive

The addressing of the new allotments proposed to be created by this renewal project along Dobell Road has been identified as particularly problematic. Currently the house numbers in Dobell Road start at its intersection with Badgally Road, with even numbers on the left and odd numbers on the right. This sequence of house numbers then continues along this road into the adjoining suburb of Eagle Vale to Eagle Vale Drive. Under the Claymore Urban Renewal Project, it is proposed to create approximately 110 new allotments fronting the left (evens) side of this road and at least 50 new allotments fronting the right (odds) side. Unfortunately the current house numbers allocated to dwellings at the Eagle Vale end of this road (which will remain after the redevelopment works have been completed) only allow for a maximum of 28 whole even house numbers and 12 whole odd house numbers in this section of Dobell Road.

In order to resolve this issue, it is proposed to rename the section of Dobell Road between Badgally Road and its intersection with Gould Road, as shown in the location map included as Attachment 1 to this report. This would provide sufficient house numbers to avoid the extensive use of house number suffixes in the addresses of the proposed new allotments. The use of suffixes ranging from A to D for all of these addresses (2A, 2B, 2C, 2D, 4A, 4B, 4C, 4D etc.) would have the potential to cause confusion with the delivery of services to these new properties and could restrict the allocation of further sub-addresses to any additional properties created in the future.

The proposed renaming of this section of road would mean a change of address for five existing Housing NSW dwellings and would cause some inconvenience to the residents of these properties. However, this is considered preferable to the alternative of renumbering the 35 existing properties located at the Eagle Vale end of Dobell Road and the resulting inconvenience to a much larger number of residents.

The road name proposed to be used in the renaming of this section of Dobell Road is Glenroy Drive. 'Glenroy' is the name of the historic house located on the southern side of this section of Dobell Road, believed to date from 1857. As the names of other nearby roads also use the names of local historic properties, it is considered appropriate to continue this theme in the proposed renaming of this section of road.

Proposal to name a new entry road into Claymore as Rosslyn Drive

Continuing this theme, it is also proposed to use Rosslyn Drive as the name for the newly created entry road into Claymore as part of the urban renewal project. From approximately 1920, 'Rosslyn' was the name of the property located close to where the proposed new entry road joins Badgally Road. 'Rosslyn' was eventually renamed 'Claymore' and subsequently gave its name to the new suburb which was developed on the adjacent land by the then NSW Housing Commission. The homestead was gutted by fire on 28 January 1971 and eventually demolished in the late 1970s.

Both of these proposed road names comply with the requirements of the NSW Address Policy and the NSW Addressing User Manual which were adopted by the Geographical Names Board of NSW on 31 March 2015.

Division 2 of Part 2 of the *Roads Regulation 2008* (the Regulation) outlines the procedure that Council must follow when naming or renaming public roads under its control. In accordance with these procedures, Council must publicly exhibit any proposal in local newspapers for a period of 28 days and notify Australia Post, the Registrar General, the Surveyor General and all emergency services specified by the Regulation of its intention to name or rename a road.

It is therefore recommended that Council publicly exhibit the proposal to rename a section of Dobell Road to Glenroy Drive and to use the new road name Rosslyn Drive by placing advertisements in local newspapers. Should no objections be received from the public or authorities prescribed in the Regulation as a result of the exhibition and notification of this proposal, it is recommended that Council complete the road naming process by publishing a notice of these new road names in the NSW Government Gazette. Should any objections be received during the exhibition period, a further report will be presented to the next available Council meeting.

Officer's Recommendation

1. That Council approve the proposal to rename the section of Dobell Road in Claymore, (between Badgally Road and its intersection with Gould Road), to Glenroy Drive and name the new entry road into the Claymore Urban Renewal Project area as Rosslyn Drive.
 2. That Council publicly exhibit the proposal for a period of 28 days by placing advertisements in local newspapers and notifying the authorities prescribed by the *Roads Regulation 2008*.
-

3. That should no objections to the proposal be received during the exhibition period, Council publish notice of the adoption of these new road names in the NSW Government Gazette.

Committee's Recommendation: (Rowell/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

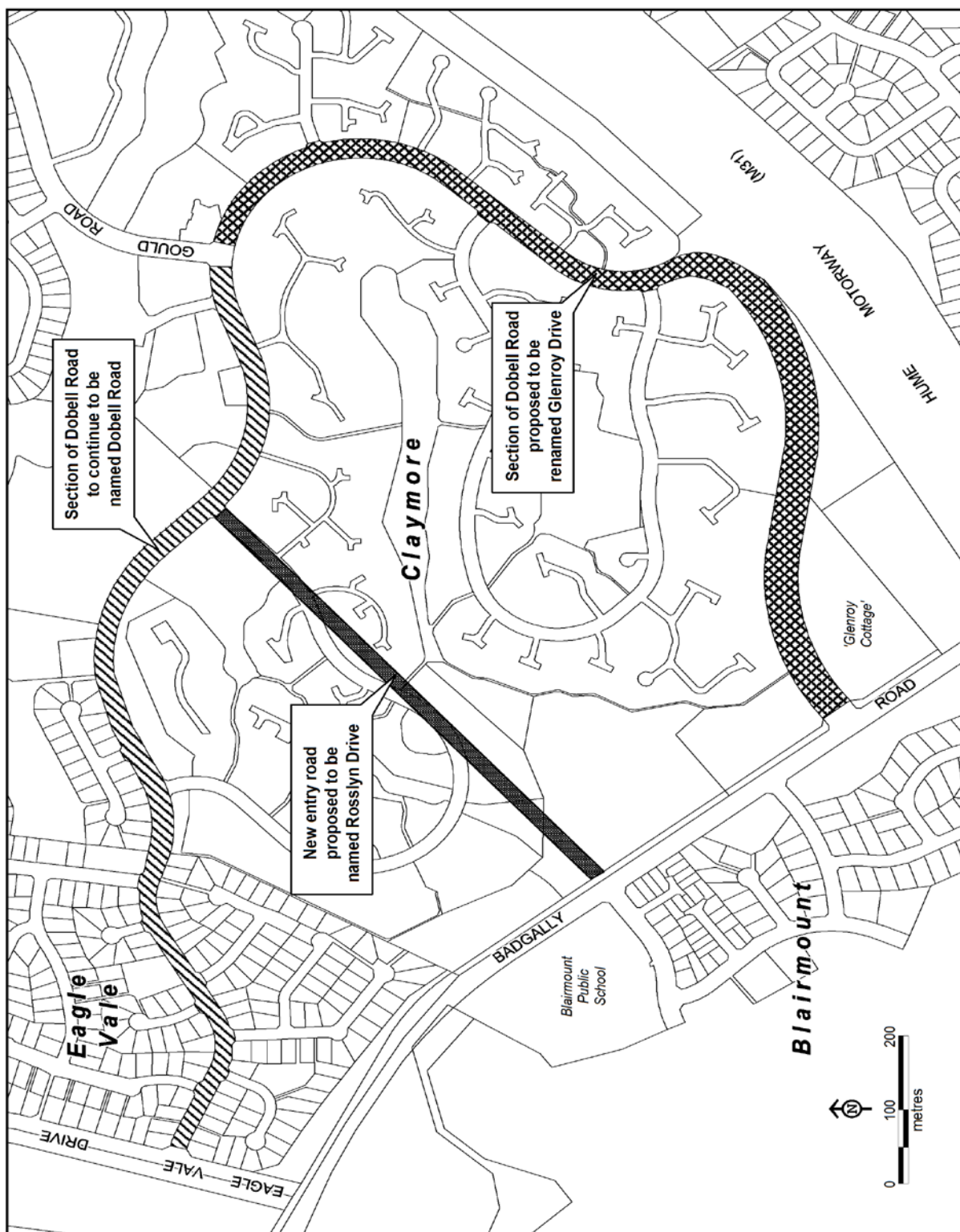
Council Meeting 17 May 2016 (Greiss/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

ATTACHMENT 1



2.4 Amendment to Campbelltown City Section 94 Development Contributions Plan

Reporting Officer

Manager Environmental Planning

Attachments

1. Draft recreation facility design plan (contained within this report)
2. Aerial view of proposed and existing cycleways and walkways (contained within this report)
3. Existing Section 94 plan boundary – Bow Bowling (contained within this report)
4. Amended Section 94 plan boundary – Bow Bowling (contained within this report)
5. Draft revised Campbelltown City Section 94 Development Contributions Plan (contained within this report)

Purpose

To seek Council's endorsement for the public exhibition of a draft revised Campbelltown City Section 94 Development Contributions Plan.

Report

Council at its meeting on 14 April 2009 adopted the Campbelltown City Section 94 Development Contributions Plan 2007 (the plan). The Plan applies to Eagle Vale/Eschol Park, Raby, Ambarvale, Rosemeadow and Bow Bowling, and repealed and superseded the corresponding Section 94 Plans for those areas. In addition to the facilities originally planned for in the repealed and superseded Section 94 Plans, a series of additional city wide facilities were identified which included a skate park at Macquarie Fields and St Helens Park and a lighting upgrade to the Campbelltown Sports Stadium.

The contributions obtained via the plan are used to provide specified community facilities in satisfying the needs of the community within the suburbs listed within the plan. The costs and status of the required facilities, open space embellishment, and other works are summarised within the plan.

Having regard to the various facilities specified under the plan, to date the community facilities specified for the suburbs of Eagle Vale/Eschol Park, Raby, and Ambarvale have been completed. In addition, with the recent completion of the St Helens Park skate park, the additional city wide facilities specified under the Plan have now also been completed. The only areas remaining under the plan where community facilities are still required to be provided are within the suburbs of Rosemeadow and Bow Bowling.

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

The plan specifies the required works at Rosemeadow to encompass an environmental project at Noorumba Reserve. The remaining detailed on-ground works involve the completion of an access upgrade to Noorumba Reserve which includes improvements to stormwater drainage, dam wall stabilisation, fire trail enhancement and a viewing platform adjacent to the lake. These works are programmed to be completed once the Bio-Banking credit assessment and master planning processes which are currently underway at the Reserve are finalised.

The remaining works within the plan for Bow Bowling is the completion of a recreation facility at the Bow Bowling Neighbourhood Centre & Tennis Courts on Carnarvon Street, Bow Bowling. While there is an open parcel of land adjacent to the tennis courts that could be used to incorporate the recreation facility (which is proposed to be a series of fitness stations), it is best practice to locate such equipment along a lineal path. In this regard a design has been prepared (attachment 1) which incorporates a walking/cycling track with associated fitness stations which extends from the tennis courts on Carnarvon Street to an existing walking/cycling track linking Central Park Drive to Minto Station (attachment 2).

The proposed walking/cycling track will provide greater connectivity between the north and south areas of Bow Bowling and will afford improved pedestrian linkages to public transport with direct walking access to Minto station. The incorporation of a fitness station into the design will provide fitness enthusiasts with cross training exercises to supplement their walk, run or ride along the shared pathway.

While the design has practical merit, the proposed works fall outside the area that the Section 94 plan currently applies to as provided on the existing page 16 of the Campbelltown City Section 94 Development Contributions Plan 2007 (attachment 3). As a result, it is proposed to amend the Campbelltown City Section 94 Development Contributions Plan by extending the Section 94 plan boundary to incorporate the location of the proposed recreation facility as shown in attachment 4.

Having regard to the above, it is recommended that the draft revised Campbelltown City Section 94 Development Contributions Plan (attachment 5) including the draft recreation facility design plan be publicly exhibited for 28 days.

Following the conclusion of the exhibition period, a report will be submitted to Council summarising the outcomes of the exhibition.

Officer's Recommendation

That Council endorse the draft revised Campbelltown City Section 94 Development Contributions Plan including the draft recreation facility design plan for public exhibition for a 28 day period in accordance with the relevant statutory requirements.

Committee's Recommendation: (Kolkman/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

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

Voting against the Committee's Recommendation: nil.

Council Meeting 17 May 2016 (Greiss/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 72

That the Officer's Recommendation be adopted.

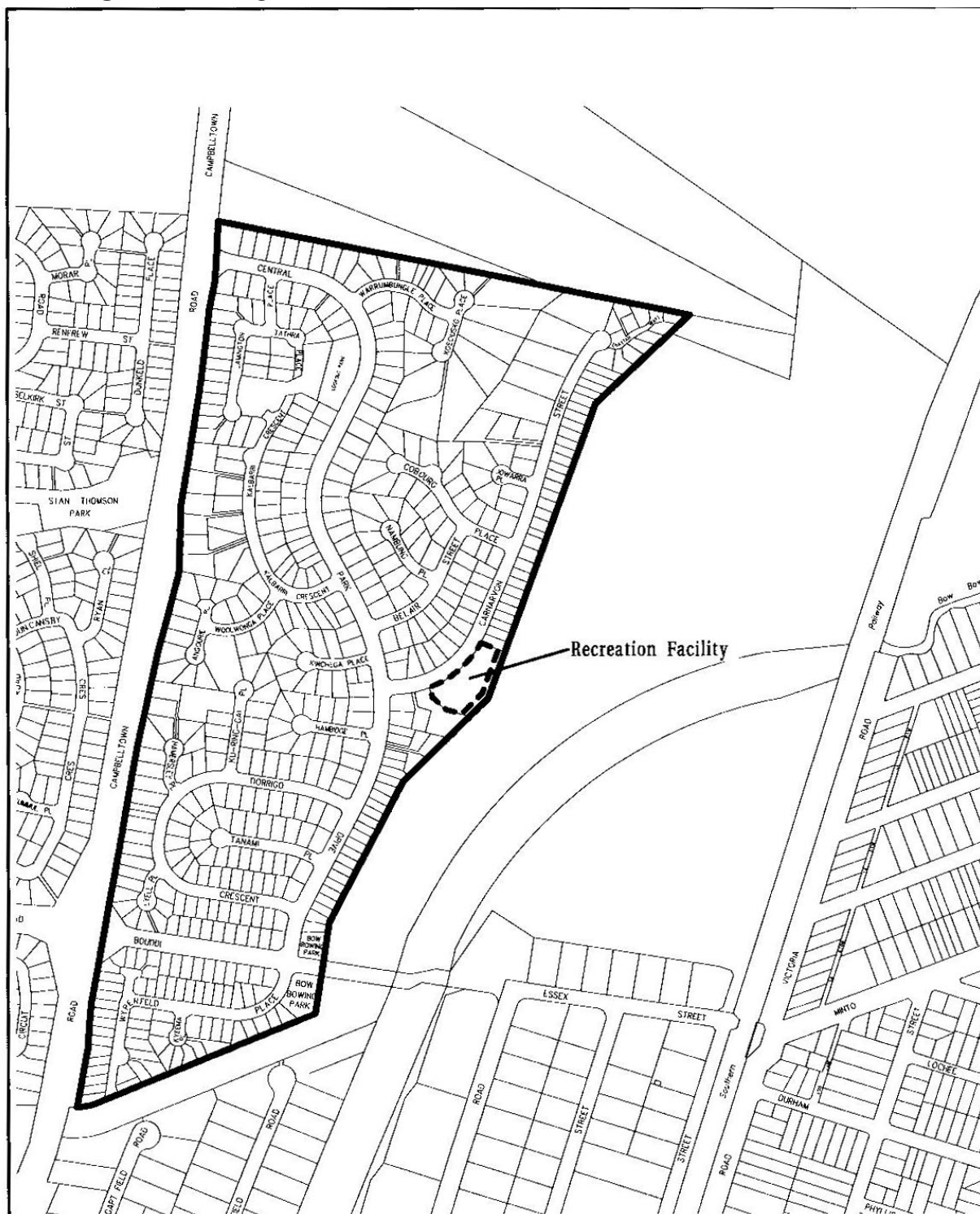
Voting for the Council Resolution were Councillors: Brticevic, Chanthivong, Dobson, Greiss, Hawker, Kolkman, Lound, Matheson, Mead, Oates and Rowell.

Voting against the Council Resolution were: nil.

ATTACHMENT 1

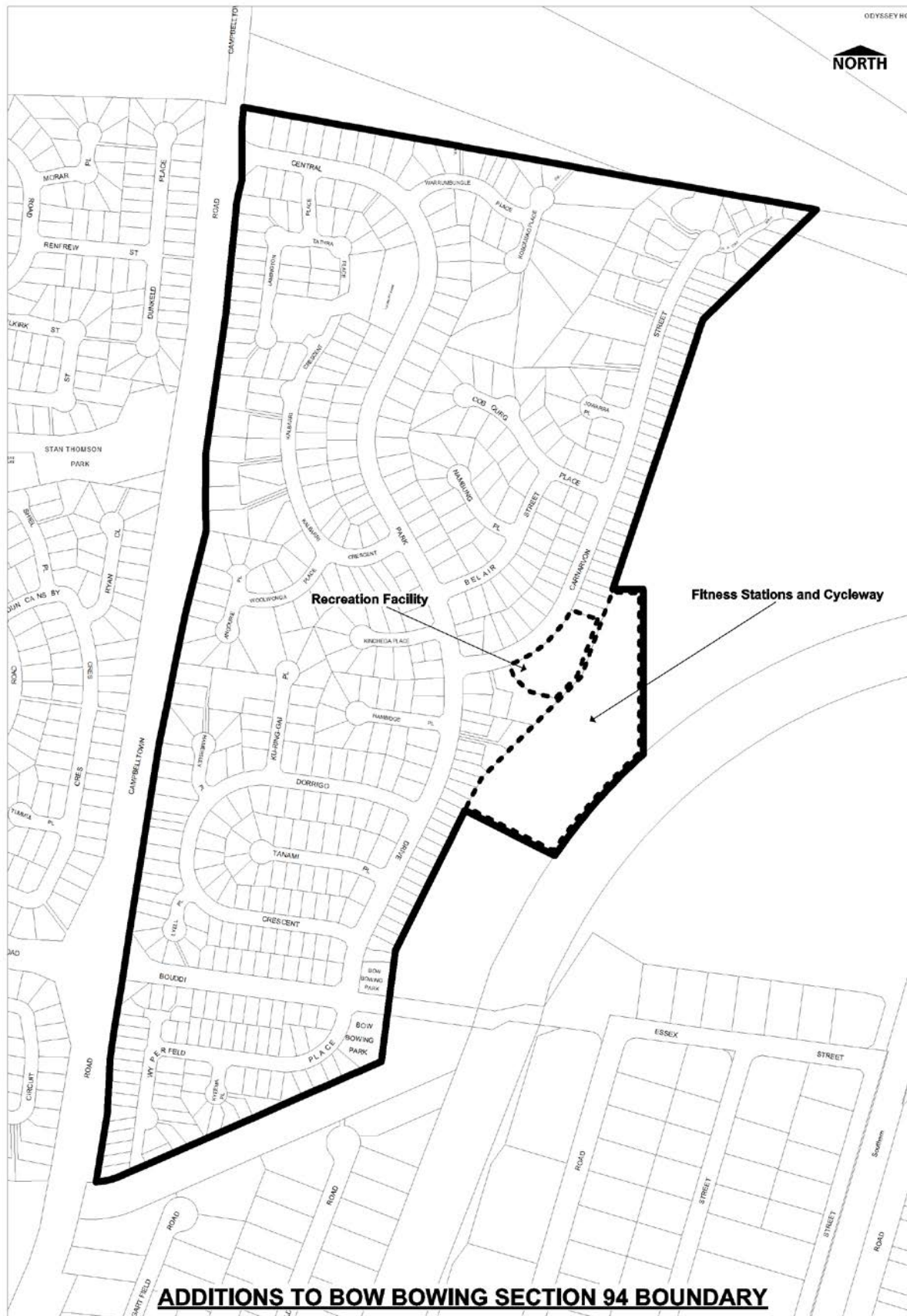
ATTACHMENT 2

ATTACHMENT 3



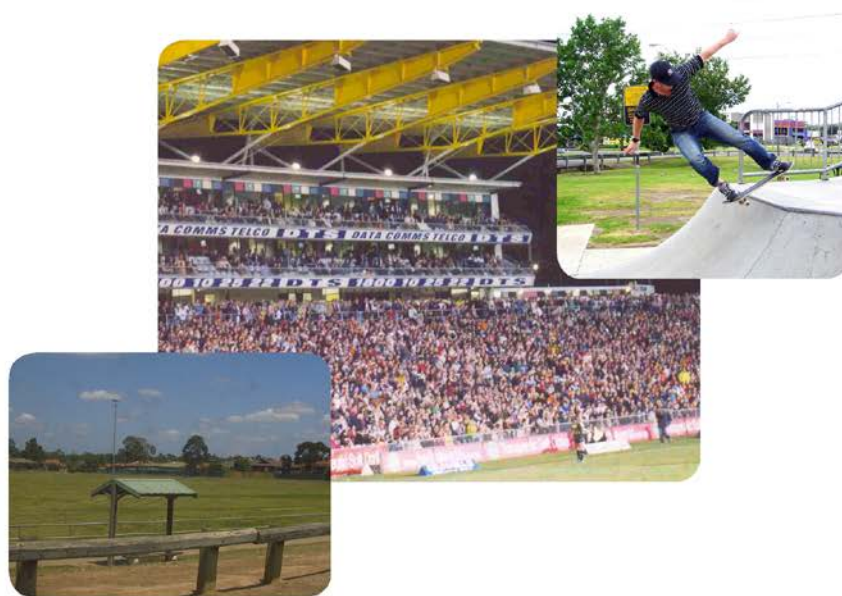
Bow Bowling

ATTACHMENT 4



ATTACHMENT 5

Campbelltown City Council



Draft Campbelltown City Section 94 Development Contributions Plan *Amended April 2016*



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 - 3.1 *Anticipated Development: Population and Dwelling Structure*
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1. PART A: EXECUTIVE SUMMARY

This Plan is the “Campbelltown City Section 94 Development Contributions Plan 2016”.

The Plan applies to Eagle Vale/Eschol Park, Raby, Ambarvale, Rosemeadow and Bow Bowling, and repeals and supersedes the corresponding Section 94 Plans for those areas.

The contributions from this Plan will provide for passive open space (parks, playgrounds etc) and active open space (playing fields, skate park).

In addition to the facilities originally planned for in the repealed and superseded Section 94 Plans, a series of additional facilities have been identified. The facilities to be provided will contribute towards satisfying the needs of the incoming population into the areas noted above.

The costs and status of required community facilities, open space embellishment, and other works are summarised below.

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

1.1 Works Schedules**Ambarvale**

Facility	Name	Stage	S94 \$ IPD Sept 06
Community Hall	Crispsparkle Drive	Completed	
Child Care Centre	Crispsparkle Drive	Completed	
Youth Centre	Off Wickfield Circuit	Completed	
Community Hall	Cnr Woodhouse & Copperfield	Completed	
Upgrade Community Hall	Woodhouse Drive	Completed	
Amenities Building	Cnr Codlin & Jiniwin	Completed	
Amenities Building	Thomas Acres Reserve	Completed	
Local Park 1	Cleopatra Reserve	Completed	
Local Park 1	Lack Reserve	Completed	
Local Park 1	Clerkenwell Reserve	Completed	
Local Park 1	Throsby Park	Completed	
Local Park 3	Shiel Park	Completed	
Local Park 1	Patrick Newman Park	Completed	
Local Park 2	Fred Sheather Park	Completed	
Local Park 1	Copperfield Park	Completed	
Local Park 1	Cargery Reserve	Completed	
Local Park 1	Trotwood Reserve	Completed	
Local Park 2	Startop Reserve	Completed	
Local Park 2	Boythorn Park	Completed	
Local Park 1	Nurra Reserve	Completed	
Local Park 1	Fieldhouse Park	Completed	
Local Park 1	Englorie Park	Completed	
Local Park 1	Thomas Acres Reserve	Completed	
Winter Playing Field	Ambarvale Sports Complex	Completed	
Winter Playing Field	Ambarvale Sports Complex	Completed	
Winter Playing Field	Ambarvale Sports Complex	Completed	
Summer Playing Field	Ambarvale Sports Complex	Completed	
Winter & Summer Field	Thomas Acres Reserve	Completed	
Street Tree Planting		Completed	
Sub Total			\$0

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Rosemeadow

Facility	Name	Stage	S94 \$ IPD Sept 06
Car Parking Rosemeadow Open Space Complex	District Centre	Completed	
Land in District Centre	District Centre	Not Required	
Neighbourhood Centre	Glendower Street	Completed	
Amenities Building (half cost)	Rosemeadow Sports Complex	Completed	
Amenities Building	Oswald Reserve	Completed	
Local Park 1	Haredale Reserve	Completed	
Local Park 1	Mandurama Reserve	Completed	
Local Park 1	Rizal Park	Completed	
Local Park 2	Ceres Reserve	Completed	
Local Park 1	Ophelia Reserve	Completed	
Local Park 1	Desdemona Reserve	Completed	
Local Park 2	Canidius Reserve	Completed	
Local Park 1	Octavia Park	Completed	
Local Park 2	Reserve No.1	Completed	
Local Park 2	Reserve No.2	Completed	
Local Park 1	Reserve No.3	Completed	
Local Park 1	Reserve No.4	Completed	
Local Park 1	Oswald Reserve	Completed	
Winter Playing Field	Oswald Reserve	Completed	
Winter Playing Field	Oswald Reserve		
Summer Playing Field	Oswald Reserve	Completed	
Winter Playing Field	Rosemeadow Sports Complex	Completed	
Winter Playing Field	Rosemeadow Sports Complex	Completed	
Winter Playing Field	Haydon Park	Completed	
Environmental Project	Noorumba Reserve		\$379,797
Street Tree Planting		Completed	
Cycleway	Ambarvale/Rosemeadow	Completed	
Sub Total			\$379,797

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Eagle Vale/Eschol Park

Facility	Name	Stage	S94 \$ IPD Sept 06
Small Hall	Eschol Park Cottage	Completed	
Swimming Pool	Eagle Vale Pool Complex	Completed	
40 Place Child Care Centre	Eagles Nest	Completed	
Neighbourhood Centre	Neighbourhood Centre	Completed	
Amenities Building	Eschol Park No.1 & No.2	Completed	
Amenities Building	Fullwood Reserve	Completed	
Local Park 1	Thomas Clarkson Reserve	Completed	
Local Park 1	Eagle Vale Reserve	Completed	
Local Park 1	Fluorite Park	Completed	
Local Park 3	Talc Reserve	Completed	
Local Park 1	Amber Reserve	Completed	
Local Park 1	ER Jones Reserve	Completed	
Local Park 1	Topaz Gardens	Completed	
Local Park 1	Alabaster Reserve	Completed	
Local Park 2	Brady Park	Completed	
Local Park 1	Fullwood Reserve	Completed	
Local Park 1	Young Reserve	Completed	
Local Park 3	Newbury Reserve	Completed	
Local Park 3	Murch Park	Completed	
Local Park 3	Reserve No.1	Completed	
Local Park 1	Reserve No.2	Completed	
Local Park 1	Reserve No.3	Completed	
Local Park 2	Minchinbury Reserve	Completed	
Local Park 2	Burgundy park	Completed	
Local Park 1	Eagle Creek Reserve	Completed	
Local Park 1	Eschol Park Sports Complex	Completed	
Local Park 1	Sauvignon Reserve	Completed	
Local Park 3	Vale Brook Reserve	Completed	
Local Park 1	Figtree Park	Completed	
Local Park 1	Malbec Reserve	Completed	
Local Park 2	William Fowler reserve	Completed	
Local Park 1	Flying Pieman Park	Completed	

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Winter Playing Field	Eschol Park Sports	Completed	
Summer Playing Field	Complex 1	Completed	
Winter Playing Field	Eschol Park Sports	Completed	
Summer Playing Field	Complex 2	Completed	
Winter Playing Field	Eschol Park Sports	Completed	
Summer Playing Field	Complex 3	Completed	
Amenities Building	Eschol Park Sports Complex 3	Completed	
Street Tree Planting		Completed	
Sub Total			\$0

Raby

Facility	Name	Stage	S94 \$ IPD Sept 06
Swimming Pool	Eagle Vale Pool Complex	Completed	
Neighbourhood Centre	Raby Neighbourhood Centre	Completed	
Amenities	Raby Oval Meeting Room	Completed	
Amenities	Raby Oval Amenities 1	Completed	
Amenities	Raby Oval Amenities 2	Completed	
Local Park 1	Heathfield Park	Completed	
Local Park 1	Blain Park	Completed	
Local Park 1	Jack Donohoe Park	Completed	
Local Park 1	Spitfire Park	Completed	
Local Park 1	Mirage Park	Completed	
Local Park 1	Raby Sports Complex	Completed	
Local Park 1	Koorunga Reserve	Completed	
Local Park - Special	Burrendah Reserve	Completed	
Local Park 1	Manaleuka Park	Completed	
Local Park 2	Wirraway Park	Completed	
Local Park 2	Convair Reserve	Completed	
Winter Playing Field	Raby Sports Complex 1	Completed	
Winter Playing Field	Raby Sports Complex 1	Completed	
Summer Playing Field	Raby Sports Complex 1	Completed	
Winter Playing Field	Raby Sports Complex 2	Completed	
Winter Playing Field	Raby Sports Complex 2	Completed	
Summer Playing Field	Raby Sports Complex 2	Completed	
Street Tree Planting		Completed	
Sub Total			\$0

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Additional Facilities

Facility	Name	Stage	S94 \$
Skate Park	Rosemeadow	Completed	
Stadium Lighting	Campbelltown Sports Stadium	Completed	
Skate Park	Macquarie Fields	Completed	
Sub Total			\$0

Bow Bowling

Facility	Name	Stage	S94 \$ IPD Sept 06
Neighbourhood Centre and Tennis Court Clubroom	Carnarvon Street	Completed	
Local Park 1	Lookout Park East	Completed - in one location (East/West)	
Local Park 1	Lookout Park West	Completed - in one location (East/West)	
Local Park 1	Kuringai park	Completed	
Local Park 2	Bouddi Park North	Not Required	
Local Park 2	Bouddi Park South	Not Required	
Local Park 1	Central Park	Completed	
Bus Shelters x 2		Completed	
Cycleway/Footpath		Completed	
Street Planting		Completed	
Tennis Courts	Central Park	Completed	
Car Park	Central Park	Completed	
Recreation Facility	Central Park		\$85,826
Sub Total			\$85,826

			S94 \$ Grand Total
Total			\$465,623.00

NOTE: Park Types applicable to this plan

Type 1 Park: includes an item of playground equipment, a park seat, tree planting, koppe log barriers, water service and ancillary treatment to Council's specification.

Type 2 Park: includes a park seat, tree planting, koppe log barriers, water service and ancillary treatment to Council's specification.

Type 3 Park: includes tree planting, koppe log barriers, water service and ancillary treatment to Council's specification.

1.2. Development Contributions Under This Plan

The Section 94 Plans repealed and superseded by the "*Campbelltown City Section 94 Development Contributions Plan*" were all prepared in the early 1990's. In this regard, the majority of new development is practically complete, with very little 'greenfield' development potential remaining in the corresponding catchment areas. As there are sufficient funds available to complete the remaining works included in the superseded Section 94 Plans, along with additional projects identified, no Section 94 contributions are to be levied under this Plan on new development in the defined catchment areas.

1.3. Additional Facilities Provided Under This Plan

As part of a review of its existing Section 94 Plans, Council engaged the consultancy firm PotatoPoint and Cite Urban Strategies Pty Limited to evaluate the current status of the Section 94 Plans. In identifying the remaining works in each of the various Plan areas, it was also determined that on completion of those works, funds would remain available as collected from previous development.

With regard to the remaining funds, Council has identified a series of projects throughout the City to which the funds will be applied, that will benefit the incoming population from whence the development contributions were previously levied. Further details of the additional projects identified by Council are listed in section 3.5 of this Plan.

2. Part B: Administration and Operation

2.1. What is the Name of the Plan?

This Plan is the “*Campbelltown City Section 94 Development Contributions Plan*”. This Plan repeals and supersedes the following Section 94 Plans (and/or parts thereof) previously adopted by Campbelltown City Council:

- The following nominated parts of Section 94 Contributions Plan No. 1 - Planning District No. 4 - Neighbourhoods of Eagle Vale/Eschol Park and Raby (Note: The area of Blairmount in the Section 94 Contributions Plan No. 1 - Planning District No. 4, has been repealed).
- Section 94 Contributions Plan No. 2 - Planning District No. 6 - Neighbourhoods of Ambarvale and Rosemeadow (Note: The areas of St. Helens Park and Glen Alpine in the Section 94 Contributions Plan No. 2 - Planning District No. 6, have been repealed).
- Section 94 Contributions Plan No.3 - Bow Bowing Neighbourhood Community Facilities.

The “*Campbelltown City Section 94 Development Contributions Plan 2007*” was made by Council, under the direction of the Minister for Planning, in accordance with Section 94 EAA and Section 94E(1) of the *Environmental Planning and Assessment Act 1979 (the EP&A Act)*

Note: Site of skate Park relocated from Rosemeadow to St Helens Park as per Ministerial Direction dated 8 April 2012, in accordance with Section 94EAA and Section 94E(1) of the *Environmental Planning and Assessment Act 1979 (the EP&A Act)*.

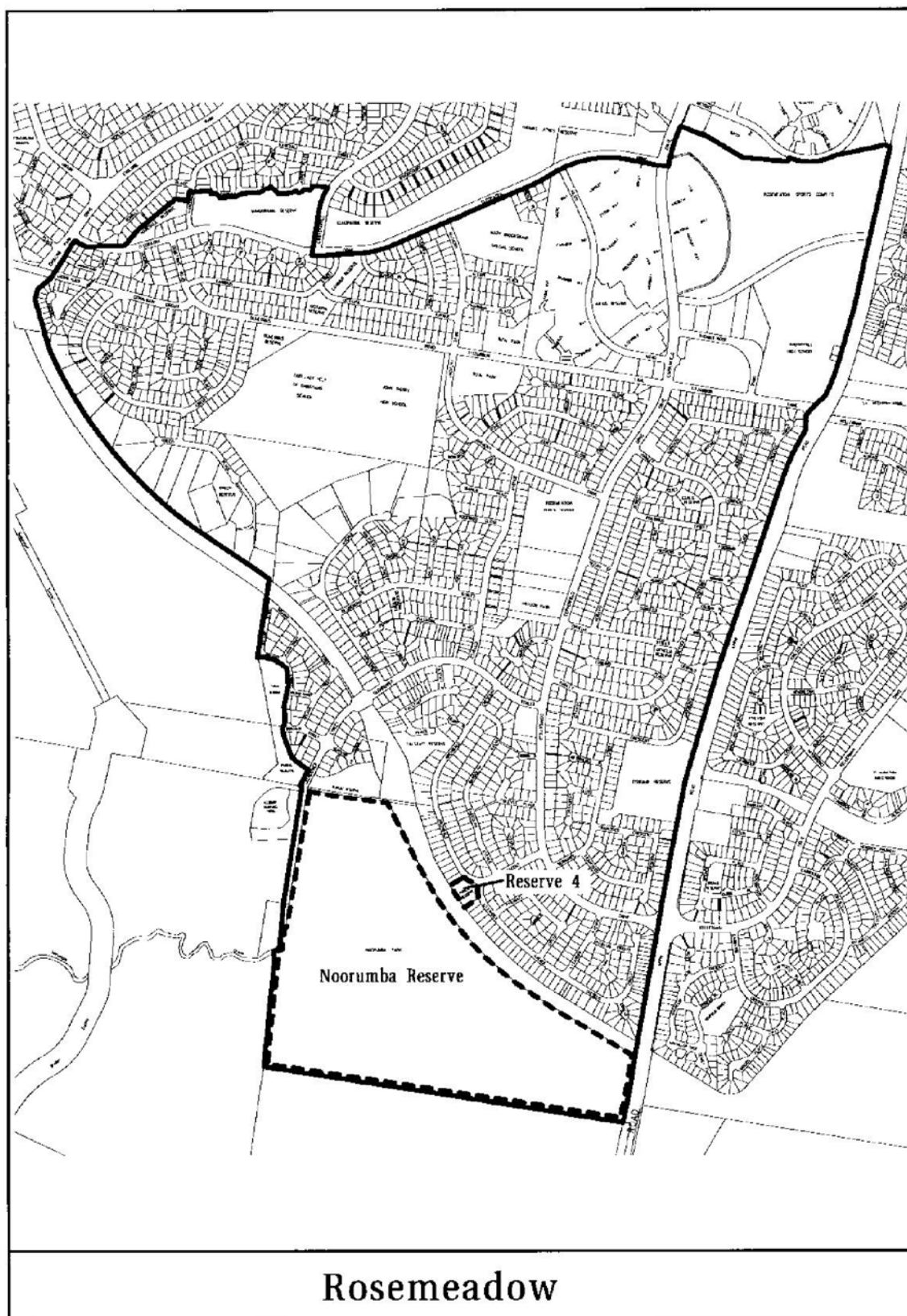
2.2. Area Plan Applies To

This Plan applies to the following catchment areas, as depicted in the Locality Maps.

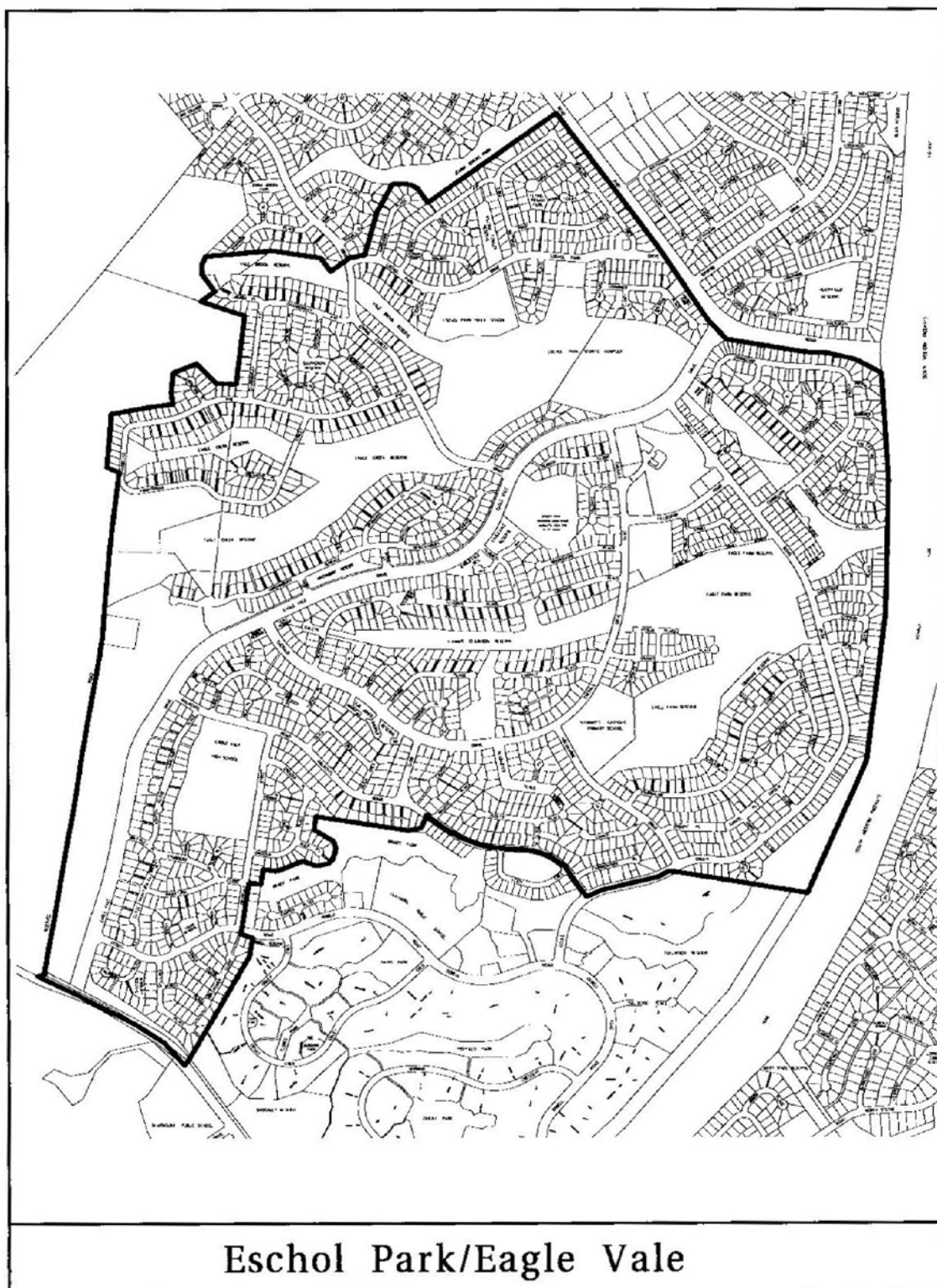
Maps - Land Area Applying to Contributions

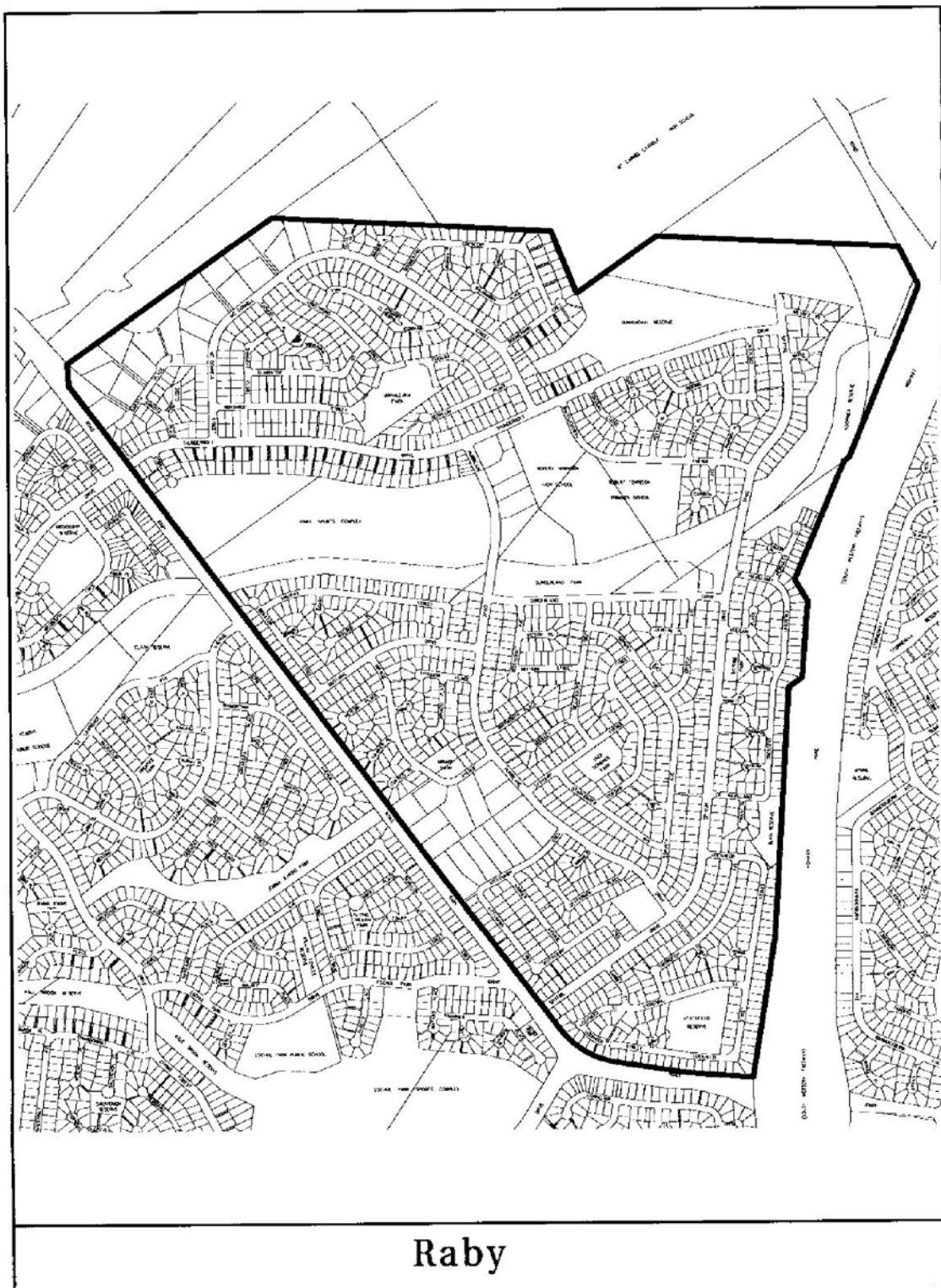


2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

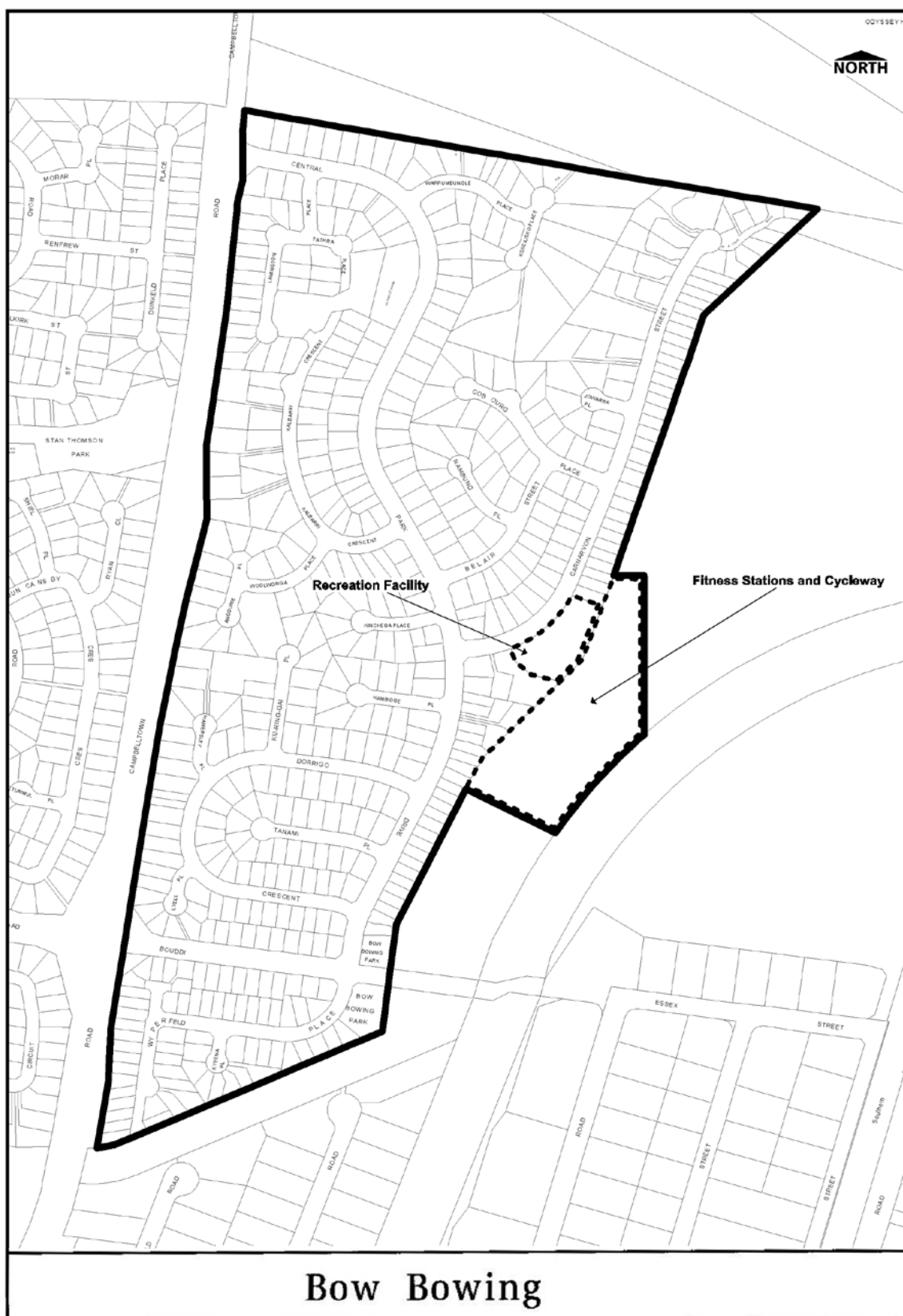


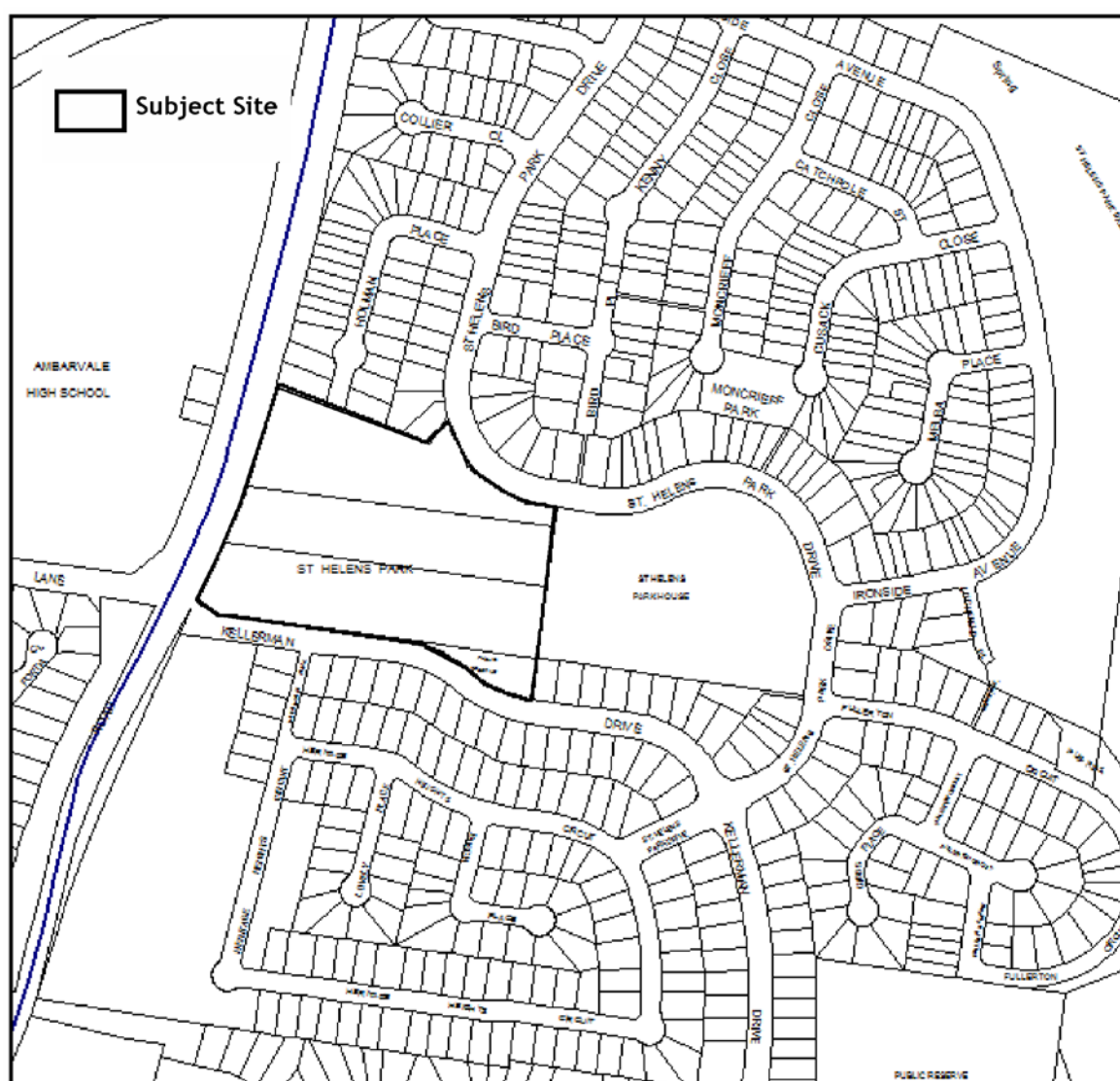
2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan





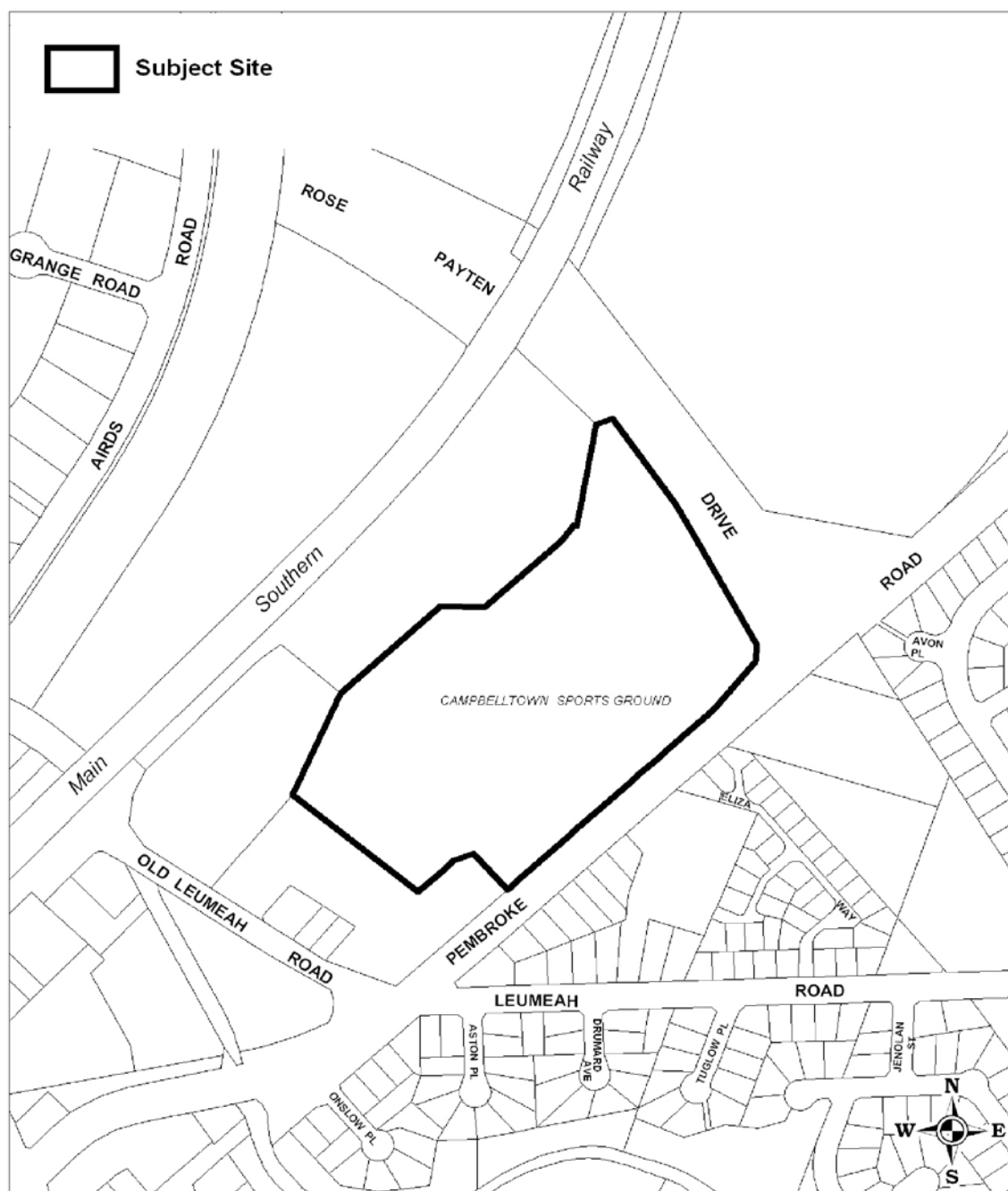
2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan





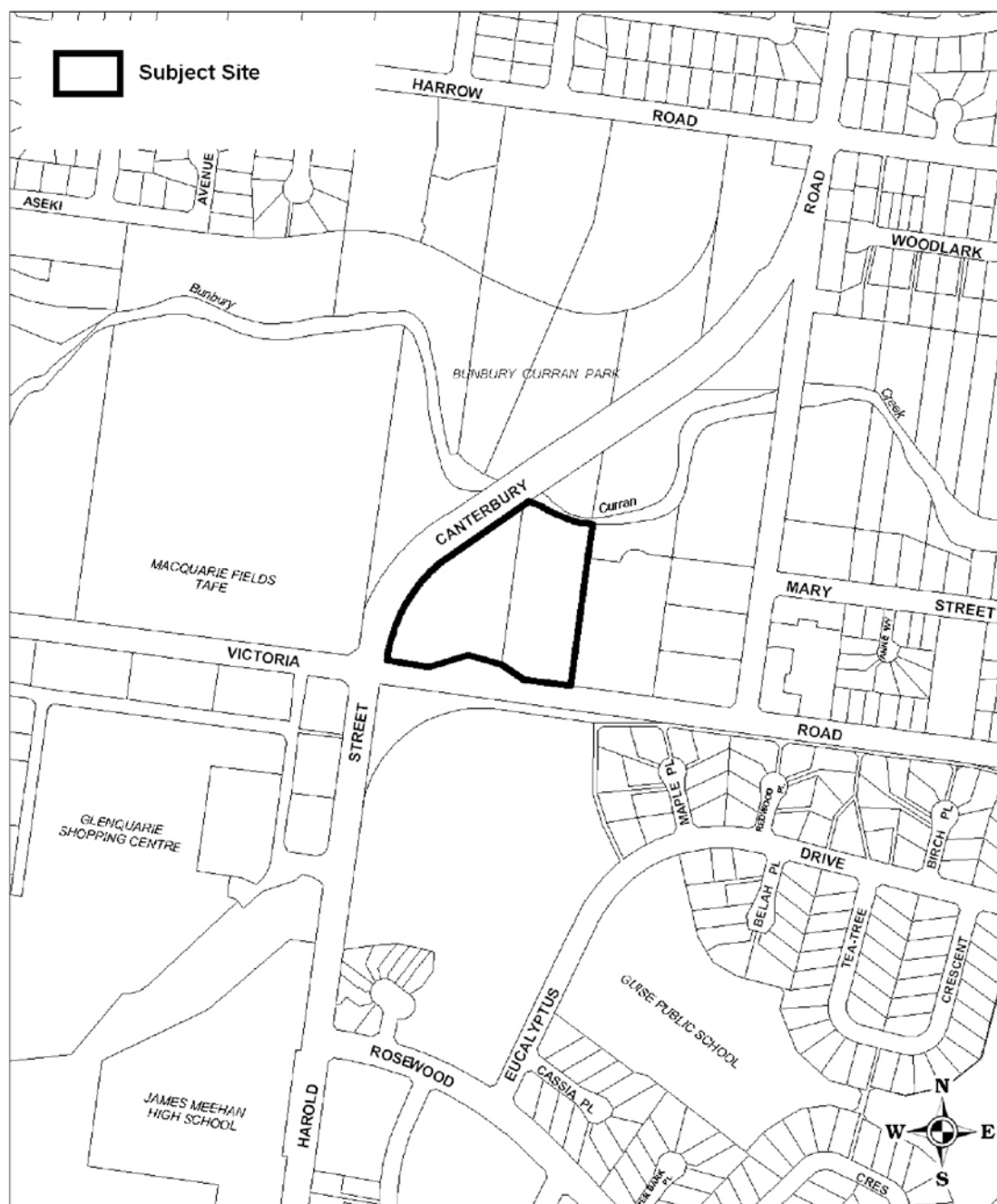
Location of Skate Park - Lot 1 DP 810691, Lot 70 DP 1068130, Lot 703 DP 833443, St Helens Park
(Corner of Appin Road and St Helens Park Drive, St Helens Park)

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan



Location of Stadium Lights - Campbelltown Sports Stadium

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan



Location of Skate Park -Lot 201 Dp 573904 Cnr Victoria and Canterbury Roads, Macquarie Fields

2.3. What Is The Purpose Of This Development Contributions Plan?

The purpose of this development contributions plan is to:

- (a) authorise the council to allocate funds to the provision of public infrastructure in accordance with Section 94 of the *EP&A Act* in providing an administrative framework under which specific public facilities strategies may be implemented and coordinated;
- (b) ensure that adequate public facilities are provided for as a result of development in the identified catchment areas;
- (c) provide a comprehensive strategy for the assessment, expenditure accounting and review of development contributions as they apply to those lands identified in this plan;
- (d) ensure that the existing community is not burdened by the provision of public amenities and public services required as a result of future development; and
- (e) enable the council to be both publicly and financially accountable in its assessment and administration of the development contributions plan.

2.4. Commencement Of The Plan

This development contributions plan has been prepared pursuant to the provisions of Section 94 of the EP&A Act and Part 4 of the *Environmental Planning and Assessment Regulation, 2000 (EP&A Regulation)* and takes effect from the date on which public notice was published, pursuant to clause 31(4) of the *EP&A Regulation*.

2.5. Relationship With Other Plans And Policies

As described in section 2.1, this development contributions plan repeals and supercedes various Section 94 Plans previously adopted by Council. Preparation of this Plan has involved review of the works schedules contained in the repealed contributions plans (and/or their relevant parts). Where individual works have not yet been completed and the works remain appropriate, as well as uncommitted surplus funds, this plan absorbed the works and funds from the previous plans into the works schedule. This accounts for funding attributed to additional projects as identified in the works schedule.

As development contributions are not payable under this Plan, Council's *Section 94A Development Contributions Plan* will apply to any new development application lodged or consent determined under that contributions plan.

Development approvals containing conditions requiring the payment of development contributions under the previous plans will only be required to pay the contribution amount identified in the consent, as adjusted by the relevant means of indexation nominated in the consent. That is, the previous contribution plans will continue to apply to the extent that any contributions condition attached to a development consent imposed under a previous contributions plan will continue to apply while ever the consent remains current.

The development contributions plan supplements the provisions of the Campbelltown (Urban Area) Local Environmental Plan 2002 and any amendment or local environmental plan that it may supersede.

2.6. When Will Contributions Be Payable To Council?

In accordance with the intent of this contributions plan, no contributions are payable to Council resulting from new development under this Plan, pursuant to the date from which it takes effect. Development contributions are payable in the relevant catchment areas under the "*Campbelltown*

City Council Section 94A Development Contributions Plan”.

To the extent that any contribution is payable on a consent determined under any of the previous Section 94 Plans, the timing of payment will be in accordance with the conditions of those Plans.

2.7. Construction Certificates And The Obligation Of Accredited Certifiers

Where a development consent is subject to the provisions of this Plan further to the date of its effectiveness (refer to section 2.17), no development contributions are applicable to the subject consent. However, where a development consent was determined under the provisions of the previous Section 94 Plans, those conditions will continue to apply, in addition to the application of the following information.

In accordance with section 94EC of the *EP&A Act* and Clause 146 of the *EP&A Regulation*, a certifying authority must not issue a construction certificate for building work or subdivision work under a development consent unless it has verified that each condition requiring the payment of monetary contributions has been satisfied.

In particular, the certifier must ensure that the applicant provides a receipt(s) confirming that contributions have been fully paid and copies of such receipts must be included with copies of the certified plans provided to the council in accordance with clause 142(2) of the *EP&A Regulation*. Failure to follow this procedure may render such a certificate invalid.

The only exceptions to the requirement are where a works in kind, material public benefit, dedication of land or deferred payment arrangement has been agreed by the Council. In such cases, Council will issue a letter confirming that an alternative payment method has been agreed with the applicant.

2.8. Complying Development And The Obligation Of Accredited Certifiers

In reference to S94EC(1) of the *EP&A Act*, accredited certifiers are not required to impose a condition requiring monetary contributions in accordance with this development contributions plan for all types of development permitted. Where appropriate, the “Campbelltown City Council Section 94A Development Contributions Plan” will apply.

2.9. Deferred/Periodic Payments

The Council may accept a written request for a deferred or periodic payment of a contribution, relevant to the previous Section 94 Plans, if the applicant or any other person entitled to act upon the relevant consent satisfies the Council that:

- Compliance with the provisions relating to when contributions are payable is unreasonable or unnecessary in the circumstances of the case.
- Deferred or periodic payment will not prejudice the timing or the manner of the provision of the public amenity or service for which the contribution was required, as outlined in the Works Schedule.
- There will be no prejudice to the community deriving benefit from the public amenity of service of facility required by the proposed development.
- There will be no prejudice to the operation of this Contributions Plan.

The decision to accept a deferred or periodic payment is at the sole discretion of the Council.

The Council may accept deferred or periodic settlements by way of instalments subject to the condition that the instalments are to be paid before work commences on any stage of the development, or as otherwise agreed to by the Council.

The Council may, if it decides to accept the deferred or periodic payments of a contribution, require the applicant to provide a bank guarantee by an Australian bank for the amount of the contribution, or the outstanding balance, plus any interest likely to accrue, on condition that:

- a) The bank guarantee requires the bank to pay the guaranteed amount unconditionally to the consent authority where it so demands in writing not earlier than 6 months (or other term so determined by the Council) from the provision of the guarantee or completion of the development or stage of the development to which the contribution, or the outstanding balance, relates.
- b) The guarantee prohibits the bank from:
 - having recourse to the applicant or other person entitled to act upon the consent; and
 - having regard to any appeal, dispute, controversy, issue or other matter relating to the consent or the carrying out of development in accordance with the consent, before paying the guaranteed amount.
- c) The bank's obligation under the guarantee are discharged:
 - when payment is made to the consent authority in accordance with the terms of the bank guarantee; or
 - if the related consent lapses; or
 - if the consent authority otherwise notifies the bank in writing that the bank guarantee is no longer required.
- d) The applicant pays interest to the Council on the contribution, or the outstanding balance at the overdraft rate on and from the date when the contribution would have been otherwise payable, as set out in this Contribution Plan.

Where the Council does not require the applicant to provide a bank guarantee, it may require a public positive covenant under Section 88E of the Conveyancing Act 1919 to be registered on the title to the land to which the relevant application relates.

2.10. Contributions "In Kind"

Works in kind will be accepted by the Council only under the following circumstances:

1. A written request is made to the Council by the applicant; or other person entitled to act upon the relevant consent; and
2. The Council determine that the works in kind are appropriate; and
3. The works to be carried out are identified in the Works Schedule attached to this Contributions Plan; and
4. The value of the works to be undertaken is at least equal to the value of the contribution assessed in accordance with this Plan;
5. Where the value of the proposed works in kind is less than the monetary value of the contribution, the difference will be met by way of a monetary contribution.

In assessing the request, Council will take into account the following:

- a) Consistency with the detailed design of the facilities, as agreed to by the Council;
-

- b) The proposed works will not pre-empt the future provision of facilities identified in the Works Schedule, or beyond what the Council has prioritised.

Plans of the proposed works are to be prepared and submitted by the applicant.

Should an offer of works in kind be accepted, Council will establish with the applicant the following:

- An acceptable standard for workmanship and materials;
- Timing of inspection of works in progress;
- A program for completion of works; and
- An appropriate defects liability period.

2.11. Exemptions

As this Plan will not levy development contributions, all new development is exempt under this Plan. However, as noted in section 2.5 and 2.6, the *“Campbelltown City Council Section 94A Development Contributions Plan”* will apply.

2.12. Review Of Contribution Rates

As this Plan will not levy contributions on development, there will be no need for the review of contributions rates. Where a development consent is determined under one of the previous Section 94 Plans, so the indexation methodology under that plan will continue to apply with regard to the review of contribution rates.

2.13. How Are Contributions Adjusted At The Time Of Payment?

The contributions stated in a development consent are calculated on the basis of the Section 94 plans, as they existed previously. If the contributions are not paid within the quarter in which consent is granted, the contributions payable will be adjusted according to the formulas outlined in the previous Section 94 Plans.

The current contributions are published by Council and are available from Council offices, or on Council's web site, at www.campbelltown.nsw.gov.au. Should the Council not validly publish the applicable contribution rates at any of these locations, the rate applicable will be calculated in accordance with the rate prevailing in the previous quarter.

2.14. Pooling Of Contributions

Pursuant to Section 93E(2) of the *EP&A Act* and Clause 27 of the *EP&A Regulation*, this plan authorises that Council may pool monetary contributions collected under Sections 94 (and 94A) of the EP&A Act and be applied progressively to the projects identified in the works schedule.

2.15. Contributions Register

A Contributions Register will be maintained for this Contributions Plan in accordance with the EP&A Regulation and may be inspected upon request. This register will be updated at regular intervals and include the following:

- (a) Details of each development consent for which contributions have been sought;
 - (b) Nature and extent of the contribution required by the relevant condition of consent;
-

- (c) Name of the Contributions Plan imposing the condition of consent; and
- (d) Date the contribution was received, for what purpose and the amount.

At the end of the each financial year, the Council is required to make an annual statement within the yearly budget. This statement must include the following:

- (a) Opening and closing balances of money held in the “*Campbelltown City Section 94 Development Contributions Plan*” by the Council for the accounting period;
- (b) Total amounts received by way of monetary contribution under this Plan;
- (c) Total amount spent in accordance with this Plan; and
- (d) Outstanding obligations of the Council to provide works for which contributions have been received.

2.16. Savings And Transitional Arrangements

A development application, which is submitted after the commencement of this Plan, will be assessed in accordance with the provisions of this Plan, relative to the extent that the “Campbelltown City Council Section 94A Development Contributions Plan” will apply to that development application.

A development application that has been submitted prior to the commencement of this Plan but not determined shall be determined in accordance with the provisions of this Plan, relative to the extent that the “Campbelltown City Council Section 94A Development Contributions Plan” will apply to that development application.

A development application which has been determined in accordance with a previous Development Contributions Plan and which requires the making of a contribution, but which has not been settled, shall be reviewed and if necessary adjusted in accordance with the provisions of the Development Contributions Plan which applied at the date of determining the application.

2.17. When Did This Plan Come Into Force?

This Plan came into force on 14 April 2009, with further amendments in April 2012 and April 2016.

The costs in the Plan are as at the IPD Quarter for September 2006.

3. Part C: Strategic Plan

3.1 Anticipated Development: Population and Dwelling Structure

The anticipated development and population projection, as identified in the previous Section 94 Plans, are as follows;

Eagle Vale/Eschol Park: Lot/Dwelling Projections

	Pre Sec 94	Current Sec 94	Future Sec 94	Urban Cons.	Total Lots
No. of Lots	1862	711	187	100	
Cumulative Total	1862	2573	2760	2860	2860

Raby: Lot/Dwelling Projections

	Pre Sec 94	Current Sec 94	Future Sec 94	Urban Cons.	Total Lots
No. of Lots	1248	638	90	79	
Cumulative Total	1248	1886	1976	2055	2055

Rosemeadow: Lot/Dwelling Projections

	Pre Sec 94	Current Sec 94	Urban Cons.	Total Lots
No. of Lots	337	1558	94	
Cumulative Total	337	1895	1989	1989

Ambarvale: Lot/Dwelling Projections

	Pre Sec 94	Current Sec 94	Urban Cons.	Total Lots
No. of Lots	1690	358	97	
Cumulative Total	1690	2048	2145	2145

Bow Bowing: Lot/Dwelling Projections

	Pre Sec 94	Current Sec 94	Future Sec 94	Urban Cons.	Total Lots
No. of Lots	0	16	94	25	135
No. of Lots Long Industries	0	393	0	0	393
Cumulative Total	0	409	503	528	528

Total Estimated Population

The total estimated population, as stated originally in each of the previous Section 94 Plans, are listed as follows;

Eagle Vale and Eschol Park

	1993	1994	1995	1996
Population	9181	9531	9881	10010

Raby

	1993	1994	1995	1996
Population	6776	6951	7126	7193

Bow Bowling

	1993	1994	1995	1996
Population	1432	1607	1747	1848

Although no pro-rata population projections were noted for Ambarvale and Rosemeadow under the previous Section 94 Plans, the corresponding 'Lot Dwelling Projections' for these Plans are noted above.

3.2. Timing Of Development

While the majority of development is complete in the various catchment areas, the following tables represent the projected development rates as set down in the previous Section 94 Plans;

Eagle Vale and Eschol Park

	1993	1994	1995	1996
No. of Lots	50	100	100	37
Cumulative Total	2623	2723	2823	2860

Raby

	1993	1994	1995	1996
No. of Lots	50	50	50	19
Cumulative Total	1936	1986	2036	2055

Rosemeadow

	1993	1994	1995	1996	1997	1998
No. of Lots	92	50	50	40	40	31
Cumulative Total	1778	1828	1878	1918	1958	1989

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Ambarvale

	1993	1994	1995	1996	1997	1998
No. of Lots	30	80	80	60	60	47
Cumulative Total	1818	1898	1978	2038	2098	2145

Bow Bowling

	1993	1994	1995	1996
No. of Lots	80	50	40	29
Cumulative Total	409	459	499	528

3.3. Rationale For New Facilities And Services

A key principle of Section 94 is to demonstrate a relationship between the anticipated development, or incoming population, and the demand for additional public infrastructure e.g. open space, community facilities etc. The demonstration of a relationship between new development and such demand is a core requirement of a valid Development Contributions Plan.

Open space, community facilities and the like are public facilities for which there is a reasonable expectation for Council to provide, in association with the urban development throughout the City of Campbelltown. This Section 94 Development Contributions Plan was prepared to ensure the allocation of funds toward facilities that will meet the needs of those residents contributing under this Plan, as a result of this urban development.

3.4. Existing Levels Of Provision

There are no existing works or services of any relevance to the demand that will originate from the new population moving into the area.

3.5. Demand For New Facilities And Services***Skate Park - St Helens Park***

Council has conducted preliminary investigations, and will subsequently conduct a feasibility study for a skate park at Appin Road/St Helens Park. The feasibility study has identified site suitability, vehicular and pedestrian traffic and parking, design process and funding options.

The site to be occupied by the St Helens Park Skate Park, being Lot 1 DP 810691, Lot 70 DP 1068130, Lot 703 DP 833443, St Helens Park (Corner of Appin Road and St Helens Park Drive) is owned by Council. The area is classified Operational Land and zoned 6(a) Local Open Space, which is suitable for the purpose of a skate park facility.

A Planning Consultative Group will be identified by Council and will include local youth services and local skate, BMX, in-line and scooter users. This group will meet with local users to provide them with an opportunity to present their ideas and requirements for the skate park. These meetings will allow the users to become part of the design process and offer a sense of ownership, which is critical to the long-term success of the skate park.

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Stadium Lighting - Campbelltown Sports Stadium

Council has investigated the upgrading of existing light poles at Campbelltown Sports Stadium (Leumeah), to compliment the installation of four new smaller light poles. These works will not require an increase to the current electrical capacity to the Stadium, and involves less earthworks and structural footings. The estimated cost for the stadium lighting upgrade is \$630,000.

The upgrade of lighting will enhance the profile of Campbelltown Sports Stadium for a variety of sports as an option for televised and night sporting events.

Skate Park - Macquarie Fields

Council has conducted a feasibility study for a skate park at the north-eastern corner of Canterbury Road and Victoria Road, Macquarie Fields. The feasibility study has identified site suitability, vehicular and pedestrian traffic and parking, design process and funding options.

The site to be occupied by the Macquarie Fields Skate Park, being Lot 201 DP 573904 at the corner of Victoria and Canterbury Roads, Macquarie Fields and adjoining property Lot 22 in Section 6 DP 960 is owned by Council. The areas are classified Community Land and are zoned 6(a) Local Open Space, which is suitable for the purpose of a skate park facility.

As with the Skate Park for Rosemeadow, a Planning Consultative Group has been identified by Council and will include local youth services, Macquarie Fields TAFE representatives, and local skate, BMX, in-line and scooter users. This group will meet with local users to provide them with an opportunity to present their ideas and requirements for the skate park. These meetings will allow the users to become part of the design process and offer a sense of ownership, which is critical to the long-term success of the skate park.

Road Works

There are no Road Works levied for on new development under this Development Contributions Plan.

Drainage Works

There are no Drainage Works levied for on new development under this Development Contributions Plan.

Administration

Council considers that the costs involved with preparing and administering this Section 94 Development Contributions Plan are an integral component for the efficient provision of services and amenities generated by future development, without putting undue pressure on facilities that the existing community utilises.

However, in the instance of the "Draft Campbelltown City Section 94 Development Contributions Plan 2016", as the cost of administration had not been recouped under the previous Section 94 Plans no funding will be allocated under this Plan.

3.6. Works Schedule

The majority of items in this work schedule have been completed, with the exception of some minor projects, and the additional facilities included in the schedule, as follows;

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Table 11 Works Schedule**Ambarvale**

Facility	Name	Stage	S94 \$ IPD Sept 06
Community Hall	Crispsparkle Drive	Completed	
Child Care Centre	Crispsparkle Drive	Completed	
Youth Centre	Off Wickfield Circuit	Completed	
Community Hall	Cnr Woodhouse & Copperfield	Completed	
Upgrade Community Hall	Woodhouse Drive	Completed	
Amenities Building	Cnr Codlin & Jiniwin	Completed	
Amenities Building	Thomas Acres Reserve	Completed	
Local Park 1	Cleopatra Reserve	Completed	
Local Park 1	Lack Reserve	Completed	
Local Park 1	Clerkenwell Reserve	Completed	
Local Park 1	Throsby Park	Completed	
Local Park 3	Shiel Park	Completed	
Local Park 1	Patrick Newman Park	Completed	
Local Park 2	Fred Sheather Park	Completed	
Local Park 1	Copperfield Park	Completed	
Local Park 1	Cargery Reserve	Completed	
Local Park 1	Trotwood Reserve	Completed	
Local Park 2	Startop Reserve	Completed	
Local Park 2	Boythorn Park	Completed	
Local Park 1	Nurra Reserve	Completed	
Local Park 1	Fieldhouse Park	Completed	
Local Park 1	Englorie Park	Completed	
Local Park 1	Thomas Acres Reserve	Completed	
Winter Playing Field	Ambarvale Sports Complex	Completed	
Winter Playing Field	Ambarvale Sports Complex	Completed	
Winter Playing Field	Ambarvale Sports Complex	Completed	
Summer Playing Field	Ambarvale Sports Complex	Completed	
Winter & Summer Field	Thomas Acres Reserve	Completed	
Street Tree Planting		Completed	
Sub Total			\$0

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Rosemeadow

Facility	Name	Stage	S94 \$ IPD Sept 06
Car Parking Rosemeadow Open Space Complex	District Centre	Completed	
Land in District Centre	District Centre	Not Required	
Neighbourhood Centre	Glendower Street	Completed	
Amenities Building (half cost)	Rosemeadow Sports Complex	Completed	
Amenities Building	Oswald Reserve	Completed	
Local Park 1	Haredale Reserve	Completed	
Local Park 1	Mandurama Reserve	Completed	
Local Park 1	Rizal Park	Completed	
Local Park 2	Ceres Reserve	Completed	
Local Park 1	Ophelia Reserve	Completed	
Local Park 1	Desdemona Reserve	Completed	
Local Park 2	Canidius Reserve	Completed	
Local Park 1	Octavia Park	Completed	
Local Park 2	Reserve No.1	Completed	
Local Park 2	Reserve No.2	Completed	
Local Park 1	Reserve No.3	Completed	
Local Park 1	Reserve No.4	Completed	
Local Park 1	Oswald Reserve	Completed	
Winter Playing Field	Oswald Reserve	Completed	
Winter Playing Field	Oswald Reserve		
Summer Playing Field	Oswald Reserve	Completed	
Winter Playing Field	Rosemeadow Sports Complex	Completed	
Winter Playing Field	Rosemeadow Sports Complex	Completed	
Winter Playing Field	Haydon Park	Completed	
Environmental Project	Noorumba Reserve		\$379,797
Street Tree Planting		Completed	
Cycleway	Ambarvale / Rosemeadow	Completed	
Sub Total			\$379,797

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Eagle Vale/Eschol Park

Facility	Name	Stage	S94 \$ IPD Sept 06
Small Hall	Eschol Park Cottage	Completed	
Swimming Pool	Eagle Vale Pool Complex	Not Required	
40 Place Child Care Centre	Eagles Nest	Completed	
Neighbourhood Centre	Neighbourhood Centre	Completed	
Amenities Building	Eschol Park No.1 & No.2	Completed	
Amenities Building	Fullwood Reserve	Completed	
Local Park 1	Thomas Clarkson Reserve	Completed	
Local Park 1	Eagle Vale Reserve	Completed	
Local Park 1	Fluorite Park	Completed	
Local Park 3	Talc Reserve	Completed	
Local Park 1	Amber Reserve	Completed	
Local Park 1	ER Jones Reserve	Completed	
Local Park 1	Topaz Gardens	Completed	
Local Park 1	Alabaster Reserve	Completed	
Local Park 2	Brady Park	Completed	
Local Park 1	Fullwood Reserve	Completed	
Local Park 1	Young Reserve	Completed	
Local Park 3	Newbury Reserve	Completed	
Local Park 3	Murch Park	Completed	
Local Park 3	Reserve No.1	Completed	
Local Park 1	Reserve No.2	Completed	
Local Park 1	Reserve No.3	Completed	
Local Park 2	Minchinbury Reserve	Completed	
Local Park 2	Burgundy park	Completed	
Local Park 1	Eagle Creek Reserve	Completed	
Local Park 1	Eschol Park Sports Complex	Completed	
Local Park 1	Sauvignon Reserve	Completed	
Local Park 3	Vale Brook Reserve	Completed	
Local Park 1	Figtree Park	Completed	
Local Park 1	Malbec Reserve	Completed	
Local Park 2	William Fowler reserve	Completed	
Local Park 1	Flying Pieman Park	Completed	

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Winter Playing Field	Eschol Park Sports	Completed	
Summer Playing Field	Complex 1	Completed	
Winter Playing Field	Eschol Park Sports	Completed	
Summer Playing Field	Complex 2	Completed	
Winter Playing Field	Eschol Park Sports	Completed	
Summer Playing Field	Complex 3	Completed	
Amenities Building	Eschol Park Sports Complex 3	Completed	
Street Tree Planting		Completed	
Sub Total			\$0

Raby

Facility	Name	Stage	S94 \$ IPD Sept 06
Swimming Pool	Eagle Vale Pool Complex	Completed	
Neighbourhood Centre	Raby Neighbourhood Centre	Completed	
Amenities	Raby Oval Meeting Room	Completed	
Amenities	Raby Oval Amenities 1	Completed	
Amenities	Raby Oval Amenities 2	Completed	
Local Park 1	Heathfield Park	Completed	
Local Park 1	Blain Park	Completed	
Local Park 1	Jack Donohoe Park	Completed	
Local Park 1	Spitfire Park	Completed	
Local Park 1	Mirage Park	Completed	
Local Park 1	Raby Sports Complex	Completed	
Local Park 1	Koorunga Reserve	Completed	
Local Park - Special	Burrendah Reserve	Completed	
Local Park 1	Manaleuka Park	Completed	
Local Park 2	Wirraway Park	Completed	
Local Park 2	Convair Reserve	Completed	
Winter Playing Field	Raby Sports Complex 1	Completed	
Winter Playing Field	Raby Sports Complex 1	Completed	
Summer Playing Field	Raby Sports Complex 1	Completed	
Winter Playing Field	Raby Sports Complex 2	Completed	
Winter Playing Field	Raby Sports Complex 2	Completed	
Summer Playing Field	Raby Sports Complex 2	Completed	

2.4 Amendment To Campbelltown City Section 94 Development Contributions Plan

Street Tree Planting		Completed	
Sub Total			\$0

Additional Facilities

Facility	Name	Stage	S94 \$
Skate Park	St Helens Park	Completed	
Stadium Lighting	Campbelltown Sports Stadium	Completed	
Skate Park	Macquarie Fields	Completed	
Sub Total			\$0

Bow Bowling

Facility	Name	Stage	S94 \$ IPD Sept 06
Neighbourhood Centre and Tennis Court Clubroom	Carnarvon Street	Completed	
Local Park 1	Lookout Park East	Completed - in one location (East/West)	
Local Park 1	Lookout Park West	Completed - in one location (East/West)	
Local Park 1	Kuringai park	Completed	
Local Park 2	Bouddi Park North	Not Required	
Local Park 2	Bouddi Park South	Not Required	
Local Park 1	Central Park	Completed	
Bus Shelters x 2		Completed	
Cycleway/Footpath		Completed	
Street Planting		Completed	
Tennis Courts	Central Park	Completed	
Car park	Central Park	Completed	
Recreation Facility	Central Park		\$85,826
Sub Total			\$85,826

			S94 \$ Grand Total
			\$465,623.00

3.7. Timing Of Expenditure

It is anticipated that the expenditure on the projects originally included in the previous Section 94 Plans will be completed within the 2008 to 2017 period.

3.8. Calculation Of Contribution Rates

While no Section 94 Contributions will be levied under this Plan, the basis of the calculation of contribution rates included on any current development consent, as determined under the previous Plans, is as follows.

Section 94 contributions will be based on the total cost of providing identified facilities and services divided by the projected lot or dwelling yield in each catchment for all residential development which is subject to Section 94 contributions.

Pre Section 94 development in each of the neighbourhoods is not included in the contribution rate, as this development has been provided with a level of facilities and services funded from other sources.

The contribution rate will be based on the creation of new lots in the case of subdivision and additional dwellings in the case of medium density development.

The formula for calculating contributions is based on the following:

- (a) The number of lots or dwellings, which have or will be subject to Section 94 contributions.
- (b) The cost of providing community facilities including where appropriate cost of acquiring land.
- (c) The present day costs of community facilities already provided by Council in anticipation of development.

The contribution formula is

$$\text{Contribution Rate} = \frac{(F1 + F2)}{P}$$

(\$ per lot/dwg)

F1 = The actual cost to Council to date of constructing community facilities (adjusted to present day values by the I.P.D.).

F2 = The estimated cost of constructing future community facilities.

P = The estimated lot/dwelling yield in the contribution catchment.

* I.P.D. - Implicit Price Deflator

(I.P.D.) is an index obtained by dividing a current price value by its corresponding constant price value. Implicit Price Deflators (seasonally adjusted) are published on a quarterly or annual basis for all items of expenditure shown in the Australian National Account, Expenditure on GDP

(Gross Domestic Product).

This Section 94 Contributions Plan has been prepared in accordance with the EP&A Act and the EP&A Regulation, Department of Planning Section 94 Practice Notes and relevant supporting material.

4. Part D: Supporting Material

The following list identifies reports, documents and studies, which have been used for researching the basis of strategies in the Campbelltown City Section 94 Development Contributions Plan:

Department of Planning (2005), Section 94 Contributions Plans Practice Notes

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment, Regulation 2000

Ministerial Direction issued under Section 94EAA and Section 94E(1) of the Environmental Planning and Assessment Act 1979.

2.5 Planning Proposal - No.121 Raby Road, Leppington

Reporting Officer

Manager Environmental Planning

Attachments

Location map

Purpose

To advise Council of the public exhibition of a planning proposal within the Camden Local Government Area (LGA) to rezone land on Raby Road, Leppington from RU2 Rural Landscape to R5 Large Lot Residential under Camden Local Environmental Plan 2012.

Report

Council has received correspondence from Camden Council advising of the public exhibition of a planning proposal which seeks to rezone No. 121 Raby Road, Leppington (Lots 1 and 2 Strata Plan 37300) from RU2 Rural Landscape to R5 Large Lot Residential.

The Site

The subject site is located on the northern side of Raby Road and to the west (Camden LGA side) of the Campbelltown/Camden LGA boundary. The site has an area of 16.78 hectares and includes two large residential dwellings. The site slopes generally to the west (towards Camden) away from a ridgeline that runs in a north/south direction generally along the LGA boundary (the sites eastern limits). A 24 metre wide gas easement also runs in a north/south direction along the eastern boundary of the site. The western boundary of the site adjoins the Sydney Catchment Authority Water Supply Canal.

Zoning

The current zoning of the subject site is RU2 Rural Landscape under the provisions of Camden Local Environmental Plan 2012 with a minimum residential subdivision standard of 40 hectares. The planning proposal aims to rezone the land to R5 Large Lot Residential to facilitate the development of 30 additional residential lots with a minimum lot size of 4000m².

The adjoining lands within the Campbelltown LGA is zoned E3 Environmental Management (with a minimum residential subdivision size of 100 hectares) under Campbelltown Local Environmental Plan 2015. The adjoining lands within the Campbelltown LGA fall within the Scenic Hills.

Key Issues

Campbelltown City Council has maintained for many years an environmental protection zoning on the land within the Scenic Hills, to provide for a buffer between the urban areas of the Campbelltown and Camden LGA's. It is considered that the current zoning of the subject land (RU2 Rural Landscape) assists in providing a suitable transition from the proposed dense development of land further west within the Camden LGA at Emerald Hills to the rural landscape of the Scenic Hills.

To rezone this land to allow the development of residential allotments having a minimum size of 4000m², effectively compromises this important spatial buffer. As an alternative, a minimum lot size of 1 hectare (10,000m²) would be considered to be a more appropriate transition given the circumstances, and would provide a more acceptable relationship between the high density residential development currently being undertaken within the Camden LGA to the west, and the 100 hectare lot size to the east within the Scenic Hills. A lot size of 1 hectare would be consistent with Council's previous expectations for other similar transition sites such as No. 71 St Andrews Road, Varroville.

It is noted that the Gateway Determination (from NSW Planning and Environment) for this planning proposal required assurance that the views to the east of the site (the Scenic Hills) are protected. To this end significant work has been undertaken to address this issue by landscape consultants, who have recommended a number of detailed controls for inclusion in the draft development control plan (DCP) for the site. Whilst the draft DCP includes a control for the provision of native screen landscaping to be planted along the perimeter of the site, it has not applied the specific recommendations of the studies, particularly with regard to the width and densities of such planting and location in relation to the gas easement.

Notwithstanding the above, an inspection of the subject site and an examination of the technical studies relating to the protection of views to and from the site was carried out by Council officers. This inspection and review of the technical studies (noting the land within the site falls to the west and away from the Camden/Campbelltown LGA boundary) revealed that the visual impact of any future development of the site (allowable under the planning proposal) would be limited when viewed from the Campbelltown LGA.

However, whilst it may be suggested that the development of the subject site may not result in an adverse impact on the visual integrity of the Scenic Hills to any significant degree, it is considered that an increase in the residential density to the extent proposed under the planning proposal would result in the further erosion of the landscape character and critical sense of place of the Scenic Hills, which has arguably already occurred to some extent along the western side of the Scenic Hills as a result of development within the South West Growth Centre area.

It is therefore recommended that the subject planning proposal for the rezoning of No. 121 Raby Road, Leppington not be supported in its current form and that a submission be forwarded to Camden Council advising of Council's objection.

Officer's Recommendation

That Council forward a submission to Camden Council objecting to the planning proposal which aims to rezone No. 121 Raby Road, Leppington being Amendment No 27 to Camden Local Environmental Plan 2010, from RU2 Rural Landscape to R5 Large Lot Residential.

Committee Note: Ms J Kirkby addressed the Committee.

Committee's Recommendation: (Thompson/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 May 2016 (Greiss/Rowell)

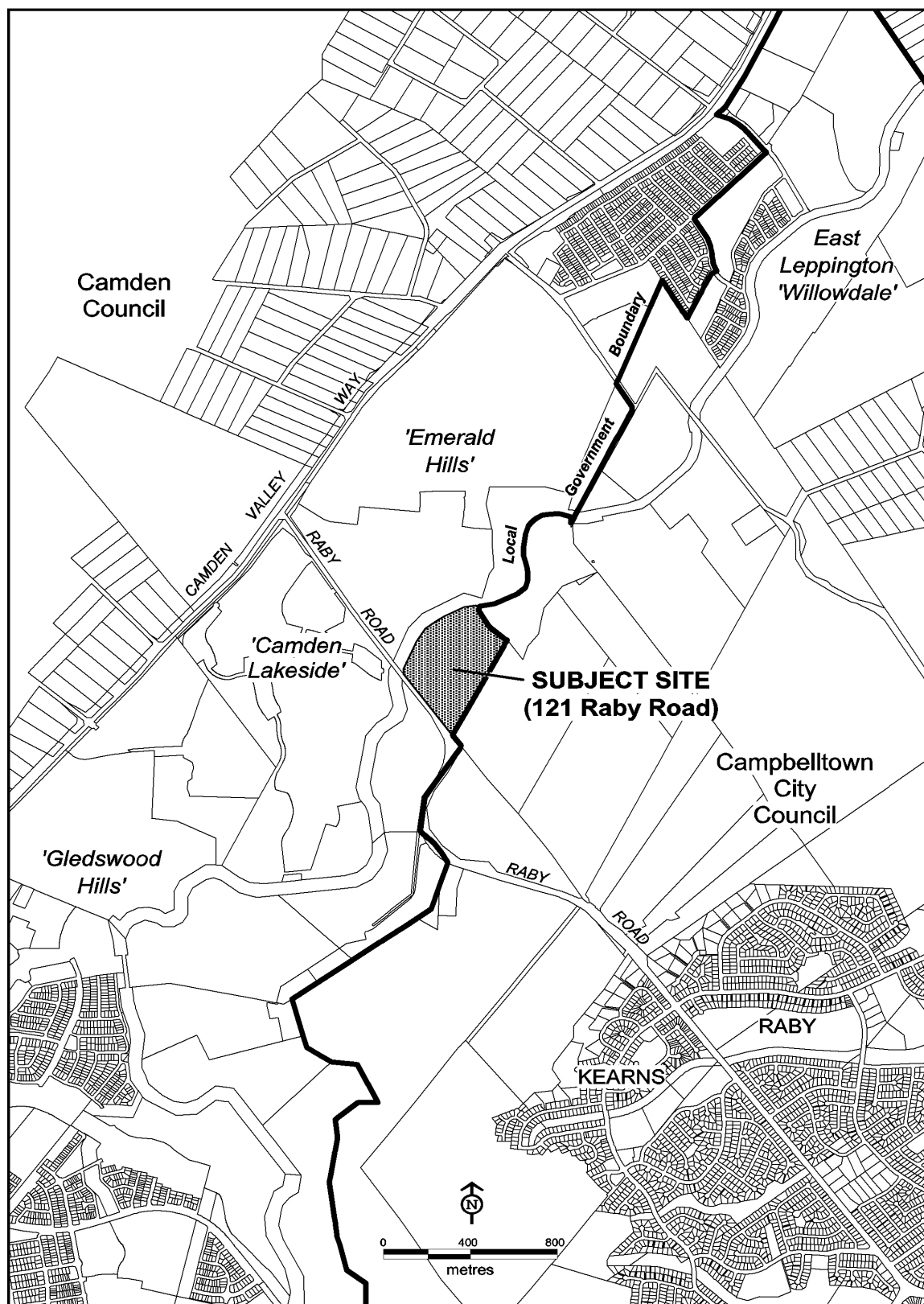
That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

Councillor Mead asked for his name to be recorded in opposition to the resolution for Item 2.5 – Planning Proposal - No. 121 Raby Road, Leppington.

ATTACHMENT 1



3. DEVELOPMENT SERVICES

3.1 Development Services Section Statistics - March 2016

Reporting Officer

Acting Manager Development Services

Attachments

Development Services application statistics for March 2016 (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 March 2016 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 17 May 2016 (Greiss/Rowell)

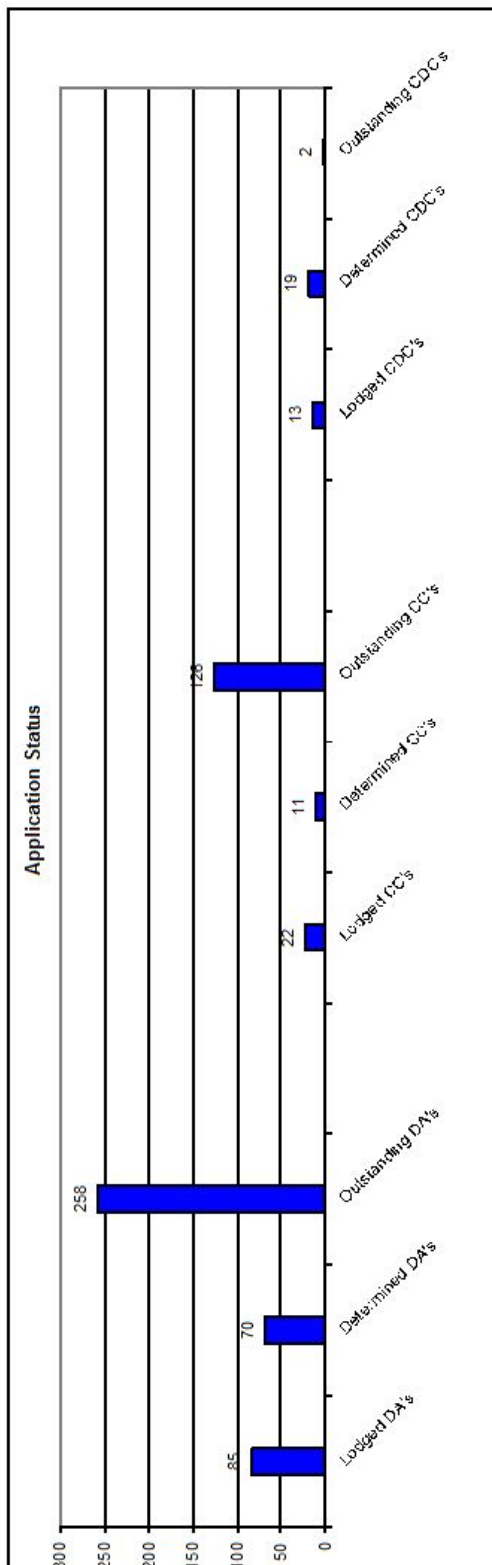
That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

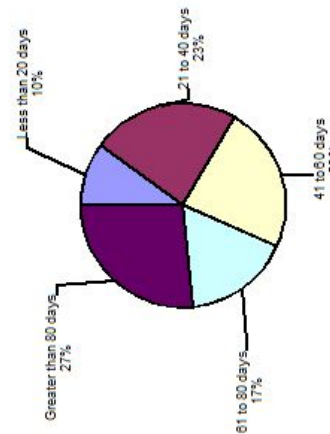
That the Officer's Recommendation be adopted.

ATTACHMENT 1

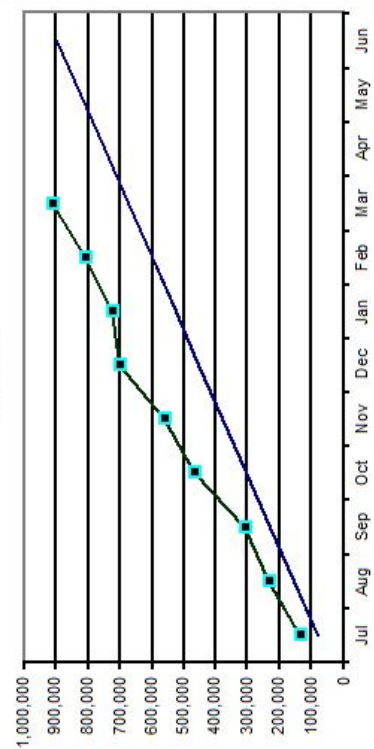
**DEVELOPMENT SERVICES SECTION
 MONTH-AT-A-GLANCE --March-2016**



**Development Application
 Monthly Processing Times**



**Development Application Income
 2015/2016**



3.2 Council's Monitoring And Reporting Obligations Of Variations To Development Standards Allowed Under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)

3.2 Council's Monitoring and Reporting obligations of Variations to Development Standards allowed under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)

Reporting Officer

Acting Manager Development Services

Attachments

SEPP 1 variations approved for the period January to end March 2016 (contained within this report)

Purpose

To advise Council of development applications approved for the period 1 January 2016 to 31 March 2016 that involved a variation of a development standard allowed under the relevant provisions of the State Environmental Planning Policy No. 1 - Development Standards (SEPP 1 applications).

Report

In accordance with the NSW Department of Planning and Environment's requirement for all SEPP 1 applications to be reported to Council, the attachment to this report provides details of all SEPP 1 applications that were determined within the period stated above.

Further to the above, a copy of the attachment to this report was included in the quarterly report to the Department of Planning and Environment and the information is also made available to the public under the SEPP 1 register on Council's website.

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Kolkman/Thompson)

That the Officer's Recommendation be adopted.

CARRIED

3.2 Council's Monitoring And Reporting Obligations Of Variations To Development Standards Allowed Under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)

Council Meeting 17 May 2016 (Greiss/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

3.2 Council's Monitoring And Reporting Obligations Of Variations To Development Standards Allowed Under State Environmental Planning Policy No. 1 - Development Standards (SEPP 1)

ATTACHMENT 1

Council DA reference number	Lot number	DP number	Street number	Street name	Suburb/Town	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined dd/mm/yyyy
2925/2015/DA-1	204	DP 1123315	8	Phiney	Ingleburn	2565	12: Industrial	LEP 2002	4(a) - General Industry Zone	Clause 37	Council resolved, with the concurrence of the Department of Planning to permanently vary the minimum setback for industrial building to the Main Southern Railway Line under clause 37 of LEP 2002, to 5 metres subject to the planting of suitably dense vegetation along the rail interface. The application is not considered inconsistent with the blanket variation.	0	Council	10/03/2016

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

3.3 Construction and use of a retail building as a supermarket with specialty stores including a licensed liquor outlet and associated car parking, site landscaping, civil works and advertising signage - Willowdale Drive, Denham Court

Reporting Officer

Acting Manager Development Services

Attachments

1. Recommended conditions of consent (contained within this report)
2. Locality plan (contained within this report)
3. Site plan (contained within this report)
4. Floor plan (contained within this report)
5. Elevation plan (contained within this report)
6. Perspective drawing (contained within this report)
7. Landscaping plans (contained within this report)
8. Signage plans (contained within this report)
9. Notification plan (distributed under separate cover – confidential – for privacy reasons this plan is 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* (the Act).

Property Description	Lot 12 DP 1209044, Willowdale Drive, Denham Court
Application No	3211/2015/DA-C
Applicant	Coles Group Property Developments Ltd c/- GLN Planning Pty Ltd
Owner	Coles Group Property Developments Ltd
Provisions	Campbelltown 2025 - Looking Forward State Environmental Planning Policy (Sydney Region Growth Centres) 2006 State Environmental Planning Policy No. 64 – Advertising Signs State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy 55 - Remediation of Land Campbelltown Growth Centres Development Control Plan 2014
Date Received	11 November 2015

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

History

Both Campbelltown and Camden Councils have previously granted development consent for various development applications for the subdivision of land, undertaking of civil works and construction of a range of dwellings in the vicinity of the subject application. The land is located within the South West Sydney Growth Centre – specifically the 'East Leppington Precinct', which was rezoned for urban purposes by the Department of Planning in early 2013.

Report

A development application has been received for the construction and use of a retail building as a supermarket with specialty stores including a licensed liquor outlet and associated car parking, site landscaping, civil works and advertising signage.

The application has been assessed against relevant State and local planning objectives and controls. The proposal's potential impacts on the natural and built environment, such as noise, traffic and truck access, social and economic impacts and stormwater control have been considered in accordance with the requirements of Section 79C(1) of the Act.

The development application was forwarded to Roads and Maritime Services, Macquarie Fields Police and Camden Council for comment and was publicly exhibited and directly notified to more than 100 nearby properties. Comments received from government agencies have been detailed in the report and included as recommended conditions of consent where necessary.

The Site

The site has an area of approximately 2.265 hectares and is bounded on three sides by roads, including the urban release area's main entry road, Willowdale Drive. Surrounding the site presently is a range of residential developments, including a display home village, a medium density development precinct containing approximately 200 dwellings, a retirement village that would ultimately contain approximately 270 dwellings and various open spaces, such as a large regional park and riparian corridor.

The site is also relatively close to Camden Valley Way, although does not have a direct access to that road. To the south-east, a road is presently under construction that would connect Willowdale Drive to Denham Court Road (it will become an extension of Jamboree Avenue). The southern side of Willowdale Drive is within the Camden local government area. The site is located in close proximity to existing and proposed bus routes.

To the site's immediate south-east, a portion of land has been set aside for the purposes of a future community centre, which would be funded and constructed in accordance with a 'voluntary planning agreement', presently under negotiation with Council and the land owners in the release area.

The site has been cleared of vegetation as part of previous works that were undertaken on the land.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

The site is zoned B2 – Local Centre, pursuant to State Environmental Planning Policy (Sydney Region Growth Centres) 2006, better known as the Growth Centres SEPP.

As detailed earlier in the report, the site is contained within an area previously rezoned by the State Government for urban release, pursuant to the Sydney Region Growth Centres SEPP.

The site had been set aside as a business/commercial space from an early stage during the urban release area's precinct planning in 2012, which was undertaken as a joint venture between the Department of Planning and the Campbelltown, Camden and Liverpool Councils.

The Proposal

The application proposes the civil works, construction and operation of a commercial centre, which contains the following features:

- bulk earthworks and associated land contouring to create appropriate foundations for the proposed building construction.
- construction and use of a retail building for a Coles Supermarket, Liquorland and a number of specialty shops with a total gross leasable floor area (GLFA) of 5,440sqm comprising:
 - Coles supermarket, comprising a general sales and main floor area, bakery, butcher, delicatessen, storage areas and cool-rooms, offices and staff amenities (3,800sqm GLFA)
 - Coles online packing store (450sqm GLFA)
 - Coles Liquorland (190sqm GLFA)
 - approximately 12 specialty shops with a collective net leasable floor area of 1,000sqm
 - arcade area, comprising public amenities, seating areas with landscaped planters, trolley bays and automatic teller machines
 - service vehicle access and loading/unloading area along the northern elevation of the building, including at-grade loading/unloading docks, waste and plant facilities and truck turning areas
 - associated business identification signage.
- construction of an at-grade car park providing 262 car spaces with tensile fabric sun shade above.
- associated site landscaping, including outdoor seating areas and the creation of a landscaped public plaza that will integrate with the future community centre to the east.
- Formalisation of drainage infrastructure.

A plan of the site's proposed development is contained in attachment 3 to this report.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

The Coles supermarket is proposed to operate between 6.00am to 12.00am Monday to Saturday and 7.00am to 10.00pm Sunday. The loading dock and waste compactor would operate from 7.00am to 10.00pm Monday to Sunday.

A minimum of 100 staff will be employed over a number of shifts in a range of full-time, part-time and casual positions. The coverage of staff hours will be based on operational needs and peak trading hours, however it is likely that at least 20 staff will be on-site at any one time.

A Coles online facility is proposed to be established on the northern side of the supermarket. The Coles online facility would provide for the local collection, distribution, storage and delivery of fresh food, dry goods and liquor purchased online via the internet.

The Coles online facility is proposed to operate between 6.00am to midnight Monday to Sunday. The application includes detail that the Coles online van loading would be between 6.00am to 10.00pm Monday to Sunday. A minimum of 120 staff would be employed in association with the online facility, including delivery drivers and packing and administration staff. It is likely that 10 to 15 staff would be on site at any one time in association with the online store.

A Liquorland retail outlet with a floor area of 190sqm is proposed to be established with the building. The Liquorland store would be located opposite the Coles supermarket and would have an internal frontage to the arcade as well as an external frontage to the customer car park. The application proposes that Liquorland would be open from 9.00am to 9.00pm Monday to Saturday and from 10.00am to 8.00pm on Sunday.

The application includes the use of the subject shop as a licensed premises and as such, a social impact assessment was prepared. That assessment and a copy of all supporting documentation was forwarded to Macquarie Fields Police and Council's Community Development section for comment. Further detail is provided on this issue later in the report.

The fit out of the store is subject to a separate development application.

The proposal includes the construction of approximately 12 variably sized specialty shops along the active frontage to the customer car park. The final configuration of the shops is subject to detailed design at a later stage. The total combined net leasable floor area for the specialty shops is 1,000sqm.

Customer access to each of the proposed speciality shops (except for proposed Shop 5) would be from the building's car park facing façade. A service/staff access is proposed to be provided to the rear of each of the shops via the arcade directly or via a secure corridor accessed from the arcade. The exception is proposed Shops 1 and 2, which would have a rear service/staff access from the adjoining loading/unloading area.

A comprehensive landscaping plan has been developed for the entire site, which includes tree and shrub plantings throughout garden beds on car park edges, site boundaries and the central plaza area. This would connect to the future community centre, which would be designed and developed in conjunction with Council. A plan illustrating the proposed landscaping is contained in attachment 7 to this report.

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The external facades of the building have been designed to engage pedestrians at street level, particularly the building's car park facing façade, which contains a feature awning, large glazed areas and an interesting palette of materials and colours. Other facades of the building have been designed and treated to minimise the building's 'bulky' appearance and feature an interesting mix of colours in geometric shapes. Elevation and perspective drawings are contained in attachments 5 and 6 of this report.

Trucks of various sizes, including semi-trailers up to 19 metres in length, would access and depart the site via a pre-defined route, which would include Willowdale Drive, the as yet east west road (Jamboree Avenue extension) that leads out to Denham Court Road and a new road between the subject site and the adjoining residential area (currently identified on plans as 'Retail Road 12'), at which dwellings and internal roads are presently under construction.

The loading bay and service area for the commercial complex has been designed to minimise noise disturbance to nearby residential dwellings. Favourably, as the residential dwellings and commercial complex have been considered together, the residential dwellings have also been designed and would be acoustically treated to minimise internal disturbance from activity at the commercial site. The applicant has submitted a noise impact assessment with the proposal and its recommendations have been included within the recommended conditions of consent in attachment 1 to this report.

The application also includes a range of business identification and directional signs that would be placed throughout the site and on the building. The signage sizes and locations are consistent with the scale of the site and the building on which they are attached or placed. Details of proposed signs are contained in attachment 8 to this report.

The proposal also includes the construction of stormwater and other utility infrastructure.

The applicant has also prepared and submitted an operations management plan, which details procedures for several areas that contribute to the centre's relationship with nearby properties, the environment and site amenities. Matters detailed in the plan include truck delivery times, truck routes, waste storage and collection, provision of food to charities, landscaping maintenance and security. As relevant, the operations management plan has been incorporated into the recommended conditions of consent in attachment 1 to this report.

1. Vision

'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.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

The strategic direction relevant to this application is:

- growing the Regional City
- building and maintaining quality public infrastructure
- creating education, employment and entrepreneurial opportunities
- building a distinctive Campbelltown sense of place.

The application is consistent with these strategic directions in that it:

- would add a number of new businesses to the City of Campbelltown and provide several employment opportunities
- provides a suitable link to a future community facility.

2. Planning Provisions

The development has been assessed in accordance with the heads of consideration under Section 79C(1)(a) of the *Environmental Planning and Assessment Act 1979*, and having regard to those matters the following issues have been identified for further consideration.

2.1 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP) applies to the site and forms the basis of the urban release area's planning objectives and controls. The site is located in what is known as the 'East Leppington Precinct' within the South West Growth Centre.

Appendix 10 of the Growth Centres SEPP applies specifically to the Campbelltown local government area and is referred to as the 'Campbelltown Growth Centres Precinct Plan'. The aims of the precinct plan are:

- a. to make development controls for land that will ensure the creation of quality environments and good design outcomes
 - b. to protect and enhance environmentally sensitive natural areas and cultural heritage
 - c. to provide for recreational opportunities
 - d. to provide for multifunctional and innovative development that encourages employment and economic growth
 - e. to promote housing choice and affordability
 - f. to provide for sustainable development
 - g. to promote pedestrian and vehicle connectivity.
-

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

Under the precinct plan, the site is zoned B2 – Local Centre. Relevant zone objectives for the B2 zone are:

- to provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area
- to encourage employment opportunities in accessible locations
- to maximise public transport patronage and encourage walking and cycling
- to ensure that residential development within the centre does not detract from the primary function of the centre being to provide for retail, business, entertainment and community uses
- to facilitate active retail, commercial, entertainment and community facility uses at ground level of mixed use developments
- to encourage development that will contribute to economic growth and the creation of employment opportunities within the City of Campbelltown.

The development is considered to be complementary to those objectives as it upholds the Plan's objectives to provide retail and community amenity facilities for people in the local area in an accessible place where active retail and community facility uses would be provided.

The development is defined as a retail premises, which means a building or place used for the purpose of selling items by retail, or for hiring or displaying items for the purpose of selling them by retail or hiring them out, whether the items are goods or materials (or whether also sold by wholesale).

Retail premises as well as car parking and advertising signs are permissible with consent in the B2 – Local Centre zone.

Relevant Clauses of the precinct plan are discussed in more detail below:

Clause 4.3 prescribes the maximum building height, via a map that accompanies the plan. The maximum building height at this location is 18 metres.

With a height of 9 metres at its highest point (including roof plant), the building is compliant with that control.

Clause 5.9 requires the consent authority to consider the impacts of vegetation removal. The site has previously been cleared and formed as part of other consents previously issued.

It is important to note that the entire area subject to the development application is bio-certified pursuant to a Biodiversity Certification Order made pursuant to the *Threatened Species Conservation Act 1995*. As such, no further assessment of the site's vegetation and fauna is required in accordance with Sections 5A and 5B of the *Environmental Planning and Assessment Act 1979*.

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Clause 6.1 requires that the consent authority must not grant development consent unless it is satisfied that adequate public utility infrastructure is available to service that development.

The site would be serviced by water and sewerage supply, telecommunications and electricity in accordance with the plan's requirement.

Clause 6.7 requires that the gross floor area of all development for the purposes of a retail premises in the B2 zone does not exceed 16,500sqm. This restriction was placed on the zone so as to ensure it did not compromise the commercial viability of a major centre in the nearby Leppington Precinct.

The subject development contains 5,440sqm of gross floor area and is therefore compliant with the Clause. Approximately 9,500sqm of land would remain available for future development within the B2 zone, at which time further floor space considerations would be applied.

Having regard to the above discussion and detail of relevant objectives and controls in the Growth Centres SEPP, the development is considered to be highly compliant and therefore permissible with Council's consent.

2.2 State Environmental Planning Policy No. 64 – Advertising Signs

As the application includes the placement of signs throughout the site, SEPP No. 64 applies. The SEPP requires Council to consider the following aim:

- (a) to ensure that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high quality design and finish

The application includes a range of directional and business identification signs of varying sizes that would serve to provide information and to identify the primary tenants of the building. Plans of the proposed signs are in attachment 8 of this report. The signs are also visible on the elevations in attachment 5 of this report. These drawings provide context for the size of the signs in relation to the building.

The signs have been designed to reflect the corporate image of the centre's core tenant. The colours and materials of the signs and the building as a whole have been selected to complement each other. The signs would be maintained in a safe and neat manner, as required by a recommended condition of consent.

The applicant has undertaken an assessment of the proposed signs in accordance with Schedule 1 of SEPP No. 64. Briefly, the Schedule requires the consideration of the signs as they relate to the nearby environment, the building or place on which they are located and any impacts of their illumination.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

In this case, it is considered that the signs do not unreasonably intrude or interfere with the building's architectural merit and are complementary to the scale of the development site.

Accordingly, the application is compliant with SEPP No. 64.

2.3 State Environmental Planning Policy (Infrastructure) 2007

Due to the development's proposed floor area and its proximity to Camden Valley Way, Clause 104 and Schedule 3 of the Infrastructure SEPP applies to the development. The Clause and Schedule require Council to forward the application to Roads and Maritime Services (RMS) for its assessment.

According to the SEPP's requirement, Council did provide a copy of the application to RMS. In response, the RMS confirmed in writing that it does not object to the issue of a development consent for the proposal and provided some cursory recommended conditions in relation to access and management of land near Camden Valley Way. As appropriate, RMS's recommended conditions have been included in attachment 1 of this report.

Accordingly, the application is compliant with the Infrastructure SEPP.

2.4 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP No. 55 provides a state-wide planning approach to land remediation and aims to promote the repatriation of any contaminated land so as to reduce the risk of harm to human health and the environment.

A detailed site investigation of part of the subject land as well as nearby and adjoining lands has been undertaken. The investigation included the removal and study of soil samples to detect and quantify the levels of any contamination by chemicals, organic compounds and heavy metals.

After analysing the samples taken from the site, and upon consideration of the site's intended use for urban purposes, an accredited laboratory confirmed that the land was suitable for development without remediation.

Based on the above, the proposal is consistent with the requirements of SEPP No. 55.

2.5 Campbelltown Growth Centres Development Control Plan 2014

The Campbelltown Growth Centres Development Control Plan 2014 (GC DCP) was prepared by the Department of Planning as part of the precinct planning undertaken at 'East Leppington' in 2012. The development control plan is strongly based on other development control plans that apply to other precincts in the South West growth centre, including those in Liverpool and Camden Council local government areas. The GC DCP has been drafted in a near identical manner to those other control plans to increase consistency across the Councils in which the growth centre is located.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

Relevant parts of the GC DCP, in particular those contained within Section 5 of the plan which relate to 'centres', are detailed and discussed below.

The GC DCP's relevant objectives for the 'centres' area are to:

- a. create vibrant, functional centres that are a focus for community activity and interaction
- b. establish design principles that achieve high quality coordinated urban design outcomes and high standards of amenity
- c. encourage social interaction and the development of places that are safe and desirable for all users
- d. provide flexible controls to accommodate change within the centres over time
- e. ensure that development in centres takes advantage of access to public transport
- f. to ensure that the centres provide for a range of retail, commercial and community related uses that serve the needs of the local population
- g. to ensure that centres are located to maximise viability and walkability
- h. to provide a hierarchy and function of local and neighbourhood centres.

Section 5.2.1 of the GC DCP contains general controls for the centres development. The proposal is consistent with relevant controls including those that repeat the maximum floor area requirement from the Growth Centres SEPP and those that require retail premises to contain a mix of large floor plate and specialty retail uses.

The GC DCP goes on to specify that:

The local centre is to be located within Campbelltown LGA and is to contain a mix of retail, commercial and community land uses.

The application is complementary to that control as it would provide a suitably direct connection to a proposed future community centre that would be developed as a joint venture by Council and the developer, pursuant to a voluntary planning agreement, which is in the final stages of negotiation.

Section 5.2.3 of the GC DCP contains controls relative to the design and layout of the local centre. The Section requires Council to consider:

- opportunities for crime are minimised through appropriate design and maintenance, in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).
 - large format retail premises (such as supermarkets and discount department stores) have pedestrian access to any main street, and do not present blank walls or inactive facades to any main street.
-

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

- facilities including loading, waste storage, servicing and other infrastructure are to be co-located as much as possible to maximise the efficient use of space while ensuring these facilities do not adversely impact on the amenity of surrounding sensitive land uses.
- an interconnected street block network with small block sizes and mid-block connections maximises pedestrian movement and connections to key destinations including parks, plazas and transport nodes.
- noise and amenity considerations inform the layout and location of various uses, particularly residential uses.

The proposal responds favourably to those relevant controls.

A detailed CPTED review has been undertaken by Macquarie Fields Police which concluded that the proposal is consistent with best-practice environmental design. Waste storage and loading/unloading facilities have been designed to be as obscured from public view as possible and treated in a manner that will minimise amenity impacts on nearby residents.

By its nature, the building would include blank walls, however these would be obscured by way of architectural treatment and site landscaping. No blank walls are located immediately adjacent to a public street. Some 9,500sqm to the immediate east of the development site is under separate ownership and would be developed for other purposes consistent with the land's zoning. This would serve to obscure the two relatively large blank walls that comprise part of the development in the short to medium term.

The development would provide for safe pedestrian access across the land, by way of the proposed plaza and in front of the glazed facade of the building then via a defined pathway and pedestrian crossing into the residential part of the precinct.

Section 5.2.4 of the GC DCP provides controls in relation to the public domain. The development responds favourably as it provides for high standards of design and landscaping, based on a consistent public domain design to promote the character and attractiveness of the centre and create a sense of ownership and pride for businesses and residents.

As mentioned earlier, the centre would adjoin a future community space, that would be design to blend in and create a uniform and vibrant public space for residents of the 'Willowdale' estate.

Other relevant controls in the GC DCP are addressed in the following points:

- The public plaza will receive sunlight to a minimum of 50% of the area between 11.00am and 2.00pm mid-winter.
-

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

- The signs are designed and located to:
 - be visually interesting and have a high level of design quality
 - be integrated with the architecture and structure of the building on which they are located
 - be consistent with the scale of the building/site on which they are to be located.
 - project minimally from the building.
- The proposed development is of a contemporary design and style that is typical of other Coles developments across Sydney and nationally. As detailed previously, design treatments to the form, colour and texture of the building façades have been incorporated so as to moderate its large scale and to provide visual interest from a range of distances.
- The proposed roof form does not result in excessive bulk or overshadowing and has been designed to conceal mechanical roof-top equipment where required.
- The proposed retail building has been orientated to the west to face inwards towards the proposed customer car park. Large windows have been incorporated along this main elevation so as to provide a visually attractive and active customer interface and shopfront environment.
- The development would require 181 spaces in order to comply with the DCP's control. The proposal provides for 262 spaces, which is compliant and would provide for an appropriate number of spaces having regard to the centre's location within in an emerging urban release area.

Having regard to the above discussion, the proposal is considered to be complementary to the development control plan's objectives and controls.

3. Planning Assessment

3.1 Likely impacts

Section 79C(1)(b) of the *Environmental Planning and Assessment Act 1979* requires Council to consider the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

Having regard to those matters the following potential impacts have been identified for further consideration:

- noise
 - traffic and access
 - stormwater management
 - social
 - economic.
-

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

3.2 Noise

The centre's use, particularly the loading bays, is considered likely to generate noise, primarily through the operation of heavy vehicles and loading/unloading equipment.

In order to minimise the development's potential to unreasonably impact on nearby residents, several physical and operation measures are proposed to ensure that noise emanating from the site is managed appropriately.

The submitted acoustic impact assessment report provides recommendations regarding restrictions on loading area operating hours, which have been incorporated into the applicant's operations manual. The operations manual and acoustic impact assessment recommendations have both been referenced within the recommended conditions of consent in attachment 1.

Briefly, the recommendations relate to the construction of a landscape screened solid wall along the bay's frontage to the future residential street, restrictions on the operating hours for the bays and certain equipment at the bays (for example, cardboard baling machines) and operational procedures for staff.

As the adjoining residential development is being undertaken by the developer of the estate at the same time as assessment of the retail complex was occurring, conditions relating to the installation of passive acoustic protection in nearby potentially affected dwellings was also required.

Having regard to the above comments and with reference to the relevant recommended conditions in attachment 1, the proposal is not considered likely to significantly impact on the built environment in relation to noise.

3.3 Traffic and access

The retail centre will generate heavy vehicle and passenger car traffic. The application was accompanied by a traffic impact assessment report, which noted that the busiest times for passenger car traffic are likely to be Thursday evening and on Saturdays.

At peak time, and utilising the RMS's "Guide to Traffic Generating Developments" vehicle movement rates based on the retail uses and associated floor areas, up to 690 vehicles per hour are expected to enter and leave the car parking area and enter the surrounding road network. The RMS goes on to assume that 20 percent of visits are through traffic or those vehicles that would have been on local roads in any case, reducing the likely effect on local traffic to approximately 550 vehicles per hour on peak Saturday.

The traffic impact assessment report detailed the impacts that this amount of traffic would have on existing and future intersections nearby. Using industry-standard SIDRA modelling software, the report concluded that the centre would not unreasonably impact on the performance of nearby intersection, even after taking into consideration future nearby development in the urban release area. This is most likely due to the highly detailed precinct planning and centre location studies that were undertaken during the land's rezoning in 2012 and other work which has been done by the RMS on Camden Valley Way to improve vehicle access efficiency throughout the entire South West Growth Centre.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

Further, Willowdale Drive was designed with turning and median areas in preparation for the future centre, which would reduce the impacts of any waiting traffic on that road's efficiency and safety.

The report also assesses the development's car park for compliance with Australian Standard 2890, which is the Standard used to guide the design of car parking spaces and vehicle manoeuvring areas. The car park is considered to be compliant with the Standard.

The report also assesses the suitability of the proposed heavy vehicle route and access to and from the site's loading areas for vehicles of various sizes. The area proposal provides appropriate manoeuvring space for the safe and efficient movement of heavy vehicles that would access the site. Intersections that would be used by trucks have also been designed from the earliest assessments to accommodate large vehicles that would have been required to access the commercial centre.

Pedestrian access would be provided throughout the site as it is anticipated that people from the relatively dense surrounding residential and retirement developments would arrive on foot. Appropriately located and shielded pedestrian crossings are shown on plans submitted for Council's assessment. See attachment 3 of this report for a site plan which illustrates crossing locations.

Accordingly, the development is not considered likely to significantly and detrimentally impact on the built environment by way of its introduction of truck and car traffic to the local area.

3.4 Stormwater management

Having regard to the scale the development and the amount of impervious area within car parking, loading and roof areas, it is prudent to consider the proposal's potential to impact on the natural environment, with a specific regard to stormwater capture and disposal.

The large sealed car park, vehicle manoeuvring space, pedestrian plaza and roof would provide for relatively little opportunity at the site for stormwater to be absorbed by the ground.

The applicant has prepared a stormwater design that illustrates the capture and disposal of stormwater, including a below-ground rainwater storage tank.

The surrounding stormwater infrastructure has been designed to accommodate the likely retail centre, noting the urban release area and retail centre would be developed concurrently.

From the site, water would travel in underground pipes to infrastructure in two new roads adjacent to the development and would then enter the existing pipe network and ultimately travel to water quality and detention basins in nearby Bonds Creek.

The proposal is considered to have provided adequate solutions to the capture and disposal of stormwater and is therefore not considered likely to have a significant detrimental impact on the natural environment.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

3.5 Social

The application includes the provision of a licensed retail liquor shop. As such, the proposal included an assessment of the development's potential social impacts and was also referred to Macquarie Fields Police and Council's Community Development section for comment.

The social impact assessment report for the proposal included a consideration of existing nearby liquor outlets and an identification of potentially sensitive land uses, such as schools, churches, parks and open space, hospitals and alcohol free zones.

The report also provided significant detail on the social and demographic profile of the local area, including relevant portions of Camden and Liverpool local government areas.

Three existing licensed premises are in relatively close proximity to the site, one being an established hotel and two being established pre-packaged liquor retail outlets at Leppington. The report found that the proximity of these sites was not inconsistent with best practice guidelines issued by the NSW Government's Office Liquor Gaming and Racing. Further, the applicant would remain a part of the existing Campbelltown Liquor Accord, which was introduced in 2011 and has been a successful instrument to provide educational workshops to vulnerable high school children.

The report then moved to make eight recommendations regarding the ongoing operation and management of the store, including the recording and monitoring of incidents, establishing a close working relationship with local Police, implementation of company policy regarding the viewing of identification for any person who appears to be under the age of 25 and the maintenance and recording of security cameras.

The report was reviewed by appropriately qualified and trained officers within Council and Macquarie Fields Police. Both Council and the Police concurred with the report's methodology and recommendations. Accordingly, the conclusions in the report are considered to be sound and have been incorporated into the recommended conditions of consent in attachment 1 to this report.

The Police also undertook a detailed safer by design assessment of the proposal, which included a check of proposed surveillance, space and activity management for the centre, lighting, fencing and access control. The report made several recommendations, which are largely consistent with those in the applicant's proposed operational management plan.

Where relevant, additional recommendations made by the Police have been incorporated into the conditions in attachment 1.

Having regard to the above comments and the relevant recommended conditions in attachment 1 to this report, the development is not considered likely to create detrimental social impacts on the locality.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

3.6 Economic

The economic impacts of the development are considered likely to be positive. The complex would provide shopping opportunities in close proximity to an emerging residential area, reducing residents' reliance on centres some distance away by vehicle.

Further, and as mentioned previously in the report, the centre has been designed to accord with the restrictions placed on the site by the planning controls in the Growth Centres SEPP with regard to its size. This was done so that the centre did not unreasonably impact on the viability of retail and commercial facilities that are slated for development at the nearby Leppington town centre, adjacent to the existing Leppington railway station in the Camden local government area.

3.7 Suitability of the site

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires Council to consider the suitability of the site for the proposed development.

In this case, the site has been especially set aside for the development and operation of a retail facility since the earliest urban release planning for the precinct was undertaken in 2012.

Surrounding road and other civil infrastructure has been designed to accommodate the centre and nearby existing residents were notified of its likely future existence during the first stage of property purchasing at 'Willowdale' in 2013.

The centre has been designed to complement surrounding future residential, community and open space land uses and would integrate well into the urban release area.

Ameliorative measures in relation to heavy vehicle movement and potential noise impacts have been proposed and would be implemented at the site to reduce its detrimental effect on surrounding residents.

Accordingly, the site is considered to be suitable for the proposed development.

4. Public Participation

4.1 Public submissions

Section 79C(1)(c) of the *Environmental Planning and Assessment Act 1979* requires Council to consider any submissions made on the proposal.

The application was directly notified to a total of 107 owners in both Campbelltown and Camden local government areas between 27 November and 11 December 2015 as well as a notice being published in local print media pursuant to Council's notification policy.

During the notification/exhibition period, no submissions from the public were received.

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As mentioned earlier, Council forwarded the proposal to three government agencies for comment, being Roads and Maritime Services, Macquarie Fields Police and Camden Council. Recommendations from RMS and the Police have been incorporated into the conditions of consent in attachment 1 to this report.

The pre-defined truck routes and all proposed stormwater works would be solely located in the Campbelltown local government area and having regard to the centre's location being part of long-term planning, no response was received from Camden Council.

5. Conclusion

A development application has been received for the construction and use of a retail building as a supermarket with specialty stores including a licensed liquor outlet and associated car parking, site landscaping, civil works and advertising signage.

The proposed centre would be constructed on a site that has been planned as a place for commercial development during the area's precinct planning, which was undertaken as a joint venture between the Department of Planning and Campbelltown, Camden and Liverpool Councils in 2012.

The application provides for the construction of a retail centre building that would contain a Coles supermarket, 12 speciality stores, a licensed pre-packaged liquor outlet, 262 car parking spaces and associated landscaping, servicing and civil works. The centre would be attractively landscaped and its exterior architecturally treated. The centre would provide for an important link to a future community centre that would be constructed as a joint venture between the urban release's developer and Council pursuant to a voluntary planning agreement that is currently being prepared.

The proposal has been assessed against relevant State and local planning controls and objectives and is considered to exhibit a high level of compliance.

The application and subsequent assessment has considered a range of potential impacts that the centre may create in the locality, relating to social matters, noise and traffic. The assessment and supporting information found that impacts are best controlled by implementing operating restrictions on the centre to assist with noise and mitigating potential social impacts and installing acoustic protection at the site and in nearby dwellings, which has already been undertaken. Traffic impacts are not expected to be significant as the local road network has been designed to accommodate a commercial centre on the land from the outset of the urban release area's preparation.

The application was publicly exhibited in local media and on Council's internet site as well as being notified to over 100 nearby owners directly. No submissions on the proposal were received.

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The development is considered to be suitable for the site and its approval would be in the public interest, having regard to its consistency with relevant planning controls and the economic benefits its construction may bring to the locality.

Officer's Recommendation

That development application 3211/2015/DA-C for the construction and use of a retail building as a supermarket with specialty stores including a licensed liquor outlet and associated car parking, site landscaping, civil works and advertising signage at Willowdale Drive, Denham Court be approved, subject to the conditions in attachment 1 to this report.

Having declared an interest in regard to Item 3.3, Councillor Hawker left the Chamber and did not take part in debate nor vote on this item.

Committee's Recommendation: (Thompson/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.

At the conclusion of the discussion regarding Item 3.3, Councillor Hawker returned to the Chamber for the remainder of the meeting.

Council Meeting 17 May 2016 (Greiss/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 73

That the Officer's Recommendation be adopted.

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

Voting against the Council Resolution were: nil.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

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 ink or by any conditions within.

Leffler Simes Architects, Job No. 3859

Drawing No.	Issue	Date
DA01	A	27 October 2015
DA02	D	25 February 2016
DA03	D	25 February 2016
DA04	D	25 February 2016
DA05	D	25 February 2016
DA06	A	27 October 2015
DA10	A	27 October 2015
DA11	D	25 February 2016

Henry and Hymas

Drawing No.	Revision	Date
15182_DA_BE00	2	23 July 2015
15182_DA_C000	2	22 July 2015
15182_DA_C100	4	25 February 2016
15182_DA_C101	3	02 October 2015
15182_DA_C102	5	25 February 2016
15182_DA_C103	3	02 October 2015
15182_DA_C104	3	02 October 2015
15182_DA_C110	2	22 July 2015
15182_DA_C200	3	25 February 2016
15182_DA_C250	4	25 February 2016
15182_DA_SE01	2	22 July 2015
15182_DA_SE02	2	22 July 2015
Stormwater design advice letter, dated 22 July 2015		

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

Site Image Landscape Architects, Job No. SS15-3008

Drawing No.	Issue	Date
000	D	24 February 2016
001	D	24 February 2016
101	D	24 February 2016
102	D	24 February 2016

Site Image Landscape Architects, Job No. SS15-3008 (continued)

Drawing No.	Issue	Date
501	A	17 April 2015
502	B	17 June 2015

Forefront Signs

Drawing No.	Revision	Date
1	07	08 October 2015
2	07	08 October 2015
2.1	07	08 October 2015
2.2	07	08 October 2015
2.4	07	08 October 2015
2.5	07	08 October 2015
3.1	07	08 October 2015
4.1	07	08 October 2015
4.2	07	08 October 2015
4.3	06	07 October 2015
4.4	07	08 October 2015
4.5	07	08 October 2015
4.6	07	08 October 2015
4.7	07	08 October 2015

Supporting Reports

Statement of Environmental Effects, GLN Planning (ref. Bushfire Protection Assessment, EcoLogical Australia (ref. 10357, dated October 2015).

Noise Emission Assessment of Proposed Supermarket, Acoustic Logic (ref. 20150511.1, Revision 5, dated 2 March 2016).

Social Impact Assessment Liquorland East Leppington, Urban Advisers (ref. 1513, dated January 2016).

Traffic Report for Proposed Retail Development East Leppington, Colston Budd Hunt and Kafes (ref. 9722, dated October 2015).

Coles Leppington Supermarket Operations Management Plan, Coles Supermarkets Australia (dated 6 October 2015).

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NCC Energy Efficiency Report, Anderson Energy Efficiency (dated 9 October 2015).

Building Code of Australia Report Coles Leppington, McKenzie Group (ref. 068731-04BCA, Revision D, dated 8 October 2015).

DA Access Audit, Independent Living Centre NSW (dated 4 May 2015).

2. 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.

3. 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.

4. 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.

5. Operations Management Plan

The operations management plan, prepared by Coles Supermarkets Australia (dated 6 October 2015) shall be implemented and undertaken at all times.

Amendments to any operations, especially those relating to delivery times, vehicle equipment and unloading procedures must be approved via a separate application by Council prior to the amendment being made.

6. 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.

7. 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.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

8. Neighbourhood Amenity

The following conditions have been applied to ensure that all activities involving the operation of the facility are carried out in a manner which will prevent undue air, land, water and noise pollution, in accordance with the *Protection of the Environment Operations Act, 1997*.

AMENITY OF THE NEIGHBOURHOOD – The implementation and ongoing operation of this development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort of a person who is outside the premises by reason of the emission or discharge of noise, fumes, odour, dust, waste products or other products.

OFFENSIVE NOISE – The development must be design so that the use of the premises, building services, operations, equipment, machinery, vehicles and ancillary fittings must not emit ‘offensive noise’ as defined in the *Protection of the Environment Operation Act, 1997*:

Offensive noise means noise:

- a. That, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - i. Is harmful to (or likely to be harmful to) a person who is outside the premises from which it is emitted; or
 - ii. Interferes unreasonably with (or is likely to interfere unreasonably with the comfort or repose of a person who is outside the premises from which it is emitted; or
- b. That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

NOISE MINIMISATION CONTROL – Onsite acoustic controls must be implemented as detailed in the acoustic report by Acoustic Logic ‘Coles East Leppington Noise Emission Assessment of Proposed Supermarket’ project number 20150511.1 dated 2 March 2016 and must not contravene any applicable operational requirements and standards including, but not limited to, road transport vehicles, work health and safety, or food safety.

APPROVED OPERATIONAL MANAGEMENT PLAN – Where any variation to the operational requirements and standards – including, but not limited to, road transport vehicles, work health and safety, waste disposal – is intended to accommodate onsite acoustic controls, such variation must be authorised by the regulatory authority responsible for the relevant requirements and standards and is to be strictly managed in accordance with an Environmental Management Plan prepared for the purpose of implementing such variation to the operational requirements and standards. Prior to the commencement of the extended truck delivery hours, a copy of the Environmental Management Plan must be submitted to Council.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

9. 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 the installation and maintenance of landscaping works.

The landscape design shall incorporate a significant portion of native, low water demand plants.

10. Deliveries

Vehicles servicing the site shall comply with the following requirements:

- 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.

- d. All vehicles with a GVM of 4.5 tonnes or greater MUST exit the site in a right turn direction at all times.

A 'No Left Turn – Vehicles under 4.5T excepted' sign must be placed at the service driveway exit in a place and in a size that is easily discernable by drivers.

Should the sign be damaged or removed, it shall be replaced within 24 hours.

11. Hours of operation

Supermarket trading hours are limited to:

6.00am - 12.00am (midnight) Monday to Saturday
7.00am - 10.00pm Sunday

Liquorland trading hours are limited to:

9.00am - 9.00pm Monday to Saturday
10.00am - 8.00pm Sundays

Heavy vehicle deliveries (trucks over 10 tonnes GVM) and any waste collection movements associated with the supermarket and specialty stores shall only be undertaken between:

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

7.00am - 10.00pm each day

Smaller trucks and vans may visit the site between 6.00am to 10.00pm each day.

12. 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.

13. Sliding Gate

The loading area sliding gate must:

- be maintained in good order so as to not cause an adverse noise impact on the amenity of neighbouring residences and
- be able to operate in such a manner that delivery vehicles are not required to wait on the public road an excessive time for it to open.

14. Safer by Design

The following safer by design management undertakings and equipment shall be installed and maintained at the centre throughout its operation:

- landscaping maintenance to ensure concealment opportunities are minimised
- fencing shall be constructed and maintained around the garden bed area in the south eastern pocket of the site, adjacent to the plaza area
- a recorded closed circuit television system shall be installed on the exterior of the building and maintained in an operable condition at all times to discourage anti-social and criminal behaviour
- exterior lighting fixtures shall be designed and located so as to minimise vandalism opportunities
- access to the roof shall be appropriately restricted by way of locks and barriers
- it is recommended that architecturally sensitive anti-vehicle intrusion bollarding be constructed at the building's entry
- a maintenance plan for the quick repair of car park lighting shall be developed and implemented by centre management and
- the operation of the packaged liquor outlet must accord with the requirements of the *Liquor Act 2007*, the Campbelltown Liquor Accord and other relevant requirements of Liquor and Gaming NSW.

15. Advertising Signs

- a. All signage is to be erected/supported in a safe and secure manner.
 - b. At no time shall the intensity, period of intermittency and hours of illumination of the signage impact the amenity of the neighbourhood in a detrimental manner.
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3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

- c. No signage on site shall flash, move or display electronic images.
- d. Advertising signs and structures shall be maintained in an appropriate condition so as to not become unsightly.
- e. Separate application(s) may be required for the installation/placement of advertising signs for specialty tenancies.
- f. Pursuant to Clause 14(1) of State Environmental Planning Policy No. 64 – Advertising Signs, consent for the approved advertising signs ceases to be in force on the expiration of 15 years after the date on which the consent becomes effective.

If the advertising signs are to be retained after this period, a new development application must be lodged before the expiration of the consent for Council's consideration.

16. Fitout and Occupation of Specialty Tenancies

Fitout and Occupation of specialty tenancies in the building may be subject to separate approval(s) being required.

17. Rain Water Tank(s)

Rain water tank/s shall be installed on site for the collection and storage of stormwater for irrigation and reuse purposes (such as the flushing of toilets), in accordance with the approved plans.

18. Car Parking Spaces

262 car parking spaces shall be designed, sealed, line marked and made available to all users of the site in accordance with Australian Standards 2890.1 and 2 (as amended).

19. 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.

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.

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20. 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 authority's water or sewer infrastructure.

21. Construction Management Plan

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall prepare and receive Council's written approval for a 'Construction Traffic Management Plan', which shall contain details of the following as a minimum:

- required loading zones and parking restriction areas near the development site to allow for manoeuvring and loading/unloading of heavy vehicles associated with the development
- 'Staging' locations, where heavy vehicles wait until such time that adequate space is available adjacent to the development site for loading/unloading
- traffic management and intersection control near to the development site*
- proposed access routes for heavy vehicles loading/unloading at the site
- hours of truck movements
- details of regular road cleaning and sediment controls in place to reduce the introduction of site soil into Council's stormwater infrastructure throughout the construction period and
- consultations made with potentially affected residents and businesses in preparation of the plan.

*A traffic control plan shall be prepared and approved in accordance with the RMS (nee RTA) publication "Traffic Control at Work Sites Manual Version 4" and Australian Standard AS 1742.3 (as amended). A copy of the approved Plan shall be kept on site for the duration of the works in accordance with SafeWork NSW requirements. A copy shall be submitted to Council for its records.

22. Stormwater Management Plan (Development)

Prior to Council or an accredited certifier issuing a construction certificate, plans and accompanying reports and electronic models indicating all engineering details and calculations relevant to site regrading and the collection and disposal of stormwater from the site, building/s and adjacent catchment, shall be submitted for Council's written approval. Floor levels of all buildings shall be a minimum of 150mm above the adjacent finished site levels and stormwater shall be conveyed from the site to Council's stormwater infrastructure.

All proposals shall comply with Council's 'Engineering Design Guide for Development'.

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23. AutoTrack Road Software

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit electronic AutoTrack files relating to heavy vehicle access and egress to/from the site to Council for its assessment and written approval.

The speed environment used in the assessment is to be consistent with the requirements as set out in Austroads 'Guide to Road Design Part 4'.

The review may require the alteration of a landscaped garden bed in the loading area.

24. Coin Operated Shopping Trolley System

All shopping trolleys shall have a coin-operated system to minimise the impacts of shopping trolley abandonment in the community.

Prior to Council or an accredited certifier issuing a construction certificate, the applicant shall submit a management plan for installation and maintenance of coin-operated trolleys associated with the development.

25. 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.

26. 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
- b. The arrangements and costs associated with any adjustment to telecommunications infrastructure shall be borne in full by the applicant/developer.

27. Sydney Water

Prior to Council or an accredited certifier issuing a construction certificate, the approved plans must be submitted to Sydney Water via the Sydney Water Tap In service, 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. An approval receipt will be issued if the building plans have been approved. The approval receipt shall be submitted to the Principal Certifying Authority prior to Council or an accredited certifier issuing a construction certificate.

The Sydney Water Tap In service can be accessed at www.sydneywater.com.au.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

28. Special Infrastructure Contribution

If applicable, a Special Infrastructure Contribution (SIC) is to be made in accordance with the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011, (as in force when this consent becomes operative). The SIC shall be paid to the NSW Department of Planning and Environment and evidence of payment of the SIC shall be provided to both the Council and the principal certifying authority prior to the issue of a construction certificate.

Note: Information on the SIC can be found on the NSW Department of Planning and Environment's website. Please contact the NSW Department of Planning and Environment when organising payment of the SIC.

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.

29. 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.

30. 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
- 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.

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31. 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.

32. 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.

33. Vehicular Access during Construction

Prior to the commencement of any works on the land, a single vehicle/plant access to the site shall be provided, to minimise ground disturbance and prevent the transportation of soil onto any public road system. Single sized aggregate, 40mm or larger placed 150mm deep, extending from the kerb and gutter to the property boundary, shall be provided as a minimum requirement.

34. 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, 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.

35. Footpath and Vehicular Crossing Levels

Prior to the commencement of any work, footpath and vehicular crossing levels are to be obtained from Council by lodging an application on the prescribed form.

36. 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 WorkCover requirements.

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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.

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.

37. 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.

38. 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.

39. 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.

40. 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.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

41. 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.

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.

42. 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.

43. Certification of Levels of Building during Construction

Prior to the placement of any concrete of the basement/ground floor slab, the applicant shall submit to the principal certifying authority a qualified practicing surveyor's certificate showing that the formwork levels are in accordance with the approved plan.

44. Excess Material

All excess material is to be removed from the site. The spreading of excess material or stockpiling on site will not be permitted without prior written approval from Council.

45. Public Safety

Any works undertaken in a public place are to be maintained in a safe condition at all times. In this regard, the applicant shall ensure that a safe, fully signposted passage, minimum 1.2 metres wide, separated from the works and moving vehicles by suitable barriers and lights, is maintained for pedestrians, including disabled pedestrians, at all times.

The applicant shall ensure that traffic control is undertaken and maintained strictly in accordance with the Traffic Control Plan prepared in accordance with the requirements of Condition 21.

Council may at any time and without prior notification make safe any such works that be considered to be unsafe, and recover all reasonable costs incurred from the applicant.

46. Industrial/Commercial Driveway and Layback Crossing

The applicant shall provide a reinforced concrete driveway and layback crossing/s to Council's Industrial/Commercial Vehicle Crossing Specification and Council's 'Engineering Design Guide for Development'.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

A separate application for this work, which will be subject to a crossing inspection fee, fixing of levels and inspections by Council, must be lodged with Council. Conduits must be provided to service authority requirements.

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: Under this subheading, for the purpose of issuing an occupation certificate, any reference to "occupation certificate" shall also be taken to mean "interim occupation certificate".

47. Completion of External Works Onsite

Prior to the principal certifying authority issuing an occupation certificate, all external works detailed in the schedule of treatment/finishes, landscaping, driveways, fencing and retaining walls are to be completed to the satisfaction of the principal certifying authority.

48. Acoustic Protection

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall receive written confirmation from an appropriately qualified person that all required acoustic treatments as specified in the approved report (ref. Noise Emission Assessment of Proposed Supermarket, Acoustic Logic, 20150511.1, Revision 5, dated 2 March 2016) have been installed at the site.

49. 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.

50. No Smoking Areas

In addition to the requirements mandated in the *Smoke Free Environment Act 2000* and accompanying Regulations 2007, prior to the principal certifying authority issuing an occupation certificate, the applicant shall install signage across the retail centre's entry that:

- Details smoking is not permitted within 25 metres of the centre's entry walkway from the car park and
 - Details that smoking is not permitted within 10 metres of any retail tenancy shopfront across the centre's car park-facing façade.
-

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

51. Cooling Tower Registration

Prior to the principal certifying authority issuing an occupation certificate, the applicant shall make application and obtain approval from Council for registration of the cooling tower/s.

52. 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 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.

FOOD CONSTRUCTION CONDITIONS

The following conditions have been applied to ensure that the use of the building (Coles and any other food premises) is carried out in such a manner that is consistent with the *Food Act 2003*, *Food Regulation 2004* *Local Government Act 1993* and associated technical standards.

53. Construction

The internal construction of the shop must be completed in accordance with AS4674-2004: Design, construction and fit-out of food premises.

54. Registration

The premises are required to be registered with Council. An application must be made on the appropriate form and submitted to Council prior to the business operations commencing. Annual administration fees and routine inspection fees may be charged in accordance with Council's annually adopted Fees and Charges.

55. Inspection

Prior to the release of the occupation certificate, Council's Environmental Health Officer is to be contacted 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 premises.

56. Routine Inspections

The food premises are required to be registered with Council so that regular inspections can be carried out to ensure health standards are maintained. The business registration form is available on Council's website which must be completed and submitted to Council prior to the operations of the food business commencing.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

57. Retail Meat Premises

The premises must be constructed and operated in accordance with NSW Food Authority – “New South Wales Standard for construction and hygienic operation of a retail meat premises”.

The premises are required to be licensed with NSW Food Authority prior to operations commencing. An application can be made by contacting:

NSW Food Authority
PO Box 6682
SILVERWATER NSW 1811
Telephone: (02) 9741 4760

Prior to operations commencing, the premises must be inspected and approved by an authorised representative of NSW Food Authority.

58. Floor Construction

The floor construction must be finished to a smooth, even non-slip surface, graded and drained to the waste (AS4674-2004 – Section 3).

59. Floor Waste

Floor waste in the food preparation and food service area must be fitted with a sump removable basket and grate, a minimum 200mm in diameter, in all stainless steel finish (AS4674 2004 – Section 4.1.8).

60. Coving

Approved, recessed coving must be provided at all intersections of the floor with the walls/plinths within all food preparation, service, and storage areas. All coving must:

- a. have a minimum concave radius of 25mm, or
- b. be tiled 50mm minimum in width and splayed at 45°.

The coving must be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface in accordance with Figure 3.1 and 3.2 of the Australian Standard. Feather edge skirting and non-rebated coving are not permitted (AS4674-2004 – Section 3.1.5).

61. Penetrations

All service pipes and electrical conduit must be contained in the floor, walls and plinths or ceiling (AS4674-2004 – Section 3.2.9).

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

62. Wall Requirements

All walls in the food premises, including all new and existing partition walls, must be of solid construction and finished to a smooth, impervious surface that can be easily cleaned, as specified in Table 3.2 of AS4674-2004. The finishing materials of the wall surfaces shall provide an even surface, free of buckles and ledges, fixing screws, open joint spaces, cracks or crevices. Cavity walls are not permitted (AS4674-2004 - Section 3.2).

63. Window Sills

Windowsills must be located 450mm above the top of any bench/sink and tiled at a splayed angle of 45 degrees.

64. Ceiling Construction

The ceiling in the food preparation and food service area 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 intersection of the walls and ceiling must be tight-jointed, sealed and dust proofed. Drop-in panel style ceilings are not permitted in food preparation areas or over areas where open food is displayed, handled or served (AS4674-2004 – Section 3.2).

65. Light Fittings

All fluorescent light fittings must be fitted with a smooth faced diffuser. The light fittings must be either:

- a. recessed so that the diffuser is flush with the ceiling; or
- b. designed to ensure that no horizontal surface exists that would allow dust and grease to accumulate (AS4674-2004 – Section 2.6.2).

66. Hand Basin/s and Hand Towels

Hand basins must be provided in all parts of the premises where open food is handled and in utensil/equipment washing areas. The hand wash basin is to be located and installed in such a way that they are not obstructed, are at bench height either permanently fixed to a wall, to a supporting frame or set in a bench top and is accessible no further than 5 metres away from any place where food handlers are handling open food.

The hand wash basin is to have a permanent supply of warm running potable water mixed to a temperature of at least 40°C and delivered through a single outlet. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to the hand basin (AS4674-2004 – Section 4.4).

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

67. Dish Washing Machines

The dishwashing/glass washing machine must be designed and able to operate in accordance with AS4674-2004 and the Food Standards Code. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitizing rinse cycle must achieve a water temperature of 80°C for two minutes or 75°C for 10 minutes (AS4674-2004 – Section 4.1.6).

Appropriate ventilation must be provided over the dishwashing system and be designed and installed in accordance with Australian Standard 1668.2 – 2012 – ‘The use of ventilation and air conditioning in buildings – Part 2: Mechanical ventilation in buildings’

68. Sinks

Food Preparation Sinks

All food preparation sinks must be used only for the preparation and cleaning of food. The sink is in addition to the hand basin and equipment wash sink (AS4674-2004 – Section 4.1).

Equipment Wash Sinks

A double bowl wash sink must be installed and serviced with hot and cold water through a single outlet (AS4674-2004 – Section 4.1). The double bowl sink is in addition to the hand basin or

A triple bowl sink must be installed and serviced with hot and cold water through a single outlet where rinsing is required before or after sanitising e.g. wash, rinse, sanitise procedure or wash, rinse/sanitise, rinse procedure (AS4674-2004 – Section 4.1).

69. Cleaner’s Sink

A cleaner’s sink is to be installed in a location outside of the food preparation area and must be serviced with hot and cold water through taps fitted with hose connectors. (AS4674-2004 – Section 4.1.8).

70. Tap Fittings

Hot and cold wall mounted taps must be installed fitted with hose connectors and positioned at least 600mm above the floor in a convenient and accessible location within the food preparation area adjacent to the floor waste (AS4674-2004 – Section 4.1.8).

71. Fittings

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning (AS4674-2004 Section 4).

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

All fittings and fixtures must be built into the wall and floor so to be free from joints, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following in accordance with Table 4.5 of AS4674-2004:

- Plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.
- Fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.
- Fittings and fixtures can be supported on legs but must be constructed of non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 150mm.

False bottoms under fittings are not permitted (AS4674-2004 Section 4.2 and 4.3).

72. Food Preparation Benches

All food preparation benches must be constructed in stainless steel. All food contact surfaces are to be smooth, continuous and flush so as to avoid any exposed screw fixtures.

73. Benches

The top and exposed edges of all benches and counters must be finished in a smooth and non-absorbent material, free of joints, cracks and crevices. (AS4674-2004 – Section 4.2).

74. Storage Cabinets

All storage cabinets (internal and external surfaces) must be finished in a smooth and non-absorbent material that is free of joints (AS4674-2004 – Section 4.2).

75. Shelving

All shelving must be located at least 25mm off the wall or alternatively, the intersection of the shelf and the wall is to be completely sealed. All shelving must be constructed at least 150mm from the floor level (AS4674-2004 Section 4.2).

76. Display Units

The food display units must be enclosed to prevent the possibility of contamination by customer's breath, handling, or from flies, dust, etc (Food Regulation 2004, AS4674-2004 – Section 4.2).

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

77. Self-Service Appliances

Self-service food appliances must be constructed so as to comply with the National Code for the Construction and Fitout of Food Premises as published by the Australian Institute of Environmental Health.

78. Food Storage

Any appliance used for the storage of hot and cold food must be provided with a numerically scaled indicating thermometer or recording thermometer accurate to the nearest degree Celsius or an alarm system for continuous monitoring of the temperature of the appliance.

79. Coolroom and Freezer Room

The coolroom and/or freezer room floor must be finished with a smooth even surface and graded to the door. A sanitary floor waste must be located outside the coolroom and freezer room adjacent to the door.

All metal work in the coolroom and freezer room must be treated to resist corrosion.

Condensation from the refrigeration units/coolroom/freezer room motors must be directed to a tundish, installed in accordance with Sydney Water requirements.

The coolroom and freezer room must be provided with:

- a. a door which can at all times be opened from inside without a key and
- b. an approved alarm device located outside the room, but controllable only from inside.

80. Condensation Collection

Condensation from the refrigeration units/cool room motors must be directed to a tundish, installed in accordance with Sydney Water requirements (Food Standards Code 3.2.3).

81. Mechanical Exhaust Ventilation

A food premises must be provided with a kitchen exhaust hood complying with Australian Standard 1668.2 – 2012 – The use of ventilation and air conditioning in buildings – Part 2: Mechanical ventilation in buildings and 1668:1-1998 The use of ventilation and air conditioning in buildings - Fire and smoke control in multi-compartment buildings where applicable.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

Note: Mechanical ventilation is required for:

- (a) any cooking apparatus that has:
 - (i) a total maximum electrical power input exceeding 8 kW; or
 - (ii) a total gas power input exceeding 29 MJ/h; or
- (b) the total maximum power input to more than one apparatus exceeds
 - (i) 0.5 kW electrical power; or
 - (ii) 1.8 MJ gas,per sqm of floor area of the room or enclosure

or any deep fryer;

Prior to the issue of any occupation certificate or occupation or use of premise, certification from a suitably qualified professional engineer shall be submitted to the Principal Certifying Authority verifying that the exhaust system in the food premises is installed and constructed in accordance with Australian Standards.

82. Pest Protection

Flyscreens and/or other approved means of excluding the entry of pests must be provided to all window and door openings in accordance with Section 2.1.5 of AS4674-2004.

Where pipe work, drains, cables and ducts penetrate walls, ceilings and roofs, holes shall be sealed, filled and finished to prevent the entry of pests.

Spaces between adjoining structures, such as between coolroom walls and premises walls, shall be accessible for inspection and cleaning or sealed with a suitable compound so that they are inaccessible to pests.

Spaces between the top surface of equipment or structures such as coolrooms shall be accessible for inspection and cleaning or sealed or boxed in so that they are inaccessible to pests.

83. Toilet Facilities and Hand basins

A toilet for staff must be provided for the premises.

The toilet cubicle must be separated from areas where open food is handled, displayed or stored by one of the following:

- a. an intervening ventilated space fitted with self closing doors; or
 - b. self-closing doors and mechanical exhaust systems that operate when the sanitary compartment is in use for at least 30 seconds after the cubicle is vacated (AS4674-2004 – Section 5.2).
-

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

Toilets intended for customer use must not be accessed through areas where open food is handled, displayed or stored

A hand basin must be located within the toilet cubicle. The basin must be freestanding, serviced with hot and cold water through a single outlet, able to be mixed to a temperature of at least 40°C and fitted with a hands-off type tap set (AS4674-2004 – Section 4.4). The basin must be provided with soap and disposable paper towels from a dispenser.

84. Locker Storage of Staff Belongings and Equipment

Sufficient lockers must be provided in the food preparation area or store room specifically for the storage of cleaning materials, employees' clothing and personal belongings (AS4674-2004 – Section 5.1).

85. Store Rooms

Store rooms must be constructed in accordance with AS4674-2004 by providing the following:

- a. 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.
- b. Ceilings 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)
- c. Shelving or storage racks must be designed and constructed to enable easy cleaning.
- d. 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.

86. Meter Box

An approved non-absorbent, smooth faced cover must be provided over the meter box. The cover is to be splayed at an angle of 45 degrees to the wall at the top and made tight fitting to the wall surfaces.

87. Roller Door

Any drum of a roller door situated in the food preparation area must be enclosed in a frame sheeted with compressed cement sheet, and finished smooth and sealed. The enclosure must be accessible for pest control inspection and maintenance (AS4674-2004 – Section 2.1.5).

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

88. Hot Water Service

The hot water service must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted at a minimum 150mm above the floor level on a non-corrosive metal stand. The hot water system must be of adequate size to enable a sufficient amount of hot water to all washing facilities throughout the working day (AS4674-2004 – Section 4.3).

89. Waste and Recycling Storage, Collection and Disposal

The business operator must enter into a commercial waste contract agreement for regular waste and recycling collection and disposal with a suitably licensed contractor. A copy of the waste agreement must be available for inspection upon request by Council.

All waste and recycling generated from the business is to be kept within an appropriate storage receptacle on the premises. Waste is not to be stored or placed outside of a waste storage receptacle or in such a manner that it will become a litter, odour or health nuisance.

90. Grease Arrestors

All grease arrestors must be located outside of where food and equipment is handled or kept. Access to grease arrestors for emptying shall not be through area where open food is handled or stored or where food contact equipment and packaging materials are handled or stored (AS4674-2004 Section 2.3).

The person with the benefit of this consent must obtain and submit to Council details of a Trade Waste Agreement with Sydney Water before the issue of the Construction Certificate. If no trade waste agreement or grease trap is required, a letter from Sydney Water is to be submitted to the accredited certifier to this effect.

Please contact Sydney Water for information and requirements for grease arrestors by calling 132 092.

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.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

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) and 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. Inspection within Public Areas

All works within public areas are required to be inspected at all stages of construction and approved by Council prior to the principal certifying authority releasing the Occupation Certificate.

Advice 4. Adjustment to Public Utilities

Adjustment to any public utilities necessitated by the development is required to be completed prior to the occupation of the premises and in accordance with the requirements of the relevant Authority. Any costs associated with these adjustments are to be borne by the applicant.

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

Advice 5. Salinity

Please note that Campbelltown is an area of known salinity potential. As such any salinity issues should be addressed as part of the construction certificate application. Further information regarding salinity management is available within Campbelltown Growth Centres Development Control Plan.

Advice 6. *Smoke Free Environment Act 2000*

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 7. 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.

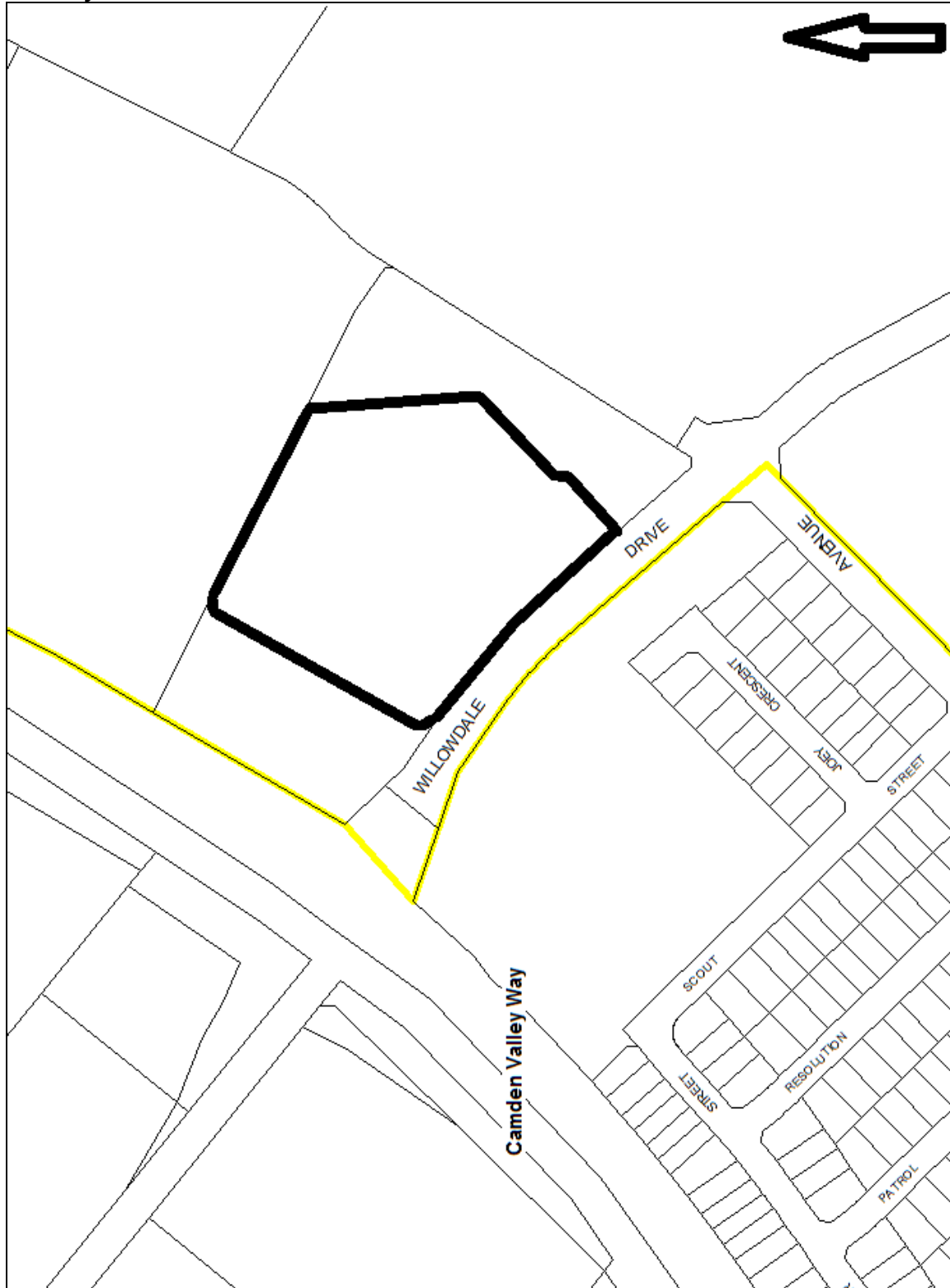
It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

END OF CONDITIONS

3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

ATTACHMENT 2

Locality Plan



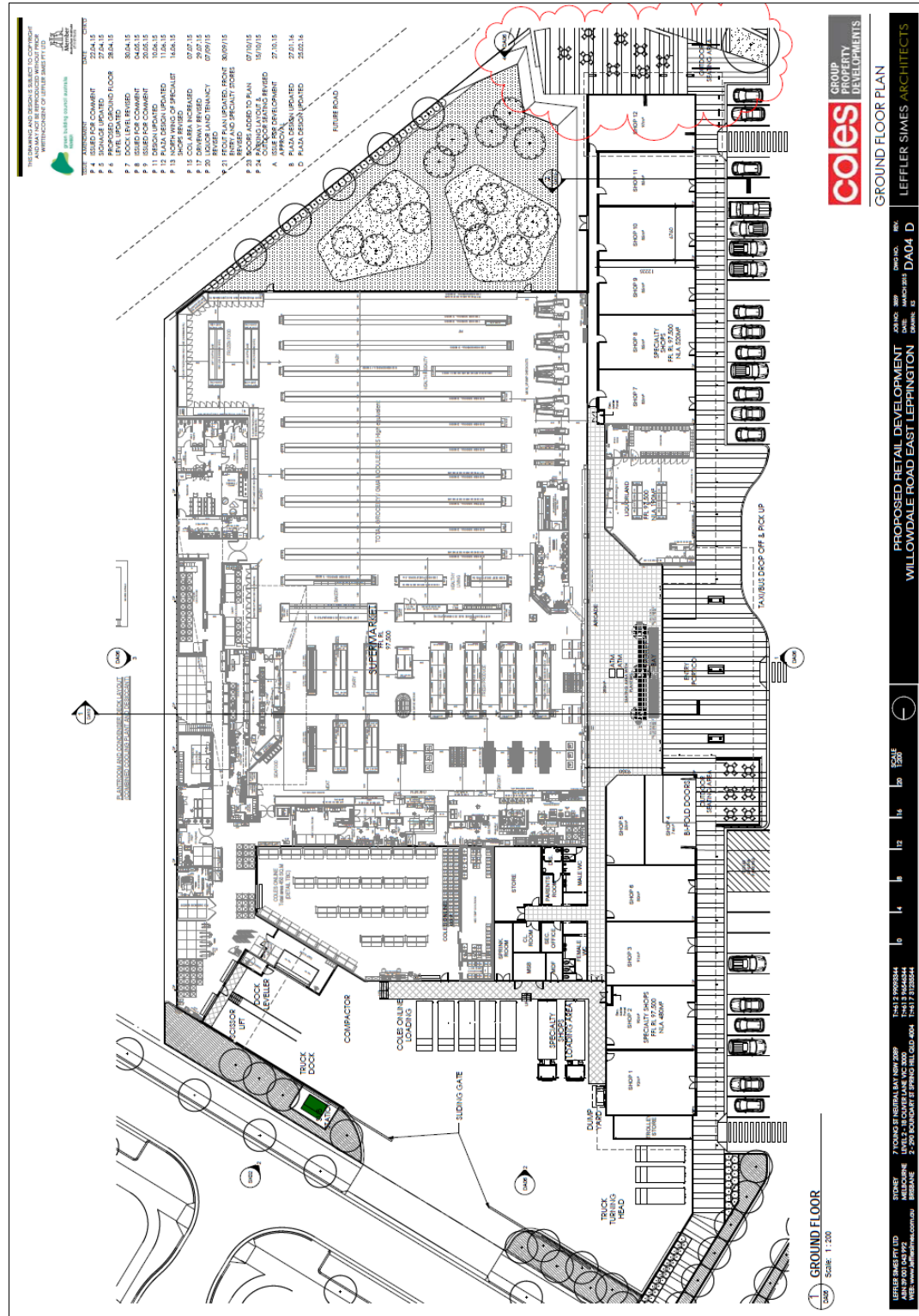
ATTACHMENT 3

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3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

ATTACHMENT 4

Floor Plan



3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

ATTACHMENT 5

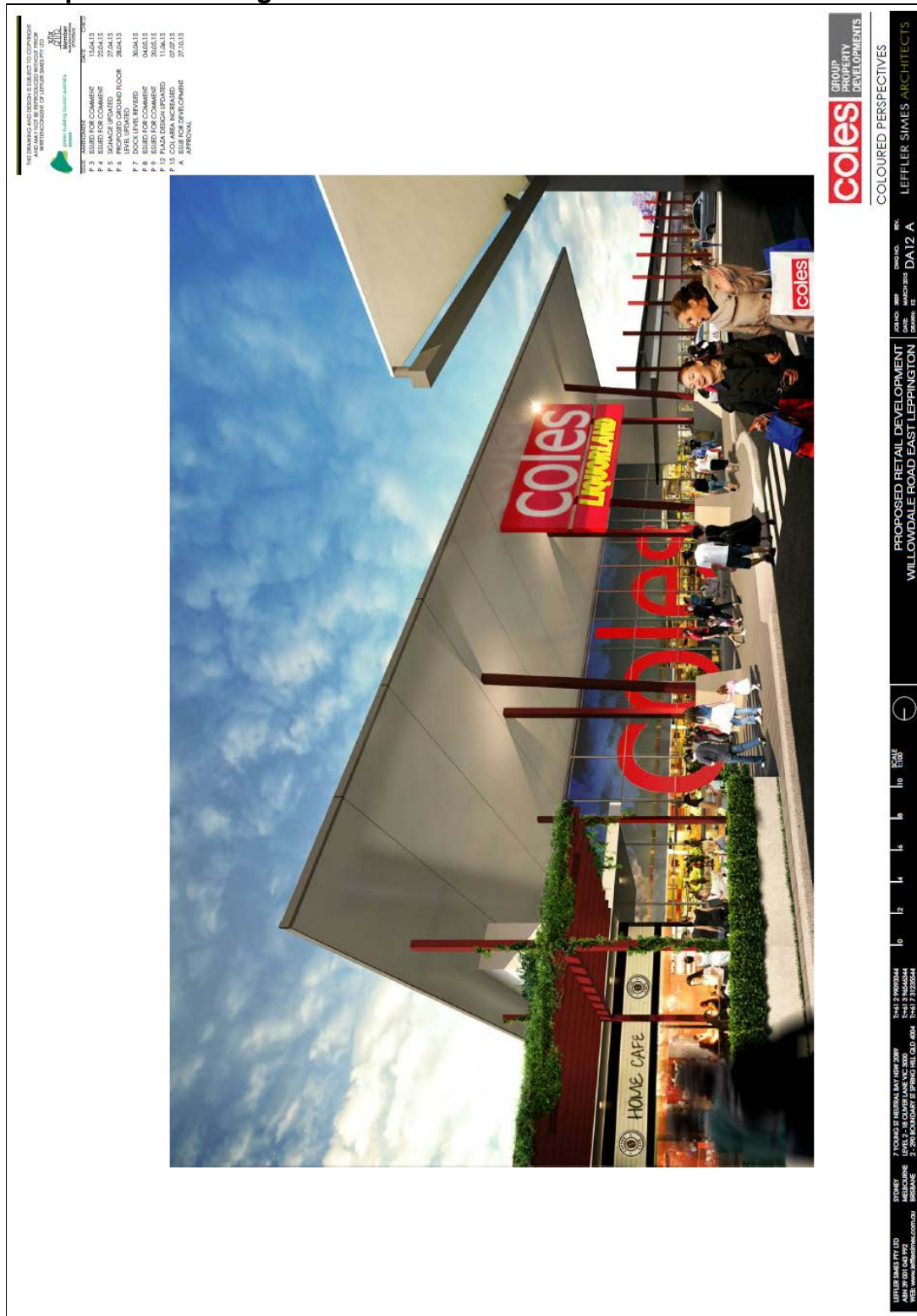
Elevation Plan



3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

ATTACHMENT 6

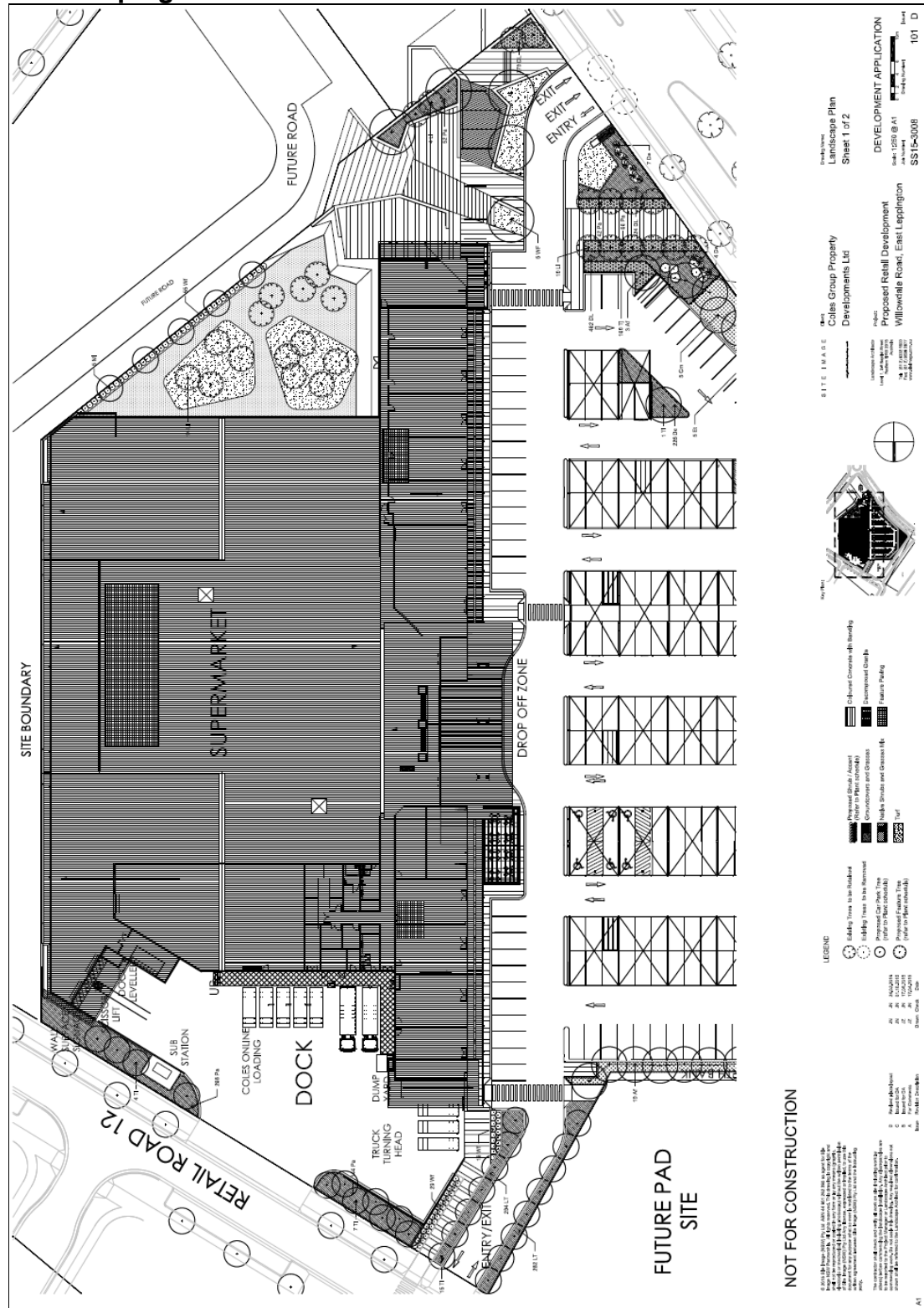
Perspective Drawing



3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

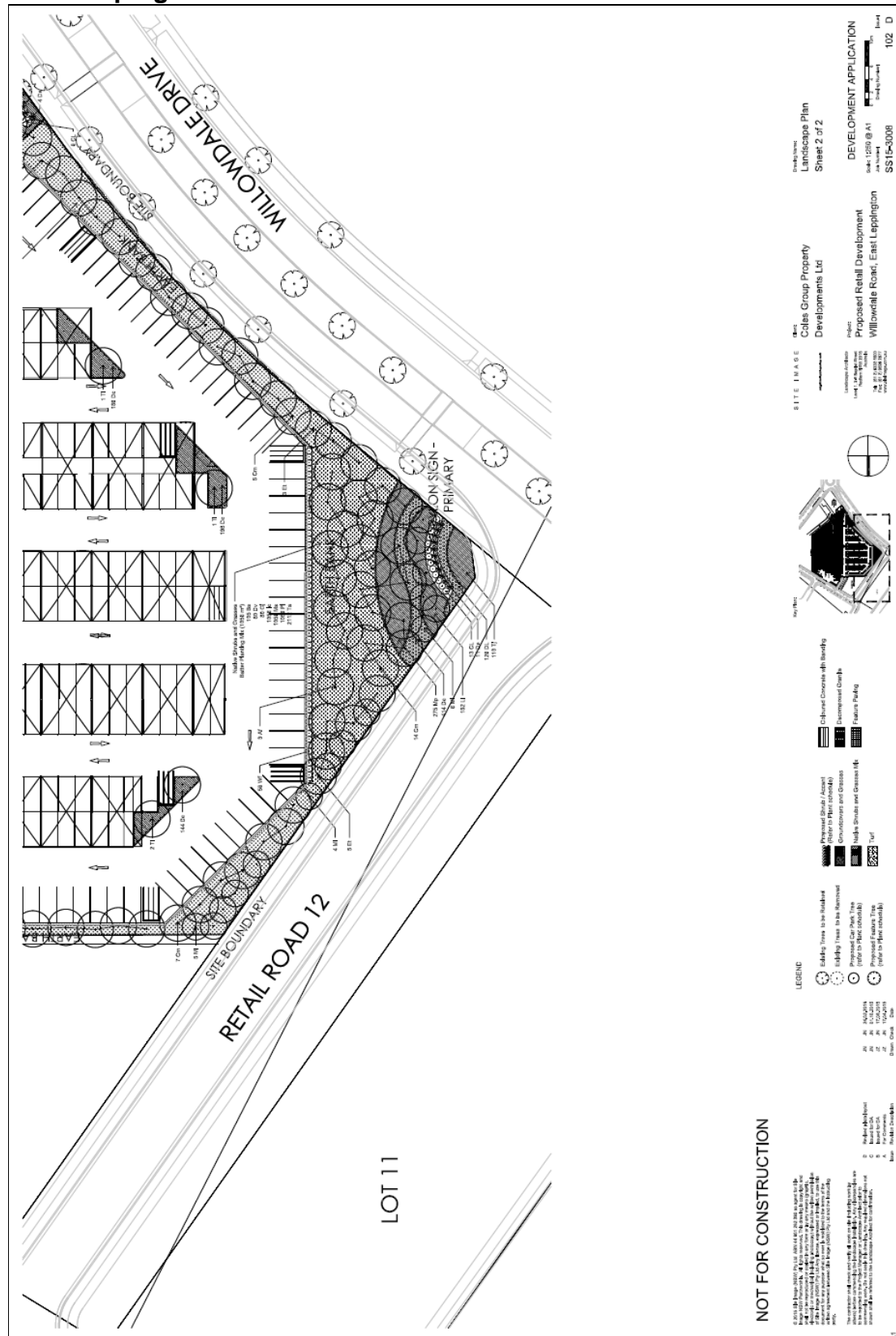
ATTACHMENT 7

Landscaping Plans



3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

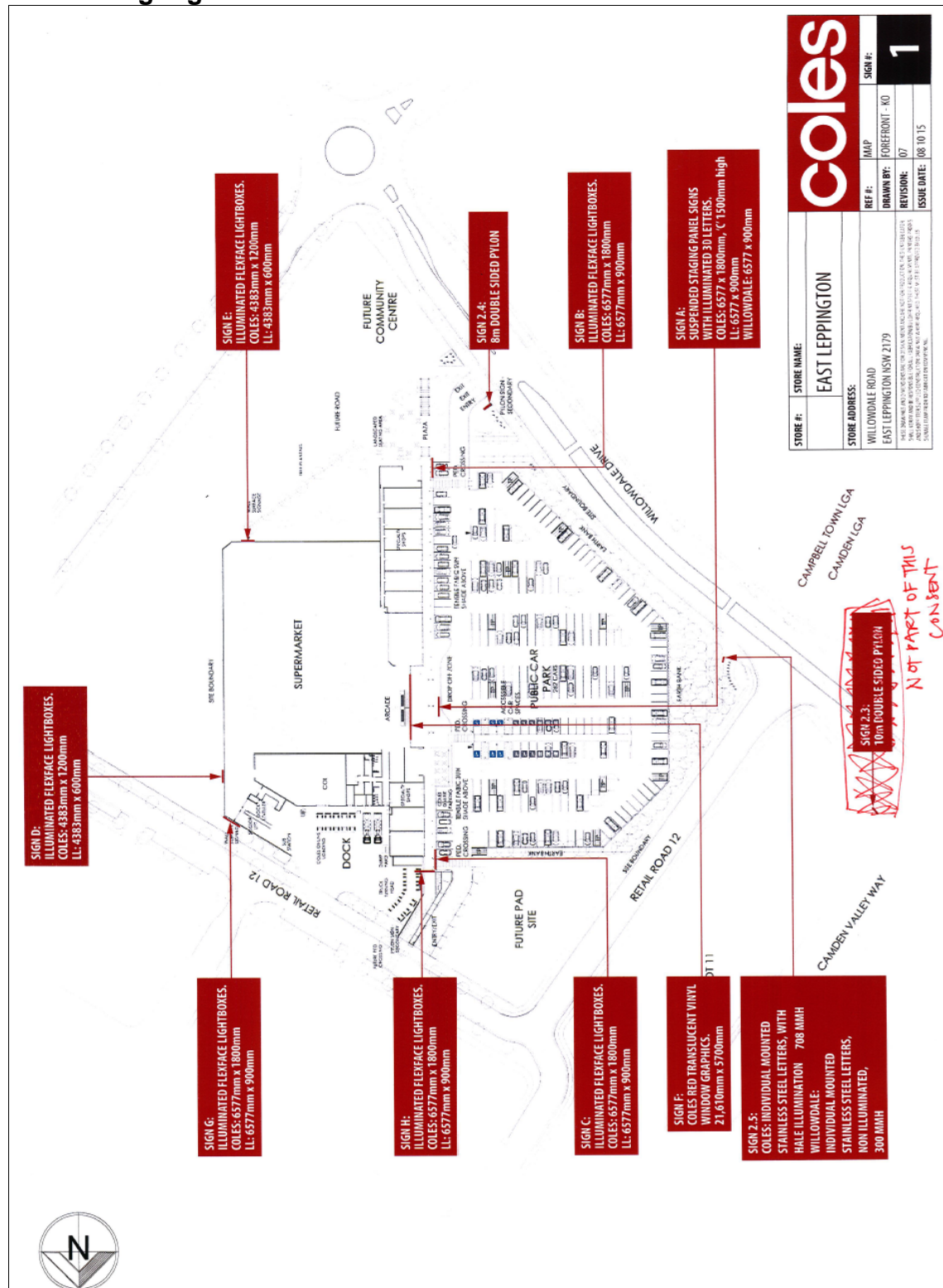
Landscaping Plans




3.3 Construction And Use Of A Retail Building As A Supermarket With Specialty Stores Including A Licensed Liquor Outlet And Associated Car Parking, Site Landscaping, Civil Works And Advertising Signage - Willowdale Drive, Denham Court

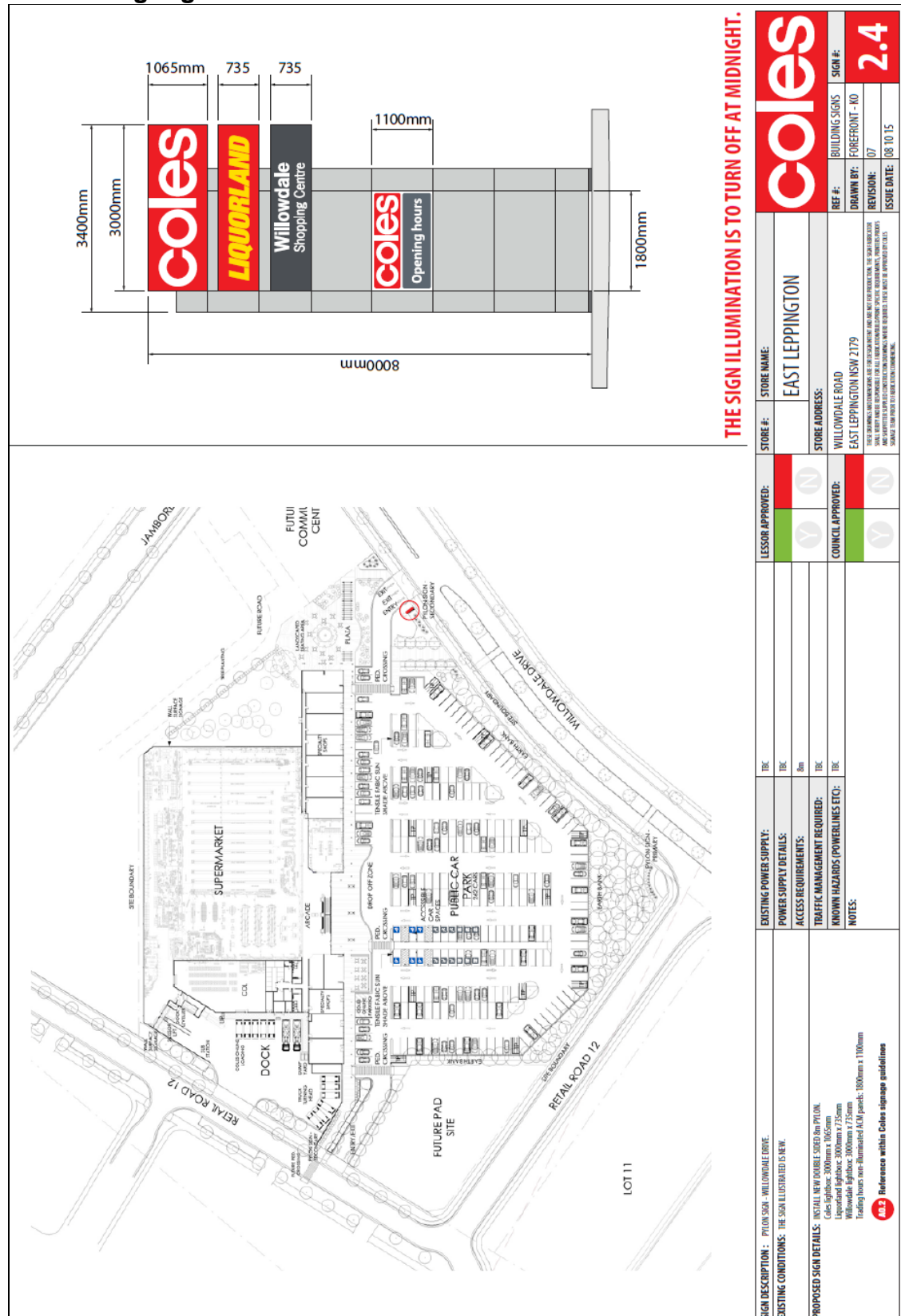
ATTACHMENT 8

Advertising Sign Plans



STORE #:	STORE NAME:		SIGN #:
	EAST LEPPINGTON		
STORE ADDRESS:	WILLLOWDALE ROAD EAST LEPPINGTON NSW 2179		BUILDING SIGNS FOREFRONT - KO
		DRAWN BY:	2
		REVISION: 07	
		ISSUE DATE:	08 10 15

Advertising Sign Plans



Advertising Sign Plans

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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 2015-2016 period as they relate to:

- The Land and Environment Court
- The Supreme 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 eight 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: (Thompson/Kolkman)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 May 2016 (Greiss/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

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
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Total ongoing Class 1 DA appeal matters (as at 22/04/2016)	2
Total completed Class 1 DA appeal matters (as at 22/04/2016)	3
Costs from 1 July 2015 for Class 1 DA appeal matters:	\$108,358.54

1 (a)	Multiplan Constructions Pty Ltd
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Issue: An appeal against Council's refusal of development application No. 2775/2014/DA-MAH that sought consent for the construction of nine two-storey dwellings and associated strata subdivision.

Property: Lot 36 DP 13118, 17 Lyndia Street, Ingleburn.

Property Owner: Mr Ramy Maher Youssef and Mrs Nevine Magdy Youssef

Council File: Development Application No: 2775/2014/DA-MAH

Court Application: Filed on 22 September 2015 - File No. 10848 of 2015

Applicant: Multiplan Constructions Pty Ltd

Costs Estimate: \$40,000.00 (exclusive of Barristers, Court Appointed Experts or disbursement fees)

Costs to date: \$33,946.01

Status: Ongoing – judgment reserved to a date to be advised.

Progress: The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 2775/2014/DA-MAH that sought consent for the construction of nine two-storey dwellings and associated strata subdivision.

On 22 October, the proceedings were adjourned to 23 November 2015 for a section 34 conciliation conference.

At the conclusion of the section 34 conciliation conference held on 23 November 2015, the applicant agreed to make some amendments to the application as discussed. The Commissioner made certain procedural directions and listed the matter for telephone callover on 16 December 2015.

At the telephone callover on 16 December 2015, the Registrar adjourned the proceedings to 10 February 2016 for a section 34 conciliation conference so as to allow Council time to assess the amended plans submitted by the applicant.

The matter was before the Court for section 34 conciliation conference on 10 February 2016. A number of issues were

identified which would necessitate amended plans, which the applicant intends to rely on, being prepared by the applicant and re-advertised by Council. The Commissioner terminated the conciliation conference and adjourned the proceedings for further callover on 18 February 2016 at which time the matter would be listed for either contested hearing or consent orders hearing.

At the callover on 18 February 2016 the Registrar made certain procedural directions concerning the applicant's intention to rely on amended plans and the need for Council to prepare amended facts and contentions in the matter. The Registrar listed the proceeding for hearing commencing onsite at 10:00am on 29 April 2016. The objectors to the development were advised in writing of the hearing listing.

Given that the proposed development involves the broader issues of affordable rental housing and community concerns surrounding the application of the relevant standards under the Affordable Rental Housing SEPP, Council's Solicitor will be instructing a Barrister for the hearing.

The matter was heard before the Court on 29 April 2016. At the completion of the hearing the Commissioner made certain directions to the parties in respect of filing and service of conditions and reserved judgment to a date to be advised by the Court. Council's Solicitor has written to the objectors advising that judgment had been reserved and that they would be further advised when judgment is handed down.

1 (b)	JD One Enterprise Pty Ltd
Issue:	An appeal against Council's refusal of development application No. 2952/2014/DA-C that sought consent for the construction of a medical centre and a childcare centre, and associated car parking.
Property:	Lot 50 DP 1028174, Campbellfield/Redfern's Cottage, 20 Lind Street, MINTO
Property Owner:	JD One Enterprise Pty Ltd
Council File:	Development Application No: 2952/2014/DA-C
Court Application:	Filed on 14 April, 2016 - File No. 10351 of 2016
Applicant:	JD One Enterprise Pty Ltd
Costs Estimate:	Awaiting costs estimate
Costs to date:	\$0.00
Status:	New matter - proceedings listed for callover on 12 May 2016.

Progress: The Applicant filed an appeal in the Land and Environment Court of NSW against Council's refusal of development application No. 2952/2014/DA-C that sought consent for the construction of a medical centre and a childcare centre, and associated car parking on land known as Campbellfield/Redfern's Cottage, 20 Lind Street, Minto.

The proceedings are listed for first callover on 12 May 2016

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 22/04/2016)	0
Total completed Class 1 and 2 appeal matters (as at 22/04/2016)	2
Costs from 1 July 2015 for Class 1 & 2 appeal matters:	\$1,578.13

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 22/04/2016)	0
Total completed Class 4 matters (as at 22/04/2016)	0
Costs from 1 July 2015 for Class 4 matters	\$570.00

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 22/04/2016)	0
Total completed Class 5 matters (as at 22/04/2016)	0
Costs from 1 July 2015 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 22/04/2016)	0
Total completed Class 6 matters (as at 22/04/2016)	0
Costs from 1 July 2015 for Class 6 matters	\$0.00

6. Supreme Court of NSW – Contractual proceedings with WSN Environmental Solutions concerning South West Sydney Councils Resource Recovery Project

Total ongoing matters (as at 22/04/2016)	0
Total completed (as at 22/04/2016)	1
Costs contribution from 1 July 2015 for this matter	\$35,330.23

7. District Court of NSW – Appeals from the Local Court in respect of the Magistrate erred at law or severity of sentence imposed

Total ongoing matters (as at 22/04/2016)	0
Total completed (as at 22/04/2016)	2
Costs contribution from 1 July 2015 for this matter	\$2,000.00

8. 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 22/04/2016)	6
Total completed Local Court Matters (as at 22/04/2016)	42
Costs from 1 July 2015 for Local Court Matters	\$5,955.66

File No:	LP03/16 – Penalty Notice Court Election
Offence:	Disobey no-stopping sign (school-zone)
Act:	<i>Road Rules 2014</i>
Final Costs:	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	Completed - matter dismissed
Progress:	<p>The matter was listed before the Court for first mention on 8 March 2016 where the defendant entered a not guilty plea. The Registrar adjourned the proceedings to 28 April 2016 for hearing.</p> <p>Matter was before the Court for hearing on 28 April 2016 where the defendant maintained their not guilty plea. After hearing the evidence and submissions the Magistrate found that from the photographic evidence presented a definite determination could not be made that the driver</p>

was not in the vehicle as maintained by the defendant, therefore the offence was not proved beyond reasonable doubt and dismissed.

File No:	LP04/16 – Penalty Notice Court Election
Offence:	Stop on/near pedestrian crossing
Act:	<i>Road Rules 2014</i>
Final Costs:	\$0.00 – Matter dealt with by Council's Legal and Policy Officer in conjunction with the Police Prosecutor.
Status:	Completed - Fine and Court costs imposed.
Progress:	The matter was before the Court for first mention on 26 April 2016 where the defendant, Soleman James, entered a guilty plea with explanation. After considering the evidence and submissions the Magistrate found the offence proved and convicted the defendant imposing a \$100 fine and an order for \$85 Court costs.

File No: LP05/16 – Penalty Notice Court Election
Offence: Stop on path/strip in built-up area
Act: *Road Rules 2014*

Costs to date: \$0.00 – Matter being dealt with by Council’s Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: New Matter – listed for mention

Progress: The matter is listed for first mention on 17 May 2016.

File No: LP06/16 – Penalty Notice Court Election
Offence: Not Stand vehicle in marked parking space
Act: *Local Government Act 1993*

Costs to date: \$0.00 – Matter being dealt with by Council’s Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: New Matter – listed for mention

Progress: The matter is listed for first mention on 17 May 2016.

File No: LP07/16 – Penalty Notice Court Election
Offence: Disobey no-stopping sign
Act: *Road Rules 2014*

Costs to date: \$0.00 – Matter being dealt with by Council’s Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: New Matter – listed for mention

Progress: The matter is listed for first mention on 24 May 2016.

File No: LP08/16 – Penalty Notice Court Election
Offence: Transport waste to unlawful waste facility
Act: *Protection of the Environment Operations Act 1997*

Costs to date: \$0.00 – Matter being dealt with by Council’s Legal and Policy Officer in conjunction with the Police Prosecutor.

Status: New Matter – listed for mention

Progress: The matter is listed for first mention on 24 May 2016.

9. 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 22/04/2016)
Costs from 1 July 2015 for advice matters

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\$10,370.79

10. Legal Costs Summary

The following summary lists the Planning and Environment Division's net legal costs for the 2015/2016 period.

Relevant attachments or tables	Costs Debit	Costs Credit
Class 1 Land and Environment Court - appeals against Council's determination of Development Applications	\$108,358.54	\$4,400.00
Class 1 and 2 Land and Environment Court - appeals against Orders or Notices issued by Council	\$1,578.13	\$0.00
Class 4 Land and Environment Court matters - non-compliance with Council Orders, Notices or prosecutions	\$570.00	\$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
Supreme Court hearing and appeal matters	\$35,330.23	\$0.00
District Court appeal matters	\$2,000.00	\$0.00
Local Court prosecution matters	\$5,955.66	\$100.00
Matters referred to Council's solicitor for legal advice	\$10,370.79	\$0.00
Miscellaneous costs not shown elsewhere in this table	\$0.00	\$0.00
Costs Sub-Total	\$164,163.35	\$4,500.00
Overall Net Costs Total (GST exclusive)	\$159,663.35	

4.2 Impounding Amendment (Unattended Boat Trailers) Act 2015

Reporting Officer

Manager Compliance Services

Attachments

Nil

Purpose

To outline proposed legislation that is intended to assist councils with the issue of owners parking boat trailers in local streets for a continuous period in excess of 28 days.

Councils have up until 1 October 2016 to nominate operational areas (if any) they wish to be declared for the purpose of applying the proposed legislation as of early 2017. This report seeks to bring to the Council an awareness of the proposed legislation as it relates to the Campbelltown local government area.

History

In August 2015 there was significant media attention surrounding the NSW Government announcement of proposed laws to target boat trailer parking in problem areas such as the high density waterside locations of Drummoyne or Vaucluse.

An item of general business was raised at Council's City Works Committee Meeting held 11 August 2015 requesting that Council be presented with information regarding residents leaving boats and caravans parked on the kerbside and the legislation surrounding this.

Staff made enquiry with the Office of Local Government to obtain further information regarding the proposed boat trailer parking legislation and were informed further advice would be forthcoming in the not too distant future.

An Office of Local Government Circular was distributed in December 2015 and was immediately withdrawn as there was concern about the advice contained in the circular.

Council has subsequently received a NSW Office of Local Government Circular (the circular) dated 6 April, 2016 outlining details of new powers to help Councils manage the parking of boat trailers in local streets. The circular advised that Councils wishing to commence implementation of the new legislation from 1 October 2016 should apply to the Office of Local Government by 31 May 2016, with evidence that the Council has undertaken appropriate community consultation on the matter.

Given the 31 May 2016 deadline, there was no practical opportunity to consult the community, report the matter to Council and subsequently lodge an application with the Office of Local Government (OLG) by the May deadline. As such, a letter has been forwarded to OLG seeking an extension of time. In response to Council's request, the OLG has extended the deadline to 1 October 2016. This means that Councils that notify the OLG by 1 October 2016, will be able to implement the legislation in their gazetted areas in early 2017.

Report

In any area (local streets) where the provisions of the amended legislation is applied, boat trailers parked in those local streets will be required to be moved to a different location (ie at least to a different street block) every 28 days. In enforcing this rule, the Council must provide a minimum of 15 days' notice to the registered owner before impounding the offending trailer if the owner fails to relocate it in accordance with the relevant legislation and within the required timeframe.

The issue of boat trailer parking on local streets and any actual or perceived adverse impacts on the amenity of local neighbourhoods has not been significant within the Campbelltown Local Government Area. On average, Council receives a very small number of complaints annually (in the order of two to four complaints) which may suggest that this is an issue that has more relevance to congested and built up areas in and around Sydney and its recreational waterways.

Notwithstanding the above, nominated areas that comply with the OLG criteria, including satisfying the need to publicly consult on the proposal will ultimately be published in the NSW Government Gazette. Alternatively Councils may not wish to nominate to apply the proposed provisions and therefore no further action is required.

In circumstance where Councils do not make an application to have areas included under the proposed legislation, those Councils would continue to rely upon existing provisions under the *Impounding Act 1993* and Australian Road Rules to control situations where a boat trailer may be parked illegally. For example where a trailer is abandoned or it is parked unsafely or the trailer is over 7.5 metres in length and parked on a residential street in built up area for longer than one hour, the Council has the power to take action to have the trailer moved.

In such situations a trailer can only be impounded if it is deemed to be parked unsafely or if when making all reasonable enquiries, the trailer is deemed to be abandoned and/or the owner fails to respond to a Notice issued to remove the vehicle within the period nominated in the Notice.

Given the issue of boat trailer parking does not appear to be a significant issue within the Campbelltown area, in particular when compared to the experiences and challenges in other local government areas, and the fact that existing legislative provisions under the *Impounding Act 1993* and Australian Road Rules available to the Council are deemed sufficient in order to regulate unsafe parking or abandonment of boat trailers, it is recommended that Council not apply to the OLG to have local streets included under the proposed legislation at this stage.

In the case that future events cause the Council to reconsider the need for such a restriction to be placed on specified local streets, Council are at liberty to make an application with the OLG for the inclusion of those streets at that time.

Officer's Recommendation

That no further action be taken in relation to the proposed legislation.

Committee's Recommendation: (Oates/Lound)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 17 May 2016 (Greiss/Rowell)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 71

That the Officer's Recommendation be adopted.

5. GENERAL BUSINESS

5.1 Issuing of Non Compliance Notices

Committee's Recommendation: (Thompson/Rowell)

That a report be presented to Council outlining the process regarding the issue of non compliance notices with regard to dirty backyard swimming pools, cars parked on nature strips for lengthy periods and overgrown grass within residential areas.

CARRIED

Council Meeting 17 May 2016 (Greiss/Rowell)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 71

That the Committee's Recommendation be adopted.

5.2 Keeping of Exotic Animals on private property

Committee's Recommendation: (Kolkman/Rowell)

That a report be presented outlining the keeping of exotic animals on private property, any advice received regarding the legitimacy of keeping such animals and any development application requirements.

CARRIED

Council Meeting 17 May 2016 (Greiss/Rowell)

That the Committee's Recommendation be adopted.

Council Resolution Minute Number 71

That the Committee's Recommendation be adopted.

Confidentiality Motion: (Thompson/Kolkman)

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

21. CONFIDENTIAL ITEMS

21.1 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: (Rowell/Kolkman)

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 7.55pm.

G Greiss
CHAIRPERSON
