

2017

ORDINARY BUSINESS PAPER

CAMPBELLTOWN CITY COUNCIL



2017 Christmas Carols
2 December, Campbelltown Sports Stadium

28 November



21 November 2017

You are hereby notified that the next Ordinary Council Meeting will be held at the Civic Centre, Campbelltown on Tuesday 28 November 2017 at 6.30pm.

Lindy Deitz
General Manager

Agenda Summary

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1. ACKNOWLEDGEMENT OF LAND

I would like to acknowledge the Traditional Custodians, the Dharawal people, whose Lands we are now meeting on. I would like to pay my respects to the Dharawal Elders, past and present and all other Aboriginal people who are here today.

2. APOLOGIES

Nil at time of print.

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 31 October 2017

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held 31 October 2017, copies of which have been circulated to each Councillor, be taken as read and confirmed.

Report

That the Minutes of the Ordinary Meeting of Council held 31 October 2017 are presented to Council for confirmation.

Attachments

1. Minutes of the Ordinary Meeting of Council held 31 October 2017 (contained within this report)

CAMPBELLTOWN CITY COUNCIL

Minutes Summary

Ordinary Council Meeting held at 6.30pm on Tuesday, 31 October 2017.

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Minutes of the Ordinary Meeting of the Campbelltown City Council held on 31 October 2017

Present

The Mayor, Councillor G Brticevic
 Councillor M Chivers
 Councillor M Chowdhury
 Councillor R George
 Councillor B Gilholme
 Councillor K Hunt
 Councillor P Lake
 Councillor D Lound
 Councillor R Manoto
 Councillor B Moroney
 Councillor W Morrison
 Councillor M Oates

1. ACKNOWLEDGEMENT OF LAND

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

Council Prayer

The Council Prayer was presented by the General Manager.

2. APOLOGIES

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

That the apology from Councillor Greiss and Councillor Thompson be received and accepted.

Note: Councillor T Rowell has been granted a leave of absence from Council, incorporating all Council meetings until further notice.

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

3. CONFIRMATION OF MINUTES

3.1 Minutes of the Ordinary Meeting of Council held 10 October 2017

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

That the Minutes of the Ordinary Meeting held 10 October 2017 copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

3.2 Minutes of the Extraordinary Meeting of Council held 10 October 2017

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

That the Minutes of the Extraordinary Meeting held 10 October 2017 copies of which have been circulated to each Councillor, be taken as read and confirmed.

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

4. DECLARATIONS OF INTEREST

There were no Declarations of Interest at this meeting.

5. MAYORAL MINUTE

5.1 Council's Commitment to Sustainability Wins Prestigious Award

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

That Council recognises the achievement of winning the Local Sustainability category of the Excellence in the Environment Awards.

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

5.2 Malcolm Randall OAM

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

That a copy of the Mayoral Minute be forwarded to the Randall family.

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

6. PETITIONS

Nil

7. CORRESPONDENCE

Nil

8. REPORTS FROM OFFICERS

8.1 Construction of a nine bedroom boarding house - No. 1 Bocking Avenue, Bradbury

Meeting Note: Mr Robinson addressed the meeting.

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

That development application 2749/2015/DA-BH for the construction of a nine bedroom boarding house at No. 1 Bocking Avenue, Bradbury, be approved, subject to the conditions detailed in attachment 1 of this report.

An **Amendment** was **Moved** Councillor Morrison, **Seconded** Councillor George:

2. That a briefing be held on how the expected and desired character of the street can be protected from multiple boarding houses developed in the one street.

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

Voting against the Amendment were Councillors M Oates, R Manoto and B Gilholme.

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

1. That development application 2749/2015/DA-BH for the construction of a nine bedroom boarding house at No. 1 Bocking Avenue, Bradbury, be approved, subject to the conditions detailed in attachment 1 of this report.
2. That a briefing be held on how the expected and desired character of the street can be protected from multiple boarding houses developed in the one street.

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

Voting against the Resolution were Councillors M Oates, R Manoto and B Gilholme.

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

8.2 Construction of a fifteen room boarding house at No. 60 Moore Street, Campbelltown

Meeting Note: Mr Patrick and Mr Robinson addressed the meeting.

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

That the proposed development be approved subject to the recommended conditions of consent as outlined in attachment 1.

A Division was recorded in regard to the Resolution for Item 8.2 with those voting for the Motion being Councillors G Brticevic, D Lound, R Manoto, M Chivers, P Lake and B Moroney.

Voting against the Resolution were Councillors M Oates, M Chowdhury, K Hunt, B Gilholme, W Morrison and R George.

CARRIED on the casting vote of the Mayor

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

8.3 Demolition of an existing dwelling and construction of two double storey semi-detached dwellings and detached garage at No. 40 Carinda Street, Ingleburn

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

1. That Council allow the requested variation to Clause 4.1C of Campbelltown Local Environmental Plan 2015 which relates to the minimum allotment size required for semi-detached dwelling development.
2. That subject to recommendation No.1, development application 1292/2017/DA-M for the demolition of an existing dwelling and construction of two double storey semi-detached dwellings at 40 Carinda Street, Ingleburn, be approved, subject to the conditions detailed in attachment 1 of this report.
3. That subject to recommendations 1 and 2, approval of the development application be recorded in Council's quarterly report to the Department of Planning and Environment pursuant to Circular PS 08-003.
4. That a housekeeping amendment to the Campbelltown Local Environmental Plan 2015 be commenced, to provide a savings provision for Clause 4.1C(2) to allow for the development of the existing narrow lots within the R2 Low Density Residential land use zone of Ingleburn as referred to in the map at attachment 10.
5. That an amendment to the Campbelltown Local Environmental Plan 2015 be considered to facilitate the development of existing narrow lots within the R2 land use zone for the purpose of attached dwellings, consistent with previous planning controls that were in place prior to the commencement of the Campbelltown Local Environmental Plan 2015.

A Division was recorded in regard to the Resolution for Item 8.3 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison and R George.

Voting against the Resolution were Nil.

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

8.4 Update on Wheelchair Accessible Picnic Tables

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

1. That the information provided on the provision of wheelchair accessible picnic tables in Council's open space be noted.
2. That Council staff continue to work on the feasibility for the provision of more wheelchair accessible picnic tables in Council's open space through the Disability Inclusion Action Plan Advisory Group.

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

8.5 Steora Smart Bench Trial

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

1. That Council note the success of the Steora Smart bench in Mawson Park, Campbelltown.
2. That Council extend the trial to include smart benches at each of:
 - a. Macquarie Fields Leash Free Dog Park
 - b. Macquarie Fields Skate Park
 - c. St Helens Park Leash Free Dog Park
 - d. St Helens Park Skate Park
 - e. Leumeah Skate Park
 - f. John Kidd Reserve, Blair Athol.
3. That future smart bench considerations be incorporated in to the development of a Smart City Strategy and will be subject of a future briefing to Council.

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

8.6 2017 Local Government Youth Week Awards Recognition

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

That Council acknowledge the Campbelltown City Council's Youth groups, Campbelltown Youth Network (CYN) and Youth Entertainment Reference Group (YERG) who were finalists at this year's Local Government Awards in the Best Local Youth Week Program category.

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

8.7 Reports and Letters Requested

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

That the information be noted.

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

8.8 2017 Local Government NSW Annual Conference

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

1. That the following ten Councillors Greiss, Thompson, George, Morrison, Moroney, Oates, Lound, Chowdhury, Gilholme and Manoto be nominated as the voting delegates for the determination of motions at the 2017 Local Government NSW Annual Conference.
2. That the following nine Councillors Greiss, Thompson, George, Morrison, Moroney, Oates, Lound, Chowdhury and Gilholme be nominated as the voting delegates for the board of members election at the 2017 Local Government NSW Annual Conference.
3. That other interested Councillors also be authorised to attend together with the General Manager and/or delegate.
4. That the registration fees and accommodation expenses be met in accordance with Council's Policy.

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

8.9 Review of Council Meeting Cycle and Structure

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

1. That the Council adopt the draft meeting calendar for 2018 as outlined in attachment
2. That the Ordinary Council meetings for the remainder of 2017 be held on:
 - a. 28 November 2017
 - b. 12 December 2017
3. That the Code of Meeting Practice be amended to reflect the proposed revised meeting cycle of one meeting per month and placed on public exhibition for a period of not less than 28 days.
4. That following the exhibition period that a further report be presented to Council to adopt the Code of Meeting Practice.

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

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

Nil

12. URGENT GENERAL BUSINESS

Nil

13. PRESENTATIONS BY COUNCILLORS

1. Councillor Morrison, thanked Dr Michael Freeland MP, Councillors, Council staff for their attendance and walking at the 24hr Fight Against Cancer. Councillor Morrison thanked Councillor Brticevic for being the patron. It was noted that it was an emotional event in honour of Fred Borg and that it was wonderful to see so many community members get behind such a worthy cause.
2. Councillor Moroney advised that he recently attended the Diwali festival which was a magnificent and colourful event which was full of extremely passionate and talented signing and everyone involved had a wonderful time.
3. Councillor Moroney attended the Campbelltown Masjid event and noted it was great to see what they do there and what they achieve by opening up to the public.
4. Councillor Gilholme advised that he represented the Mayor at the recent Australian Pacific and Maori Community Service Elders Patrol 10 year celebration. The elders patrol is a mentorship program that works in conjunction with the Local Area Command.
5. Councillor Brticevic advised that he attended and played in the recent Johnny Warren and Les Murray Cup. Councillor Brticevic noted that Campbelltown had two wins and one loss and that the Northern Beaches won the cup in a final against Bankstown. Councillor Brticevic thanked Council staff involved in the event and in particular Kim, Mitchell, Tim and Sacha.

Confidentiality Recommendation

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

That the Council in accordance with Section 10A of the *Local Government Act 1993*, resolve 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 Council's opinion that the public proceedings of the Committee would be prejudicial to the public interest.

The Ordinary Meeting of Council was adjourned at 8.23pm and reconvened as a meeting of the Confidential Committee at 8.24pm.

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Directors of Companies - City Development

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

That the information be noted.

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

14.2 Campbelltown Sports Stadium Strategic Business Plan

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

That Council adopt the strategies as outlined in the report to attract and secure events for Campbelltown City that have an economic and social benefit.

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

14.3 Lease Over Briar Cottage, 14 Waterhouse Place Airds - Lot 3 DP 1191996

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

1. That Council enter into a new ten year lease with the existing tenant, under the terms and conditions contained within the body of this report.
2. That all documentation associated with the lease be executed under the Common Seal of Council, if required.
3. That upon execution of the lease the property is re-classified as an investment.

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

14.4 Development of 5 and 7 Fields Road, Macquarie Fields

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

1. That Council lodge a Development Application for the five units proposed.
2. That Council secure a construction contract for project delivery, if the development application is approved.
3. That if both are achieved, final approval should be sought to deliver the project.

A Division was recorded in regard to the Resolution for Item 14.4 with those voting for the Motion being Councillors G Brticevic, M Oates, M Chowdhury, K Hunt, D Lound, R Manoto, B Gilholme, M Chivers, P Lake, B Moroney, W Morrison and R George.

Voting against the Resolution were Nil.

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

Motion

Motion

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

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

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

At the conclusion of the meeting of the Confidential Committee the Open Council Meeting was reconvened at 8.38pm.

Motion

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

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

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

There being no further business the meeting closed at 8.39pm.

Confirmed by Council on

..... General Manager Chairperson

4. DECLARATIONS OF INTEREST

Pecuniary Interests

Non Pecuniary – Significant Interests

Non Pecuniary – Less than Significant Interests

Other Disclosures

5. MAYORAL MINUTE

6. PETITIONS

7. CORRESPONDENCE

7.1 Mr Mark Coure MP

Officer's Recommendation

That the letter be received and the information be noted.

Letter from Mr Mark Coure MP regarding the provision of bus services in the Menangle Park and Mount Gilead Urban Release Areas.

Attachments

1. copy of letter from Mr Mark Coure MP to Council (contained within this report)
2. copy of letter from Council to the Minister for Transport and Infrastructure (contained within this report)



Mark Coure MP
Parliamentary Secretary for Transport and Infrastructure
Member for Oatley

Our Ref: 00366541

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

Dear Ms Deitz

Thank you for your correspondence to the Minister for Transport and Infrastructure about bus services to support new residential developments in Menangle Park and Mount Gilead. The Minister asked me to respond on his behalf.

I note your comments and appreciate the reasons that have prompted you to write.

You may be assured Transport for NSW is aware of planned residential development in these areas and will work with the Department of Planning and Environment to ensure that public transport is accessible to new residents.

I am advised that regular train services on the Southern Highlands Line stop at Menangle Park and limited route 892 bus services operate between Menangle Park and Campbelltown.

You may be assured Transport for NSW has noted your feedback regarding additional bus services in the growth areas of Menangle Park and Mount Gilead for future transport planning.

Thank you for taking the time to write to the Minister.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

31/8/2017

Mark Coure MP
Parliamentary Secretary for Transport and Infrastructure

GPO Box 5341, Sydney NSW 2001



10 July 2017

The Hon Andrew Constance MP
Minister for Transport and Infrastructure
GPO Box 5341
SYDNEY NSW 2001

Dear Minister

Provision of bus service - Menangle Park and Mt Gilead Urban Release Areas

The Department of Planning and Environment and Campbelltown City Council are currently in the final stages of completing the rezoning of land at both Menangle Park and Mt Gilead for the future development of both sites for urban purposes. There are proposed to be 3,400 residential allotments at Menangle Park and 1,700 residential allotments at Mt Gilead.

Council supports the need for new housing opportunities within its local government area but sees it as essential that such areas are provided with reliable, frequent and convenient public transport services as soon as the first residents move in.

Council has therefore resolved to write to you requesting the provision of a bus service from both Menangle Park and Mt Gilead to and from the Campbelltown CBD from day one of the first occupancy, and respectfully requests your assistance in ensuring that reliable, frequent and convenient bus services can be made available to all new residents of these release areas.

If you require any further information please contact Jim Baldwin, Director City Development on (02) 4645 4575.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz
General Manager

Civic Centre Queen Street Campbelltown PO Box 57 Campbelltown NSW 2560 DX5114
Telephone 02 4645 4000 Facsimile 02 4645 4111 TTY 02 4645 4615
Email council@campbelltown.nsw.gov.au Web www.campbelltown.nsw.gov.au
ABN 31 459 914 087

7.2 Bardia Public School

Officer's Recommendation

That the letter be received and the information be noted.

In response to Council's letter regarding the development application for Bardia Public School.

Attachments

1. Letter from Mr Anthony Perrua on behalf of the Minister for Education, Mr Rob Stokes MP (contained within this report)
2. Letter from Council to the Minister for Education, Mr Rob Stokes MP (contained within this report)

**Education**

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

RML17/2296

AUG08'17 08:13:50 RCVD

Dear Ms Deitz

Thank you for your letter of 22 June 2017 to the Hon Rob Stokes MP, Minister for Education, regarding the development application for the upgrade to Bardia Public School. The Minister has asked me to respond on his behalf.

The Department of Education monitors population and development trends so that it can plan to meet enrolment needs in public schools across NSW. In cases of sustained and stable enrolment increases, the department responds to these needs and provides additional permanent facilities, or new schools, as necessary.

As you would appreciate, the Department of Education takes very seriously the impact a proposed upgrade to an existing school may have on a local community including the impact the traffic an upgrade may generate.

The department's Development Application is supported by a Traffic Impact Assessment which establishes our strategies for managing the traffic impacts generated by the future operation of this school.

I can assure you that the department will continue to work closely with Council regarding the development application for the upgrade to Bardia Public School and in particular with regard to the concerns relating to parking. Liaison with relevant Council staff continues and a proposal has been presented to Council that provides car parking and bus/kiss 'n ride facilities in line with discussions with your senior staff.

Mr Wayne Cooper, Director, Capital Works Program is the department's lead liaison officer for this project and can be contacted on 9561 8299 or by email at wayne.cooper25@det.nsw.edu.au.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Anthony Perrau
Executive Director, Asset Management
3 August 2017

Cc Jim Baldwin, Director City Development, Campbelltown City Council

NSW Department of Education

35 Bridge Street Sydney NSW 2000 GPO Box 33 Sydney NSW 2001 T 02 9561 8000 F 02 9561 8438
www.det.nsw.edu.au



22 June 2017

The Honourable Ron Stokes
Minister for Education
Member for Pittwater
GPO Box 5341
SYDNEY NSW 2001

Dear Mr Stokes

Copy of letter regarding Bardia Public School

For your information, please find attached a copy of a letter Campbelltown City Council has sent to NSW Department of Education regarding a development application Campbelltown Council has received for the upgrade to Bardia Public School.

If you require any further information please contact Mr Jim Baldwin Director City Development Campbelltown Council on (02) 4645 4575.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Jim Baldwin
Director City Development

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21 June 2017

Mr Anthony Perrau
Executive Director - Asset Management
NSW Department of Education
GPO Box 33
SYDNEY NSW 2001

Dear Mr Perrau

Bardia Public School

Thank you for your letter dated 17 May 2017 regarding the development application for the upgrade to Bardia Public School.

Council is extremely concerned with what appears to be Department's policy position and priority around the delivery of physical spaces for quality teaching and learning, over that of the delivery of spaces and facilities that will result in the highest quality teaching and learning outcomes.

In this regard, Council does not share the Department's opinion that the design and delivery of a facility on any particular property, can be undertaken without due regard being given to how the use of that facility will impact on the surround amenity of existing and future land users, and conversely, how the surrounding environment will impact on the users of the facility, namely school children, their families, visitors and staff working at the facility.

To date, Council has been verbally informed that the Department's view on projects such as this one, that it need only consider what is required on the inside of the property boundary, and the roads and consequential issues with the neighbourhood are for the Council to resolve.

As you would be aware, the basis of the Environmental Planning and Assessment Act 1979 of which you are subject to, is to ensure development of land throughout New South Wales is delivered in an orderly and thoughtfully planned manner, having regard to all sensitivities and impacts on amenity of the surrounding users. The proposal for the Bardia Public School falls well short of that basic consideration and should not be developed in its current form.

It is Council's opinion that the design for the Bardia Public School gives no substantive regard to the impact the operation of the school (in the form proposed) will have on the residents living or soon to be living around the school site.

Further to this, the Council does not believe that the proposal gives appropriate regard to the impact the lack of available onsite parking spaces or surrounding parking/bus/kiss and ride facilities will have not only on the residents of the community, but on the staff, children and families attending the school site.

The lack of car parking or availability of on road parking is of extreme concern to the Council and has raised various unresolved issues including, safety of children within the local roadways, safety of families attending the site, movement of traffic in and around the local streets, safety of the local

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ABN 31 459 914 087

community at peak times as well as the local amenity issues brought about by lack of onsite parking not envisaged through the original master planning.

This is not what the community and those close to the school site, who have made what will probably be the most significant purchase in their lifetime, would have expected in making their decisions to live and/or purchase. The master planning of the Bardia precinct certainly did not envisage a school of 1000 students and the infrastructure required to facilitate such a facility, nor did it consider a school with inadequate onsite parking or bus/kiss and ride facilities.

In addition, Council is highly concerned with the potential adverse impact on quality learning outcomes for children arising from a facility that does not provide suitable resources to education staff. What potential is there for staff to easily and safely undertake child focused extracurricular activities, undertake work outside of normal school hours in a safe and amenable manner, where they are not provided with the appropriate level of resource to easily and safely undertake this work. The proposal presents challenges to all these aspects and it is of the highest concerns that as a direct result of what Council sees as an inadequate and ill-resourced development, the level of quality teaching and learning outcomes will be detrimentally compromised.

Having regard to the above, and as simple as it may seem, Council would be interested to know (as an example) how the offsite parking policy position responds to the basic needs of teachers in having to carrying a box of assignments/books to/from their classrooms and their car, in the rain or in the dark, where the car has been parked a street block away from the school. As a consequence of the lack of convenient parking, do teachers make a choice to not undertake extracurricular activities? Buses are not frequent enough to be able to draw comparisons to schools located where there is very frequent public transport, bicycles are not considered to be a suitable solution in the circumstances, so Council would be interested to know what study/survey was undertaken in developing the Standards and Guidelines that support this outcome.

Finally, Council is interested to know how many schools the department has provided in the past five years that will have in excess of 1,000 students with equal to or less than ten on-site car spaces. It is also interested to know the context in which they exist in terms of the range and frequency of the various modes of public transport available.

Due to the pressing nature of the development application for Bardia Public School, it would be appreciated if you could forward a copy of the department's Educational Facilities Standards and Guidelines for our staff's internal review, and any accompanying studies that support your non-provision of adequate on-site staff parking, so that the Council can finalise its response on the development application to the Sydney South West Planning Panel.

Council understand that this is an extremely difficult matter, and one that will impact dearly on the future of our children if not adequately resolved in a fully considered manner.

Also, you should note that this letter is being forwarded to the NSW Teachers Federation for its review and comment.

If you require any further information please contact Mr Wayne Rylands Council's Director City Delivery on 4645 4636 or Mr Jim Baldwin Council's Director City Development on 4645 4575.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Lindy Deitz
General Manager

cc: Honourable Rob Stokes, Minister for Education, Member for Pittwater

7.3 Mr Greg Warren MP


Officer's Recommendation

That the letter be received and the information be noted.

In response to Council's letter regarding the use of cladding on multi-storey buildings.


Attachments

1. Letter to Council from Mr Greg Warren MP (contained within this report)
2. Letter from Council to Mr Greg Warren MP (contained within this report)



Greg Warren MP

Member for Campbelltown



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

NOV16'17 08:00:02 RCVD

Dear Ms Deitz, *Lindy*

I write to advise that the Minister for Innovation and Better Regulation, the Hon. Matthew Kean MP, has responded to my representations regarding potential risks associated with cladding of multistorey buildings. The Minister advises that he is responding on behalf of the Minister for Planning, the Hon. Anthony Roberts MP.

The Minister advises that he released a 10-point plan to remove from sale unsafe building products and strengthen fire safety in existing and new buildings with cladding.

I enclose a copy of the Minister's response for your information.



The Minister advises that the newly established Fire Safety and External Wall Cladding Taskforce has written to building owners, Councils and government agencies to ensure that potential safety threats of combustible cladding are identified and remedied.

The Minister advises further that a list of any/all suspect buildings within the Campbelltown LGA has been provided to Council.

Yours sincerely,

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Member for Campbelltown 13 NOV 2017
Encl.

Office: Shop 3, 72 Queen Street, Campbelltown 2560 **Mail:** PO Box 895, Campbelltown 2560
Phone: (02) 4625 3344 **Fax:** (02) 4626 3640 **Email:** Campbelltown@parliament.nsw.gov.au
 [facebook.com/GregWarrenCampbelltown](https://www.facebook.com/GregWarrenCampbelltown)  [@gregwarren_](https://twitter.com/gregwarren_)



Matthew Kean MP
Minister for Innovation and Better Regulation

COPY

Our reference: MIN17/2105

Mr Greg Warren MP
Member for Campbelltown
By email: campbelltown@parliament.nsw.gov.au

Dear Mr Warren

Greg

Thank you for your representations on behalf of Mr Michael Sewell of Campbelltown City Council about the potential risks posed by cladding on multi-storey buildings. I note you have also written to the Hon Anthony Roberts MP, Minister for Planning, about this matter. I write in response to both letters, and I apologise for the delay in responding to you.

Fire safety reforms to put consumers first

In July 2017, I announced a 10-point plan to ensure unsafe building products are taken off the shelves, buildings with cladding are identified and notified and that only people with the right skills and experience can certify buildings and sign off on fire safety.

The 10-point plan includes:

1. a comprehensive building product safety scheme that would prevent the use of dangerous products on buildings;
2. identifying buildings that might have aluminium or other cladding;
3. writing to the building/strata managers or owners of those buildings to encourage them to inspect the cladding and installation of cladding, if it exists;
4. NSW Fire and Rescue visiting all buildings on the list, as part of a fire safety education program, to gather information to prepare for a potential fire at that building and provide additional information to building owners;
5. creating a new fire safety declaration that will require high-rise residential buildings to inform state and local governments as well as NSW Fire and Rescue if their building has cladding on it;
6. speeding up reforms to toughen the regulation of building certifiers;
7. creating an industry-based accreditation to ensure only skilled and experienced people can carry out fire safety inspections;
8. establishing a whole-of-government taskforce to coordinate and roll out the reforms;
9. instructing all government departments to audit their buildings and determine if they have aluminium cladding, with an initial focus on social housing; and
10. following up with local councils on correspondence they received in 2016 from the NSW Government after Melbourne's Lacrosse Tower fire.

The NSW Government's Fire Safety and External Wall Cladding Taskforce

Following the Grenfell Tower fire disaster in London, the NSW Government immediately established the Fire Safety and External Wall Cladding Taskforce (the Taskforce). To date, the Taskforce has undertaken an audit of 178,000 building projects in NSW dating back to 1985 and written to building owners, councils and other NSW Government agencies to ensure any threats posed by combustible cladding are identified and remedied.

GPO Box 5341 Sydney NSW 2001 ■ P: (02) 8574 6150 ■ F: (02) 9339 5572 ■ E: office@kean.minister.nsw.gov.au

2

I am advised that, on 3 August 2017, the Secretary of the Department of Planning and Environment sent a letter to all 128 NSW councils, including Campbelltown City Council, setting out the Government's 10-point plan to strengthen fire safety in new and existing buildings. The letter also provided a list of all suspected buildings in each local government area.

The Taskforce is working on a number of other projects to further strengthen the protections in place for fire safety in identified buildings. For your reference, I have enclosed the NSW Government's *Fire Safety and External Wall Cladding* fact sheet which details the ongoing work of the Taskforce.

Should Mr Sewell have any further queries, please encourage him to contact Mr Mitchell Harris of the Department of Finance, Services and Innovation on (02) 9619 8669 or by email to mitchell.harris@finance.nsw.gov.au.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

The Hon Matthew Kean MP
Minister for Innovation and Better Regulation

Encl.

1.11.17

Fact Sheet

Fire Safety and External Wall Cladding

NSW Priorities



External Wall Cladding

Cladding is a term which describes the material used to cover the external wall or roof of a building. Common materials used for cladding include weatherboard, lightweight panels (such as aluminium composite panels) polystyrene products and metal sheeting.

External cladding material, including aluminium composite panels, is safe if it is installed in accordance with the National Construction Code (NCC), relevant technical standards and local laws.

Fire Safety Regulations

- Under the *Environmental Planning and Assessment Regulation*, all new buildings and new building work must comply with the fire safety requirements of the NCC.
- The NCC requires minimum fire resistance levels for certain building components, fire separation, fire compartmentation and fire exits. Fire safety systems are also required to be installed such as fire hydrant systems, portable fire extinguishers, smoke alarm systems and emergency evacuation lighting.
- The external walls of residential buildings two storeys or more in height are required to be non-combustible. Any attachments to these walls must also meet fire safety requirements.
- For high-rise buildings classified as more than 25 metres in height, additional requirements also apply. These include a fire sprinkler system and additional exits.

Addressing Cladding and Fire Safety Risks

Since January 2015, the NSW Government has been working on specific measures to address the fire safety risks associated with external wall cladding.

- In January 2015, the *Home Building Act 1989* was amended to ensure that builders are held responsible for significant problems in fire safety systems. The changes designated fire safety systems as a 'major element' of a residential building to make sure they are covered by the six year period of statutory warranty for major defects.
- In August 2015, the Department of Planning and Environment (DPE) issued a [Planning Circular](#) to provide advice to industry practitioners on external wall construction, including cladding materials.
- In February 2016, the Secretary of DPE wrote to all NSW councils highlighting the potential fire safety risks for

buildings with 'combustible wall cladding' and requested consideration of any action needed.

- In October 2016, Fire & Rescue NSW (FRNSW) and DPE held information seminars for councils around the state to explain the requirements of the NCC and the enforcement powers available to them.
- NSW has been active at the national level working with other States and Territories and the Australian Building Codes Board (ABCB) to strengthen regulation to minimise the risk of using building products that do not conform and comply with the NCC, technical standards or local laws.
- The ABCB published a national advisory note relating to the appropriate use and selection of external wall cladding. This is part of a range of measures agreed to by the Building Ministers' Forum to address concerns relating to fire safety in high-rise buildings.
- NSW Fair Trading launched a [webpage](#) to provide advice on non-conforming including non-complying building products.

Responding to the Grenfell Fire

On 16 June 2017, immediately following the Grenfell fire in London, the NSW Government developed and began implementing a response to the disaster.

An inter-agency Fire Safety and External Wall Cladding Taskforce (the Taskforce) was established. The Taskforce has representatives from the Department of Finance, Services and Innovation (DFSI), the NSW Data Analytics Centre (DAC), the DPE, FRNSW, the Office of Local Government (OLG), Treasury and the Department of Premier and Cabinet (DPC).

The Taskforce is spearheading the NSW Government's efforts to ensure that fire safety requirements for residential buildings are prioritised and properly addressed through a whole of government action plan for dealing with the fire safety risks associated with external wall cladding.

Taskforce Priorities

The Taskforce is working on a number of priorities to further strengthen the protections in place for fire safety in identified buildings.

Data audit and fire safety inspections:

A data audit conducted by the NSW DAC is identifying the buildings that are most likely to contain aluminium and other types of cladding. The audit examined records of 178,000 buildings in NSW and slightly more than 1,000

Fire Safety and External Wall Cladding — NSW Priorities

buildings have been identified as potentially having aluminium and other types of cladding. This audit work is ongoing.

Owners and managers of the identified buildings will receive a letter alerting them to the issues related to cladding, and recommending that they take immediate action to check documentation and approvals of the building and if needed commission a fire safety assessment of the building by a fire protection expert.

Annual fire safety declaration:

The Taskforce is working to make it mandatory for buildings to declare to the state and local governments, including FRNSW if their building has cladding on it.

FRNSW Pre-Incident Plans and Home Fire Safety Checks:

Once buildings have been identified through the Taskforce's data audit, FRNSW will conduct Pre-Incident Plans at these sites along with Home Fire Safety Checks of residences. At the same time, firefighters will also gather information about the buildings to assist with risk assessments and operational preparedness.

Along with checking installed fire safety equipment (such as fire hydrants, hoses and emergency exits), a key part of FRNSW's role will be assisting with informing and reassuring residents and supporting them to be home fire safe (checking they have at least one working smoke alarm and providing relevant fire safety information). Residents who are not home during the checks will receive high-rise specific information in their mailbox.

Strengthening fire safety legislation:

A recently enacted package of reforms strengthens fire safety rules for new and existing buildings will commence on 1 October 2017 to allow enough time for people to comply with the new laws.

The Government will introduce amendments to the *EP&A Act* to improve the building regulation system and strengthen development compliance requirements.

The new fire safety regulation targets the building design, approval, construction and fire safety system maintenance stages. These changes include:

Design and approval

- Mandatory involvement of 'competent fire safety practitioners'
- Mandatory submission of endorsed plans and specifications for complex fire safety systems before installation
- New requirements for the documenting, endorsing and checking of non-standard fire safety designs
- Limited exceptions from compliance with technical standards for minor safety system works

Construction

- New critical stage inspections targeting apartments and other residential buildings
- New FRNSW inspection powers for multi-unit residential buildings

Maintenance of fire safety measures

- Assessment of the ongoing performance of essential fire safety measures must be undertaken by 'competent fire safety practitioners'. DFSI is developing a framework for industry accreditation of these practitioners.

Reforming the building certification system:

The Government has outlined a significant reform agenda on building regulation to address the issues raised by the [Building Professionals Act Review](#).

In addition to the amendments to the *EP&A Act* outlined above, the Government has already taken action on or is fast tracking many of the other priority reforms on the building certification system. These include:

- reforming certifier regulation by re-writing the *Building Professionals Act 2005*.
- fast tracking legislation administered by the Minister for Innovation and Better Regulation to require council and private certifiers to provide data about the work they certify.
- integrating building and certifier licensing and accreditation functions under the one organisation — the Department of Finance, Services and Innovation.
- fast tracking other building and certification reforms.

Stopping the use of non-compliant building products:

The NSW Government will crack down on unsafe building products by introducing legislation that prevents people in the building supply chain from importing, supplying, selling or using building products that are unsafe.

More information

Building developers and owners will be notified if their building is identified in the data audit. Residents seeking further information should contact their real estate agent, landlord, building owner or strata manager.

A number of local councils are also taking action to respond to fire safety risks associated with external wall cladding. Residents can find out if their local council has taken action by contacting their council directly. For contact information, visit the '[Find my council](#)' page on the Office of Local Government website.

If owners and occupants of buildings are concerned about fire safety in their building, they should take action without delay. No-one should wait to be contacted by the State Government or their local council if they have concerns about their building.



25 July 2017

Mr Greg Warren MP
Member for Campbelltown
PO Box 895
CAMPBELLTOWN NSW 2560

Dear Mr Warren

Urgent State Government Investigation - Use of Cladding on Multi-Storey Development

I write on behalf of Campbelltown City Council, in relation to the recent tragic events which occurred at the Grenfell Tower fire in North Kensington, London.

In this regard, at its meeting of 25 July 2017, Council discussed issue generally, and resolved to:

Write to the local members requesting an urgent state government investigation into the use of similar or same cladding in multi-storey developments across NSW and options available to mitigate potential risks.

It is understood that the Government may already be moving to undertake some level of review in the area, however Council respectfully requests that you escalate the urgency of the matter and the need to have such an investigation completed and the recommendations of that investigation implemented as a matter of the utmost priority.

I appreciate your assistance with this matter and if you require any further information please contact Mr Jim Baldwin, Director City Development on 02 4645 4575

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Michael Sewell
Acting General Manager

Civic Centre Queen Street Campbelltown PO Box 57 Campbelltown NSW 2560 DX5114
Telephone 02 4645 4000 Facsimile 02 4645 4111 TTY 02 4645 4615
Email council@campbelltown.nsw.gov.au Web www.campbelltown.nsw.gov.au
ABN 31 459 914 087

8. REPORTS FROM OFFICERS

8.1 86 and 102 Amundsen Street, Leumeah - Planning Proposal (Post Exhibition)

Reporting Officer

Senior Strategic Environmental Planner
City Development

Community Strategic Plan

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

Officer's Recommendation

1. That Council endorse the revised draft planning proposal in accordance with attachment 2 and forward it to the Department of Planning and Environment for making of the plan.
2. That Council advise the resident who made a submission and the applicant of Council's decision.

Purpose

The purpose of this report is to advise Council on the outcome of the public exhibition of the draft planning proposal for 86 and 102 Amundsen Street, Leumeah and to recommend that Council proceed with the making of the plan as amended.

History

The draft planning proposal relates to three parcels of land in Leumeah being Lot 1, DP 795498, Lot 2, DP 126471 and Lot 1, DP 709918 and known as 86 and 102 Amundsen Street, Leumeah. The total site area is approximately 4.36 hectares (ha). Attachment 1 of this report shows a location plan for the site.

On 9 January 2015, Michael Brown Planning Strategies, on behalf of the owners of the subject site, submitted to Council a draft planning proposal request to enable the subject site to be developed for low density residential purposes.

Council submitted the draft planning proposal to the Department of Planning and Environment (the Department) and later received a Gateway Determination (dated 6 August 2013) shown under attachment 2. The Gateway Determination endorsed for Council proceeding with the draft planning proposal subject to a number of conditions. Prior to public exhibition, Council was required to undertake consultation with the Commissioner of the NSW Rural Fire Services and prepare certain technical studies.

The applicant prepared all the required technical studies to Council's satisfaction. Council at its meeting held 27 June 2017 resolved:

1. That Council endorse the public exhibition of the draft planning proposal and associated technical studies for the Amundsen Street site as per the Gateway Determination conditions.
2. That a copy of the revised draft planning proposal be forwarded to the Department of Planning and Environment.
3. That the owners of the properties immediately adjacent to the site be notified of the public exhibition of the draft planning proposal.
4. That a further report be submitted to Council on the outcome of the public consultation.
5. That Council advise the applicant of Council's decision.

A copy of the previous report that was presented to Council on 27 June 2017 is shown as attachment 3 and provides details on the findings of the technical studies.

The draft planning proposal, Gateway Determination and associated studies were publicly exhibited from Wednesday 19 July 2017 until Friday 18 August 2017.

Report

Property Description:	Lot 1, DP 795498 and Lot 2, DP 126471, (Known as No 102 Amundsen Street, Leumeah)
Owner:	Mrs Jessie Maude Newham and Mrs Edith Marie Clarke
Property Description:	Lot 1, DP 709918, (known as No 86 Amundsen Street, Leumeah)
Owner:	Mr William Leslie Toole and Mrs Alexandra Toole
Applicant:	Michael Brown Planning Strategies

The draft planning proposal applies to a certain site in Leumeah as shown on the map under attachment 1 to this report. Detailed information on the site description and the planning proposal are included in the previous report to Council (attachment 3).

Exhibition outcome

The draft planning proposal, Gateway Determination and associated studies were publicly exhibited from Wednesday 19 July 2017 until Friday 18 August 2017 at the following locations:

- Council's Civic Centre
- Campbelltown HJ Daily Library

- Council's website.

Individual letters advising of the public exhibition were sent to all adjoining residents and relevant public agencies as required by the Gateway Determination.

Council received one submission from a Campbelltown resident and ten submissions from public authorities.

Public agencies submissions are compiled under attachment 5, and the resident's submission is shown as attachment 6.

1. Public Authorities submissions

Council consulted with all the relevant authorities as specified under the Gateway Determination as follows:

1. Office of Environment and Heritage
2. Integral Energy (Endeavour Energy)
3. Mine Subsidence Board
4. NSW Rural Fire Service
5. Transport for NSW
6. Roads and Maritime Services
7. NSW Aboriginal Land Council
8. Sydney Water
9. Telstra.

The majority of the public authorities did not provide comments at the conclusion of the public exhibition. The lack of commitment from some of the public agencies to consider and provide timely advice on draft planning proposals has been an ongoing issue for Council. The Department has communicated to Council that a newly created unit has been established within the Department which aims to help local councils to accelerate large scale rezoning applications and follow up with public agencies to obtain their feedback. However, given the relatively low dwelling yield of the proposal, the Department was not willing to provide assistance in this instance.

A summary of the comments received from each public agency is summarised below:

1.1 Comments received from Office of Environment and Heritage

The Office of Environment and Heritage (OEH) advised that they had no comment to make on the planning proposal potentially (because of its size and lack of ecological sensitivity).

The OEH has formally advised that they provided comments on major planning proposals that are likely to have significant impacts, and as such are not sufficiently resourced to provide comments on all proposals they receive.

Notably, a flora and fauna assessment for the site, prepared by Eco Logical Australia has been prepared. The flora and fauna assessment is supported by a number of field surveys and an analysis of biodiversity values.

The main findings of the flora and fauna assessment are as follows:

- two native vegetation communities were identified within the subject site, Shale/Sandstone Transition Forest and Cumberland Plain Woodland both of which form part of separate Critically Endangered Ecological Communities listed under the *NSW Threatened Species Conservation Act 1995 (TSC Act)*
- no threatened flora species listed under the *TSC Act* were recorded during the field survey
- one threatened fauna species (Eastern Bent-wing bat), was recorded within the study area during the survey
- one potential hollow-bearing tree was identified in the north-eastern corner of the study area
- *Eucalyptus tereticornis* constitutes over 15 per cent (approximately 80 per cent) of the trees present within the study area, which is a potential koala habitat as defined under State Environmental Planning Policy No 44 Koala Habitat Protection (SEPP 44). However, no koalas or evidence of koalas (scats or scratch marks) were found within the study area during the targeted field survey. Based on the information to date, the study area is not considered to be core koala habitat as defined under SEPP 44.

Council's draft Koala Plan of Management is currently under review by the Department of Planning and Environment and the Office of Environment and Heritage. If at the time of the subdivision application, Council's draft Koala Plan of Management is not in place, the applicant would be required to prepare a site specific Koala Plan of Management and the findings of the site specific plan would form part of the condition of consent.

Most importantly, there is no proposal to remove vegetation on site.

1.2 Endeavour Energy

Endeavour Energy raised no objection to the draft planning proposal subject to a number of recommendations that would be applicable at the development application stage. For example a condition of any future development application would include a requirement to submit an application for connection of additional load via Endeavour Energy's Network Connections Branch to determine the method of supply.

Depending on the outcome of the assessment, any required padmount substation would need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy.

1.3 Mine Subsidence Board

Council received two letters from the Subsidence Advisory NSW (SA NSW). The first letter dated 21 of July 2017, advised that the property is not within a proclaimed Mine Subsidence District and is not subject to any building restrictions imposed by the SA NSW.

The second letter dated 26 September 2017, advised that the land is within a Coal Exploration Lease which is currently held by the Crown. SA NSW advised that it has no objection to the proposal, provided that Council consult with the Department of Planning and Environment – Division of Resources and Geoscience (DRG).

Council consulted with DRG and received an email on 13 October 2017 confirming no objection is raised.

1.4 NSW Rural Fire Service

The Gateway Determination issued by the Department for the subject site required Council to Consult with the NSW Rural Fire Services (NSW RFS), prior to the commencement of the public exhibition of the draft planning proposal.

Prior to the public exhibition, the NSW RFS raised no objection to the proposal providing that the future subdivision of the land complies with Planning for Bush Fire Protection 2006.

5. Transport for NSW

Transport for NSW has raised no objection to the planning proposal and provided the following comments/suggestions:

- in relation to bus services, Transport for NSW suggested to locate the potential bus stops at either Leumeah Road or Hansens Road at the southeast corner of the subject site to allow the current bus route to continue, while facilitating the needs of future residents. The potential bus stops should be served by safe pathways from the subject site
- adequate walking and cycling infrastructure should be provided to meet the future demand.

In this regard, further consultation should occur with the Busways at the development stage.

1.6 Roads and Maritime Services

Roads and Maritime Services raised no objection on the grounds that the proposal would not have any significant traffic impact on the State Road network.

Notably, the Traffic and Assessment Study prepared by Positive Traffic Pty Ltd found the concluded that:

- the traffic impacts of the development would be minimal with future traffic flows on surrounding roads within acceptable limits
- intersections surrounding the development would continue to operate at levels of service to that which currently occurs
- the internal road network has been designed to facilitate a future bus route (if deemed viable) with all proposed residential lots within 400m of the route.

Overall the traffic impacts of the proposal are considered acceptable.

1.7 Telstra

Telstra advised that future construction on the site is likely to impact upon Telstra assets. Therefore, a future condition of development consent would require the applicant to consult with Telstra to obtain the necessary advice for the protection or relocation of any affected assets.

1.8 NSW Aboriginal Land Council

Tharawal Local Aboriginal Land Council (LALC) raised no objection to the planning proposal. Tharawal LALC requested that at any rezoning or future development of the site, if any Aboriginal object(s) are encountered in the course of an activity, work must cease immediately, and an application must be made for an Aboriginal Heritage Impact Permit (AHIP). In such a case, Tharawal LALC must also be contacted immediately.

Notably, the applicant, as part of the preparation of the Aboriginal Archaeological Assessment and the Aboriginal Cultural Assessment studies consulted with Cubbitch Barta Native Title Claimant Aboriginal Corporation (Cubbitch Barta) and Tharawal LALC and both organisations were invited to participate in the site inspection. However, at the time, only Cubbitch Barta were able to provide a representative for the site inspection held on 16 June 2016.

1.9 Sydney Water

Council received informal advice from Sydney Water that there is sufficient capacity to service the site for portable water and wastewater. Council is yet to receive a formal letter.

2. Resident submission

Council received an email from a resident who did not indicate their address. Council records show that the resident resides in Ambarvale. The submission in summary raised the following issues:

2.1 This development should be set back to allow a narrow corridor of trees to exist on both sides of Amundsen Street, so that wildlife are able to travel in safety from one small green area to another.

Comment:

The feasibility of preserving wildlife corridors is currently under investigation.

2.2 Objection to small housing lots fronting Amundsen Street

Comment:

The proposed residential development will provide an interface with Amundsen Street which is generally consistent with existing residential development on the eastern side of the street. The proposed 500sqm lots are not considered representative of small lot housing and are not inconsistent with the prevailing lot size of the surrounding area.

2.3. What checks have been done to establish that no asbestos, septic tanks, chemicals exist on site?

Comment:

A Stage 2 Environmental Assessment to assess any potential contamination of the site was undertaken by SNC-Lavalin Inc. The report concluded that:

- the site does not represent a significant risk of harm to human health and or the environment in relation to either current land uses and or the proposed residential land use following the re-zoning of the site
- the site is suitable for rezoning to R2 Low Density Residential in the western half and R5 Large Lot Residential in the eastern half
- the study recommends a number of environmental management improvement measures to be implemented prior to development of the site including the removal of any asbestos and the decommissioning of the septic tanks. These matters would be actioned as a condition of development consent.

2.4 The old house on the site that was built in 1928 should be retained

Comment:

A heritage Assessment Report was prepared by John Oultram Heritage and Design. The report concluded that the property:

- is not representative of the early development of the area being built in 1928
- is representative of the type of Inter-War smallholding found in many areas of outer Sydney that were purchased by local workers for hobby farms
- the house is of very limited significance
- the property would not meet the threshold for listing as a heritage item in the LEP
- the house and property have no features of note that would require retention.

Therefore, a future development application for subdivision would require prior to demolition, the cottage be subject to archival photographic recording in accordance with the Heritage Branch guidelines for digital capture.

3. Infrastructure Impacts

Due to the future potential for rapid population growth as a result of the anticipated release of the Macarthur to Glenfield Urban Renewal Corridor Strategy by the Department, the feasibility of including the subject site with a broad S94 plan is currently under investigation. Therefore, any future development of the site would be subject to a condition to require monetary contributions towards essential community facilities.

4. Campbelltown (Sustainable City) DCP

Originally, the need for a site specific DCP to restrict the height of buildings to a single story was proposed. However, the Codes SEPP would apply to the land once rezoned which would permit two storey dwellings.

Accordingly, it is proposed that the existing Campbelltown (Sustainable City) DCP would apply to future Development on the site. Structure planning for roads, open space and drainage may be further refined at the subdivision stage.

Next steps

Council has now satisfied all the requirements of the Gateway Determination (refer to attachment 4) and subject to Council's endorsement, the revised draft planning proposal, and associated information/studies may be sent to the Department for making. As Council has not been provided with delegation to make the draft amendment to the CLEP, the Department would consult with the Parliamentary Counsel to finalise the amendment.

Conclusion

The draft planning proposal was placed on public exhibition from Wednesday 19 July 2017 until Friday 18 August 2017.

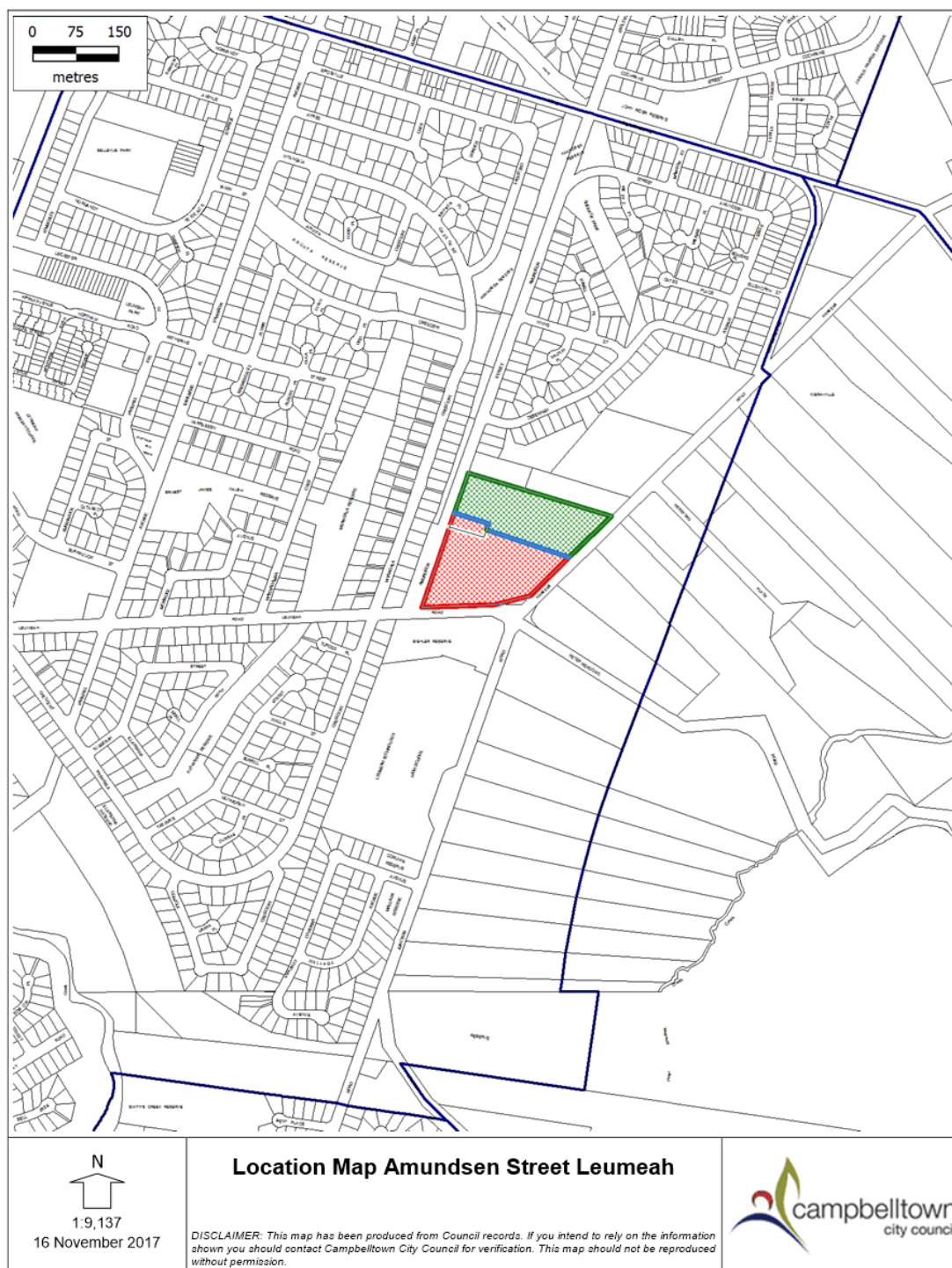
No changes to the intended outcomes of the draft planning proposal are proposed as a result of the public consultation. The draft planning proposal has however, been updated to include the outcome of consultation with public authorities.

Importantly, neither major issues nor objections were raised by any of the relevant public authorities. One submission was received from a resident, and the main concerns raised are not considered to be prejudicial to the finalisation of the planning proposal.

Given the above, it's recommended that Council endorse the revised draft planning proposal and send it to the Department for making.

Attachments

1. Location Map (contained within this report)
2. Gateway determination (contained within this report)
3. Council report dated 27 June 2017 - Planning Proposal - Amundsen Street, Leumeah (Amendment No 8) (contained within this report)
4. Revised planning proposal (contained within this report)
5. Submissions received from authorities (contained within this report)
6. Submission received from resident (contained within this report)



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Planning & Environment

Gateway Determination

Planning proposal (Department Ref: PP_2015_CAMPB_03_00): to rezone land at 82-102 Amundsen Street, Leumeah, from 7(d4) Environmental Protection to part Low Density Residential R2 (western component) and part Large Lot Residential R5 (eastern component) to permit residential subdivision.

I, the Director, Metropolitan Region (Parramatta) at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning & Assessment Act 1979* that an amendment to (Draft) Campbelltown Local Environmental Plan 2015 should proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:
 - a. read as a Council document, rather than the proponents;
 - b. include the proposed land zoning, lot size and other applicable maps. The proposal should be prepared as an amendment to both the Draft Campbelltown LEP 2014, (should the proposal proceed ahead of the Draft Campbelltown LEP 2014) and the Campbelltown (Urban Area) Local Environmental Plan 2002, using equivalent zones;
2. Prior to public exhibition, Council is to:
 - a. prepare further detailed technical studies, as identified on page 2 of the planning proposal, including:
 - i. Flora and fauna
 - ii. Transport and access
 - iii. Indigenous heritage
 - iv. Bushfire risk
 - v. Contamination
 - vi. Geotechnical studies
 - vii. Infrastructure, stormwater and sewer services.
 - b. upon completion of the further technical studies, update the planning proposal with the outcomes of these studies, if required. Council is to advise the Metropolitan Region (Parramatta) Office if amendments to the planning proposal are required as a result of the additional studies.
3. Prior to exhibition, Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.
4. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning & Infrastructure 2013).



Planning & Environment

5. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning & Assessment Act 1979 and/or to comply with the requirements of relevant Section 117 Directions:

- NSW Aboriginal Land Council
- Office of Environment and Heritage
- Integral Energy
- Mine Subsidence Board
- NSW Rural Fire Service
- Transport for NSW - Roads and Maritime Services
- Sydney Water
- Telstra

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning & Assessment Act 1979. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. The timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

SIGNATUR HAS
BEEN REMOVED 4/12/2015

Rachel Cumming
Director,
Metropolitan Region (Parramatta)
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning



Alteration of Gateway Determination

Planning proposal (Department Ref: PP 2015 CAMPB 003 00)

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 4 December 2015 for the proposed amendment to the *Campbelltown Local Environmental Plan 2015* (as described in that determination), as follows:

1. Delete:

condition 7

and replace with:

a new condition 7 "The timeframe for completing the LEP is by 30 June 2017"

Dated 8th day of September 2016

SIGNATURE HAS BEEN REMOVED

Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment
Delegate of the Greater Sydney Commission



Planning & Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2015_CAMPB_003_00): for land at 82-102 Amundsen Street, Leumeah

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 4 December 2015 (as amended on 8 September 2016) for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Delete:

condition "7"

and replace with:

a new condition 7 "The LEP is to be finalised by 11 December 2017".

Dated 23rd of May 2017.

SIGNATURE HAS BEEN REMOVED

Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

CAMPBELLTOWN PP_2015_CAMPB_003_00 (17/06986)

**8.2 Planning Proposal - Amundsen Street, Leumeah (Amendment No 8)****Reporting Officer**

Director City Development
City Development

Community Strategic Plan

Objective	Strategy
2. A Strong Local Economy	2.1 Encouragement of balanced development within the city

Officer's Recommendation

1. That Council endorse the public exhibition of the draft planning proposal and associated technical studies for the Amundsen Street site as per the Gateway Determination conditions.
2. That a copy of the revised draft planning proposal be forwarded to the Department of Planning and Environment.
3. That the owners of the properties immediately adjacent to the site be notified of the public exhibition of the draft planning proposal.
4. That a further report be submitted to Council on the outcome of the public consultation.
5. That Council advise the applicant of Council's decision.

Purpose

To seek Council's endorsement to place a revised draft planning proposal and associated technical studies on public exhibition, which seeks to facilitate development for low density residential purposes at the subject location.

History

This draft planning proposal relates to three parcels of land in Leumeah being Lot 1, DP 795498, Lot 2, DP 126471 and Lot 1, DP 709918 and known as 86 and 102 Amundsen Street, Leumeah. The total site area is approximately 4.36 hectares (ha). Attachment 1 of this report shows a location plan for the site.

On 9 January 2015, Michael Brown Planning Strategies on behalf of the owners of the subject site submitted to Council a draft planning proposal request to enable the subject site to be developed for low density residential purposes.

Council officers reviewed the applicant's draft planning proposal request and prepared a draft planning proposal. Council at its meeting held 18 August 2015 considered a report on the draft planning proposal and resolved to forward it to the Department of Planning and Environment (the Department) for a gateway determination.

In December 2015, Council received a gateway determination, a copy of which is shown as attachment 2 to this report. The gateway determination required Council to proceed with the draft planning proposal subject to a number of conditions. Prior to public exhibition, Council was required to undertake consultation with the Commissioner of the NSW Rural Fire Services and prepare broad ranging technical studies.

Recently, the applicant in consultation with Council staff finalised the preparation of the required technical studies and the draft planning proposal was updated accordingly. A copy of the revised draft planning proposal is shown as attachment 3 to this report.

Council consulted the Commissioner of the NSW Rural Fire Services by means of a letter dated 10 May 2017; however, at the time of writing this report, Council has not received a response.

As part of the review of the draft planning proposal, the originally proposed height limit of 6.5 metres for the residential development on the site has been revised to provide a height limit of 8.5 metres. This was so as to ensure consistency with the Campbelltown Local Environmental Plan 2015 (the CLEP) and the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP).

On 16 May 2017, Councillors were briefed on the outcome of the technical studies and the proposed amendment to the draft planning proposal including the proposed variation to building height.

This report seeks Council's endorsement of the revised draft planning proposal for public exhibition.

Report

Property Description: Lot 1, DP 795498 and Lot 2, DP 126471, (Known as No 102 Amundsen Street, Leumeah)

Owner: Mrs Jessie Maude Newham and Mrs Edith Marie Clarke

Property Description: Lot 1, DP 709918, (known as No 86 Amundsen Street, Leumeah)

Owner: Mr William Leslie Toole and Mrs Alexandra Toole

Applicant: Michael Brown Planning Strategies

The Site

The subject site includes Lot 1, DP 795498 and Lot 2, DP 126471 known as 102 Amundsen Street Leumeah (owned by Mrs J. Newham and Mrs E. Clarke), and Lot 1, DP 709918 known as No. 86 Amundsen Street Leumeah (owned by Mr W. Toole and Mrs A. Toole). The total area of the subject site is 4.36 hectares.

The site is bounded by Leumeah Road to the south, Hansens Road to the east, Amundsen Street to the west and residential development within the suburb of Leumeah to the north as shown in attachment 1.

The land uses that abut the site include: Biehler Reserve on the southern side of Leumeah Road; three large residential lots (ranging in size from 10,400sqm to 20,000sqm) on the eastern side of Hansens Road; 13 rear facing standard residential lots set back approximately 15 metres from Amundsen Street to the west (these premises front Wyangala Crescent) and the Leumeah Baptist Church to the north.

Historically, the site has been predominantly used for agricultural and grazing purposes. The site contains three main dwelling houses, one of which was the original farmhouse and has been the subject of a heritage assessment.

The site is currently vegetated with open grassland with some scattered trees located along the eastern boundary. The terrain is undulating and is dominated by a minor ridgeline along the western side of the site and a 2 to 3.5 metre deep cutting abutting the Leumeah Road boundary.

Existing Zoning

The site is currently subject to the following plans:

1. Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002)
2. The CLEP.

The allotments that are subject to this draft planning proposal are included under the CLEP as a Deferred Matter and as such LEP 2002 is currently the principal planning instrument that applies to these allotments.

The deferred areas under the CLEP are currently zoned 7(d4) - Environmental Protection, 2ha minimum under the provisions of LEP 2002. The existing zoning map under LEP 2002 is shown as attachment 4 to this report.

The draft planning proposal

The draft planning proposal (shown as attachment 3) aims to amend the CLEP 2015 to:

1. rezone part of the site (approximately 2.4 ha) to R2 Low Density Residential (R2 Zone) with a minimum subdivision lot size of 500sqm (approximate yield of 35 lots)
2. rezone the remaining part of the site to R5 Large Lot Residential (R5 Zone) with a minimum lot size of 9,000sqm (two large lots of 9778sqm and 9435sqm).

The proposed zoning map under the CLEP is shown as attachment 5 to this report.

The proposal would result in a net increase of 37 lots with an estimated population of approximately 123 people. An indicative allotment layout is shown under attachment 6 of this report.

Revised Building Height

The applicant submitted a detailed visual and landscape assessment prepared by HLS Pty Ltd (Landscape Architects) to Council. A copy of the study is included as part of attachment 7 to this report. The assessment proposed a number of recommendations to minimise the adverse impacts of the proposed development on the rural character of the site including additional planting and to align the maximum building heights to Councils current CLEP 2015

by amending the maximum building height of 8.5 metres. The draft planning proposal that was originally submitted to Council on 18 August 2015 and subsequently to the Department proposed a 6.5 metres height limit for the whole site.

Notably, the draft planning proposal was prepared, considered by Council and submitted to the Department prior to the commencement of the CLEP, (the CLEP Commenced on 11 March 2016).

It is recommended that the originally proposed building height of 6.5 metres for this site be revised for the following reasons:

1. The proposed 6.5 metres building height for the site is not consistent with the existing building height limit for all types of residential development under the CLEP. Currently, all areas zoned R2 Zone under the CLEP have a maximum building height of 8.5 metres and areas zoned for environmental management or environmental living, have a height limit of 9 metres.
2. Under the current planning jurisdiction of NSW, state environmental planning policies override local environmental plans. This means that any development that may be undertaken under a SEPP would only need to comply with the development controls/standards under that SEPP, regardless of the local development standards under the local environmental plan that applies to the site. Notably, the Codes SEPP currently permits a two storey residential development with a maximum height of 8.5 metres to occur on any land that is zoned R2, providing certain criteria are met. In this case, once the site is rezoned to the R2 Zone, prospective owners would be able to construct two storey residential buildings under the Codes SEPP, without the need to have any regard to the height limits under the CLEP.
3. Under the provisions of the CLEP, all residential developments within Campbelltown LGA are permitted to be two storeys (Section 4.3A of the CLEP). As such, imposing a maximum height limit of 6.5 metres would potentially result in two storey buildings with flat roofs, which would not be a favourable outcome for this site from a visual point of view.
4. In order to enforce a single storey limit on this site, a site specific clause to this effect would need to be included under the CLEP. However, it would be difficult for Council to justify the need for a special local clause for this site given that it does not present extraordinarily characteristics that warrant a site specific clause.

Considering the above and the recommendations of the site specific visual and landscape analysis, it is recommended that the 6.5 metre building height for the site be amended to 8.5 metres to be in line with the existing maximum building height for residential developments under the CLEP and the Codes SEPP.

Conditions of Gateway Determination

On 14 December 2015 the Department issued a gateway determination, a copy of which is shown under attachment 2.

The gateway determination required Council to proceed with the draft planning proposal subject to a number of conditions.

Ordinary Council Meeting

27/06/2017

Condition 1

Prior to exhibition, Council is to amend the draft planning proposal to:

- a. read as a Council document, rather than the proponents'
- b. include the proposed land zoning, lot size and other applicable maps. The proposal should be prepared as an amendment to both the Draft Campbelltown LEP 2014, (should the proposal proceed ahead of the Draft Campbelltown LEP 2014) and the Campbelltown (Urban Area) Local Environmental Plan 2002, using equivalent zones.

Comments

The draft planning proposal has been updated and now reads as a Council document. All applicable maps have also been included under the revised draft planning proposal.

The remaining requirement of this condition that relates to LEP 2002 is no longer valid, as the CLEP commenced on 11 March 2016.

Condition 2

Prior to public exhibition, Council is to:

- a) prepare further detailed technical studies, as identified on page 2 of the draft planning proposal, including:
 - flora and fauna
 - transport and access
 - indigenous heritage
 - bushfire risk
 - contamination
 - geotechnical studies
 - infrastructure, stormwater and sewer services.
- b) upon completion of the further technical studies, update the draft planning proposal with the outcomes of these studies, if required. Council is to advise the Metropolitan Region (Parramatta) Office if amendments to the draft planning proposal are required as a result of the additional studies.

Comments

Additional information in regard to the above studies have been prepared by the applicant in consultation with Council staff and submitted to Council. A copy of the technical studies that were prepared by the applicant are included as attachment 7 of this report. A summary of the findings of each study is presented below.

1. Flora and Fauna

A flora and fauna assessment for the site, prepared by Eco Logical Australia has been prepared. The flora and fauna assessment is supported by a number of field surveys and an analysis of biodiversity values.

The main findings of the flora and fauna assessment are as follows:

Item 8.2

Page 5

- two native vegetation communities were identified within the subject site, Shale/Sandstone Transition Forest and Cumberland Plain Woodland both of which form part of separate Critically Endangered Ecological Communities listed under the NSW *Threatened Species Conservation Act 1995* (TSC Act)
- no threatened flora species listed under the TSC Act were recorded during the field survey
- one threatened fauna species (*Eastern Bentwing-bat*), was recorded within the study area during the survey
- one potential hollow-bearing tree was identified in the north-eastern corner of the study area
- as *Eucalyptus tereticornis* constitutes over 15 per cent (approximately 80 per cent) of the trees present within the study area and as such the study area represents potential koala habitat as defined under State Environmental Planning Policy No 44 Koala Habitat Protection (SEPP 44). However, no Koalas or evidence of Koalas (scats or scratch marks) were found within the study area during the targeted field survey. Based on the information to date, the study area is not considered to be core koala habitat as defined under SEPP 44.

Contrary to the findings of the Flora and Fauna Assessment that was prepared by the applicant, the subject site was identified as core koala habitat under Council's Draft Koala Plan of Management. The draft Koala Plan of Management is currently under review by the Department of Planning and Environment and the Office of Environment and Heritage. Under Section 13 (Approval of plan of management) of SEPP 44, a plan of management prepared by Council has no effect unless it is approved by the Director-General of National Parks and Wildlife.

Notably, there is no proposal to remove the vegetation on site. Council will consult with the Office of Environment and Heritage on the findings of the flora and fauna assessment, while the draft planning proposal is on public exhibition.

In this regard, once the draft koala plan is finalised, the future development of this site may need to comply with a set of development controls that are proposed to be included under Campbelltown (Sustainable City) Development Control Plan 2015.

2. Transport and access

Positive Traffic Pty Ltd prepared a traffic and access assessment report.

The findings of this report are presented below:

- the traffic impacts of the development would be minimal with future traffic flows on surrounding roads within acceptable limits
- intersections surrounding the development would continue to operate at levels of service to that which currently occurs
- the internal road network has been designed to facilitate a future bus route if deemed viable with all proposed residential lots within 400m of the internal bus route.

The draft indicative allotment layout proposes access to the site via Amundsen Street which is a local road. The section of Amundsen Street which abuts the subject site currently contains a bitumen road without formalised kerb and gutter. The upgrade of this section of Amundsen Street will take place as part of any future subdivision applications of the land should the draft planning proposal progress.

Overall the traffic impacts of the proposal are considered acceptable.

3. Bushfire risk

Eco Logical Australia prepared a bushfire risk assessment for the subject site. The report concluded that:

The study area is capable of accommodating future residential subdivision and associated land use with the appropriate bushfire protection measures and bushfire planning requirements prescribed by s.117 (2) Direction 4.4 – Planning for Bush Fire Protection and PBP.

This bushfire assessment demonstrates that the study area is capable of accommodating future subdivision and land development with the appropriate bushfire protection measures.

Council will be consulting with NSW Rural Fire Services on the findings and recommendations of the above study.

4. Contamination

A Stage 2 Environmental Assessment of the site was undertaken by SNC-Lavalin Inc. The report concluded the following:

In terms of site contamination issues, the site does not represent a significant risk of harm to human health and or the environment in relation to either current land uses and or the proposed residential land use following the re-zoning of the site.

Within the limits of this study the site is suitable for rezoning to R2 Low Density Residential in the western half and R5 Large Lot Residential in the eastern half.

The study recommended a number of environmental management improvement measures to be implemented prior to development of the site including the removal of any asbestos and the decommissioning of the septic tanks.

5. Geotechnical studies

The applicant submitted to Council a preliminary geotechnical investigation carried out by Coffey Geotechnics Pty Ltd (Coffey) for subject site. The assessment in relation to the suitability of the site for residential development concluded:

Based on our site observations, preliminary geotechnical model, and experience on similar projects, the proposed single dwelling development is considered feasible from a geotechnical perspective. Provided appropriate additional site investigation, design assessments, and construction monitoring normally associated with this type of development are carried out, the risks associated with design and construction should be able to be managed.

6. Infrastructure, stormwater and sewer services

- **Infrastructure Impact**

The draft planning proposal would result in a notional 37 allotments with an estimated population of approximately 123 people. This increase in population is not considered significant and as such would have a minor impact upon existing local services and infrastructure.

Notably, at the subdivision stage, the developer/applicant would need to provide all the required facilities/systems for the servicing of the site including portable water, sewer, telecommunication and any stormwater management system, at no cost to Council.

Relevant off-site impacts, particularly social infrastructure impacts, will need to be addressed typically by way of payment of a relevant development contribution (i.e. Section 94A) or the entering into of a voluntary planning agreement.

- **Potable Water**

Based on the demand calculations, water mains in close proximity to the site should have sufficient capacity to service the proposed development. Based on the concept design sketches provided, relocation or upgrade works of these water mains would not be required. Council will be consulting with Sydney Water on the technical study.

- **Electrical Services**

To service the 37 proposed dwellings, a 500KV_a substation would be required. The substation would have to be provided by the developer at no cost to Council.

- **Telecommunications**

The site is eligible to receive the National Broadband Network. The developer will be required to provide the necessary telecommunication infrastructure at no cost to Council.

- **Service provision including Stormwater and sewer services**

An Engineering Report prepared by Northrop for the subject site was submitted to Council as part of the required technical studies. The report provided advice in relation to the following:

- a) stormwater management
- b) flooding
- c) potable water
- d) wastewater
- e) electrical Services
- f) telecommunications.

- (a) **Stormwater management**

The site forms the upper extent of the Bunburry Curran and Georges River catchments. The majority of the site (3.33 Ha) drains east via a shallow 450mm diameter culvert to Peter Meadows Creek and the Georges River. The western portion of the site (0.87 Ha) drains to a table drain in Amundsen Amundsen Street which flows to Leumeah Road and then joins a tributary of Smiths Creek which ultimately drains to Bow Bowing Creek, Bunburry Curran Creek and the Georges River.

The modeling results prepared by Northrop in consultation with Council's engineers have demonstrated that private treatment devices and OSD are effective at reducing total pollutant loads and peaks flow rates in accordance with Council's requirements.

Detailed analysis and investigations will be undertaken at future stages of detailed design so as to confirm the relevant hydraulic analysis and calculations and the final stormwater management system.

(b) Flooding

The site is not affected by flooding. However, Amundsen Street which abuts the site is affected by shallow flooding as a result of overland sheet flow arriving at the site. In this regard, the site can be engineered to be free from this local flooding and managed so-as-to-not increase this impact.

(c) Wastewater/Sewer Services

Based on the demand calculations the existing sewer mains in close proximity to the site should have sufficient capacity to service the proposed development.

Condition 3

Prior to exhibition, Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the draft planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

Comments

Council consulted with the Commissioner of the NSW Rural Fire Services (the RFS) via a letter dated 10 May 2017. To date Council has not received a response.

The revised draft planning proposal will not be exhibited until a response from the RFS and where required any relevant strategy adjustments or plan amendments are in place. It is intended to advise Council of any amendments and public comments when the draft planning proposal is reported back to Council following the public exhibition.

7. Indigenous heritage

The applicant undertook an Aboriginal archaeological assessment and an Aboriginal Cultural Assessment in consultation with Cubbitch Barta Native Title Claimant Aboriginal Corporation (Cubbitch Barta) and Tharawal Local Aboriginal Land Council (LALC).

A single isolated artefact, a quartz core was identified and recorded at the site visit. The isolated artefact has low integrity sitting on the ground surface, is representative of artefacts present on the Cumberland Plain and as an isolated find, has low scientific significance. This site will be registered on the AHIMS database as Amundsen Street 01 and is afforded protection as an Aboriginal object under the NSW *National Parks and Wildlife Act 1974* (NPW Act).

Condition 4

Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:

- a) the draft planning proposal must be made publicly available for a minimum of 28 days
- b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning and Infrastructure 2013).

Comments

In line with the above condition, it is recommended that the draft planning proposal and associated studies be placed on public exhibition for 28 days, when the required preliminary consultation is complete.

Condition 5

Consultation is required with the following public authorities under section 56(2)(d) of the *Environmental Planning & Assessment Act 1979* and/or to comply with the requirements of relevant Section 117 Directions:

- NSW Aboriginal Land Council
- Office of Environment and Heritage
- Integral Energy
- Mine Subsidence Board
- NSW Rural Fire Service
- Transport for NSW - Roads and Maritime Services
- Sydney Water
- Telstra.

Each public authority is to be provided with a copy of the draft planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

Comments

Council will consult with all relevant public agencies listed under the gateway conditions during the public exhibition of the draft planning proposal.

Condition 6

A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the *Environmental Planning & Assessment Act 1979*. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Comments

The above condition is noted.

Condition 7

The timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

Comments

In this regard, Council has requested a further six months extension to the timeframe for the completion of the amendment to the CLEP. Council now has until 11 of December to finalise the amendment to the CLEP.

Conclusion

The rezoning of the subject site presents an opportunity for the delivery of additional residential land within the Campbelltown LGA, with traditional lot sizes.

In consultation with Council officers the applicant prepared all the technical studies required by the gateway conditions and the draft planning proposal has been updated to reflect the findings of the studies. The technical studies generally conclude the site is capable of accommodating the additional increase in population without having major impacts on the surrounding environment. Notably, vegetation on site is proposed to be retained.

The main proposed change to the revised draft planning proposal is the maximum allowable height of buildings. It was originally proposed to limit the height of buildings to 6.5 metres across the site. However, after considering the existing building height controls under the CLEP, the development standards under the Codes SEPP, the potential outcome of undesirable flat roofs and the findings of the detailed visual analysis, it is recommended that the building height be increased to 8.5 metres for the whole site.

It is recommended that once Council receives advice from the Commissioner of the NSW Rural Fire Services; proceed with the public exhibition of the revised draft planning proposal as per the gateway conditions.

Council will consult with the relevant public authorities during the public exhibition of the revised draft planning proposal. The outcome of the public exhibition will be reported to Council in due course.

Attachments

1. Location Plan (contained within this report)
2. Gateway Determination (contained within this report)
3. Draft Planning Proposal (contained within this report)
4. Existing Zoning Map (contained within this report)
5. Proposed Rezoning Map (contained within this report)
6. Indicative Allotment Layout (contained within this report)
7. Technical Studies - due to size (420 pages) (distributed under separate cover)



Planning Proposal

Amundsen Street Leumeah

Campbelltown City Council

Note: Orange text indicates additional information added post public exhibition

Proposed Amendment No 8 to
Campbelltown Local Environmental
Plan 2015

[PLANNING PROPOSAL – AMUNDSEN STREET LEUMEAH]

Contents

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Appendices

Appendix 1: Letters received from the Department of Planning and Environment

1.1 Gateway Determination

2.1 Amednemnt to Gateway Determination

Appendix 2 : Techncial Studies

Attachment 2.1 – Flora and Fauna Assessment

Attachment 2.2 – Bushfire Protection Assessment

Attachment 2.3 – Engineering Report

Attachment 2.4 – Preliminary Contamination Assessment

Attachment 2.5 – Stage 2 Environmental Site Assessment

Attachment 2.6 – Traffic Study

Attachment 2.7 –Heritage Assessment

Attachment 2.8 – Aboriginal Heritage Assessment

Attachment 2.9 – Visual Report

Attachment 2.10 Preliminary Geotechnical Assessment

Proposed Amendment No 8 to
Campbelltown Local Environmental
Plan 2015

**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**

Appendix 3: Maps

Map 3.1 Location Plan of the Subject Site

Map 3.2 Aerial Photo of the Subject Site

Map 3.3 Existing Zoning Map under LEP 2002

Map 3.4 Existing Zoning Map under the CLEP

Map 3.5 Proposed Zoning Map under the CLEP

Map 3.6 Existing Lot Size Map under the CLEP

Map 3.7 Proposed Lot Size Map under the CLEP

Map 3.8 Existing Height Map under the draft CLEP

Map 3.9 Proposed Height of Buildings Map under the CLEP

Appendix 4: Letters received from Public Agencies

Appendix 4.1: letter received from NSW Rural Fire Services

Note : The remaining letters received from public agencies are included as Attachment 5 of Council's report.

History

- This Planning Proposal relates to land in Leumeah known as Lot 1, DP 795498, Lot 2, DP 126471 and Lot 1, DP 709918, Amundsen Street, Leumeah. Figure 1.1 shows a location map for the subject site. A location map is also provided under Appendix 3 as Map 3.1.
- The total site area is approximately 4.36 hectares (ha).
- On 9 January 2015, Michael Brown Planning Strategies on behalf of the owners of the subject site submitted to Council a planning request to enable the subject site to be used for low density residential purposes.
- Council officers reviewed the applicant's planning request and prepared a revised Planning Proposal.
- Council at its ordinary meeting held on 18 August 2015 resolved to forward the draft Planning Proposal to the Department of Planning and Environment (the Department) for a gateway review.
- Council on 1 September 2015 submitted the Planning Proposal to the Department.
- Council received a Gateway Determination (dated 4 December 2015) a copy of which is shown under Appendix 1.
- The Department agreed that the inconsistencies with Section 117 Direction, 2.1 Environment Protection Zones is of minor significance. No further approval is required in relation to these Directions.
- Consultation with the NSW Rural Fire Services must be undertaken in order to satisfy Section 117 Direction 4.4 Planning for Bushfire Protection.
- Consultation with all the relevant public agencies will occur during the public exhibition period, as per the requirements of the Gateway Determination.
- Prior to the public Exhibition, and in line with the conditions of the Gateway Determination the applicant provided additional information in relation to the following:
 - Flora and fauna
 - Transport and access
 - Indigenous heritage
 - Bushfire risk
 - Contamination
 - Geotechnical studies
 - Infrastructure, stormwater and sewer services.

All technical studies are provided under Appendix 2 of the Planning Proposal.

**Proposed Amendment No 8 to
Campbelltown Local Environmental
Plan 2015****[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**

- The Planning Proposal has been updated to reflect the findings of the above studies.
- Prior to public exhibition, Council consulted with RFS.
- The Planning Proposal has been publicly exhibited from Wednesday 19 July 2017 until Friday 18 August 2017.
- The Planning Proposal has been updated to reflect consultation with public agencies.

Background

The land contained within the planning proposal is located at the southern end of the area generally known as 'The East Edge Scenic Protection Lands' which is an area located adjacent to the eastern boundary of the Campbelltown Urban Area, and is separated from an extensive regional open space network (that runs along the Georges River) by a reservation for the Georges River Parkway.

There have been numerous representations to Council in the past about the possibility of rezoning the East Edge Scenic Protection Lands to allow for further subdivision.

On 18 October 2011, Council considered a report on the "Draft Visual and Landscape Analysis of the Scenic Hills and the East Edge Scenic Protection Lands" which indicated:

"In some places in the East Edge Scenic Protection Lands, a further increase in the density of development may also be possible providing that the detailed subdivision design and subsequent siting of buildings will not compromise the bushland qualities of the landscape, especially when other issues such as bushfire protection for any dwellings is addressed".

On the 10 April 2012, Council considered a report titled "Supplementary Report on Future Planning Directions for the East Edge Scenic Protection Lands" which specifically discussed the subject site. In this regard the report stated:

"Landscape Unit E-LU5 contains some land (particularly in the north western part of the landscape unit) that is of low conservation value, as the land is largely cleared. A landowner in this area who has land fronting Amundsen Street, Leumeah, and a property developer with an interest in that land, have made regular enquiries about the possible future rezoning of the land for residential use over at least the last five years. This land is mostly clear of vegetation as the land was previously used for farming. The assumption could be made that the land is therefore suitable for urban development, however, this land is located on the ridgeline and it therefore visually prominent. Most parts of the land also drain towards the Georges River. These are some of the reasons why residential zoning, urban development or subdivision to 4000sqm, is not appropriate in other parts of the Edge Lands.

Accordingly, it could be argued that the part of the land with direct frontage to Amundsen Street (namely part of Lot 1 DP 795498 and part of Lot 2 DP 126471) could potentially be suitable for some increase in development density.

The Site

The subject site includes Lot 1, DP 795498, and Lot 2, DP 126471, (102 Amundsen Street Leumeah), owned by Mrs J. Newham and Mrs E. Clarke, and Lot 1, DP 709918, (No. 86 Amundsen Street Leumeah), owned by Mr W. Toole and Mrs A. Toole. The site is bounded by Leumeah Rd to the south, Hansens Rd to the east, Amundsen Street to the west and residential development within the suburb of Leumeah to the north as shown on Figures 1.1 and Figure 1.2.



Figure 1.1: Amundsen Street Planning Proposal - locality Map

The land uses that abut the site include Biehler Reserve on the southern side of Leumeah Road; three large residential lots (ranging in size from 10,400m² to 20,000m²) on the eastern side of Hansens Road; 13 rear facing standard residential lots set back approximately 15 metres from Amundsen Street to the west (these premises front Wyangala Crescent) and the Leumeah Baptist Church to the north. The total area of the subject site is 4.36 hectares

Historically the site has been predominantly used for agricultural and grazing purposes and more recently for horse agistment. The site contains three main dwelling houses, one of which was the original farmhouse and has been the subject of a heritage assessment

The site is currently vegetated with open grassland with some scattered trees located along the eastern boundary. The terrain is undulating and is dominated by a ridgeline along the western side of the site and a 2m-3.5m deep cutting abutting the Leumeah Road boundary.

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Figure 1.2: Amundsen Street Planning Proposal - Site



Parcel Description	Property Address	Property Area (sqm)
Lot 2 DP 126471	102 Amundsen Street, LEUMEAH NSW 2560	24000
Lot 1 DP 795498	102 Amundsen Street, LEUMEAH NSW 2560	18400
Lot 1 DP 709918	86 Amundsen Street, LEUMEAH NSW 2560	1575
Total Area		43975

Existing Zoning

The site is currently subject to the following plans:

1. Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002); and
2. The Campbelltown Local Environmental Plan 2015 (The CLEP)

The allotments that are subject to this planning proposal are included under the CLEP as a 'Deferred Matter' and as such Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002) is currently the principal planning instrument that applies to these allotments.

The deferred areas under the CLEP are currently zoned 7(d4) - Environmental Protection, 2ha minimum under the provisions LEP 2002. The existing zoning maps under LEP 2002 and the CLEP are shown as Map 3.3 and Map 3.4 under Appendix 3

Part 1 – Objectives or Intended Outcomes

The objective of this planning proposal is to amend the CLEP 2015 to enable the subject site (Lot 1, DP 795498, Lot 2, DP 126471 and Lot 1, DP 709918, Amundsen Street, Leumeah) that is currently zoned environmental protection to be developed for low density residential development with an approximate yield of 35 residential allotments.

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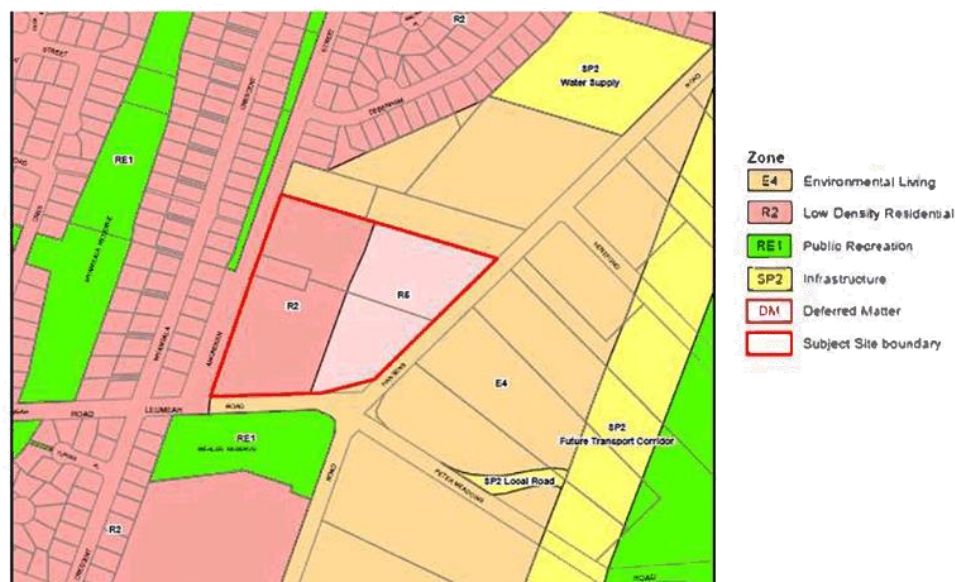
Part 2: Explanation of provisions

The proposed outcome will be achieved by:

1. Amending the CLEP to rezone Lot 1, DP 795498, Lot 2, DP 126471 and Lot 1, DP 709918, Amundsen Street, Leumeah as follows:
 - part R2 Low Density Residential (R2 Zone); and
 - part R5 Large Lot Residential (R5 Zone).

The proposed zoning map under the CELP is shown as Figure 1.3 below.

Figure 1.3 Proposed Zoning Map under the CLEP



Amend the CLEP Maps as follows:

a) Land application map

It is proposed to amend the Land Application Map to remove the 'deferred matter' status of the site.

b) Land zoning maps

It is proposed to amend the zoning map that applies to the site to reflect the intended outcome of the planning proposal as mentioned under point 2.1 above. A copy of the proposed zoning map under the CLEP is shown under Appendix 3 as Proposed Zoning Map under the CLEP (Map 3.5).

c) Lot size map

It is proposed to amend the Lot Size Map so that:

- the part of the site that is proposed to be zoned to R2 Low Density Residential be allocated a minimum lot size of 500sqm; and
- the part of the site that is proposed to be zoned to R5 Large Lot Residential be allocated a minimum lot size of 9,000sqm

A copy of the proposed lot size map under the CLEP is shown as Map 3.7 under Appendix 3.

d) Height of Buildings Map

It is proposed to amend the building height map to assign a maximum height of 8.5 metres for subject site.

A copy of the proposed height of building map under the CLEP is shown as Map 3.9 under Appendix 3.

Part 3: Justification for the Planning Proposal

Section A – Need for the Planning Proposal

Q1. Is the Planning Proposal a result of any strategic study or report?

While the planning proposal is not a result of any strategic study or report, it will however deliver on a number of outcomes consistent with both state and Local government planning documents including:

- Conservation and enhancement of the natural landscape
- Utilisation and embellishment of existing physical and human infrastructure
- Contributing housing stock to help meet housing targets provided in the Sydney Metropolitan Strategy
- Promoting housing choice and diversity thereby responding to the needs of Campbelltown's community.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The Planning Proposal represents the best means of achieving the objectives or intended outcomes, as the current zoning of the site under LEP 2002 does not allow for a low density residential.

Section B – Relation to Strategic Planning Framework***Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft Strategies)?***

The Planning Proposal is consistent with the objectives and aims of the following Strategic Plans:

- NSW 2021 State Plan
- A Plan for Growing Sydney (December 2014)
- the draft South West District Plan.

- **NSW 2021 State Plan**

The Planning Proposal is consistent with the “Rebuild the Economy” Direction of the NSW 2021 State Plan. The proposal would improve housing availability by facilitating approximately 35 additional houses.

- **A Plan for Growing Sydney**

In December 2014, the NSW Government published A Plan for Growing Sydney. The Plan outlines a vision for Sydney over the next 20 years. It identifies key challenges facing Sydney including a population increase of 1.6 million by 2034 needing 689,000 new jobs and 664,000 new homes by 2031.

Of relevance to this planning proposal is Goal 2: A city of housing choice, with homes that meet our needs and lifestyles. Under Goal 2 there are four Directions as follows:

Direction 2.1: Accelerate housing supply across Sydney

Direction 2.2: Accelerate urban renewal across Sydney – providing homes closer to jobs

Direction 2.3: Improve housing choice to suit different needs and lifestyles

Direction 2.4: Deliver timely and well planned Greenfield precincts and housing

As this planning proposal aims to provide approximately 35 residential allotments on the eastern boundary of the Campbelltown urban area, it is considered that it is consistent with the aims of this strategy.

- **Draft South West District Plan**

The draft South West District Plan (draft SW Plan) identifies a number of metropolitan priorities that would deliver the vision for the South West District. Below is a summary of the relevant priorities identified under the draft SW Plan.

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Draft West Central District Plan Directions and Policy Settings	Comments
Relevant priorities for “ A Liveable City”	
Liveability Priority 1: Deliver South West District’s five-year housing supply target	The Planning Proposal will provide additional opportunities for residential development.
Livability Priority 2: Deliver housing diversity	The proposed zoning of R2 and R5 will facilitate the delivery of a range of housing stock including single houses, detached dwellings, semi attached dwelling and dual occupancies.

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

The planning proposal is not inconsistent with the Campbelltown 2025 Looking Forward long term town planning strategy, nor with the draft Local Planning Strategy, as the planning proposal seeks a rezoning outcome that is consistent with the surrounding land uses. The planning proposal is also not inconsistent with Campbelltown’s draft Community Strategic Plan 2012 - 2022, which contains an objective of a strong local economy.

Council’s Residential Strategy accompanies a suite of planning documents to support draft CLEP 2014. The Strategy has the following recommendations:

“The Residential Strategy Review and this emergent Strategy indicate that future dwelling targets for 2031 can be achieved with current zonings, their minor rationalisation and the release of identified greenfields and incremental phasing of new centres and transit focused infill growth nodes.

Additionally, the need for diverse housing forms, adaptable housing and more affordable housing should be acknowledged.”

It is considered that the proposed development of the land is consistent with the above recommendations as this Planning Proposal seeks to rezone for a range of residential purposes via a minor rationalisation of existing zones using a master planning approach.

Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

It is considered that the planning proposal is consistent with all applicable State Environmental Planning Policies. See Table 3 and Table 4 below.

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Table 3: Assessment of the Planning Proposal against Relevant State Environmental Planning Policies

No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
19	Bushland in Urban Areas	Yes	<p>Clause 10 of SEPP 19 states that: <i>When preparing draft local environmental plans for any land to which this Policy applies, other than rural land, the council shall:</i></p> <p>(a) <i>have regard to the general and specific aims of the Policy, and</i> (b) <i>give priority to retaining bushland, unless it is satisfied that significant environmental, economic or social benefits will arise which outweigh the value of the bushland.</i></p> <p>In this regard, the applicant undertook a Flora and Fauna Assessment (prepared by Ecological Australia, 2017) to determine the quality of vegetation on site. Two Critically Endangered Ecological Communities (Shale Sandstone Transition Forest and Cumberland Plain Woodland) were identified on site and assigned a moderate significance. There is no proposal to clear the vegetation on site.</p>
44	Koala Habitat Protection	Yes	<p>Ecological Australia prepared a Flora and Fauna Assessment for the site. The assessment in relation to Koala found that the study area represents 'potential koala habitat' as defined under SEPP 44, because <i>Eucalyptus tereticornis</i> constitutes over 15% (approximately 80%) of the trees present within the study area. However, no Koalas or evidence of Koalas (scats or scratch marks) were found within the study area during the targeted field survey. Based on the information to date, the study area is considered to not be 'Core Koala habitat' as defined under SEPP 44. However Council's draft Kola Plan of Management identifies the site as "Core Koala Habitat". There is no proposal to remove the vegetation on site. Council will consult with OEH in this regard.</p>
55	Remediation of Land	Yes	<p>A Stage 2 environmental assessment of the site was undertaken by SNC-Lavalin Inc. The Report concludes that the site is suitable for residential purposes however a construction management plan should be prepared for the appropriate demolition and disposal of asbestos material and the decommissioning of existing septic tanks.</p>

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No.	State Environmental Planning Policies (SEPPs)	Consistency	Comments
-	SEPP Exempt and Complying Development Codes 2008	Yes	The Codes SEPP would apply to the land subject of the Planning Proposal.
-	SEPP Affordable Rental Housing 2009	Yes	Affordable Rental Housing would be permissible upon the land subject of the Planning Proposal.
-	SEPP, Building Sustainability Index – BASIX 2004	Yes	The relevant principles of this Policy will inform future building design upon the land.

Table 4: Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans)

No.	Deemed State Environmental Planning Policies	Consistency	Comments
-	SEPP Housing for Seniors or People with a Disability 2004	Yes	Seniors housing would be permissible upon the land subject of the Planning Proposal.

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No.	Deemed State Environmental Planning Policies	Consistency	Comments
2	Deemed SEPP No 2 (SREP 2) – Georges River Catchment	Yes	Any further construction works upon the land subject of the Planning Proposal would need to conduct in such a way to prevent impacts upon the Georges River Catchment. The stormwater management system includes measures to ensure the water is of acceptable quality prior to exiting the site.
20	Greater Metropolitan Regional Environment-al Plan No 2— Georges River Catchment	Yes	The aims of the Georges River deemed SEPP are to manage the natural resources of the Georges River Catchment and specifically to protect the water quality of the Georges River and its tributaries and the environmental quality of the whole catchment. Any further construction works upon the land subject of the Planning Proposal would need to conducted in such a way to prevent impacts upon the Georges River Catchment. Council will be consulting with OEH in terms of any necessary additional water quality control measures that may be needed (as part of the amendment to the draft CLEP) to ensure the protection of the Georges River. In addition, Clause 7.3 Riparian Land and Watercourses [local] under the provisions of the CLEP will ensure that future development will not have adverse impacts on the Georges River.

Q6. Is the Planning Proposal consistent with applicable Ministerial Directions (s 117 directions)??

The planning proposal is either considered consistent, justifiably inconsistent or the inconsistency is of minor significance with the applicable Ministerial Directions (s 117 directions). See Table 5 for an assessment of the planning proposal against the relevant Section 117(2) Ministerial Directions.

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Table 5: Assessment of the Planning Proposal against the relevant Section 117(2) Ministerial Directions

Ministerial Direction	Consistent ?	Assessment
2.1 Environment Protection Zones	Yes	The Planning Proposal is not inconsistent with Direction 2.1 as a large proportion of the subject land will be retained for large lot housing with the intention of conserving and enhancing the existing native vegetation in the current environmental setting. The subject land has been considered for residential purposes for a number of years and as such is not inconsistent with the prevailing Draft South West District Plan.
2.3 Heritage Conservation	Yes	<p>The Direction applies whenever a relevant planning authority prepares a Planning Proposal.</p> <p>This Direction states that: “A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:</p> <ul style="list-style-type: none"> (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or (b) the provisions of the planning proposal that are inconsistent are of minor significance. <p>Non-Indigenous Heritage The subject land contains a former farm house which has been assessed by a heritage expert and considered not to have sufficient merit for local heritage listing.</p> <p>Indigenous heritage A single isolated artifact was found on site. This site will be registered on the AHIMS database as (Amundsen Street 01) and is afforded protection as an Aboriginal object under the National Parks and Wildlife Act.</p>
3.1 Residential Zones	Yes	The Planning Proposal does not seek to reduce the amount of residential land but rather contribute to additional land that may assist in reaching housing targets. The subject land is located adjoining existing residential land and close to services. The Planning Proposal would permit the development of a range of housing types and as such the Planning Proposal is not inconsistent with Direction 3.1.
3.3 Home Occupations		The Planning Proposal does not seek to restrict the availability of home occupations.
3.4 Integrated Land Use and Transport	Yes	<p>This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <ul style="list-style-type: none"> (a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and

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Ministerial Direction	Consistent ?	Assessment
		(b) The Right Place for Business and Services – Planning Policy (DUAP 2001). - The subject land is located close to existing transport networks. The site is accessible to public bus services (within 400m of a number of bus stops) with direct access to rail services. The Planning Proposal site is well serviced by existing roads. Therefore the Planning Proposal is not inconsistent with Direction No. 3.4.
4.4 Planning for Bushfire Protection	Yes	A small section of the site is included on the Campbelltown Bushfire Prone Lands Map. Council will ensure that any future local development of the site will comply with the current bushfire protection measures specified by the Planning for Bushfire Protection Guidelines 2006. Council considers the proposed rezoning to be consistent with this direction. Consultation with the Commissioner of the Rural Fire Services has been undertaken by means of a letter dated 18 May 2017. Council received acknowledgement of the letter, however still waiting for an advice on this matter. Once Council receives an advice from RFS, the planning proposal will be updated accordingly, if required.
6.1 Approval and Referral Requirements	Yes	The Planning Proposal does not seek to include further provisions to CLEP in respect to the concurrence, consultation or referral of development applications to a Minister of public authority. The Planning Proposal is therefore not inconsistent with Direction 6.1.
6.3 Site Specific Provisions	Yes	The Planning Proposal does not seek to include any site specific provisions into the CLEP over the subject lands.
7.1 Implementation of A Plan for Growing Sydney	Yes	The Planning Proposal is consistent with this Plan as it provides additional housing supply within existing serviced areas.

Section C – Environmental social or economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The applicant prepared all the studies required by the Gateway Determination. Eco Logical Australia prepared a Floral and Fauna Assessment Report (EA) for the subject site.

The Eco Logical values of the subject site are highly degraded due to extensive clearing, and continuing agricultural activities.

Findings of the Flora and Fauna Study (Attachment 2.1)

Two threatened native vegetation communities were identified within the study area:

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- SSTF – Woodland (0.61 ha) (CEEC under the TSC and EPBC Acts)
- SSTF – Isolated Trees (0.11 ha) (CEEC under the TSC Act)
- CPW – Woodland (0.08 ha) (CEEC under the TSC Act).

The remainder of the study area comprised exotic grasslands and / or exotic plantings (3.57 ha).

No threatened flora species were recorded during the field survey, nor are any species considered likely to occur within the study area.

One threatened fauna species, the Eastern Bentwing-bat, was recorded within the study area. The following species are considered to potentially utilise the study area for foraging purposes, although no breeding habitat was identified:

- Little Lorikeet (TSC Act)
- Little Eagle (TSC Act)
- Swift Parrot (TSC and EPBC Act)
- Powerful Owl (TSC Act)
- Scarlet Robin (TSC Act)
- Koala (TSC and EPBC Act)
- Eastern Freetail-bat (TSC Act)
- Yellow-bellied Sheath-tail-bat (TSC Act)
- Greater Broad-nosed Bat (TSC Act).

One potential hollow-bearing tree was identified in the north-eastern corner of the study area, and where possible this tree should be retained. If this tree is proposed to be removed at the development application stage, further investigation of use of this tree by fauna species should be undertaken. As *Eucalyptus tereticornis* constitutes over 15% (approximately 80%) of the trees present within the study area, the study area represents 'potential koala habitat' as defined under SEPP 44. However, no Koalas or evidence of Koalas (scats or scratch marks) were found within the study area during the targeted field survey. Based on the information to date, the study area is considered to not be 'Core Koala habitat' as defined under SEPP 44. Targeted searches for the Cumberland Plain Land Snail identified a lack of suitable habitat within the study area.

Assessment of potential impacts to threatened ecological communities and species from future clearing of habitat within the study area would require Assessment of Significance (AoS) under the EP&A Act for TSC Act listed ecological communities and assessment against Significant Impact Criteria (SIC) for MNES under the EPBC Act. This would be undertaken at the development application stage.

Should future development propose clearing of all or part of the 0.61 ha of SSTF – Woodland listed as a CEEC under the EPBC Act; referral would be required to the Commonwealth DoE for determination of whether the proposal is a controlled action under the EPBC Act. Referral of the proposal should be undertaken as soon as it is determined that impacts to this CEEC are unavoidable (if relevant), in order to understand any requirements that may be imposed by DoE.

~~Notably, Council will consult with OEH while the planning proposal is on public exhibition.~~

Q8. Are there any other likely environmental effects as a result of the rezoning submission and how are they proposed to be managed?

The following matters has been identified:

1. Bushfire Risk Assessment (Attachment 2.2)

Eco Logical Australia prepared a Bushfire Risk Assessment for the subject site. The report concluded:

‘ that the study area is capable of accommodating future residential subdivision and associated land use with the appropriate bushfire protection measures and bushfire planning requirements prescribed by s.117 (2) Direction 4.4 – ‘Planning for Bush Fire Protection’ and PBP.

This bushfire assessment demonstrates that the study area is capable of accommodating future subdivision and land development with the appropriate bushfire protection measures.’

A number of strategies have been provided in the Bushfire Risk Assessment report such that the risk from bushfire can be mitigated. The main strategies suggested include:

- Ensure adequate setback from bushfire prone vegetation (APZs)
- Integrate non-combustible infrastructure within APZs such as roads, easements and parking areas. The majority of APZs should be contained within perimeter roads and front yard setbacks
- Ensure adequate access and egress from the study area through a well-designed road system
- Consider the adequacy of water supply and the delivery of other services (gas and electricity)
- Provide temporary APZs during any staged development
- Provide for effective and ongoing management of APZs; and
- Consider construction standards (AS 3959) implications for future developments

2. Stormwater management and flooding Assessment (Engineering Report - Attachment 2.3)

The site forms the upper extent of the Bunburry Curran and Georges River catchments. The majority of the site (3.33 Ha) drains east via a shallow 450mm diameter culvert to Peter Meadows Creek and the Georges River. The western portion of the site (0.87 Ha) drains to a table drain in Amundsen Street which flows to Leumeah Road and then joins a tributary of Smiths Creek which ultimately drains to Bow Bowing Creek, Bunburry Curran Creek and the Georges River.

The applicant submitted to Council an engineering solution for the management of stormwater for the subject site. The engineering solution shows that in principle, the

stormwater can be managed on site. However, more detailed analysis ~~would need to be~~ was provided prior to public exhibition. ~~In this regard, Councils' engineers are currently working with the applicant to finalise the stormwater study.~~

All stormwater quality devices/systems should be provided 'on site' and not within the road reserve.

3. Flooding - (Attachments 2.3)

The site is not affected by flooding. However, Amundsen Street which abuts the site is affected by shallow flooding as a result of overland sheet flow arriving at the site. In this regard, the site can be engineered to be free from this local flooding and managed so as to not increase this impact.

4. Land contamination and soils (Attachments 2.4 and 2.5)

The applicant undertook a preliminary contamination assessment as shown under (Attachment 2.4). This was followed by a Stage 2 Environmental Assessment of the site which was undertaken by SNC-Lavalin Inc. The report concluded the following:

'In terms of site contamination issues, the site does not represent a significant risk of harm to human health and or the environment in relation to either current land uses and or the proposed residential land use following the re-zoning of the site.

Within the limits of this study the site is suitable for rezoning to R2 Low Density Residential in the western half and R5 Large Lot Residential in the eastern half.

The following aspects should be addressed in the Construction Environmental Management Plan for the residential development project:

- Appropriate protocols for demolition and disposal of asbestos materials from the site (i.e. includes an asbestos management plan as per NSW WHS regulation and associated codes of practice);
- Appropriate protocols for removal of impacted soil volumes (i.e. excavation, waste classification, off-site disposal to a NSW EPA licensed facility and validation of the excavation void); and
- Appropriate protocols for the decommissioning, removal and clean-up of septic tank infrastructure (i.e. as per NSW Department of Health and NSW EPA requirements).

The following site environmental management improvement measures should be enacted prior to development of the site:

- The fragments of bonded asbestos that underlie the lower and upper cottages should be removed from the site to reduce the risk of generating air borne fibers and or contaminating surface soils (i.e. emu picked, double bagged, labeled and disposed to an appropriately NSW EPA licensed landfill);

- Use of an absorbent mat beneath the parked tractor in the lower shed and use of impervious and appropriately sized bunds for rain covered chemical storage within the sheds at the site ; and
- Continued maintenance of grass cover upon upper septic tank water absorption trench and establishment of a similar grass cover upon the lower septic water absorption trench to enhance uptake of nitrogen and minimize particulate run-off.'

5. Traffic, transport and access (Engineering Report - Attachment 2.6)

Positive Traffic Pty Ltd prepared a Traffic and Access Assessment report.

The findings of this report are presented below:

- The traffic impacts of the development would be minimal with future traffic flows on surrounding roads within acceptable limits.
- Intersections surrounding the development would continue to operate at levels of service to that which currently occurs.
- The internal road network has been designed to facilitate a future bus route if deemed viable with all proposed residential lots within 400m of the internal bus route.

Overall the traffic impacts of the proposal are considered acceptable.

6. Heritage - Non indigenous (Attachment 2.7)

102 Amundsen Street is an example of an Inter War house that was built in 1928 by Alfred Harold Longhurst. The house is representative of the later wave of development of the area when large farms were broken into smallholdings and purchased by local workers who continued a semi-rural use with orchards and in this case, for use for cattle grazing, agistment and a horse stud. Alfred Longhurst was a Waterboard worker and the use of the place was a part time occupation. The area around the subject site has been developed for housing.

John Oultram Heritage & Design prepared a Heritage Assessment Report for the subject site and in summary, the report found that:

- The property is not representative of the early development of the area being built in 1928
- The property is representative of the type of Inter War smallholding found in many areas of outer Sydney that were purchased by local workers for hobby farms
- The house is of very limited significance
- The property would not meet the threshold for listing as a heritage item in the LEP
- The house and property have no features of note that would require retention

7. Heritage - Indigenous (Attachment 2.8)

Eco Logical Australia Pty Ltd (ELA) was engaged by Lucas Property Group Pty Limited on behalf of Michael Brown Planning Strategies Pty Ltd to prepare a heritage assessment to facilitate the proposed rezoning of the subject site. The heritage assessment undertook 'Aboriginal archaeological assessment' and an 'Aboriginal cultural assessment'.

The key findings and recommendations of the 'Aboriginal archaeological assessment' are as follows:

- During the site inspection, a single isolated artefact, a quartz core was identified and recorded. The isolated artefact has low integrity sitting on the ground surface, is representative of artefacts present on the Cumberland Plain and as an isolated find, has low scientific significance. This site will be registered on the AHIMS database as 'Amundsen Street 01' and is afforded protection as an Aboriginal object under the NSW National Parks and Wildlife Act 1974 (NPW Act).
- The proposed rezoning will not impact on the artefact site (Amundsen Street 01), as development is not currently proposed.
- If avoidance of harm to the artefact is not possible as part of future development, the artefact site should be salvaged under an Aboriginal Heritage Impact Permit (AHIP) application to the NSW Office of Environment and Heritage (OEH). This will require full Aboriginal community consultation following the OEH consultation guidelines to determine cultural significance, care and control of the artefact, and the preparation of an Aboriginal Cultural Heritage Assessment Report to support the AHIP application. The OEH require that AHIP applications be accompanied by an approval under Part 4 or Part 5 of the NSW Environmental Planning and Assessment Act 1979 (EP&A Act).
- Based on predictive modelling of the landscape, whilst there is potential for additional isolated artefacts or artefact scatters to be present within the study area, the likelihood is low. The study area is considered to have 'low sensitivity' for archaeological deposits and further sites to exist due to the steep slope of much of the study area; distance to waterways; past soil disturbance and erosion from vegetation clearance, agricultural activities and golf course; and construction of houses, sheds, dam and the electricity line. Further archaeological assessment in the form of test excavation is not considered warranted.

The key findings and recommendations of the 'Aboriginal cultural assessment' are as follows:

- Consultation was undertaken with Cubbitch Barta Native Title Claimant Aboriginal Corporation (Cubbitch Barta) and Tharawal Local Aboriginal Land Council (LALC) for this project and both organisations were invited to participate in the site inspection. Cubbitch Barta were able to provide a representative for the site inspection which was undertaken on 16 June 2016.
- Discussions were held on site about the nature of possible disturbance and the likelihood of locating Aboriginal objects. It was noted that almost the entire area has been cleared of trees and is on a steep slope which was unlikely to be a good

camping location. After the artefact was identified on site, Ms Glenda Chalker of Cubbitch Barta noted that it was likely to be an isolated artefact and no further test excavations were necessary to understand sub-surface deposits around the location of the artefact

7. Visual Impact Assessment (Attachment 2.9)

The site was identified in the draft report entitled “Visual Analysis of Campbelltown’s Scenic Hills and East Edge Scenic Protection Lands” prepared in 2011 for Council by Paul Davies Pty Ltd in association with Geoffrey Britton (the Visual Study). The site is part of Unit 5 (E-LU5) in the Visual Study.

As mentioned above Council considered a report on the Visual Study at its meeting on 10 April 2012 and indicated that any such development proposal for that part of the subject land would need to be more fully investigated and achieve a master planned outcome including:

- drainage of stormwater from development to Amundsen Street and away from the Georges River
- connection to mains sewer
- no new dwellings or outbuildings to be located on that part of the land, east of the ridgeline that traverses the site
- that part of the site between the ridgeline and Hansens Road to be re-vegetated with appropriate endemic species reflective of existing endangered ecological communities in the locality, in accordance with a vegetation rehabilitation/management plan, taking appropriate account of the management of bushfire risk
- a limit on the height of any future development to one storey only
- the design, siting and finish (materials and colours) of buildings and structures undertaken in such ways to minimise the visual prominence of development.

With the above criteria in mind the applicant commissioned a detailed visual and landscape assessment of the land by HLS Pty Ltd (Landscape Architects) to conduct a site specific analysis of the site. The assessment recommends that the inclusion of the following design recommendations in the development will ensure that any visual effects will be minimised.

- Ensure Hansens Road is retained as a “Rural Road Construction standard” on the western verge, to maintain trees and reduce adverse visual impacts
- Ensure driveway locations and crossovers to the bushland interface lots are located to minimise vegetation removal. (It should be noted that only one access from Hansens Road is proposed)

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- Installation of a rural style (post and rail or similar) fence, max 1200mm high, from the Hansens Road Roundabout splay, along the length of the Hansens Road frontage
- Preparation of a landscape plan for each future rural residential dwelling providing for a bushland setting and planting at the frontage of each dwelling
- Planting of the 8m wide dense native vegetation strip with canopy trees across the site for visual amenity value, plus a 7m wide cleared zone against rear fences. Plant at a density of 1/3m² as per section “7.1 Suggested Plant List”
- Retention of a 30m wide vegetation zone along the Hansens Road frontage of the “bushland interface” lots
- Planting of a 15m wide canopy zone with trees at 1/3m², on the roundabout splay to maintain views through trees to larger lot housing beyond, typical of the “bushland interface” within the unit
- Trees to be protected as per AS 4970-2009 Protection of Trees on Development Sites.
- Engage an Arborist to investigate health and determine Tree Protection Zones of two remaining large Eucalypts near the building envelope in larger lots to assist in locating buildings outside TPZs of large healthy trees
- In larger lots, site future dwellings within the nominated building zone, amongst the isolated scattered trees to enable the retention of all trees
- Buildings in larger lots are to be single storey, built in recessive colours to integrate with the bushland, with no high contrast colours or materials
- Planting of a 3m wide native screen planting strip at the top of the earth bank cutting along Leumeah Road to create a permanent screen in this location to replace short-lived wattles. Fence the developed side of the strip with 1800mm high lapped and capped timber fence for safety reasons
- Increase the planting in the 15m wide verge on the western side of Amundsen Street, within an 8m zone, 7m from rear fences, to fill gaps in the scattered tree planting and to create a softer ridgeline. This will also provide some screening between new residential lots and the rear of existing lots on Wyangala Crescent
- Where possible, minimise vegetation clearing for visual reasons. Plant at a density of 1/25m² (at 5m intervals) as per section 7.1
- Locate services outside of the existing vegetated western verge of Hansens Road
- Minimise clearing for overhead electricity and telecommunication lines where lines cross the verge

- A maximum built height of 8.5m is recommended for those dwellings on the ridgeline, to ensure their visual impacts are minimised with screening by the proposed 15m high canopy trees.

8. Geotechnical studies (Attachment 2.10)

The applicant submitted to Council a preliminary geotechnical investigation carried out by Coffey Geotechnics Pty Ltd (Coffey) for subject site. The assessment in relation to the suitability of the site for residential development concluded:

‘Based on our site observations, preliminary geotechnical model, and experience on similar projects, the proposed single dwelling development is considered feasible from a geotechnical perspective. Provided appropriate additional site investigation, design assessments, and construction monitoring normally associated with this type of development are carried out, the risks associated with design and construction should be able to be managed.’

Q 9 How has the rezoning submission adequately addressed any social and economic effects?

The planning proposal aims to provide additional housing within easy access of the regional city centre of Campbelltown/Macarthur. It also aims to provide additional housing adjacent to existing residential areas within easy access to public transport services / routes, and community facilities and amenities. With the limited number of additional lots created it is considered that the additional demand on services could be accommodated within the existing community services/facilities in adjoining suburbs (e.g. schools and playing fields).

Section D – State and Commonwealth interests**Q 10 Is there adequate public infrastructure for the planning proposal?**

The technical studies have noted that the site can be serviced with water, sewer, stormwater drainage, and electricity and telecommunication facilities. Relevant public authorities ~~will be~~ **were** consulted while the planning proposal is on public exhibition.

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

Condition 3 of the Gateway Determination dated 4 December 2015 required Council, prior to exhibition to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.

The Gateway Determination issued by the Department of Planning and Environment for the subject site, required Council to Consult with the NSW Rural Fire Services

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(NSW RFS), prior to the commencement of the public exhibition of the draft Planning Proposal.

Council has now received a response from NSW RFS, indicating that it raises no objections to the proposal providing that the future subdivision of the land complies with the Planning for Bush Fire Protection 2006. A copy of the NSW RFS submission is attached.

Condition 5 of the Gateway Determination (dated 4 December 2015) required Council to consult with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:

- NSW Aboriginal Land Council
- Office of Environment and Heritage
- Integral Energy
- Mine Subsidence Board
- NSW Rural Fire Service
- Transport for NSW - Roads and Maritime Services
- Sydney Water
- Telstra

Council consulted with all the relevant authorities as specified under the Gateway Determination. Copies of the agencies letters/emails are also included under attachment 5 of the report to Council.

The majority of the public authority did not provide comments at the conclusion of the public exhibition. The lack of commitment from some of the public agencies to consider and provide timely advice on draft Planning Proposals has been an ongoing issue for Council. The Department has communicated to Council that a newly created unit has been established within the Department which aims to help local Councils to accelerate large scale rezoning applications and follow up with public agencies to obtain their feedback. However, given the relatively low dwelling yield of the Amundsen Street proposed rezoning, the Department was not willing to provide assistance in this instance.

To date, Sydney Water did not make a submission on the draft Planning Proposal. Council sent second round of letters to Sydney Water after the conclusion of the public exhibition, and followed the letter with weekly phone calls.

Importantly, no objections or major issues have been raised by any of the submission received from public agencies.

A summary of the comments received from each public agency is summarised below:

1. Comments received from Office of Environment and Heritage

Council received a letter from the Office of Environment and Heritage (OEH) advising that the draft Planning Proposal was considered, however OEH does not wish to make a submission on it at this time.

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Council contacted OEH and was verbally advised that OEH currently provides comments on major planning proposals that are likely to have significant impacts, and as such they are not sufficiently resourced to provide comments on all the planning proposals they receive.

Notably, a flora and fauna assessment for the site, prepared by Eco Logical Australia has been prepared. The flora and fauna assessment is supported by a number of field surveys and an analysis of biodiversity values.

The main findings of the flora and fauna assessment are as follows:

- two native vegetation communities were identified within the subject site, Shale/Sandstone Transition Forest and Cumberland Plain Woodland both of which form part of separate Critically Endangered Ecological Communities listed under the NSW Threatened Species Conservation Act 1995 (TSC Act)
- no threatened flora species listed under the TSC Act were recorded during the field survey
- one threatened fauna species (Eastern Bent-wing bat), was recorded within the study area during the survey
- one potential hollow-bearing tree was identified in the north-eastern corner of the study area
- as *Eucalyptus tereticornis* constitutes over 15 per cent (approximately 80 per cent) of the trees present within the study area and as such the study area represents potential koala habitat as defined under State Environmental Planning Policy No 44 Koala Habitat Protection (SEPP 44). However, no Koalas or evidence of Koalas (scats or scratch marks) were found within the study area during the targeted field survey. Based on the information to date, the study area is not considered to be core koala habitat as defined under SEPP 44.

Contrary to the findings of the Flora and Fauna Assessment that was prepared by the applicant, the subject site was identified as core koala habitat under Council's Draft Koala Plan of Management. The draft Koala Plan of Management is currently under review by the Department of Planning and Environment and the Office of Environment and Heritage. Under Section 13 (Approval of plan of management) of SEPP 44, a plan of management prepared by Council has no effect unless it is approved by the Director-General of National Parks and Wildlife.

If at the time of the subdivision application, Council's draft Koala Plan of Management was not in place, the applicant would be required to prepare a site specific Koala Plan of Management and the findings of the site specific plan would form part of the condition of consent.

Most importantly, there is no proposal to remove the vegetation on site.

2. Integral Energy - now known as Endeavour Energy

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Endeavour Energy raised no objection to the draft Planning Proposal subject to a number of recommendations. In summary **Endeavour** Energy advised that the applicant for the future proposed development of the site would need to submit an application for connection of additional load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will then be determined.

Depending on the outcome of the assessment, any required pad mount substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy.

3. Mine Subsidence Board

Council received two letters from the Subsidence Advisory NSW (SA NSW). The first letter dated 21 of July 2017 and advised that the property is not within a proclaimed Mine Subsidence District and is not subject to any building restrictions imposed by the SA NSW.

The second letter dated 26 September and advised that the land is within a Coal Exploration Lease which is currently held by the Crown. SA NSW advised Council to consult with the Department of Planning and Environment – Division of Resources and Geoscience (DRG). The SA NSW further advised that it has no objection to the proposal provided DRG does not object to the rezoning. An email was sent to DRG and to date no response has been received.

Council consulted with DRG and received an email on 13 October 2017 confirming that they do not have an objection in relation to the draft Planning Proposal.

4. NSW Rural Fire Service

The Gateway Determination issued by the Department for the subject site required Council to Consult with the NSW Rural Fire Services (NSW RFS), prior to the commencement of the public exhibition of the draft Planning Proposal.

Prior to the public exhibition, Council received a response from NSW RFS, indicating that it raises no objections to the proposal providing that the future subdivision of the land complies with the Planning for Bush Fire Protection 2006.

5. Transport for NSW

Transport for NSW has raised no objection to the Planning Proposal and provided the following comments/suggestions:

- In relation to bus services, Transport for NSW suggested to locate the potential bus stops at either Leumeah Road or Hansens Road at the southeast corner of the subject site to allow the current bus route to continue, while facilitating the needs of future residents. The potential bus stops should be served by safe pathways from the subject site.
- Adequate walking and cycling infrastructure should be provided to meet the future demand

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In this regard, further consultation should occur with the Busways at the development stage.

6. Roads and Maritime Services

Roads and Maritime raised no objection to the proposed Planning Proposal providing that the proposal would not have any significant traffic impact in the State Road network.

Notably the traffic and assessment study prepared by Positive Traffic Pty Ltd found the following:

- the traffic impacts of the development would be minimal with future traffic flows on surrounding roads within acceptable limits
- intersections surrounding the development would continue to operate at levels of service to that which currently occurs
- the internal road network has been designed to facilitate a future bus route if deemed viable with all proposed residential lots within 400m of the internal bus route.

Overall the traffic impacts of the proposal are considered acceptable.

7. Telstra

Council received an email from Telstra advising that from an 'asset impact' point of view on or nearby the site, the planning proposal has no impact to existing assets, however the construction of the site is likely to impact upon Telstra assets.

In this regard, the email advised that Council would need to further consult with Telstra at the development stage to obtain the necessary advice for the protection or relocation of any affected assets.

8 NSW Aboriginal Land Council

Tharawal LALC raised no objection to the Planning Proposal. Tharawal LALC requested that at any rezoning or future development of the site, if any Aboriginal object(s) are encountered in the course of an activity, work must cease immediately, and an application must be made for an Aboriginal Heritage Impact Permit (AHIP). In such case Tharawal LALC must also be contacted immediately.

Notably, the applicant, as part of the preparation of the Aboriginal Archaeological Assessment and the Aboriginal Cultural Assessment studies consulted with Cubbitch Barta Native Title Claimant Aboriginal Corporation (Cubbitch Barta) and Tharawal Local Aboriginal Land Council (LALC) and both organisations were invited to participate in the site inspection. However, at that time only Cubbitch Barta were able to provide a representative for the site inspection of 16 June 2016. As such, no further consultation with Cubbitch Barta was undertaken.

9. Sydney Water

Initial investigations have indicated that the adjacent residential areas are serviced with water, sewer, stormwater drainage and electricity. However, further confirmation would be

required prior to the rezoning of the subject land. With the exception of the two large residential lots, which are suitably sized to accommodate stormwater disposal on site, all of the remaining lots fall way from the Georges River.

??

~~Council will be consulting with the above public authorities while the planning proposal is on public exhibition.~~

Part 4: Mapping

The Planning Proposal is accompanied by the following relevant maps shown as Appendix 3 to this Planning Proposal:

- Map 3.1 Location Plan of the Subject Site
- Map 3.2 Aerial Photo of the Subject Site
- Map 3.3 Existing Zoning Map under LEP 2002
- Map 3.4 Existing Zoning Map under the CLEP
- Map 3.5 Proposed Zoning Map under the CLEP
- Map 3.6 Existing Lot Size Map under the CLEP
- Map 3.7 Proposed Lot Size Map under the CLEP
- Map 3.8 Existing Height Map under the draft CLEP
- Map 3.9 Proposed Height of Buildings Map under the CLEP

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Part 5 - Community Consultation

The draft planning proposal, Gateway Determination and associated studies were publicly exhibited from Wednesday 19 July 2017 until Friday 18 August 2017.

Refer to Council's report of 15 November 2017 for information on the outcome of the public exhibition.

Part 6 - Project Timeline

The draft project timeline has been included in Table 6 below. The anticipated timeframes and dates have been assigned to each milestone of the Gateway process.

Table 6: Project Timeline

Milestone	Date
– commencement date (date of Gateway determination)	4 December 2015
– anticipated timeframe for the completion of required technical information	Completed June 2017
– anticipated date for the revised Gateway determination	July 2017
– commencement and completion dates for public exhibition period	19 July – 18 August 2017
– timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) – Consultation with government agencies is proposed to be undertaken while the proposal is on public exhibition.	August –October 2017
– Rural Fire Services – Pre consultation (May 2017)	
– timeframe for consideration of submissions (report to Council)	15 November 2017
– anticipated date RPA will make the plan (if delegated)	17 December 2017
– anticipated date RPA will forward to the Department for notification	

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Appendix 1: Letters received from the Department of Planning and Environment

Proposed Amendment No 8 to
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**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**



Our ref: 15/15294

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

Dear Ms Deitz,

**Planning proposal to amend (Draft) Campbelltown Local Environmental Plan
2015 – 82-102 Amundsen Street, Leumeah – PP_2015_CAMPB_003_00**

I am writing in response to Council's request for a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* for the above planning proposal.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed that any inconsistencies with Section 117 Direction 2.1 Environment Protection Zones, is of minor significance. No further approval is required in relation to these Directions. Please note that consultation with the NSW Rural Fire Service must be undertaken in order to satisfy Section 117 Direction 4.4 Planning for Bushfire Protection.

It is noted that Council intends to undertake a number of further detailed technical studies to inform the planning proposal. Council is to advise the Metropolitan Region (Parramatta) team prior to exhibition if a change is proposed to the planning proposal as a result of these studies.

The Amendments to the Local Environmental Plan are to be finalised within twelve (12) months of the week following the date of the Gateway determination. Council should commence exhibition of the planning proposal as soon as possible. Council's request for the Department to draft and finalise the Plan should be made six 6 weeks prior to the projected publication date..

The State Government is committed to reducing the time taken to complete Local Environmental Plans by tailoring the process to the complexity of the proposal, and by providing clear and transparent justification for each plan at an early stage. To meet these commitments, the Minister may take action under section 54(2)(d) of the *Environmental Planning & Assessment Act 1979* if the time frames in this determination are not met.

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Should you have any queries in regard to this matter, please contact Derryn John of the Metropolitan Region (Parramatta) office of the Department on 02 9860 1505.

Yours sincerely,

SIGNATURE HAS BEEN DELETED

4/12/2015

Rachel Cumming
Director
Metropolitan Region (Parramatta)
Planning Services

Proposed Amendment No 8 to
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**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**



Gateway Determination

Planning proposal (Department Ref: PP_2015_CAMPB_03_00): to rezone land at 82-102 Amundsen Street, Leumeah, from 7(d4) Environmental Protection to part Low Density Residential R2 (western component) and part Large Lot Residential R5 (eastern component) to permit residential subdivision.

I, the Director, Metropolitan Region (Parramatta) at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning & Assessment Act 1979* that an amendment to (Draft) Campbelltown Local Environmental Plan 2015 should proceed subject to the following conditions:

1. Prior to exhibition, Council is to amend the planning proposal to:
 - a. read as a Council document, rather than the proponents;
 - b. include the proposed land zoning, lot size and other applicable maps. The proposal should be prepared as an amendment to both the Draft Campbelltown LEP 2014, (should the proposal proceed ahead of the Draft Campbelltown LEP 2014) and the Campbelltown (Urban Area) Local Environmental Plan 2002, using equivalent zones;
2. Prior to public exhibition, Council is to:
 - a. prepare further detailed technical studies, as identified on page 2 of the planning proposal, including:
 - i. Flora and fauna
 - ii. Transport and access
 - iii. Indigenous heritage
 - iv. Bushfire risk
 - v. Contamination
 - vi. Geotechnical studies
 - vii. Infrastructure, stormwater and sewer services.
 - b. upon completion of the further technical studies, update the planning proposal with the outcomes of these studies, if required. Council is to advise the Metropolitan Region (Parramatta) Office if amendments to the planning proposal are required as a result of the additional studies.
3. Prior to exhibition, Council is to consult with the Commissioner of the NSW Rural Fire Service as per the requirements of S117 Direction 4.4 Planning for Bushfire Protection. Council is to amend the planning proposal, if necessary, to take into consideration any comments prior to the commencement of public exhibition.
4. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Section 5.5.2 of A Guide to Preparing Local Environmental Plans (Department of Planning & Infrastructure 2013).

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5. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning & Assessment Act 1979 and/or to comply with the requirements of relevant Section 117 Directions:

- NSW Aboriginal Land Council
- Office of Environment and Heritage
- Integral Energy
- Mine Subsidence Board
- NSW Rural Fire Service
- Transport for NSW - Roads and Maritime Services
- Sydney Water
- Telstra

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning & Assessment Act 1979. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. The timeframe for completing the Local Environmental Plan is to be 12 months from the week following the date of the Gateway determination.

12/2015

Rachel Cumming
Director,
Metropolitan Region (Parramatta)
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning

Proposed Amendment No 8 to
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**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**



17/06986

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

MAY29'17 07:56:55 RCUB

Attention: Rana Haddad

Dear Ms Deitz

**Alteration of Gateway determination to amend Campbelltown Local
Environmental Plan 2015 – 82-102 Amundsen Street, Leumeah
(PP_2015_CAMPB_003_00)**

I refer to Council's request to alter the Gateway determination for
PP_2015_CAMPB_003_00 (issued on 4 December 2015), to extend the timeframe
by a period of 6 months.

I have determined, as delegate of the Greater Sydney Commission, in accordance
with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter
the Gateway determination, dated 4 December 2015 (as amended), for the planning
proposal PP_2015_CAMPB_003_00, which seeks to amend the Campbelltown Local
Environmental Plan 2015 to zone land at 82-102 Amundsen Street for residential
uses.

I enclose the Alteration of Gateway Determination for your attention. I have also
enclosed the previous alteration for Council's records.

If you have any questions in relation to this matter, please contact Ms Chantelle
Chow on phone (02) 9860 1548.

Yours sincerely

23/05/17

**Catherine Van Laeren
Director, Sydney Region West
Planning Services**

Delegate of the Greater Sydney Commission

Encl:
Alteration to Gateway Determination

Department of Planning and Environment
Sydney Region West | Level 5, 10 Valentine Avenue, Parramatta | GPO Box 39 Sydney 2001 | planning.nsw.gov.au

Proposed Amendment No 8 to
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**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**



**Planning &
Environment**

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2015_CAMPB_003_00): for land at 82-102 Amundsen Street, Leumeah

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 4 December 2015 (as amended on 8 September 2016) for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Delete:

condition "7"

and replace with:

a new condition 7 "The LEP is to be finalised by 11 December 2017".

Dated 23rd of May 2017.

Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

CAMPBELLTOWN PP_2015_CAMPB_003_00 (17/06986)

[PLANNING PROPOSAL – AMUNDSEN STREET LEUMEAH]

Map 3.1 Location Plan of the Subject Site



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**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**

Map 3.2 Aerial Photo of the Subject Site



Proposed Amendment No 8 to
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**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**

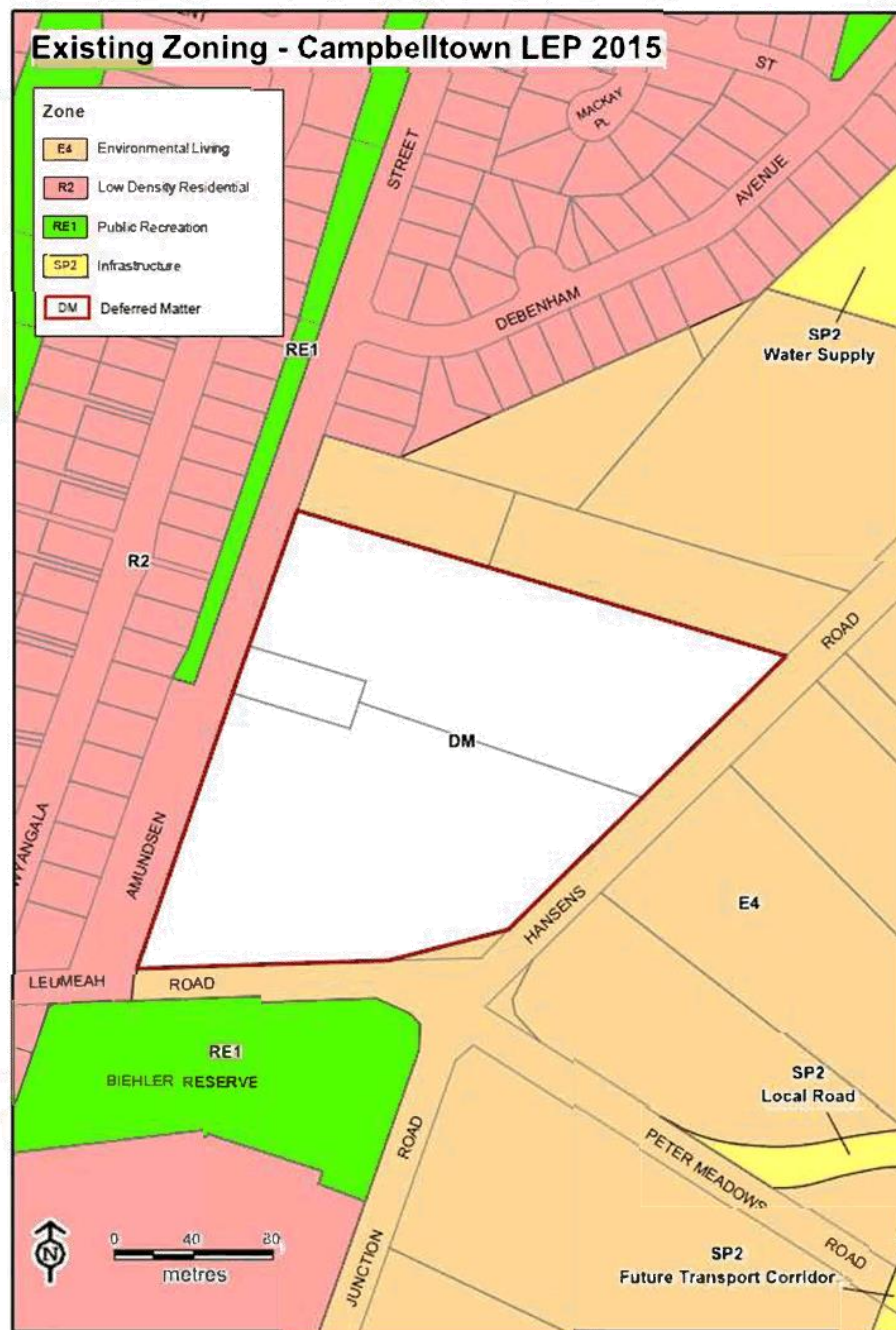
Map 3.3 Existing Zoning Map under LEP 2002



Proposed Amendment No 8 to
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**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**

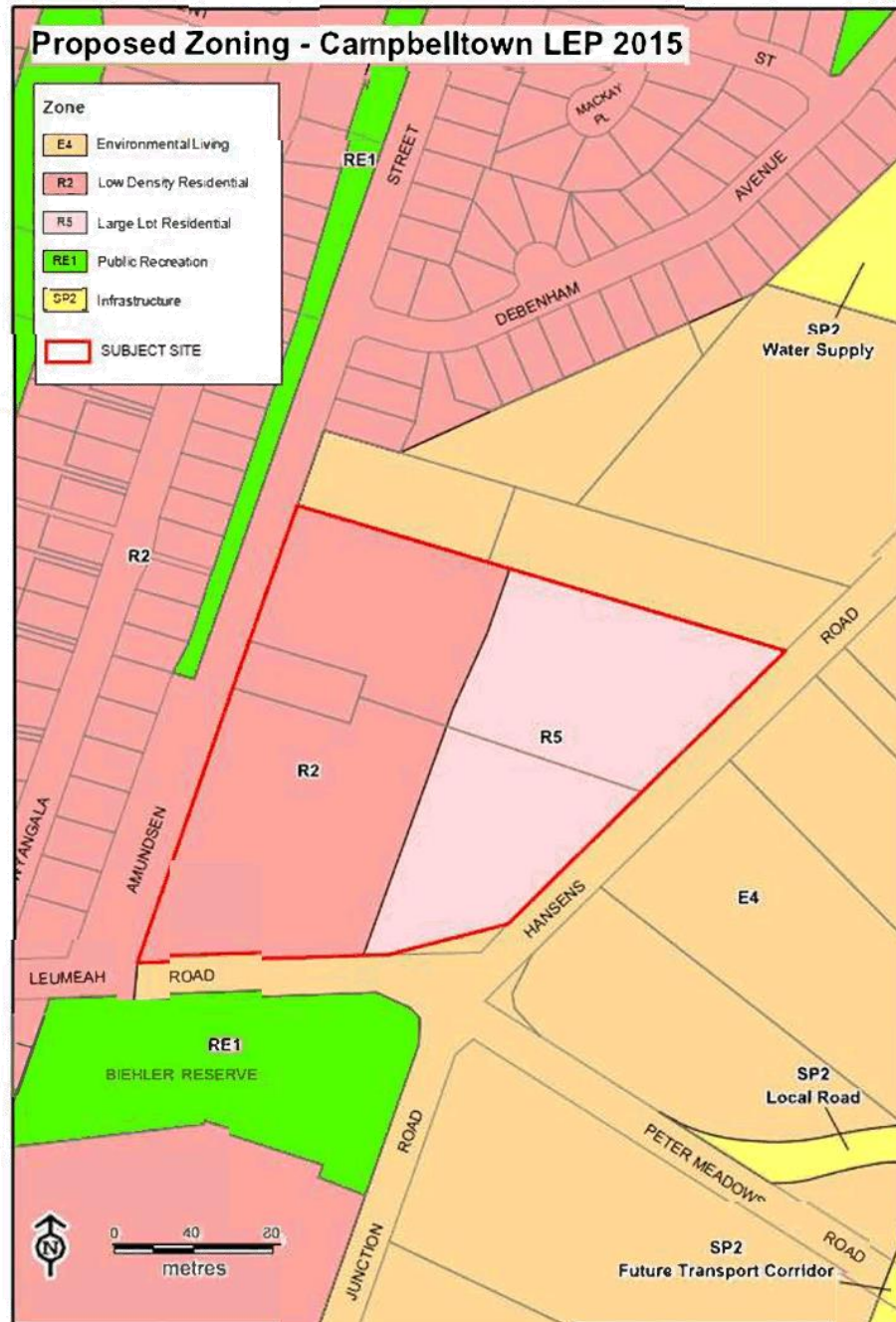
Map 3.4 Existing Zoning Map under the CLEP



Proposed Amendment No 8 to
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**[PLANNING PROPOSAL – AMUNDSEN
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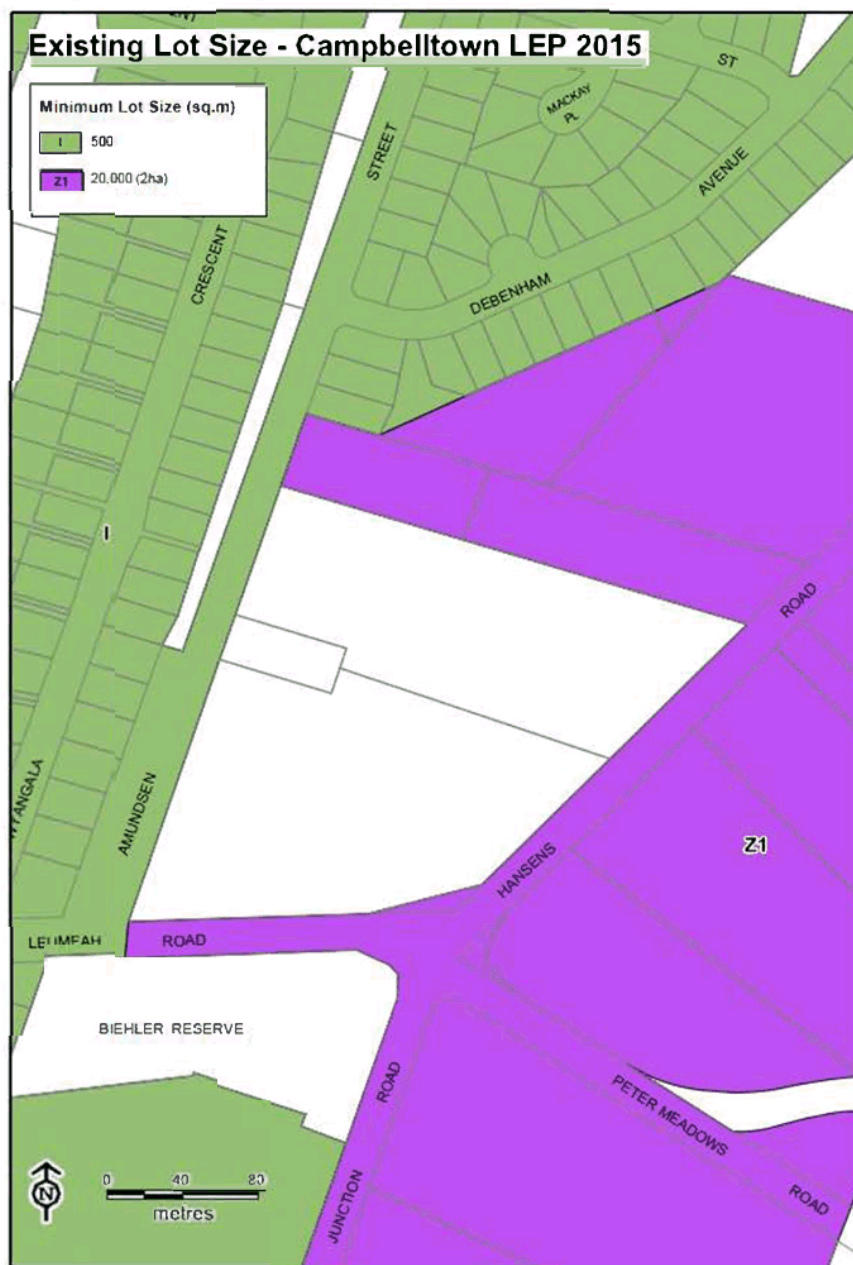
Map 3.5 Proposed Zoning Map under the CLEP



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**[PLANNING PROPOSAL – AMUNDSEN
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Map 3.6 Existing Lot Size Map under the CLEP



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[PLANNING PROPOSAL – AMUNDSEN
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Map 3.7 Proposed Lot Size Map under the CLEP



Proposed Amendment No 8 to
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**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**

Map 3.8 Existing Height Map under the draft CLEP



Proposed Amendment No 8 to
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**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**

Map 3.9 Proposed Height of Buildings Map under the CLEP



Proposed Amendment No 8 to
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[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]

Appendix 4: Letters received from Public Agencies

Appendix 4.1: letter received from NSW Rural Fire Services



NSW RURAL FIRE SERVICE



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

Your reference: PP_2015_CAMPB_003_00

Our reference: L13/0010

7 June 2017

Attention: Rana Haddad

Dear Sir/Madam,

Gateway Determination for the rezoning and creation of residential lots – Lot: 1 DP: 795498, Lot: 2 DP: 126471 & Lot: 1 DP: 709918, 82-102 Amundsen Street, Leumeah

Reference is made to Council's correspondence dated 10 May 2017 seeking comment in relation to the above proposal which seeks to rezone land at the above address, from 7(D4) Environmental Protection to part Low Density Residential R2 (western component) and part Large Lot Residential R5 (eastern component) to permit residential subdivision.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the proposal with regard to Section 4.4 of the directions issued in accordance with Section 117(2) of the *Environmental Planning and Assessment Act 1979*.

The objectives of the direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

The direction provides that a planning proposal must:

- (a) have regard to *Planning for Bushfire Protection 2006*,
- (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and
- (c) ensure that bushfire hazard reduction is not prohibited within the APZ.

Based upon an assessment of the information provided, NSW RFS raises no objections to the proposal subject to a requirement that the future subdivision of the land complies with *Planning for Bush Fire Protection 2006*. This includes, but is not limited to:

- > Provision of Asset Protection Zones (APZs) within the proposed lots in accordance with Table A2.4;
- > Access to be provided in accordance with the design specifications set out in section 4.1.3; and,
- > Services to be provided in accordance with section 4.1.3.

With regard to these requirements, the following comments are made in relation to the submitted documentation:

Postal address
NSW Rural Fire Service
Records Management
Locked Bag 17
GRANVILLE NSW 2141

Street address
NSW Rural Fire Service
Planning and Environment Services (East)
42 Lamb Street
GLENDENNING NSW 2761

T 1300 NSW RFS
F (02) 8741 5433
E csc@rfs.nsw.gov.au
www.rfs.nsw.gov.au



Proposed Amendment No 8 to
Campbelltown Local Environmental
Plan 2015

**[PLANNING PROPOSAL – AMUNDSEN
STREET LEUMEAH]**

- The proposed Large Lot Residential R5 zoned areas shall be required to be managed for a minimum of 50 metres from the eastern boundary as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

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

Yours sincerely,

Jason Maslen
Team Leader, Development Assessment and Planning
Planning and Environment Services (East)



16 October 2017

Rana Haddad
Acting Coordinator Strategic Planning
Campbelltown City Council
PO Box 57
Campbelltown NSW 2560

Your Reference: PP_2015_CAMPB_003_00
Our Reference: OUT17/41709

Emailed: rana.haddad@campbelltown.nsw.gov.au
council@campbelltown.nsw.gov.au

Dear Rana

Re: Land Use Rezoning at 86 and 102 Amundsen Street, Leumeah

Thank you for the opportunity to provide advice on the above matter. This is a response from the NSW Department of Planning & Environment – Division of Resources & Geoscience, Geological Survey of New South Wales (GSNSW).

GSNSW has reviewed the subject area and notes that Lot 1 DP 709918, Lot 1 DP 795498 and Lot 2 DP 126471 are within Authorisation 6 held by the Secretary for the Department of Planning & Environment. GSNSW has no concerns with the rezoning proposal which is unlikely to restrict exploration activities within Authorisation 6.

It should be noted however that if future planning proposals of a similar nature are planned for areas to the east of the subject lots in the vicinity of Holsworthy, DRG is likely to have concerns to raise regarding impacts on access to potential coal resources (please refer to Figure 1).

Geoscience Information Services

The location of current exploration and mining titles in NSW, explanations of mining and production titles and the roles of community and government in the decision making process for mining/resource projects may be accessed by the general public using the following online utilities:

<http://www.resourcesandenergy.nsw.gov.au/miners-and-explorers/geoscience-information/services/online-services/minview>

Queries regarding the above information, and future requests for advice in relation to this matter, should be directed to the GSNSW Land Use team at landuse.minerals@industry.nsw.gov.au.

NSW Department of Planning & Environment
DIVISION of RESOURCES & GEOSCIENCE
PO Box 344 Hunter Region Mail Centre NSW 2310
Tel: 02 4931 6666 Fax: 02 4931 6726
ABN 38 755 709 681

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Cressida Gilmore
Manager - Land Use



Subsidence Advisory NSW

117 Bull Street, Newcastle West NSW 2302
Tel 02 4908 4300 | www.subsidence.nsw.gov.au
24 Hour Emergency Service: Free Call 1800 248 083

Ms R Haddad
Acting Coordinator
Strategic Planning
Campbelltown City Council

rana.haddad@campbelltown.nsw.gov.au

Dear Ms Haddad

**LOT 1 DP 709918 , LOT 1 DP 795498 & LOT 2 DP 126471
NO 86 -102 AMUNDSEN ST LEUMEAH**

This property is not within a proclaimed Mine Subsidence District and is not subject to any building restrictions imposed by the Subsidence Advisory NSW.

The provisions of the Mine Subsidence Compensation Act cover any improvement erected on this land.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

Paul Gray
Senior Advisor Residential Subsidence Regulation

21 July 2017
Contact phone no: (02) 4908 4300

Guideline (Auto) O/A



**Subsidence
Advisory NSW**

117 Bull Street, Newcastle West NSW 2302
Tel 02 4908 4300 | www.subsidenceadvisory.nsw.gov.au
24 Hour Emergency Service: Free Call 1800 248 083
ABN 87 445 348 918

Ms Rana Haddad
Campbelltown Council
Rana.Haddad@campbelltown.nsw.gov.au

Dear Ms Haddad

Land Use Rezoning at 86 and 102 Amundsen Street, LEUMEAH

Thank you for referring the Planning Proposal to rezone land at 86 and 102 Amundsen Street, LEUMEAH (Lot 1 DP 709916 and Lot 1 DP 795498) to Subsidence Advisory NSW (SA NSW) for advice.

SA NSW notes that the proposal seeks to rezone the land use from Environmental Protection to Low Density Residential. The rezoning could potentially result in the creation of approximately 35 low density residential lots.

I note that the land proposed for rezoning is within a Coal Exploration Lease which is currently held by The Crown (AUTH 0006). As a result, SA NSW recommends that the NSW Department of Planning and Environment - Division of Resources and Geoscience (DRG) is consulted on the proposed rezoning.

I can confirm SA NSW has no objection to the proposal provided DRG does not object to the rezoning.

Please contact me on (02) 4908 4391 or at kieran.black@finance.nsw.gov.au if you have any questions or would like to discuss.

Yours sincerely

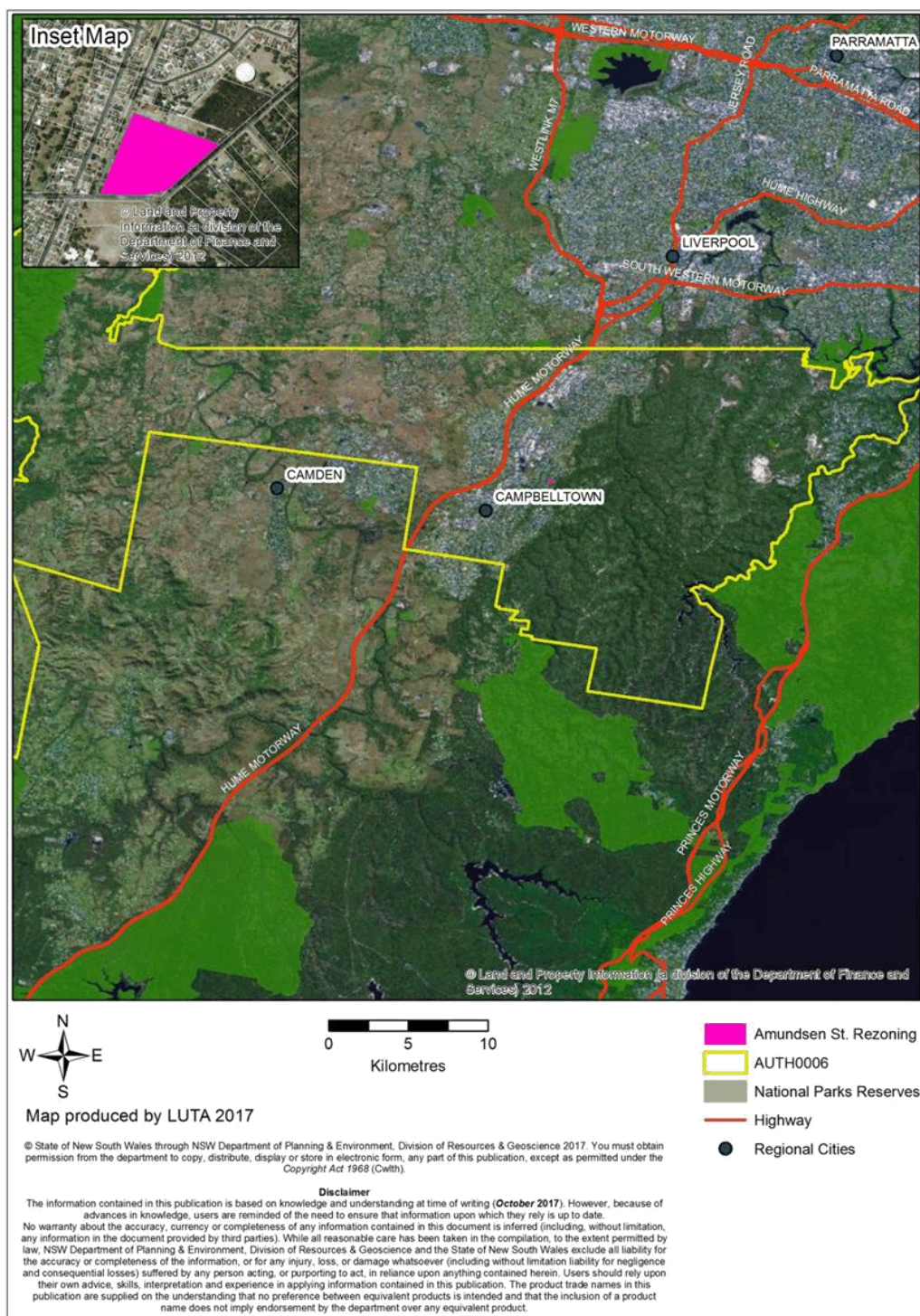
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Kieran Black

Technical Manager

26 September 2017

Figure 1 – Rezoning at 86 and 102 Amundsen Street Leumeah





Office of
Environment
& Heritage

DOC17/381073
Amundsen Street Planning Proposal

Mr Graham Pascoe
Acting Executive Manager Regional Approvals and Planning
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Attention: Rana Haddad

Dear Mr Pascoe

Planning Proposal for 86 and 102 Amundsen Street, Leumeah

I refer to your letter received 18 July 2017 by the Office of Environment and Heritage (OEH) requesting comments pursuant to Section 56(2)(d) of the *Environmental Planning and Assessment Act 1979*.

OEH has considered the planning proposal and a decision has been made not to provide comments or advice on environmental, natural hazards and Aboriginal cultural heritage now. This should not be taken as OEH support for the proposal, and these matters may still need to be considered.

If you have any queries regarding this matter, please contact Dana Alderson on 8837 6304 or dana.alderon@environment.nsw.gov.au.

Yours sincerely

SIGNATURE HAS BEEN
REMOVED

21/8/17

SAMANTHA GIBBINS
A/Senior Team Leader Planning
Greater Sydney

PO Box 644 Parramatta NSW 2124
Level 6, 10 Valentine Ave Parramatta NSW 2150
Tel: (02) 9995 5000 Fax: (02) 9995 6900
ABN 30 841 387 271
www.environment.nsw.gov.au

**NSW RURAL FIRE SERVICE**

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

Your reference: PP_2015_CAMPB_003_00
Our reference: L13/0010

7 June 2017

Attention: Rana Haddad

Dear Sir/Madam,

Gateway Determination for the rezoning and creation of residential lots – Lot: 1 DP: 795498, Lot: 2 DP: 126471 & Lot: 1 DP: 709918, 82-102 Amundsen Street, Leumeah

Reference is made to Council's correspondence dated 10 May 2017 seeking comment in relation to the above proposal which seeks to rezone land at the above address, from 7(D4) Environmental Protection to part Low Density Residential R2 (western component) and part Large Lot Residential R5 (eastern component) to permit residential subdivision.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the proposal with regard to Section 4.4 of the directions issued in accordance with Section 117(2) of the *Environmental Planning and Assessment Act 1979*.

The objectives of the direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

The direction provides that a planning proposal must:

- (a) have regard to *Planning for Bushfire Protection 2006*,
- (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and
- (c) ensure that bushfire hazard reduction is not prohibited within the APZ.

Based upon an assessment of the information provided, NSW RFS raises no objections to the proposal subject to a requirement that the future subdivision of the land complies with *Planning for Bush Fire Protection 2006*. This includes, but is not limited to:

- Provision of Asset Protection Zones (APZs) within the proposed lots in accordance with Table A2.4;
- Access to be provided in accordance with the design specifications set out in section 4.1.3; and
- Services to be provided in accordance with section 4.1.3.

With regard to these requirements, the following comments are made in relation to the submitted documentation:

Postal address

NSW Rural Fire Service
Records Management
Locked Bag 17
GRANVILLE NSW 2141

Street address

NSW Rural Fire Service
Planning and Environment Services (East)
42 Lamb Street
GLENDENNING NSW 2761

T 1300 NSW RFS
F (02) 8741 5433
E csc@rfs.nsw.gov.au
www.rfs.nsw.gov.au



- The proposed Large Lot Residential R5 zoned areas shall be required to be managed for a minimum of 50 metres from the eastern boundary as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

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

Yours sincerely,

SIGNATURE HAS BEEN REMOVED

Jason Maslen

Team Leader, Development Assessment and Planning
Planning and Environment Services (East)



Transport
Roads & Maritime
Services

11 September 2017

Roads and Maritime Reference: SYD17/00968/01 (A18914515)
Council's Reference: Amundsen Street, Leumeah Planning Proposal

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

Attention: Rana Haddad

Dear Sir/Madam,

PLANNING PROPOSAL FOR 86-102 AMUNDSEN STREET, LEUMEAH

Reference is made Council's letter dated 14 July 2017 (received by RMS on 20 July 2017) regarding the abovementioned planning proposal which was referred to Roads and Maritime Services (Roads and Maritime) for comment in accordance with Section 56 (2) (d) of the *Environmental Planning and Assessment Act 1979* following Gateway determination issued by the Department of Planning & Environment.

Roads and Maritime has reviewed the information provided and notes that the site (4.36 hectares) is currently zoned as Environmental Protection zone. The Planning Proposal seeks the following amendment to the Campbelltown Local Environmental Plan (CLEP) 2015:

1. Rezone part of the site (approximately 2.4 ha) to R2 Low Density Residential (R2 Zone) with a minimum subdivision lot size of 500sqm (approximate yield of 35 lots).
2. Rezone the remaining part of the site to R5 Large Lot Residential (R5 Zone) with a minimum lot size of 9,000sqm (two large lots of 9778sqm and 9435sqm).

The Planning Proposal would result in a net increase of 37 lots with an estimated population of approximately 123 people.

Roads and Maritime raises no objection to the proposed Planning Proposal since the subject Proposal would not have any significant traffic impact in the State Road network.

Thank you for the opportunity to comment on the subject proposal. If you require clarification on the above matter, please contact Ahsanul Amin, Strategic Land Use Planner on 8849 2762 or e-mail at development.sydney@rms.nsw.gov.au.

Yours sincerely
SIGNATURE HAS BEEN REMOVED


Program Manager – Land Use

Roads and Maritime Services

27-31 Argyle Street, Parramatta NSW 2150 |
PO Box 973 Parramatta NSW 2150 |

www.rms.nsw.gov.au | 13 22 13

From: [Schneider, Mark P](#)
To: [Rana Haddad](#); [Coyne, Bob](#)
Subject: RE: Seeking comments on a Planning Proposal (86 and 102) Amundsen Street Leumeah
Date: Wednesday, 11 October 2017 3:46:08 PM
Attachments: [image001.png](#)

Hello Rana,

I have forwarded the letter to the Telstra Planning group to comment with regard to possible future provisioning to the site. I am not aware if the site is NBN ready, however the future development would need to take this into account.

From a Telstra 'asset impact' point of view on or nearby the site, the planning proposal has no impact to existing assets, however the construction of the site is likely to impact upon Telstra assets.

It is advised that prior to the development of the site, Telstra is contacted via the following avenues to provide the necessary advice for the protection or relocation of affected assets –

New project requests can be lodged with 1800 810 443 or on-line via
<https://say.telstra.com.au/customer/general/forms/request-asset-relocation-or-commercial-works>

Kind regards,

Mark Schneider

Project Specialist

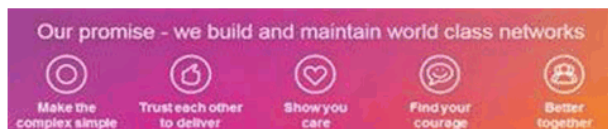
Telstra Network Integrity Services
Network Construction & Services, Networks
Telstra Operations

P + 61 2 8842 5185

M + 61 419 242 044

E Mark.P.Schneider@team.telstra.com

W www.telstra.com or internal [Network Construction & Services](#)



This email may contain confidential information.
If I've sent it to you by accident, please delete it immediately.

New project requests can be lodged with 1800 810 443 or on-line via
<https://say.telstra.com.au/customer/general/forms/request-asset-relocation-or-commercial-works>

Damage to Telstra property must be reported to 132 203 or on-line via
<https://say.telstra.com.au/customer/general/forms/report-damage-to-telstra-equipment>

Dial 1100 Before You Dig Network Integrity: Working with the civil construction industry to prevent damage to Telstra's underground assets

From: Rana Haddad [<mailto:Rana.Haddad@campbelltown.nsw.gov.au>]

Sent: Wednesday, 11 October 2017 3:06 PM

To: Coyne, Bob <Bob.F.Coyne@team.telstra.com>; Schneider, Mark P <Mark.P.Schneider@team.telstra.com>

Subject: FW: Seeking comments on a Planning Proposal (86 and 102) Amundsen Street Leumeah

Hello Bob and Mark,

Can you please let me know ASAP if you have any comments on the proposed Planning Proposal for 102 and 86 Amundsen Street, Leumeah. If I do not hear from you by this [Friday 13 of October](#), it would be assumed that Telstra has no objection to the Planning Proposal. Please note that the original letter was sent to Telstra on 14 July 2017, and was followed by another letter on 12 September (please see email below) and this email.

Your urgent attention to this matter is highly regarded.

Kind Regards
Rana Haddad

From: Rana Haddad
Sent: Tuesday, 12 September 2017 10:40 AM
To: Mark.P.Schneider@team.telstra.com
Cc: Graham Pascoe; Tracey Rorie
Subject: Seeking comments on a Planning Proposal (86 and 102) Amundsen Street Leumeah

Good Morning Mark,

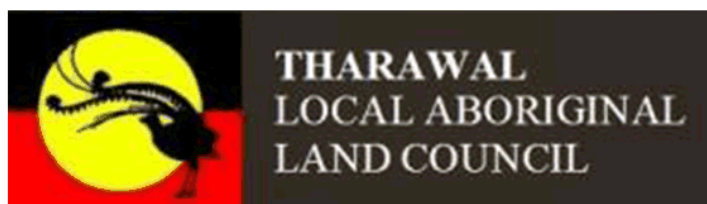
Thank you for your time this morning. Please find attached a copy of the letter that was sent to Telstra back on the 14 of July.

Council is seeking comments from Telstra on the above mentioned Planning Proposal. The Planning Proposal and associated documents are still available from Council's website.

Given that the Public exhibition has closed on 18 August 2017 , your urgent attention to this matter is highly appreciated.

Kind regards
Rana Haddad
Acting Coordinator Strategic Planning
Campbelltown City Council
P: 02 4645 4570
F: 02 4645 4420
M: 0407 243 741
www.campbelltown.nsw.gov.au





Thursday, 12 October 2017

Tharawal Local Aboriginal Land Council's (Tharawal LALC) response to the;

Planning Proposal "Amundsen Street LEUMEAH" Campbelltown City Council.

I note that Tharawal LALC were unable to provide a representative to the on-site inspection June 2016 as briefly mentioned in the report therefore; I can only provide my professional opinion based on the findings deriving from only the information provided in **Appendix 2 Technical Studies** particularly but not limited to **Attachment 2.1 Flora & Fauna Assessment** and **Attachment 2.8 Aboriginal Heritage Assessment** which mention;

- No threatened flora species were recorded during field survey, nor are any species considered likely to occur within the study area.
- One threatened fauna species, the Eastern Bentwing-bat, was recorded with the study area. The following species are considered to potentially utilise the study area for foraging purposes, although no breeding habitat was identified:
 - Little lorikeet
 - Little eagle
 - Swift parrot
 - Powerful owl
 - Scarlet robin
 - Koala
 - Eastern freetail-bat
 - Yellow-bellied sheath-tail-bat
 - Greater broad-nosed bat
- One potential hollow-bearing tree was identified in the north-eastern corner of the study area, and where possible this tree should be retained. If this tree is proposed to be removed at the development application stage, further investigation of use of this tree by fauna species should be undertaken.
- During in the site inspection, single isolated Aboriginal artefact, a quartz core was identified and recorded & registered on the AHIMS database as "Amundsen Street 01" and is afforded protection as an Aboriginal object under the NSW National Parks and Wildlife Act 1974. Noted, the proposed rezoning will not impact on the artefact site (Amundsen Street 01), as development is not currently proposed. If avoidance of harm to the artefact is not possible as part of future development, the artefact site should be salvaged under an Aboriginal Heritage Impact Permit (AHIP). Also noted, based on predictive modelling of the landscape, whilst there is potential for additional isolated artefacts or artefact scatters to be present within the study area, the likelihood is low.
- An AHIMS search did not identify any Aboriginal objects or places listed on the property (Appendix A) and only one Aboriginal place, described as a shelter with art, was located within 1 km of the property (Appendix B). This site is located outside the study area.

Site: 220 West Parade, COURIDJAH NSW 2571

Mailing address: PO BOX 245, THIRLMERE NSW

Website: www.tharawal.com.au

Facebook page: www.facebook.com/Tharawal-Local-Aboriginal-Land-Council

Phone Enquiries: 02 4681 0059


Facsimile: 02 4681 0866



In conclusion, having comprehensively reviewing the planning proposal, Tharawal LALC would have no objection with the Planning Proposal "Amundsen Street LEUMEAH" re-zoning application.

Tharawal LALC would request at any stage with the future re-zoning or development of this property, if any Aboriginal object(s) including the single quartz core found (and any further potential finds) are encountered in the course of an activity, work must cease immediately and an application should be made for an AHIP and Tharawal LALC contact immediately.

Yours in indigenous unity

SIGNATURE HAS BEEN


Rebecca EDE
Tharawal LALC CEO

Site: 220 West Parade, COURIDJAH NSW 2571
Mailing address: PO BOX 245, THIRLMERE NSW
Website: www.tharawal.com.au
Facebook page: www.facebook.com/Tharawal-Local-Aboriginal-Land-Council
Phone Enquiries: 02 4681 0059
Facsimile: 02 4681 0866



Mr Graham Pascoe
Acting Executive Manager
Regional Approvals and Planning
Campbelltown City Council
PO Box 57
Campbelltown NSW 2560

Attention: Rana Haddad

Dear Mr Pascoe

Planning Proposal for 86 and 102 Amundsen Street, Leumeah

Thank you for your letter dated 14 July 2017 inviting Transport for NSW (TfNSW) to provide comment for the subject proposal. TfNSW has reviewed the supporting documents and provides the following comments:

Bus Services

The proposal plans to deliver an internal road network to facilitate the proposed residential lots within 400m of the internal bus route (cited Engineering Report, third point of section 4.1). TfNSW supports enhancing the bus service catchment to facilitate the proposed development, however, it is noted that the proposed internal road is configured as a cul-de-sac which does not allow for efficient passage for buses. In this regard it is suggested to locate the potential bus stops at either Leumeah Road or Hansens Road at the southeast corner of the subject site to allow the current bus route to continue, while facilitating the needs of future residents. The potential bus stops should be served by safe pathways from the subject site.

Active Transport

Adequate walking and cycling infrastructure should be provided to meet the future demand. The subject proposal should take into consideration the connectivity, safety and accessibility for pedestrians and bicycle riders to the existing pedestrian and cycling network and public transport.

If you require further clarification regarding this matter, please contact Billy Yung, Senior Transport Planner on 8202 3291 or via email at Billy.Yung@transport.nsw.gov.au.

Yours sincerely

SIGNATURE HAS BEEN
REMOVED

8/8/17

Mark Ozjiga
Principal Manager, Land Use Planning and Development
Freight, Strategy and Planning Division

CD17/08327



18 October 2017

Our Ref: 166538

The General Manager
Campbelltown City Council
PO Box 57
Campbelltown NSW 2560
council@campbelltown.nsw.gov.au

RE: 86 and 102 Amundsen Street, Leumeah

Dear Sir/Madam,

Thank you for notifying Sydney Water of the development application listed above. We have reviewed the application and provide the following information to assist in planning the servicing needs of the development, based on the information supplied.

Water

- The proposed development is within the Kentlyn Network and there is sufficient capacity within the network to supply this development.
- It is noted that a developer would need to satisfy the Water Supply Code of Australia (Sydney Water Edition) requirements prior to connecting to Sydney Water network.

Wastewater

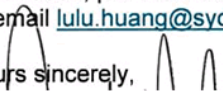
- The proposed development is within the Glenfield catchment and there is sufficient capacity for the development to drain into the network.
- It is noted that a developer would need to satisfy the Sewerage Code of Australia (Sydney Water Edition) requirements prior to connecting to Sydney Water network.

This advice is not a formal approval of our servicing requirements. Formal requirements for servicing the development will be determined as part of the Section 73 application. More information about the Section 73 application process is available on our web page in the [Land Development Manual](#).

Sydney Water E-Planning

Sydney Water has an email address for planning authorities to submit statutory or strategic planning documents for review. This email address is urbangrowth@sydneywater.com.au.

Further advice and requirements for this proposal are in the attachment. If you require any further information, please contact Lulu Huang of Growth Planning and Development on 02 8849 4269 or email lulu.huang@sydneywater.com.au.

Yours sincerely, 

Manager, Growth Planning & Development

Sydney Water Corporation ABN 49 776 225 038

1 Smith St Parramatta 2150 | PO Box 399 Parramatta 2124 | DX 14 Sydney | T 13 20 92 | www.sydneywater.com.au

Delivering essential and sustainable water services for the benefit of the community



Attachment 1

Sydney Water Servicing

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water prior to development commencement. It is recommended that the Council includes this term as a condition of the DA approval.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Building Plan Approval

The developer must have the building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. Water, sewer and stormwater mains).

For further assistance please telephone 13 20 92 or refer to the Building over or next to assets page on the Sydney Water website (see Plumbing, building and developing then Building over or next to assets).

Re: Planning proposal Amundsen Street, Leumeah
Thu 17/08/2017 3:05 PM

I wish to make the following comments and suggestions for the above mentioned planning proposal:

1) A protected area is given that status for a very good reason and should not be changed just because someone thinks they can make "a quick buck".

Wildlife everywhere is under threat, even more so those few isolated groups that have managed to survive in urban areas.

Global warming has (and will put even more) pressure on wild life and air quality. Trees are a critical part of not only helping wildlife to have somewhere to live and eat, but also to help keep the air clean, for us humans.

As such, I object to the numerous small housing lots that are to front Amundsen Street.

This development should be set back to allow a narrow corridor of trees to exist on both sides of Amundsen Street, so that wildlife are able to travel in safety from one small green area to another.

If the numerous houses run continuously from Leumeah Road and along Amundsen Street, then trees will be lost and wildlife and new residents will be at odds with each other, - as each tries to claim "their space".

And that is not counting the increased risk wildlife will face trying to negotiate the roads. Both Leumeah Road and Amundsen Street are both, already, very busy roads.

Small modern housing lots, tend to be 2 story dwellings - built from boundary to boundary with little room for a ladder (to clean drains), let alone a tree. Also, large native trees, are not considered safe, as they have a habit of dropping branches. On the other hand, this habit is exactly what wildlife need to bring up their families, and have a safe place to live - away from rats, foxes and dogs.

2) In the proposal, I read where it is suggested that new residents will walk 400 meters to a bus stop, and that current infrastructure will not be impacted by this proposed development.

I am sorry, but such a statement shows a total lack of understanding of the Campbelltown area and the struggle people already face in trying to get to work in the morning. There is so many thousands of houses being built in this area, that Hume Highway/M5 is gridlocked in the morning by 05:00 hours and again in the afternoon. Trains are packed from very early hours until after the peak.

There is no parking near any railway station after 06:00 hours and people generally don't feel safe to walk after dark, so want to drive.

It is highly likely that any new residents will want parking for at least 2 or more cars. This usually means on street parking.

This development will only add to the congestion already being experienced by locals. Infrastructure needs to be radically improved, NOW, especially public transport.

3) Old agricultural areas, not only have hazards like asbestos, septic tanks but also chemicals residues. - such as any old sheep dip etc. People weren't always as careful with the use and disposal of chemicals, in days gone past.

What checks have been done to establish that none of these 'poisoned' areas exist on these properties?

I hope any asbestos will be removed with the GREATEST of care, and disposed of in a safe manner??

4) We are told in the proposal that the farm house, on this site is an original one built in 1928, but because it's not a grand mansion, it is not worthy of 'a heritage assessment'.

Once again, I must disagree. Our grandparents were not all wealthy and lived in large houses, but the farmhouse is representative of the type of housing that people in the area, lived in, when Leumeah was built on in 1928. Just after World War 1 and just before the Great Depression of the 1930s. As such, it should be heritage listed to show future generations, how people lived back then. It is so very easy to forget and take what we have for granted.

On the whole, I am not averse to some development on the site. The larger blocks of 9,000 metres square, is at least in keeping with the openness of the area.

I do not like the idea of seeing the housing development on the ridge line, instead of trees and agree that original idea of setting back the development so it is not visibility prominent, - was a sound one, and should be retained.

I encourage Council to retain this restriction, on any development in this area.

It wasn't that long ago that the State Government encouraged farmers to put in wildlife corridors, around their properties.

I was quite horrified to find Council allowing one to be removed. I encourage Council to ensure there is at least a narrow wildlife corridor along both sides of Amundsen Street, for the ongoing welfare of wildlife, in the area.

Existing trees MUST be protected.

I worry about the impact of such a dense development of small lots (500 metres square) will have on local residents (human and wildlife alike), with so much dust, noise and inconvenience for a number of years, with such a large redevelopment of the area.

If this development does go ahead, in any form, I will expect Council to enforce all traffic, noise and dust minimization strategies.

We purchased in the area, because of the trees and the green areas, we are very angry at the thought that that aspect, is likely to be diminished and hence our investment, devalued.

8.2 Maryfields Planning Proposal - Outcome of Public Exhibition

Reporting Officer

Executive Manager Urban Renewal
City Development

Community Strategic Plan

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

Officer's Recommendation

1. That Council endorse the Maryfields Planning Proposal in accordance with attachment 2 and forward it to the Department of Planning and Environment for approval and referral to the Minister for Planning for making of the plan.
2. That all those who provided a submission to the public exhibition of the Maryfields Planning Proposal be advised of Council's decision.

Purpose

The purpose of this report is to advise Council of the post-exhibition outcomes for the Maryfields Planning Proposal, and to seek Council's approval to forward the planning proposal to the NSW Department of Planning and Environment requesting the Minister for Planning make the plan.

History

The subject planning proposal relates to the site known as Maryfields, located at the intersection of Narellan Road and the Hume Motorway. The site is currently used for religious activities by the Franciscan Friars and Poor Clare Nuns. The proposed rezoning of the site is to allow for a mix of land uses, comprising a business park, residential development, seniors living precinct and private open space/heritage areas.

Council at its meeting held 3 June 2014, considered a detailed report on the Maryfields Planning Proposal and resolved to endorse the submission of the planning proposal to the NSW Department of Planning and Environment (DP&E) for determination by the Gateway Panel. The evaluation report identified that the site has significant potential to facilitate housing, employment and business growth for the Campbelltown/Macarthur regional city centre.

The draft proposal was subsequently forwarded to the DP&E who issued the Gateway Determination on the 8 December 2014 with conditions.

Council at its meeting held 27 October 2015, considered a further report on the draft proposal and resolved (in part) to endorse the draft Maryfields Planning Proposal for public exhibition. Negotiations continued between the proponent, Council, RMS and DP&E to advance the public exhibition of the proposal in accordance with the specific requirements of the Gateway Determination. As a result of these negotiations, the gateway conditions were amended by the DP&E on two separate occasions as follows:

- The first amendment (dated 15 August 2016) removed the requirement for private vehicles to have through access between Narellan Road and Blair Athol. The timeframe for completion of the proposal was extended by 12 months.
- The second amendment (dated 3 March 2017) removed the requirement for state and regional infrastructure provision to be determined by Government agencies and exhibited in the form of a draft voluntary planning agreement concurrently with the planning proposal.

Council at its meeting held 9 May 2017, considered a report detailing the above amendments to the Gateway Determination, and resolved to proceed with the public exhibition of the proposal in accordance with the amended conditions of the Gateway Determination.

The gateway conditions (as amended) retain the requirement for the subject land to be nominated as an Urban Release Area under Part 6 of CLEP 2015. This clause will enable the concept masterplan accompanying the planning proposal to be implemented through a DCP adopted by Council prior to any development works commencing. In this respect, it is noted that a separate report will be provided to Council for endorsement of the DCP under Part 6 of CLEP 2015 should the subject planning proposal be endorsed for making.

Report

Property Description: Lots 1 – 6 (inclusive), DP 1213869 (Maryfields Drive and Narellan Road, Campbelltown)

Owner: Trustees Poor Clare Colletines
Trustees of the Franciscan Fathers
Trustees Assoc Franciscan Order

Applicant: Capital Syndications

The following report addresses the issues arising from the public exhibition of the Maryfields Planning Proposal, conducted in accordance with the resolution made by Council at its meeting held 9 May 2017.

The subject planning proposal, and associated documentation, was formally exhibited by Council between 8 June 2017 and 7 July 2017, including public newspaper notices, letters mailed to government agencies and surrounding residents and exhibition at the Council Civic Centre, HJ Daley Library and on Council's website.

A total of 13 submissions were received from government agencies and service providers, and three submissions (including one petition - 98 signatories, representing 73 households) received from residents. The main issues raised in the submissions and the relevant comments of Council officers are provided below.

Copies of the submissions have been made available to all Councillors.

1. Roads and Maritime Service

- **Intersection Works (Narellan Road):** Consideration will need to be given to upgrading the existing signalised intersection with Narellan Road as part of any future Development Application.

Comment: This matter would be addressed as part of any Development Application relating to subdivision and road works affecting Narellan Road.

- **State and Regional Infrastructure Provision:** An appropriate contribution, consistent with the State Infrastructure Contribution Levy for Growth Centres, should be entered into as part of any Voluntary Planning Agreement entered into with the proponent.

Comment: The subject planning proposal is to be nominated as an Urban Release Area under Part 6 of CLEP 2015 which requires (amongst other things) that satisfactory arrangements for the provision of State public infrastructure are made prior to subdivision of the land. Accordingly, further consultation will be required between the proponent and the RMS to resolve this matter prior to development. If necessary, this may require the site owner to negotiate a separate agreement with relevant state government agencies regarding the provision of any required state or regional infrastructure.

2. Transport for NSW

- **Internal transport network:** The future site specific Development Control Plan (DCP) should include a sustainable travel plan, and measures to promote a public and active transport network on the site.

Comment: The concept masterplan that supports the proposal is to be delivered through the preparation of a site specific DCP and includes provision for a bicycle/pedestrian pathway network and bus capable road through the site. The specific transport related requirements of Transport for NSW are to be considered as part of the preparation of the DCP in accordance with the Urban Release Area provisions of CLEP 2015.

- **State/Regional Infrastructure:** Regional road and transport infrastructure contributions commensurate to that of the SIC Levy should be provided as part of a VPA to offset the likely transport impacts associated with the future development of the site.

Comment: This issue is similar to the comments provided by the RMS. The Gateway Determination conditions require that the subject land is nominated as an Urban Release Area under Part 6 of CLEP 2015, which requires (amongst other things) that satisfactory arrangements for the provision of State public infrastructure are made prior to subdivision of the land. Accordingly, further consultation will be required between the proponent, the RMS and TfNSW to resolve this matter prior to development of the land occurring.

3. NSW Office of Environment and Heritage (OEHS)

- **Flora survey:** It is unclear whether the flora survey effort meets the OEHS standard of one person hour for each hectare of habitat.

Comment: The proponent has confirmed that the flora survey effort was in the order of 49 hours which exceeds the OEH standard (one person hour/hectare of habitat) for threatened plant survey.

- **CPW Grasslands:** No plot surveys have been undertaken in the cleared area, so it cannot be confirmed that these do not contain Cumberland Plain Woodland (CPW) derived native grasslands.

Comment: Targeted plot surveys for CPW derived grassland were conducted by two ecologists on 22 and 24 of July 2017 using a combination of random data points (RDPs) and biometric plots. Three small areas of CPW derived grassland of approximately 0.15 hectares (waypoint 165), 0.16 hectares (waypoint 167) and 0.065 hectares (waypoint 173) were found at the south western corner and southern border of the Maryfields Estate site in an area designated to be a conservation area. All three were highly disturbed from historical impacts and current grazing pressures. All other areas of open grassland across the site were classic pasture areas either dominated by exotic grass species or a single native grass species (*Themeda australis*).

- ***Pimelea Spicata*:** No targeted surveys have been conducted for *Pimelea Spicata* (Spike Rice Flower).

Comment: Targeted field surveys for *Pimelea spicata* were conducted by two ecologists on 22 and 24 of July 2017 using a combination of random data points, biometric plots and systematic targeted searches in areas of potential *Pimelea spicata* habitat. Targeted searches across the study area did not record any *Pimelea spicata*. Given the general lack of potential habitat, low resilience across much of the study area, and lack of records immediately adjacent to the study area, it is highly unlikely *Pimelea spicata* occurs within the study area.

- **Impacts on CPW:** OEH considers that the proposed zones, alignment of zone boundaries and indicative transport layout in the Concept Masterplan are inconsistent with the retention of CPW.

Comment: The proposal would result in the reduction of CPW within the study area through the clearing of approximately 0.8 hectares of the lowest quality vegetation on site. This vegetation occurs in a highly disturbed drainage line, which is currently grazed by cattle, and invaded by weeds, with very little native understorey or mid-storey, and in areas adjacent to existing access roads, and is already highly dissected. The proposal is therefore not likely to result in the isolation of currently interconnecting or proximate areas of CPW.

The majority of the best quality CPW (5.6 ha) will be retained and improved within open space zones and managed within riparian corridors. Accordingly, it is considered likely that the planning proposal will have a net positive impact on these areas as the result of the exclusion of grazing pressures and benefit from the proposed conservation of this part of the site.

Assessments of significance under the TSC Act and EPBC Act have been undertaken for CPW and other threatened ecological communities/species in regard to the impacts of the proposal. These assessments of significance concluded that the proposal is unlikely to have a significant impact on threatened biodiversity and therefore, offsetting is unlikely to be required.

- **Flood Risk Assessment:** OEH requested Council compare the results of the Development Consultant's Flood Impact Assessment Report (March 2015) with the 2013 Blairmount Locality Study prepared for the broader catchment, in order to help set the footprint of proposed development on site and set appropriate development controls.

Comment: Council has reviewed the flood risk assessment studies for the site and is satisfied that development of the site as indicated in the planning proposal would be consistent with the principles of the Floodplain Development Manual 2005 and would not result in the land identified for seniors living, business park or residential being classified as flood prone land, or land that is land susceptible to flooding by the PMF event within the Monastery creek system. Accordingly, there are no flooding issues identified that would preclude development within these areas. Future design details of buildings, road and drainage systems will need to be submitted at DA stage in compliance with Council's flood and stormwater engineering requirements.

- **Aboriginal Cultural Heritage:** OEH requested the completion of additional archaeological and cultural assessment studies to inform the planning process. This includes consultation with Aboriginal stakeholders to explore options for conserving areas of Aboriginal heritage significance.

Comment: The Aboriginal community has been involved in the preparation of this planning proposal, including a joint inspection of the site with the proponent's archaeological consultant to identify and assess the significance of any potential Aboriginal sites/objects on the land. This work has directly informed the planning proposal by determining areas of potential Aboriginal significance on the site and modifying development outcomes to conserve these sensitive areas.

The Aboriginal Heritage Due Diligence Assessment prepared by the proponent's heritage consultants (Niche) involved a physical inspection of the land with Aboriginal representatives and included consideration of the landscape context, soil geology, hydrology characteristics, land use history, and the Aboriginal Heritage Information Management System (AHIMS). The AHIMS search confirmed that there are no registered Aboriginal sites within the subject area, with the closest registered sites being approximately 450m to the southwest and 500m to the west of the Maryfields site.

The assessment identified that the majority of the site has low potential for Aboriginal sites or objects due to the terrain characteristics, distance from water sources and/or historical land disturbance. However, land adjacent to the creek lines was considered to have high potential to contain Aboriginal sites and/or objects given proximity to a water source and less ground disturbance. It is noted that the riparian areas are generally excluded from future development under the planning proposal due to ecological and flooding constraints.

The field inspection supporting the assessment was undertaken by Amanda Atkinson (Niche archaeologist), Glenda Chalker (Cubbitch Barta) and Kirsty-Lee Chalker (Cubbitch Barta). The key finding of the field work was the identification of an Aboriginal artefact (Maryfields AS1) located on a terrace adjacent to the central creek line. In addition, the surrounding land of approximately 1000 m² in area on the northern (higher) side of the creek line has been nominated as a potential archaeological deposit (PAD) to recognise the potential for sub-surface intact Aboriginal artefacts within this portion of the site.

The findings of the assessment have directly informed the planning proposal by conserving the PAD site clear of future development on the accompanying masterplan. In this respect, archaeological investigations (as requested by OEH) would be required for any future proposed works which have the potential to impact the defined extent of the PAD. It is therefore considered that this issue can be more appropriately addressed at the development application stage when details of proposed works are known, and would include where relevant the requirement for an Aboriginal Heritage Impact Permit to be issued under the *National Parks and Wildlife Act 1974* prior to any impacting works proceeding.

As such, the completion of additional archaeological and cultural assessment studies at this stage is not considered practical or necessary given the assessment work and consultation already undertaken with Aboriginal stakeholders to inform the planning proposal having regard to Aboriginal heritage issues.

- **European Heritage:** OEH (Heritage Division) has advised that it has no objection to the proposed rezoning as it affects the Stations of the Cross which is listed within Schedule 1 Heritage items and heritage conservation areas of Campbelltown (Urban Area) Local Environmental Plan 2002. However, it has requested that any impacts on potential archaeology are thoroughly investigated prior to the finalisation of the planning proposal.

Comment: The proposed rezoning and revised heritage curtilage are informed by a Heritage Impact Statement dated December 2013 and a Conservation Management Plan (CMP) dated May 2015, both prepared by Perumal Murphy Alessi. The proposed zoning of the item to RE2 Public Recreation will retain the statues and landscape elements within an open rural setting, as recommended by the CMP. Further, it is noted the CMP has identified that the archaeological potential of the area around the statues is low or highly disturbed. Accordingly, archaeological investigations are not considered warranted given the low archaeological potential of the site, restrictions for development under the proposed RE2 zone, and the environmental safeguards in place under the revised heritage curtilage and CMP.

4. Environment Protection Authority (EPA)

The EPA has not raised any objection to the planning proposal and has provided routine comments for Council's consideration on the following issues:

- air quality
- water quality
- noise
- waste management
- land contamination.

Comment: The above issues have been considered in the assessment of the planning proposal and have either been satisfactorily addressed or will be considered and resolved at the DA stage for subdivision and building works on site.

5. Agencies with no objection

The following agencies have advised that they have no objection to the proposal and/or have provided routine comments on development assessment issues that can be appropriately addressed at DA Stage for future road, building and subdivision works:

- NSW Rural Fire Service
- NSW Department of Education
- Endeavour Energy
- Camden Council
- Sydney Water
- Telstra
- UrbanGrowth NSW
- Water NSW (formerly Sydney Catchment Authority and State Water)
- Western Sydney University.

6. Resident submissions

Council received three submissions from residents located in Blair Athol. One of these submissions included a petition with signatures from 73 residences (or 98 separate signatures) in Blair Athol.

The concerns raised by the residents all related to potential traffic impacts on the existing road network of Blair Athol. A summary of the concerns and a comprehensive response is provided below.

Resident 1/Petition

- request all vehicular access to be from Narellan Road only
- current infrastructure not designed for this sort of development
- residential cars have to pull in and out of our driveways several times a day, causing unnecessary delays to all residents in Blair Athol
- hopes of a quiet and peaceful locality will be shattered
- impacts on Aldi intersection roundabout (Kraal/Blaxland).

Resident 2

- council is making a short cut from Narellan Road to Maryfields Road causing a major increase in traffic flow in that area.

Resident 3

- impacts on the Kraal Drive intersection/Blaxland Road intersection
- noise impacts from additional traffic through Blair Athol
- additional travel time impacts for Blair Athol residents
- consider allowing access through to Narellan Road.

Comment: The concept masterplan that supports the draft planning proposal provides a road pattern that deliberately eliminates the opportunity for through traffic moving between Narellan Road and Blair Athol (except public bus connections). In this respect, only the proposed residential precincts would be serviced from Maryfields Drive, Blair Athol (with no access to Narellan Road). This road design limitation has been supported by Council and the RMS given that it will significantly reduce the volume of private vehicles moving through the Blair Athol road network.

It is anticipated that approximately 590 dwellings on the subject land would utilise the Blair Athol road network, which would result in some amenity impacts for existing residents. The intersections servicing the proposed development, on the perimeter of the Blair Athol estate, are noted to all have been constructed with provision to service expanded development.

The detailed traffic modelling undertaken by the proponent's traffic consultants, and peer reviewed by Council's traffic engineers and the NSW Roads and Maritime Service, has determined that traffic increases will be within the design capacity of the existing road network. In particular, the traffic analysis included an examination of the performance of the existing intersections identified in the resident submissions:

- Maryfields Drive/The Kraal Drive
- Maryfields Drive/Gabriel Circuit
- Blaxland Road/The Kraal Drive/Farrow Road.

Traffic modelling results that show the likely performance of the abovementioned intersections after the proposed development is in place (year 2026) is shown in the following table:

Scenario	Peak	Demand Flow (veh/h)	Level of Service	Ave Delay (sec)
Blaxland Rd The Kraal Drive Farrow Rd				
Without development	AM	3,886	C	32
	PM	4,365	D	45
With Development	AM	4,197	D	50
	PM	4,719	D	54
Maryfields Drive / Gabriel Circuit				
Without development	AM	72	A	4
	PM	75	A	4
With Development	AM	343	A	6
	PM	355	A	4
Maryfields Drive / The Kraal Drive				
Without development	AM	162	A	4
	PM	153	A	4
With Development	AM	698	A	5
	PM	709	A	5

The intersection modelling confirms that the above intersections would continue to operate at an acceptable level of service should the development proceed. In this respect it is noted that the only intersection upgrade works identified at this time relate to the Narellan Road intersection to the site servicing the proposed business park and seniors living precincts.

7. Agencies with no response

Council also advised the following government agencies and service providers of the public exhibition of this planning proposal but has not received any comments:

- Telstra
- NSW Department of Family and Community Services
- NSW Dam Safety Committee
- Cubbitch Barta Native Title Claimants
- Tharawal Local Aboriginal Land Council
- AGL Energy Limited
- Interline Bus Services Pty Limited
- Busabout
- NSW Health.

The planning process cannot continue to be frustrated by the lack of response from Agencies/Authorities, a point which has been laboured with the DP&E and inquiries into land and housing supply.

Conclusion

The subject planning proposal is considered to have broad strategic planning merit and has been generally supported by Council given the potential to provide sustainable environmental, heritage, housing and employment growth outcomes in a manner which is consistent with the strategic direction of Campbelltown as a Regional City Centre.

The proposed land use outcomes are considered to appropriately respond to the urban context and environmental qualities of the site, having regard to integration of low density housing with the Blair Athol residential suburb to the north, the compatibility of higher density business park and urban housing outcomes with the Western Sydney University site to the south, and the conservation of open space, riparian and heritage areas across the Narellan Road frontage.

Given the broad strategic planning merits of the proposal and public consultation outcomes it is recommended that Council endorse the Maryfields Planning Proposal in its current form and forward to the Department of Planning and Environment for making.

Attachments

1. Draft Maryfields Planning Proposal (contained within this report)
2. Planning Proposal Maryfields (contained within this report)
3. Submissions received from Blair Athol Residents (contained within this report)



8.2 Draft Maryfields Planning Proposal

Reporting Officer

Senior Strategic Planner
City Development

Community Strategic Plan

Objective	Strategy
2. A Strong Local Economy	2.1 Encouragement of balanced development within the city

Officer's Recommendation

That Council endorse the draft Maryfields Planning Proposal and associated documentation for public exhibition in accordance with the amended determination of the Gateway Panel.

Purpose

To update Council on the amended Gateway Panel Conditions issued by the Department of Planning and Environment relating to the Maryfields Planning Proposal.

To request Council's approval to exhibit the Maryfields Planning Proposal in accordance with the amended Gateway Panel Conditions.

Report

The subject planning proposal relates to the site known as Maryfields, located at the intersection of Narellan Road and the Hume Motorway used for religious activities by the Franciscan Friars and Poor Clare Nuns. The proposed rezoning of the site is to allow for a mix of land uses, comprising a business park, residential development, seniors living precinct and private open space/heritage areas.

The proposal is considered to have broad strategic planning merit and has been generally supported by Council given the significant potential of this centrally located precinct to facilitate housing, employment and business growth for the Campbelltown/Macarthur regional city centre.

Council at its meeting held 3 June 2014, considered a detailed report on the draft proposal and endorsed the submission of the Planning Proposal to the NSW Department of Planning and Environment (DPE) for determination by the Gateway Panel. A gateway determination was subsequently issued on the 8 December 2014, which permitted the draft planning proposal to proceed in accordance with a number of conditions. Additional work was undertaken to address the conditions, including the refinement of a number of technical studies and preliminary consultation with State Government Agencies to better inform the draft Maryfields Planning Proposal.

Ordinary Council Meeting

09/05/2017

Council at its meeting held 27 October 2015, considered a report on the draft proposal (refer to attachment 1) and resolved as follows:

1. That Council endorse the draft Maryfields Planning Proposal and associated documentation for public exhibition in accordance with the determination of the Gateway Panel.
2. That Council refer the draft planning proposal to NSW Planning and Environment for confirmation that all required conditions of the Gateway Determination have been met to allow public exhibition.
3. That Council continue the preparation of an accompanying site specific Development Control Plan for the Maryfields site for consideration and approval by Council prior to the public exhibition of the draft Maryfields Planning Proposal.

On 11 November 2015, Council staff provided a detailed response to the Department of Planning and Environment addressing the gateway conditions and requesting confirmation that the public exhibition of the proposal could proceed. Council included supporting comments from Roads and Maritime Services (RMS) to justify variation of certain traffic requirements relating to internal circulation, impact assessment, and preparation of a draft Voluntary Planning Agreement (VPA) prior to public exhibition of the proposal.

On 10 March 2016, Council received a letter of response from the DPE that did not concur with the justification provided to vary the Gateway conditions. Protracted negotiations subsequently occurred between the proponent, Council, RMS and DPE to address the specific requirements of the Gateway determination in order to advance the public exhibition of the planning proposal. As a result of these negotiations, the DPE responded to the information provided by Council and the RMS by amending the Gateway conditions on two separate occasions (attachments 2 and 3).

A brief description of each amendment is provided as follows:

- first amendment dated 15 August 2016 (refer to attachment 2): extension of timeframe for completion of the planning proposal to 15 June 2017, and removal of the requirement for private vehicles to be linked directly with Blair Athol
- second amendment dated 3 March 2017 (refer to attachment 3): removing the requirement for state and regional infrastructure provision to be identified prior to exhibition of the planning proposal, and exhibited in the form of a draft voluntary planning agreement concurrently with the planning proposal.
- on 21 March 2017, council staff met with the RMS, Transport for NSW and the proponent to discuss the draft Maryfields planning proposal in light of the amendment by the Department of Planning and Environment to the Gateway Conditions of 3 March 2017. In this respect, previous advice provided by the RMS (dated 31 January 2017) was formulated on the basis of the former wording of Gateway Condition No.3, which required a Voluntary Planning Agreement (VPA) to be drafted and exhibited at the same time as the planning proposal. Hence the need for any required regional road infrastructure works to be identified upfront and agreed to by the RMS, prior to the public exhibition of the planning proposal.

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- on 5 April 2017, the RMS advise Council in writing that no objection was raised to any regional road and infrastructure provision being identified, agreed to and included in a VPA following the exhibition period of the planning proposal and prior to any development approval in accordance with the recently modified Gateway Conditions.

The amendments to the gateway conditions now provide the opportunity for the exhibition of the draft planning proposal to proceed. It is noted that the amended conditions of the gateway determination require further work to be undertaken with respect to investigating state and regional infrastructure provision that may be required as a result of future development in accordance with the planning proposal. This will include formal consultation with other infrastructure agencies during the public exhibition period.

Importantly, the gateway conditions maintain the requirement for the subject land to be nominated under Part 6 of Council's LEP as an Urban Release Area. This part requires adequate arrangements to be in place for any required infrastructure prior to development occurring on the land, including a Development Control Plan (DCP) being in place to provide for the staging of necessary infrastructure. As such, further work on the site specific DCP will be required post exhibition, to properly consider and address any issues identified during the exhibition period that may be raised by the community and relevant infrastructure agencies.

The draft planning proposal and importantly the intent of the proposal, remains substantially the same as considered by Council at its meeting held 27 October 2015. A further report will be provided for Council's consideration on the matter following the public exhibition of the proposal. As such, Council is requested to endorse the draft Maryfields Planning Proposal for public exhibition in accordance with the amended gateway determination.

Attachments

1. Planning and Environment Committee Report of 20 October 2015 and Minutes of the Ordinary Meeting of Council of 27 October 2015 (contained within this report)
2. Amendment No. 1 Gateway Determination dated 15 August 2016 (contained within this report)
3. Amendment No. 2 Gateway Determination dated 3 March 2017 (contained within this report)

2.2 Planning Proposal - Maryfields

Reporting Officer

Manager Environmental Planning

Attachments

1. Draft Maryfields Planning Proposal and supporting documents (distributed under separate cover due to size of document)
2. Proposed amendments to draft CLEP 2014 - B7 Business Park Zone and R3 minimum qualifying site area and lot size (contained within this report)

Purpose

The purpose of this report is to request Council's endorsement to publicly exhibit the draft Maryfields Planning Proposal.

History

At its meeting of 3 June 2014, Council endorsed a draft planning proposal relating to the site known as "Maryfields", located at the intersection of Narellan Road and the Hume Motorway currently used for religious activities by the Franciscan Friars and Poor Clare Nuns. A copy of the draft planning proposal and associated planning documentation was subsequently forwarded to the NSW Department of Planning and Infrastructure (now known as NSW Planning and Environment) for determination by the Gateway Panel.

The draft planning proposal requested the rezoning of the site to allow for a mix of land uses, including a business park, residential development, seniors living precinct and private open space/heritage areas. The report considered by Council outlined the strategic planning merits of the proposal, having regard to the significant potential of this centrally located precinct to facilitate housing, employment and business growth for the Campbelltown/Macarthur regional city centre.

On 8 December 2014, Council received a favourable Gateway Determination from the NSW Planning and Environment that permitted the draft planning proposal to proceed in accordance with a number of conditions. These conditions included the preparation and revision of a number of technical studies that have now been completed and form the basis of the final draft Maryfields Planning Proposal. However, the covering letter to the Gateway Determination required the revised planning proposal to be referred back to NSW Planning and Environment prior to public exhibition. A copy of the final draft Maryfields Planning Proposal is included as Attachment 1.

On 7 August 2015 Council issued a subdivision development consent 366/2015 for the land to allow the reconfiguration of the existing allotments to generally align with the precincts nominated under the concept masterplan accompanying the draft planning proposal. The development consent issued by Council also provided approval for the restoration and realignment of the heritage listed Stations of the Cross in accordance with an updated Conservation Management Plan prepared for the site. The proponent has anticipated that works under this consent would be completed by March 2016.

A briefing to Councillors on the status of the draft Maryfields Planning Proposal was undertaken on 29 September 2015.

This report outlines the work undertaken and amendments made to address the requirements of Council and the conditions of the Gateway Determination, and recommends that Council endorse the public exhibition of the draft Maryfields Planning Proposal.

Report

Property Description/Ownership:

Lot 2 DP 569795	Franciscan Order
Lot 12 DP 829093	Trustees Poor Clare Collettines
Lot 11, 12 and 13 DP 1198323	Franciscan Order
Lot 13 DP 1034409	Trustees of the Franciscan Friars.

Applicant: Capital Syndications

The Site

The subject land comprises six adjoining allotments located on the north-eastern junction of Narellan Road and the Hume Motorway. The land is irregular in shape with a total area of approximately 44 hectares, and main frontage to Narellan Road of approximately 800 metres in length.

The property is bounded by the Hume Motorway to the north-west, Maryfields Drive and the residential suburb of Blair Athol to the north-east, Narellan Road to the south and public open space (John Kidd Reserve) to the south-east.

The land is under the ownership of the Trustees Association of the Franciscan Order of Friars (Friars) and the Trustees Poor Clare Collettines (Poor Clare Nuns).

Existing development on the site is limited, with the two main buildings being the Poor Clare Nuns Bethlehem Monastery located at the central rear, and Friars Residence building sited near the eastern boundary. There is also a guest residence, an asphalt parking area and small cemetery near to the Monastery building, and a caretakers cottage and meeting hall located in the south-western portion of the site. Vehicular access is provided to the existing buildings from an internal driveway which loops around the site from two separate access points to Narellan Road.

A series of terracotta religious statues known as the 'Stations of the Cross' are also located towards the front of the property on Lot 1 DP 247902, and are listed as a heritage item of local significance in the Campbelltown (Urban Area) Local Environmental Plan, 2002.

Views into the site are largely restricted or filtered along approximately 600 metres of the edge of Narellan Road by remnant woodland screening. Views are almost completely restricted along the Hume Motorway due to the topography of land between the roadside and western property boundary, and the dense vegetation along this edge which continues at the Narellan Road corner and the majority of the Narellan Road frontage. The only significant vista occurs where there is a 200 metre long cleared area opposite the Western Sydney University (WSU) and Campbelltown TAFE intersection. This vista comprises a large dam in the foreground and the Bethlehem Monastery and Franciscan Friary buildings in the distance, the former being sited on a hill.

Existing Zoning

The site is subject to Campbelltown (Urban Area) Local Environmental Plan 2002 (LEP 2002). Five of the six parcels that comprise Maryfields Estate are zoned 5(a) Special Uses - Monastery Zone and cover approximately 96% of the site.

The remaining parcel (being Lot 2, DP 569795) is understood to be the residue of former NSW government land acquired during the boundary readjustment process associated with the historical widening of the adjacent Hume Motorway. It is a land-locked wedge-shaped 1.964ha parcel and is zoned 6(a) Local Open Space.

Under the draft CLEP 2014, the Maryfields site is proposed to be included as "Deferred Matters", meaning that the existing zone provisions under LEP 2002 would continue to apply to the subject land.

Overview of draft Planning Proposal

A copy of the draft Maryfields Planning Proposal is provided as attachment 1. The proposal aims to rezone the subject land under draft CLEP 2014 to permit the range of land uses generally identified under the accompanying Concept Masterplan. This masterplan generally divides the site into four broad areas of land use, comprising residential areas located in the north and east (adjacent to the suburb of Blair Athol); seniors living and aged care in the west (adjacent to the Hume Motorway); business park and neighbourhood centre in the central part of the site; and the private open space/heritage areas across the front portion of the site adjacent to Narellan Road.

The indicative road layout shown under the masterplan restricts the through movement of traffic through the site between Narellan Road and Blair Athol. In this respect, the proposed residential areas would be accessed from the north via the two existing roundabouts on Maryfields Drive through the existing local road network of Blair Athol. The business park, seniors living/aged care and private recreation areas of the development would be accessed from a single access point at the reconfigured signalised intersection with Narellan Road and the WSU Access Road.

The proposal also includes an expanded heritage curtilage for the existing Stations of the Cross statues, with these items to be restored and realigned on the land in accordance with an approved Conservation Management Plan for the site under Development Consent 366/2015.

A description of the intended development outcomes and corresponding zones under the draft Planning Proposal is summarised as follows:

- **Zone B7 Business Park.** – Approximately 5.9 hectares in area, with an anticipated Gross Floor Area of 52,000m² and 1000-1200 employees. Development outcomes would be in the form of high technology based buildings at 4-storey maximum heights, generally facilitating medical and health based enterprises. The business precinct adjoins the main water body and open space area adjacent to Narellan Road and is divided by a riparian corridor of green space running east-west.

Provision has also been made with the B7 Zone for a centrally located neighbourhood shopping centre adjoining the main north-south road alignment, that is intended to serve the needs of the surrounding business park and residential/seniors living precincts. The proponent has identified that this centre could accommodate up to three separate spaces of up to 500m² in total, and that these uses might include a convenience store, café/restaurant and local newsagent.

- **Zone R2 - Low Density Residential.** Land within this zone is adjacent to Maryfields Drive and is intended to provide approximately 83 dwellings in a low scale housing outcome at the interface with existing low density residential development in Blair Athol. In this respect, development controls are to be consistent with Blair Athol, comprising a 2 storey height limit (8.5m) and minimum lot size of 500m²
- **Zone R3 - Medium Density Residential.** Land within this zone is intended to provide a diversity of housing mix of approximately 500 dwellings in close proximity to the proposed business park, neighbourhood centre, and open space areas. Dwellings within this zone would be permitted up to 9m in height and on reduced lot sizes down to 300m² where developed as integrated housing. This outcome can be achieved via an amendment to the draft CLEP
- **Zone RE2 Private Recreation.** Land within this zone is proposed to be retained within private ownership, generally associated with the adjacent Seniors Living and Business Park precincts. This zone would include provision for the retention of the ecologically sensitive areas, bushland, stormwater drainage infrastructure and the heritage listed Stations of the Cross. The heritage precinct also incorporates a public access road and interpretation centre that would be managed by the Franciscan Order and be accessible to the public
- **Zone SP2 - Seniors Living.** The approximate area of this precinct is 6.7 hectares providing for up to 500 seniors living dwellings, and an aged care facility that could accommodate up to 100 beds and employ 40 people. Maximum building height is intended to be 15 metres (4-storeys), with building footprints up to 50% of the respective site areas
- **Zone SP2 - Cemetery.** This zone preserves an existing cemetery associated with the religious land uses on the site, and is proposed to be retained by the Franciscan Order.

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

- the nomination of a revised and expanded heritage curtilage within the south western corner of the site (RE 2 zone), to reflect the Conservation Management Plan approved for the site by Council under Development Consent 366/2015
- the inclusion of respective height, floor space ratio, and minimum lot size maps that correlate with the proposed rezoning (attachment 1)

- the inclusion of a new land use clause for the B7 Business Park Zone (attachment 2)
- the inclusion of minimum qualifying site area and lot size for the R3 Medium Density Residential Zone (attachment 2).

The Concept Masterplan is to be implemented through a site specific Development Control Plan (DCP) that is being prepared in consultation with the proponent. Should Council endorse the final draft Maryfields Planning Proposal, it is intended to separately report the DCP to Council for consideration and public exhibition with the draft planning proposal.

Strategic Planning Merit of Final Draft Planning Proposal

The subject proposal has the potential to provide sustainable housing and employment growth outcomes for the Local Government Area. The site is highly accessible and centrally located in order to leave off nearby health and higher education facilities in a manner which is consistent with the strategic direction of Campbelltown as a regional city centre.

The following strategic points are presented to Council in support of the planning proposal:

- The proposal is consistent with Council's endorsement of the site under the Urban Activation Precinct Program to facilitate sustainable housing and employment growth for the City of Campbelltown
- The site presents a unique opportunity to create a high quality medicine/health based business park for the Campbelltown/Macarthur region that builds upon the synergies of the site with the WSU Faculty of Medicine, Campbelltown Public Hospital and Campbelltown Private Hospital
- The proposed land use precincts respond to the neighbourhood context of the site, having regard to assimilation of low density housing with the Blair Athol residential suburb to the north, the compatibility of higher density business park and urban housing outcomes with the Western Sydney University site to the south, and the extension of open space areas adjoining John Kidd Reserve to the east
- The proposal relates to a strategically located and significantly sized landholding that is not frustrated by fragmented ownership patterns
- Promotion of housing diversity and choice for Campbelltown residents within a strategically located site, including the provision of a purpose built living environment for seniors
- Provide opportunities for the improved long term conservation and enhancement of the heritage listed Stations of the Cross religious statues
- Enhanced conservation and management outcomes for riparian and remnant vegetation areas.

Key Planning and Assessment Issues

Traffic Impact Assessment

The Concept Masterplan that supports the draft planning proposal provides a road pattern that is deliberately intended to eliminate vehicular traffic moving between Narellan Road and Blair Athol. In this respect the proposed business park and seniors living precincts would be accessible from Narellan Road, and the proposed residential precincts would be accessible from Maryfields Drive. The Masterplan design would also allow for the seniors living precinct to be accessed from Maryfields Drive, however there would be no through road connection.

In order to address the requirements of NSW Planning and Environment, the Masterplan design does allow the potential for buses to move freely through the site between Narellan Road and Maryfields Drive at Blair Athol. If required, this could be facilitated by a controlled access point such as narrowed carriageway and boom gate. However discussions with Roads and Maritime Services (RMS) in March 2015 has determined that this requirement is not considered critical in light of the existing and new locations that buses will stop at, particularly with the Narellan Road upgrade. Nonetheless the provision for future bus access through the site has been incorporated into the concept design to allow the potential for bus services through the site.

Traffic Impact Feasibility Assessments were prepared by AECOM Australia Pty Ltd and an updated assessment was completed in early 2015. The traffic impacts assessment has been undertaken in consultation with Council and RMS, and has been based upon the upgraded status of Narellan Road, scheduled to be completed in totality over the next two to three years. This includes the construction of a new signalised 4-way intersection connecting the site with Narellan Road, and the provision of a six lane divided road between Camden Valley Way at Narellan, and Blaxland Road at Campbelltown.

In particular, the following matters were addressed within the assessment:

- the existing and approved upgrades to road network conditions within the vicinity of the site, including traffic volumes and general traffic safety, and along Narellan Road
- the likely traffic to be generated by a fully developed planning scheme as proposed, and based on RMS vehicular generation rates
- the suitability of the planning proposal access arrangements having regard to the existing traffic conditions, future traffic conditions and likely traffic generation
- the appropriateness of the proposed internal road design in relation to traffic management control and dispersal, building accessibility, vehicle manoeuvrability and traffic safety
- the likely staging of development
- the ability of the surrounding road network to accommodate the additional traffic generated by the full development realisation of the planning proposal.

The traffic assessment supports the planning proposal from a traffic viewpoint, subject to future upgrade works to the access road from Narellan Road to allow for a left-hand slip lane exit into Maryfields Estate and a three-lane exit. These works would be required to be implemented as a condition of approval for a future business park development application.

Economic Impact Assessment

The proposed business park precinct occupies a substantial area of the site, anticipated to have a gross floor area of 52,000m² and approximately 1000-1200 employees. The business precinct is also proposed to incorporate a neighbourhood retail centre intended to service the local catchment.

An economic analysis of the business park proposal was completed by SGS Economics and Planning in mid-2015. That analysis concluded that the proposed business park offers Campbelltown City the opportunity to generate different commercial activity to what is generally on offer in the Campbelltown-Macarthur business areas. In this respect, the proposed business park would likely include professional services industries and knowledge-based jobs, and thus, there is little or no functional overlap likely with the Campbelltown-Macarthur centre.

It is considered that the business park is likely to have a positive impact on the existing centre with new patronage. The clustering potential for specific sectors is also recognised and the analysis specifically identified the University and health care facilities in Campbelltown as attractors. The strategic location and landscape setting of the subject site establish very favourable conditions to encourage investment and a new mix of employment opportunities. The location would likely be attractive to employers and workers alike, thus reducing the need for many residents to travel longer distances across Sydney to work.

European Heritage

The Stations of Cross Statues are collectively listed as an item of local heritage significance under LEP 2002 given their historic, aesthetic and social significance and association with religious worship practices. The Stations of the Cross have particular historical significance to Catholics in Sydney, as the site of regular, well attended Way of the Cross ceremonies from 1936 to 1988, and occasional ceremonies since.

On 7 August 2015 Council issued development consent for the restoration and realignment of the heritage listed Stations of the Cross in accordance with an updated Conservation Management Plan (CMP) prepared for the site. Key outcomes of the CMP are summarised as follows:

- the statues will be repaired and remain on the site as visual cues and as a reminder of the significant events that occurred here. The reduced curtilage and repositioning has been carefully considered so that a sense of the "pilgrimage" and experience of rising to the 12th Station is retained and can continue to be interpreted
- the statues will continue to occupy an open grassed field with ornamental lakes and ponds, trees and plantings as their backdrop
- improved pathways and vehicular access to the site will provide better use and interpretation of these items on the site.

The proponent has anticipated that works under this consent would be completed by March 2016.

The repair and reinstatement of the statues within a reconfigured layout under the masterplan is considered to be generally beneficial from a heritage point of view. The proposed integration of the heritage listed statues within an open space area adjacent to seniors living housing would support the improved interpretation and accessibility for these items, and would be consistent with the long term conservation and management of the heritage listed Stations of the Cross statues.

Details of the revised and expanded heritage curtilage to reflect the outcomes approved under the Conservation Management Plan for the site are included within the draft planning proposal.

Hydrology

Stormwater runoff from future development is proposed to be discharged to the existing watercourses via appropriate pollution control measures. In this respect, the main dam in the south-eastern portion of the site will continue to have a dual purpose as a wet detention basin and a signature landscape element which is proposed to form part of the future business precinct site.

A Flood Impact Assessment was commissioned by the proponent in consultation with Council in late 2014 to determine the impact on hydrology flows from the planning proposal and finalised in August 2015.

The hydrological assessment has determined that there is sufficient capacity for the main front dam to carry any potential increased stormwater loads from the full development realisation of the draft planning proposal. Additionally, the development of the site as indicated in the planning proposal is considered to be generally consistent with the principles of the Floodplain Development Manual 2005 and will not result in flood prone land being utilised for seniors living, business park or residential development.

Future development applications would be required to undertake hydrological assessments in greater detail, including water quality treatment, detailed design of road crossings, and the stability of existing dam structures.

Ecology

Council has considered additional information provided by the proponent to address a number of matters raised by Council, and a summary of the assessment and recommendations is provided as follows:

- The majority of the study area comprising cleared land, paddocks, buildings and associated plantings, driveways and tracks was considered to have minimal ecological value
- Areas of highest ecological value upon this site are preserved within the corridor of lands proposed as Private Recreation Zoning
- The site exhibits a number of hollow bearing trees, which if removed would need to be considered as part of the Assessment of Significance process under the *Threatened Species Conservation Act 1995*
- The proponent has agreed to undertake further field surveys towards the end of this year for the Green and Golden Bell Frog to determine the likelihood of this species occurring on the site.

Having regard to the above outcomes, there are considered to be no ecological impediments to the planning proposal being further considered and proceeding to public exhibition.

Indigenous Heritage

The applicant has submitted an Aboriginal Heritage and Due Diligence Assessment conducted by Specialist Environment and Heritage Consultants.

The due diligence assessment involved a consideration of background and contextual information and a visual inspection of the subject area with representatives from Cubbitch Barta Native Title Claimants Aboriginal Corporation.

The findings of the assessment identified that the land adjacent to the unnamed creekline has high potential to contain Aboriginal sites and/or objects. This land is less disturbed and in proximity to a water source.

An inspection of the subject area located one Aboriginal heritage site, Maryfields AS1, which contained a broken ground-edge axe. The site inspection also located an area of Potential Archaeological Deposits (PAD), Maryfields PAD1, adjacent to Maryfields AS1.

Maryfields PAD1 has been identified in an area proposed as a future business precinct.

If future ground disturbance to either Maryfields PAD or AS1 cannot be avoided, further investigations and an Aboriginal Heritage Impact Permit would be required. These issues could be effectively managed in consultation with Office of Environmental and Heritage (OEH) and would not preclude the rezoning process proceeding at this stage.

Bushfire

The applicant has provided a Bushfire Constraints Assessment Report for the proposed rezoning of the land, prepared by Australian Bushfire Protection Planners Pty Limited.

A section of the eastern portion of the land within the proposed residential precinct of the site is identified as containing the buffer zone to bushfire prone vegetation located within the adjoining John Kidd Reserve.

This Bushfire Constraints Assessment undertakes an assessment of the bushfire protection measures required to address the bushfire risk to the proposed residential precinct, seniors living precinct and business park precinct, consistent with the deemed-to-satisfy provisions of Planning for Bushfire Protection 2006.

The report considers the characteristics of the site, together with the fire protection measures recommended, and concludes that the rezoning and subsequent subdivision of the land for residential, seniors living and commercial development is suitable in terms of bushfire risk. It is considered therefore that the issue of bushfire risk could be effectively managed through the rezoning process and subsequent development assessment.

Servicing

Reports provided by the applicant indicate that there are no servicing issues that would preclude the rezoning of the site, and are summarised as follows:

Sewerage - gravity drainage of all ground floor areas can be achieved by utilising the 3 existing Sewer Drainage connections. A meeting was held on 4 December 2013 with Sydney Water's Growth Strategy Team. It was concluded that the proposed systems work from a gravity point of view. Additional studies would need to be carried out to assess the impact on the existing infrastructure beyond the property boundaries and confirm servicing capability.

Water Supply - it was concluded that water can be supplied to the proposed site. However, additional studies would need to be carried out to assess the impact on the existing Infrastructure beyond the Property Boundaries.

Natural Gas - gas can be supplied to the proposed site. Additional studies would need to be carried out to assess the impact on the existing Infrastructure beyond the property boundaries and confirm service capability.

Conclusion

The subject draft planning proposal presents a unique opportunity to promote housing and employment opportunities on a strategically important site within the Campbelltown LGA. The site is strategically well placed as it has strong connections to road and rail infrastructure, and is in close proximity to the Campbelltown/Macarthur central business areas, and would contribute towards the centre's status and viability as a Regional City Centre.

The business park concept reflects the synergies of the site with existing surrounding development and infrastructure, namely the regionally significant public and private hospitals and tertiary educational facilities.

The proposed rezoning of the land is consistent with Council's recent endorsement of the site for inclusion under the Urban Activation Precinct Program, which endorsed the site for housing and employment growth in conjunction with the adjacent Western Sydney University and Campbelltown TAFE sites and underutilised industrial land in Blaxland Road.

The preparation of all the planning documentation for the rezoning of the Maryfields site has been completed. This documentation includes the final draft Maryfields Planning Proposal and associated technical studies.

If this draft planning proposal is supported by Council, the draft planning proposal will be referred to NSW Planning and Environment as required by the Gateway Determination, to confirm that all conditions have been satisfied prior to placing the draft Planning Proposal on public exhibition.

While this confirmation takes place, Council staff will continue to prepare a site specific DCP and subsequent report to Council for the public exhibition of the draft DCP.

This approach will enable the draft planning proposal and draft DCP to be exhibited concurrently.

Officer's Recommendation

1. That Council endorse the draft Maryfields Planning Proposal and associated documentation for public exhibition in accordance with the determination of the Gateway Panel.
2. That Council refer the draft planning proposal to NSW Planning and Environment for confirmation that all required conditions of the Gateway Determination have been met to allow public exhibition.
3. That Council continue the preparation of an accompanying site specific Development Control Plan for the Maryfields site for consideration and approval by Council prior to the public exhibition of the draft Maryfields Planning Proposal.

Committee's Recommendation: (Rowell/Oates)

That the Officer's Recommendation be adopted.

CARRIED

Council Meeting 27 October 2015 (Greiss/Kolkman)

That the Officer's Recommendation be adopted.

Council Resolution Minute Number 187

That the Officer's Recommendation be adopted.

Ordinary Council Meeting

09/05/2017



16/09286

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

Dear Ms Deitz

Planning Proposal PP_2014_CAMPB_001_00 Alteration of Gateway Determination

I refer to Council's request dated 28 June 2016, and discussions with Council seeking an amendment to Condition 5 and an extension of time to complete the above planning proposal.

I have determined as the delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination for PP_2014_CAMPB_001_00. The Alteration of the Gateway Determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Ms Michelle Dellagiacoma to assist you. Ms Dellagiacoma can be contacted on (02) 9860 1527.

Yours sincerely

SIGNATURE HAS BEEN
REMOVED

15 August 2016
Stephen Murray
Executive Director, Regions
Planning Services

Ordinary Council Meeting

09/05/2017

Planning &
Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP 2014 CAMPB 001 00)

I, the Executive Director, Regions at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 8 December 2014 for the proposed amendment to the *Campbelltown Local Environmental Plan 2015* as follows:

1. Delete:

condition 12

and replace with:

a new condition 12 "The timeframe for completing the LEP is by 15 June 2017"

2. Delete:

condition 5

and replace with:

new condition 5 "Council is to ensure that the internal network improves connectivity within the site and between the site and the University of Western Sydney. Connectivity is to be improved between the site and the residential neighbourhood of Blair Athol for cyclists, pedestrians and, if required, for buses".

Dated

15th

day of

August

2016

SIGNATURE HAS BEEN
REMOVED

Stéphen Murray
Executive Director, Regions
Planning Services
Department of Planning and Environment
Delegate of the Greater Sydney Commission

Ordinary Council Meeting

09/05/2017

Planning &
Environment

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

Dear Ms Deitz

**Planning Proposal PP_2014_CAMPB_001_00 Alteration of Gateway
Determination to amend Campbelltown Local Environmental Plan 2015**

I refer to Council's previous requests and discussions seeking an amendment to Condition 3 of the Gateway determination issued for planning proposal PP_2014_CAMPB_001_00, which seeks to rezone a 44 hectare site, known as "Maryfields", located at 168 – 192 Narellan Road, Campbelltown.

I have determined as the delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination for PP_2014_CAMPB_001_00. The Alteration of the Gateway Determination is enclosed.

Council should note that should infrastructure requirements involve substantial changes to the proposal, Council may need to consider re-exhibition of the proposal.

If you have any questions in relation to this matter, I have arranged for Ms Michelle Dellagiacoma of this Office to assist you. Ms Dellagiacoma can be contacted on (02) 9860 1527.

SIGNATURE HAS
BEEN REMOVED

SIGNATURE HAS BEEN
REMOVED

03/03/17

Catherine Van Laeren
Director, Sydney Region West
Planning Services

Department of Planning & Environment
Sydney Region West | Level 5 | 10 Valentine Avenue | Parramatta | GPO Box 39 Sydney NSW 2001 | T 02 9860 1560
www.planning.nsw.gov.au

Ordinary Council Meeting

09/05/2017



Planning &
Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP 2014 CAMPB 001 00)

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 8 December 2014 (as amended on 15 August 2016) for the proposed amendment to the *Campbelltown Local Environmental Plan 2015* as follows:

1. Delete:

'condition 3'
and replace with:

a new condition 3:

'Council is to consult with infrastructure agencies to determine site requirements for the purposes of state and regional infrastructure provision. The land needs to be identified as an Urban Release Area; this enables satisfactory arrangements provisions to apply to this proposal. The satisfactory arrangements can take the form of a Voluntary Planning Agreement between the proponent and other relevant agencies and should ensure that any development of the land occurs at no cost to government. The draft voluntary planning agreement would need to be in place before any development approval is granted.'

Date 3rd day of March 2017

SIGNATURE HAS BEEN REMOVED

Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment
Delegate of the Greater Sydney Commission

8.2 Draft Maryfields Planning Proposal

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

That Council endorse the draft Maryfields Planning Proposal and associated documentation for public exhibition in accordance with the amended determination of the Gateway Panel.

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

Voting against the Resolution were Nil.

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

At the conclusion of the discussion regarding Item 8.2, Councillor Bricevic returned to the Chamber for the remainder of the meeting and reassumed the Chair.

Meeting Note: Ms Flood addressed the meeting in regard to Item 8.3.

Campbelltown City Council – Planning Proposal for Maryfields

Name of Proposal

Amendment of Campbelltown Local Environmental Plan 2015 – Proposed Rezoning of Maryfields, Narellan Road, Campbelltown.

Background

The subject planning proposal relates to the site known as Maryfields, located at the intersection of Narellan Road and the Hume Motorway used for religious activities by the Franciscan Friars and Poor Clare Nuns. The proposed rezoning of the site is to allow for a mix of land uses, comprising a business park, residential development, seniors living precinct and private open space/heritage areas.

The proposal is considered to have broad strategic planning merit and has been generally supported by Council given the significant potential of this centrally located precinct to facilitate housing, employment and business growth for the Campbelltown/Macarthur regional city centre.

Council at its meeting held 3 June 2014, considered a detailed report on the draft proposal and endorsed the submission of the Planning Proposal to the NSW Department of Planning and Environment (DPE) for determination by the Gateway Panel. A gateway determination was subsequently issued on the 8 December 2014, which permitted the draft planning proposal to proceed in accordance with a number of conditions. Additional work was undertaken to address the conditions, including the refinement of a number of technical studies and preliminary consultation with State Government Agencies to better inform the draft Maryfields Planning Proposal.

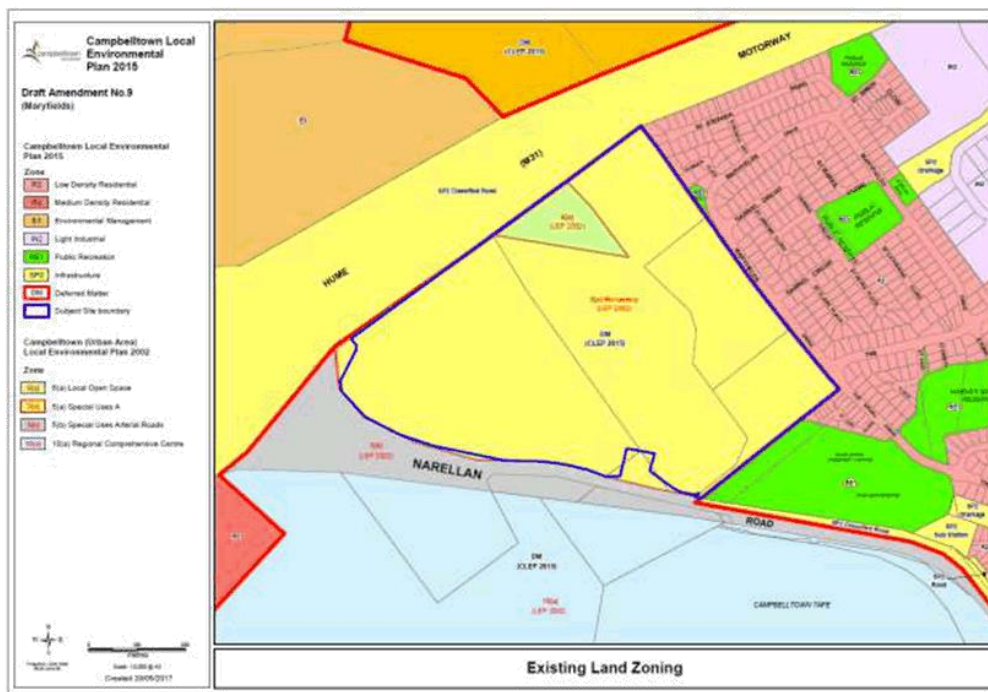
The Gateway Conditions were amended by DPE on 15 August 2016 and 3 March 2017 which allowed for the exhibition of the draft PP to proceed. At its meeting of 9 May 2017, Council considered a report on the matter and endorsed the draft Maryfields Proposal and associated documentation for public exhibition in accordance with the amended Gateway determination conditions. The subject Planning Proposal, and associated documentation, was formally exhibited by Council between 8 June 2017 and 7 July 2017.

The subject planning proposal relates to land of approximately 44 hectares in area located at the junction of Narellan Road and the Hume Motorway, Campbelltown. The site is shown in Figure 1 and comprises Lots 1 - 6 (inclusive) in Deposited Plan 1213869.

A topographic map of Lot 6 DP 1024090, which is outlined in red. The map shows six proposed lots numbered 1 through 6, each with its area in hectares (ha) and various elevation points. Lot 1 is 6 ha, Lot 2 is 4.6 ha, Lot 3 is 3.5 ha, Lot 4 is 8.3 ha, Lot 5 is 12.6 ha, and Lot 6 is 8.8 ha. The map includes contour lines indicating elevation, with labels such as 70, 80, 90, 100, 110, 120, 130, 140, 150, 160, 170, 180, 190, 200, 210, 220, 230, 240, 250, 260, 270, 280, 290, 300, 310, 320, 330, 340, 350, 360, 370, 380, 390, 400, 410, 420, 430, 440, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, 570, 580, 590, 600, 610, 620, 630, 640, 650, 660, 670, 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 780, 790, 800, 810, 820, 830, 840, 850, 860, 870, 880, 890, 900, 910, 920, 930, 940, 950, 960, 970, 980, 990, 1000, 1010, 1020, 1030, 1040, 1050, 1060, 1070, 1080, 1090, 1100, 1110, 1120, 1130, 1140, 1150, 1160, 1170, 1180, 1190, 1200, 1210, 1220, 1230, 1240, 1250, 1260, 1270, 1280, 1290, 1300, 1310, 1320, 1330, 1340, 1350, 1360, 1370, 1380, 1390, 1400, 1410, 1420, 1430, 1440, 1450, 1460, 1470, 1480, 1490, 1500, 1510, 1520, 1530, 1540, 1550, 1560, 1570, 1580, 1590, 1600, 1610, 1620, 1630, 1640, 1650, 1660, 1670, 1680, 1690, 1700, 1710, 1720, 1730, 1740, 1750, 1760, 1770, 1780, 1790, 1800, 1810, 1820, 1830, 1840, 1850, 1860, 1870, 1880, 1890, 1900, 1910, 1920, 1930, 1940, 1950, 1960, 1970, 1980, 1990, 2000, 2010, 2020, 2030, 2040, 2050, 2060, 2070, 2080, 2090, 2100, 2110, 2120, 2130, 2140, 2150, 2160, 2170, 2180, 2190, 2200, 2210, 2220, 2230, 2240, 2250, 2260, 2270, 2280, 2290, 2300, 2310, 2320, 2330, 2340, 2350, 2360, 2370, 2380, 2390, 2400, 2410, 2420, 2430, 2440, 2450, 2460, 2470, 2480, 2490, 2500, 2510, 2520, 2530, 2540, 2550, 2560, 2570, 2580, 2590, 2600, 2610, 2620, 2630, 2640, 2650, 2660, 2670, 2680, 2690, 2700, 2710, 2720, 2730, 2740, 2750, 2760, 2770, 2780, 2790, 2800, 2810, 2820, 2830, 2840, 2850, 2860, 2870, 2880, 2890, 2900, 2910, 2920, 2930, 2940, 2950, 2960, 2970, 2980, 2990, 3000, 3010, 3020, 3030, 3040, 3050, 3060, 3070, 3080, 3090, 3100, 3110, 3120, 3130, 3140, 3150, 3160, 3170, 3180, 3190, 3200, 3210, 3220, 3230, 3240, 3250, 3260, 3270, 3280, 3290, 3300, 3310, 3320, 3330, 3340, 3350, 3360, 3370, 3380, 3390, 3400, 3410, 3420, 3430, 3440, 3450, 3460, 3470, 3480, 3490, 3500, 3510, 3520, 3530, 3540, 3550, 3560, 3570, 3580, 3590, 3600, 3610, 3620, 3630, 3640, 3650, 3660, 3670, 3680, 3690, 3700, 3710, 3720, 3730, 3740, 3750, 3760, 3770, 3780, 3790, 3800, 3810, 3820, 3830, 3840, 3850, 3860, 3870, 3880, 3890, 3900, 3910, 3920, 3930, 3940, 3950, 3960, 3970, 3980, 3990, 4000, 4010, 4020, 4030, 4040, 4050, 4060, 4070, 4080, 4090, 4100, 4110, 4120, 4130, 4140, 4150, 4160, 4170, 4180, 4190, 4200, 4210, 4220, 4230, 4240, 4250, 4260, 4270, 4280, 4290, 4300, 4310, 4320, 4330, 4340, 4350, 4360, 4370, 4380, 4390, 4400, 4410, 4420, 4430, 4440, 4450, 4460, 4470, 4480, 4490, 4500, 4510, 4520, 4530, 4540, 4550, 4560, 4570, 4580, 4590, 4600, 4610, 4620, 4630, 4640, 4650, 4660, 4670, 4680, 4690, 4700, 4710, 4720, 4730, 4740, 4750, 4760, 4770, 4780, 4790, 4800, 4810, 4820, 4830, 4840, 4850, 4860, 4870, 4880, 4890, 4900, 4910, 4920, 4930, 4940, 4950, 4960, 4970, 4980, 4990, 5000, 5010, 5020, 5030, 5040, 5050, 5060, 5070, 5080, 5090, 5100, 5110, 5120, 5130, 5140, 5150, 5160, 5170, 5180, 5190, 5200, 5210, 5220, 5230, 5240, 5250, 5260, 5270, 5280, 5290, 5300, 5310, 5320, 5330, 5340, 5350, 5360, 5370, 5380, 5390, 5400, 5410, 5420, 5430, 5440, 5450, 5460, 5470, 5480, 5490, 5500, 5510, 5520, 5530, 5540, 5550, 5560, 5570, 5580, 5590, 5600, 5610, 5620, 5630, 5640, 5650, 5660, 5670, 5680, 5690, 5700, 5710, 5720, 5730, 5740, 5750, 5760, 5770, 5780, 5790, 5800, 5810, 5820, 5830, 5840, 5850, 5860, 5870, 5880, 5890, 5900, 5910, 5920, 5930, 5940, 5950, 5960, 5970, 5980, 5990, 6000, 6010, 6020, 6030, 6040, 6050, 6060, 6070, 6080, 6090, 6100, 6110, 6120, 6130, 6140, 6150, 6160, 6170, 6180, 6190, 6200, 6210, 6220, 6230, 6240, 6250, 6260, 6270, 6280, 6290, 6300, 6310, 6320, 6330, 6340, 6350, 6360, 6370, 6380, 6390, 6400, 6410, 6420, 6430, 6440, 6450, 6460, 6470, 6480, 6490, 6500, 6510, 6520, 6530, 6540, 6550, 6560, 6570, 6580, 6590, 6600, 6610, 6620, 6630, 6640, 6650, 6660, 6670, 6680, 6690, 6700, 6710, 6720, 6730, 6740, 6750, 6760, 6770, 6780,

A copy of the LEP 2002 zoning map is shown in Figure 2.

Figure 2: LEP 2002 – Zoning Map Extract



Part 1 – Objectives or Intended Outcomes

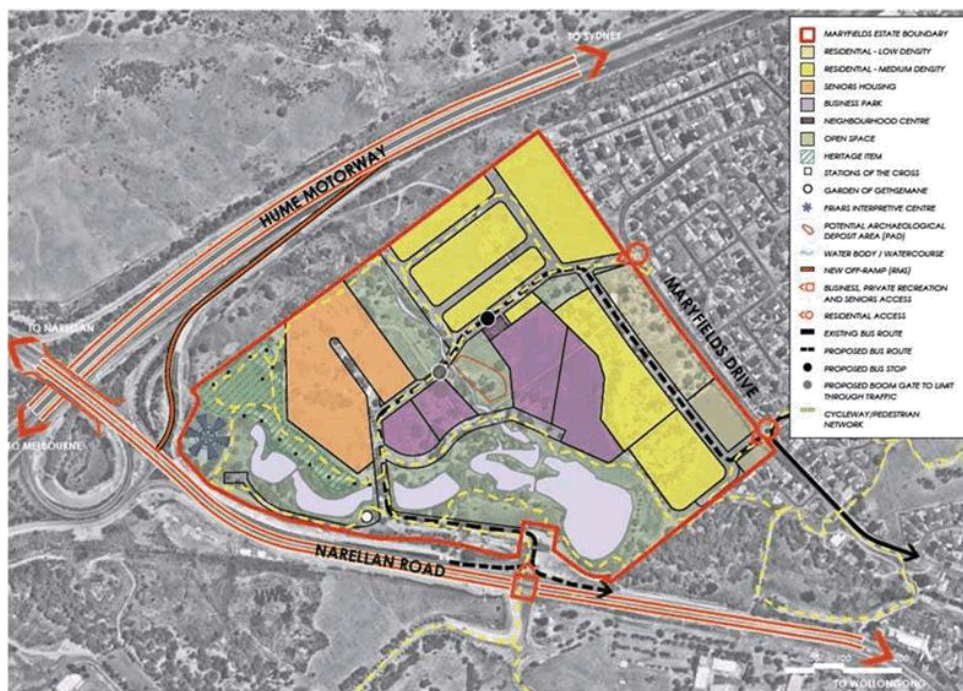
The objectives for this planning proposal are as follows:

- (i) promote a balanced mix of sustainable housing and economic growth outcomes
- (ii) provide the opportunity for the master planned development of the land comprising a mix of housing lots, aged care and seniors housing, and establishment of a health and technology based business park
- (iii) protect and enhance the heritage and ecological values of the site.

Part 2: Explanation of provisions

The subject planning proposal is supported by a Concept Masterplan that indicates the conceptual road pattern and associated land use precincts intended for the site. The Concept Masterplan will be implemented through a site specific Development Control Plan, which is required to be prepared for the land as a nominated the Urban Release Area in accordance with the Gateway Determination conditions.

Figure 3: Concept Masterplan



The range of land uses proposed under the draft proposal, as indicated on the Concept Masterplan, is summarised as follows:

- a campus-style business office park
- residential dwellings comprising of low and medium density residential dwellings
- seniors living and aged care precinct
- private recreation zone including creek lines and dams, heritage and park areas
- neighbourhood Shopping Centre
- a community facility to be operated by the Friars as an interpretative centre
- preservation of an existing cemetery.

The Concept Masterplan generally divides the site into four broad areas of land use, with the residential component located in the north and east (adjacent Blair Athol), seniors living and aged care in the west (adjacent Hume Motorway), business park and neighbourhood centre in

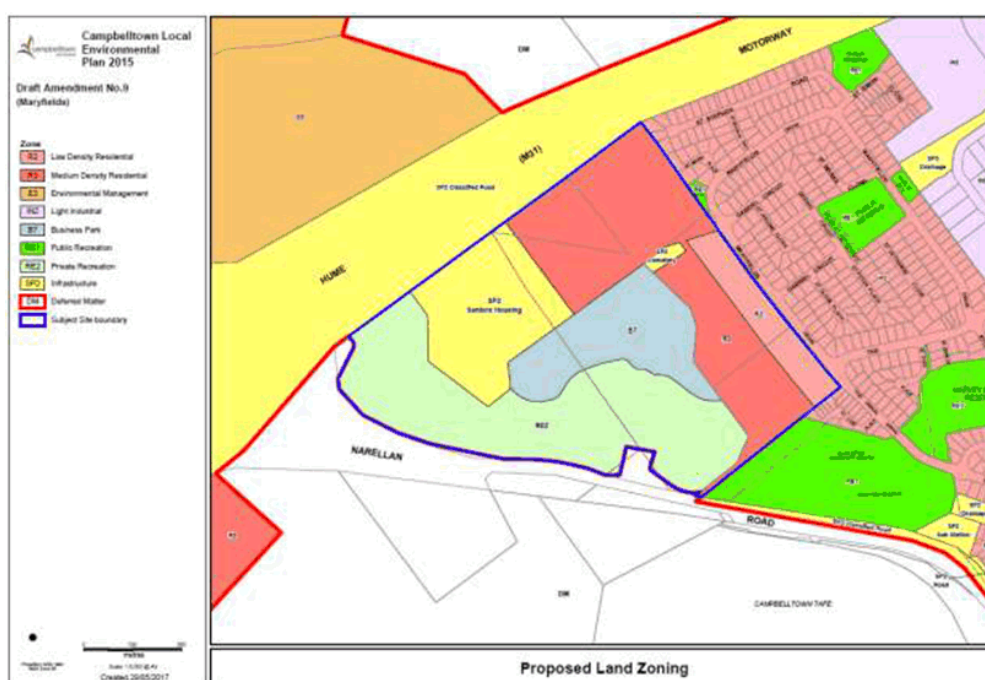
the central part of the site, and the open space / heritage areas across the front portion of the site adjacent to Narellan Road.

The proposed land use outcomes under the draft Planning Proposal will be achieved by amending CLEP 2015, including a number of local provisions relating the subject land as explained below.

Proposed Zoning Map (CLEP 2015)

The subject land is proposed to be zoned (in accordance with the standard template) as shown in Figure 4.

Figure 4: Proposed Land Zonings (CLEP 2015)



Employment and housing generation outcomes envisaged under the proposal are summarised as follows:

- Residential Precinct (R2 / R3 Zone) – A total of approximately 590 residential dwellings over 16.2 hectares, comprising 90 low density and 500 medium density residential dwellings. Building heights limited to 8.5 metres generally on the Blair Athol side of the main ridgeline and a maximum height of 9 metres elsewhere
- Seniors Living / Aged Care Precinct (SP2 - Seniors Housing Zone) – Approximate area of 6.7 hectares, to comprise a maximum of 500 senior living dwellings, and aged care facility that could accommodate approximately 100 beds and employ 40 people. Maximum building

height of 15 metres (four storeys)

- Business Precinct (B7 Zone) – approximately 5.2 hectares in developable area, allowing for the preservation of an existing riparian corridor through the site. The total estimated gross floor area of future development is 52,000sqm accommodating up to 1,200 employees. Typically office buildings at four storey heights (15 metres) facilitating medical and health research based enterprises. Provision has been made for a centrally located neighbourhood shopping centre that could accommodate a limited range of neighbourhood shops. Any retail premises would be limited to 100m² in floor area in order to limit the service catchment to the needs of the immediate local area, such as a convenience store, café/restaurant and local newsagent.

The indicative road layout shown under the Masterplan limits the through movement of private vehicular traffic through the site between Narellan Road and Blair Athol. It is noted that this restriction does not hamper the movement of pedestrians, bicycles, and public bus services.

In this respect, the proposed residential areas would be accessed from the north via the two existing roundabouts on Maryfields Drive through the existing local road network of Blair Athol. The business office park, seniors living /aged care and private recreation sites of the development would be accessed from a single access point at the reconfigured signalised intersection with Narellan Road and the Western Sydney University access road.

The proposal also includes a revised heritage curtilage for the heritage listed Station of the Cross statues in accordance with an updated Conservation Management Plan prepared for the site and approved by Council on 7 August 2015 under Development Consent 366/2015. This development consent authorised restoration works and realignment of the local heritage listed Stations of the Cross to generally align with the Concept Masterplan accompanying the draft Planning Proposal.

Accompanying Amendments (CLEP 2015)

The following LEP maps are included with this draft Planning Proposal and are attached at **Appendix A**.

These comprise:

- Proposed Land Zoning Map
- Proposed Height of Building Map
- Proposed Floor Space Ratio Map
- Proposed Lot Size Map
- Proposed Heritage Map
- Proposed Urban Release Area Map
- Proposed Lot Size for Dual Occupancy Map.

In addition, the draft Planning Proposal also includes:

- a new land use table (B7 Business Park zone) based upon the standard template as attached at **Appendix B**
- an additional clause to provide a minimum qualifying site area and lot size in the R3

Medium Density Residential Zone as attached at **Appendix C**

- an additional clause to limit the size of retail premises in the B7 Business Park Zone to 100m² as attached at **Appendix D**.

Environmental Studies

The subject planning proposal has been informed by a number of environmental and technical studies that provide a preliminary assessment of the likely impacts of development occurring generally in accordance with the Conceptual Masterplan.

These studies have examined the following matters:

- Traffic impact assessment and management
- Economic impact justification and assessment
- Stormwater management and flood risk assessment
- Ecological impacts and conservation recommendations
- Open space and recreation requirements
- Indigenous heritage
- Non-indigenous heritage
- Noise Impacts and acoustic controls
- Bushfire risk assessment
- Contamination
- Geotechnical assessment
- Visual impacts
- Service infrastructure and capacity
- Economic Impact Assessment.

The outcome of these studies have informed the proposed zone boundaries and associated planning control amendments.

The traffic impact assessment has been undertaken in consultation with NSW Roads and Maritime Service to investigate road design and infrastructure improvements required to adequately service future development, including connectivity with Narellan Road and Blair Athol, and consideration of traffic infrastructure upgrades required in conjunction with the adjacent WSU Masterplan development.

The ecological assessment has identified that the site includes remnant Cumberland Plain Woodland, and these areas are to be generally conserved within the proposed RE 2 Zone. Additional targeted fauna surveys have been undertaken following the Gateway Determination to examine the likely presence of green and gold bell frog, *Pimelea Spicata* and Cumberland Plain Woodland Grasses.

A flood impact assessment of the Conceptual Masterplan development of the site has been undertaken and determined that it is generally consistent with the principles of the Floodplain Development Manual 2005 and will not result in the land identified in the for seniors living, business park or residential being classified as Flood Prone Land.

The site represents an iconic gateway site to Campbelltown, and particular attention will be

required to examine in detail the management of future development on the site so as to not adversely impact the main focal point from Narellan Road across the main water body at the south-west corner of the property. Council is separately investigating the preparation of a site specific development control plan (DCP) to appropriately manage future development outcomes in accordance with the Concept Masterplan. The preparation of the DCP prior to development occurring is a conditional requirement of the Gateway Determination given the nomination of the site as an Urban Release Area.

Part 3 – Justification

Section A – Need for the planning proposal

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

The Campbelltown Employment Lands Review, prepared for Council by specialist consultants Strategic Economics and Cox Richardson in 2010-2011, reinforces the importance of the area for job creation and the potential of land within the precinct to accommodate a future business park linked to the area's established education and medical facilities.

On 20 November 2012, Council considered a report discussing the importance of identifying strategic sites within the Campbelltown Local Government Area (LGA) for future employment purposes. The subject land was included in a broader precinct identified as having significant potential for a business park to complement the growth of the Campbelltown Centre as a major employment hub.

The draft Glenfield to Macarthur Urban Renewal Corridor Strategy (2015) forms part of the planning for the proposed Greater Macarthur Priority Growth Area, and has been prepared by the Department of Planning and Environment, in collaboration with Transport for NSW and Campbelltown City Council. The Corridor Strategy provides a comprehensive evidence base to support future growth in south-west Sydney by identifying opportunities for additional homes and jobs close to existing public transport, employment areas and the regional city of Campbelltown-Macarthur. The subject land is included within the Macarthur Precinct of the Corridor Strategy, which identifies the land for a mix of low rise housing, employment and open space areas similar to that proposed.

The planning proposal is generally consistent with the abovementioned strategic studies and reports.

It is also noted that the planning proposal is directly supported by a range of specialist studies, including:

- Economic impact assessment
- Storm water and flooding assessment
- Traffic management and accessibility
- Ecological impacts assessment
- Acoustic assessment
- Services investigation
- Contamination report
- Open space / recreation analysis
- Aboriginal heritage due diligence assessment

- Heritage management
- bushfire hazard
- Preliminary Concept Plan.

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

The subject land has been identified as a deferred matter under the CLEP 2015. The existing zoning of the Maryfields site under Campbelltown (Urban Area) Local Environmental Plan 2002 precludes the land use outcomes outlined under the subject planning proposal.

Accordingly, it is considered that amending Campbelltown LEP 2015 is the best means of achieving the objectives of the planning proposal.

Section B – Relationship to strategic planning framework

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

A Plan for Growing Sydney

A Plan for Growing Sydney, released in December 2014, is the NSW Government's plan for the future of the Sydney Metropolitan Area over the next 20 years. The Plan provides key directions and actions to guide Sydney's productivity, environmental management, and livability – including the delivery of housing, employment, infrastructure and open space.

The Plan supports the growth of Campbelltown-Macarthur to continue as a regional city centre, contributing to the growth and diversification of the Southwest sub-region's economy. The subject planning proposal is consistent with the key directions and actions of the Plan, including the following specific priorities identified for the Campbelltown-Macarthur Region:

- support health-related land uses and infrastructure around Campbelltown Hospital
- support education-related land uses and infrastructure around the Western Sydney University
- work with council to investigate potential business park opportunities on the western side of the train line.

Draft Regional Plan - Towards our Greater Sydney 2056

The Draft Regional Plan - Towards our Greater Sydney 2056 proposes amendments to 'A Plan for Growing Sydney' to align with the vision established in the draft District Plans. Towards our Greater Sydney 2056, with its strategy for a metropolis of three cities is set to provide a framework that can better underpin strategic planning for a more productive, livable and sustainable Greater Sydney.

The draft amendments propose the development of a Western Sydney City Deal, a generational deal to deliver almost 100,000 jobs with a focus on the Western Sydney Airport, more housing and better transport for outer Western Sydney.

The subject planning proposal has been considered in accordance with the provisions of the Draft Regional Plan - Towards our Greater Sydney 2056, and broadly aligns with the Western City Deal pledges outlined in that Plan:

- deliver more jobs closer to homes and services
- increase housing through better planning and density done well
- support clean air, green spaces, vibrant arts and cultural initiatives.

Draft South West District Plan

This draft District Plan sets out aspirations and proposals for Greater Sydney's South West District, which includes the local government areas of Camden, Campbelltown, Fairfield, Liverpool and Wollondilly.

The Planning Proposal is consistent with the overarching priorities of the draft District Plan as follows:

- creating a framework to deliver the Western City
- integrating land use and transport planning to drive economic activity
- planning for job target ranges for strategic and district centres
- growing and diversify the economic opportunities of the District's strategic centres
- growing jobs in the health and education sectors
- coordinating infrastructure planning with population growth – enhancing local access
- strengthening the diversity of employment choice.

The draft South West Subregional Strategy aims to provide 6,800 new dwellings in the Campbelltown LGA by 2021. An employment target of 27,000 additional jobs is also proposed for the Campbelltown LGA by 2036.

Campbelltown–Macarthur is classified as a Strategic Centre servicing the South West Subregion, requiring housing and employment growth. The planning proposal is therefore considered to be consistent with the aims of both the Metropolitan Plan and the Draft South West District Plan given the significant employment, aged care and housing targets proposed.

4. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Campbelltown 2025 – Looking Forward is Council's Strategic Vision which provides a platform for the LGA's sustainable future. It is underpinned by six Strategic Directions which are summarised as follows:

- Protection and enhancement of the City's Key Environmental Assets
- Growth as a Regional City
- Creation of a Distinctive Campbelltown Sense of Place
- An Accessible City
- Provision and maintenance of quality Infrastructure
- Creation of Educational, Employment and Entrepreneurial Opportunities.

Campbelltown's Community Strategic Plan 2013 – 2023 is built on the foundation goals and

aspirations of the 2025 Strategic Vision, and is based on the following overarching objectives:

- a sustainable environment
- a strong local economy
- an accessible City
- responsible leadership
- a safe healthy and connected community.

The subject planning proposal is considered to be consistent with the abovementioned Strategies of Council, given that the proposal would provide a more efficient and sustainable urban land use outcome on an underutilised site that is strategically located near the Campbelltown-Macarthur Centre, significant transport systems and infrastructure investment.

5. Is the planning proposal consistent with applicable state environmental planning policies?

It is considered that the planning proposal is consistent with all applicable State Environmental Planning Policies (SEPPs) being:

State Environmental Planning Policies (SEPPs)	Consistency	Comments
SEPP No 1 – Development Standards	N/A	CLEP 2015 is a Standard Instrument Local Environmental Plan. It incorporates Clause 4.6 Exceptions to Development Standards, which negates the need for consistency with SEPP 1.
SEPP No. 4 - Development Without Consent	N/A	N/A
SEPP No.6 - Number of Stories in a Building	Yes	The planning proposal does not contain provisions that will contradict or will hinder the application of the SEPP.
SEPP No. 14 - Coastal Wetlands	N/A	Not applicable in the Campbelltown LGA.
SEPP No 19 – Bushland in Urban Areas	Yes	The Planning Proposal facilitates a balanced outcome and conserves remnant vegetation within the proposed RE 2 Zone.
SEPP No. 21 - Caravan Parks	N//A	Not applicable to this Planning Proposal.
SEPP No. 22 - Shops and Commercial Premises	N//A	Not applicable to this Planning Proposal.
SEPP No. 26 - Littoral Rainforests	N//A	Not applicable to this Planning Proposal.
SEPP No. 30 - Intensive Agriculture	N//A	Not applicable to this Planning Proposal.
SEPP No. 33 - Hazardous and Offensive Development	N//A	Not applicable to this Planning Proposal.
SEPP No. 36 - Manufactured Home Estates	N//A	Not applicable to this Planning Proposal.
SEPP No. 44 - Koala Habitat Protection	Yes	The subject area does not contain potential or core koala habitat as defined by SEPP 44. Therefore a Koala Plan of Management is not required for any development of the study area.
SEPP No. 47 - Moore Park Showground	N/A	Not applicable to this Planning Proposal.
SEPP No. 50 - Canal Estates	N/A	Not applicable to this Planning Proposal.
SEPP No. 52 - Farm Dams and	N/A	Not applicable to this Planning Proposal.

Other Works in Land and Water Management Plan Areas		
SEPP No 55 – Remediation of Land	Yes	A preliminary environmental site investigation has been conducted which has identified a low potential for some contamination of portions of the site, that will require common remediation and/or management techniques to render the site suitable for the proposed uses. More detailed investigations are to be undertaken as part of specific development proposals.
SEPP No. 60 - Exempt and Complying Development	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP No. 62 - Sustainable Aquaculture	N/A	Not applicable to this Planning Proposal.
SEPP No. 64 - Advertising and Signage	N/A	Not applicable to this Planning Proposal.
SEPP No. 65 - Design Quality of Residential Flat Development	Yes	The Planning Proposal does not apply to zones where Residential Apartment Buildings are permissible.
SEPP No. 70 - Affordable Housing (Revised Schemes)	N/A	Not applicable to this Planning Proposal.
SEPP No. 71 - Coastal Protection	N/A	Not applicable to this Planning Proposal.
SEPP (Affordable Rental Housing) 2009	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP (Housing for Seniors or People with a Disability)	Yes	The planning proposal will increase the supply and diversity of residences that meet the needs of seniors or people with a disability
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of the SEPP. Future development applications for dwellings will need to comply with this policy.
SEPP (Kurnell Peninsula) 1989	N/A	Not applicable in the Campbelltown City LGA.
SEPP (Major Development) 2005	N/A	Not applicable to this Planning Proposal.
SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable to this Planning Proposal.
SEPP (Mining, Petroleum Production and Extractive (Industries) 2007	Yes	This Planning Proposal does not contain provisions which would contradict or hinder the application of this SEPP.
SEPP (Temporary Structures) 2007	N/A	Not applicable to this Planning Proposal.
SEPP (Infrastructure) 2007	Yes	Certain infrastructure required to service residential development would be permissible in accordance with this SEPP.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	N/A	Not applicable in the Campbelltown City LGA.
SEPP (Rural Lands) 2008	N/A	Not applicable in the Campbelltown City LGA.
SEPP (Exempt and Complying Development Codes) 2008	Yes	The planning proposal does not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP (Western Sydney Parklands) 2009	N/A	Not applicable in the Campbelltown City LGA.
SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable in the Campbelltown City LGA.

SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not applicable in the Campbelltown City LGA.
Deemed State Environmental Planning Policies (Formerly Regional Environmental Plans)	Consistency	Comments
REP No.2 – Georges River Catchment	Yes	Appropriate water quality and stormwater management measures are required at DA stage to achieve water quality objectives.
REP No.9 - Extractive Industry (No 2)	N/A	Not applicable to this Planning Proposal.
REP No.20 - Hawkesbury-Nepean River (No 2 1997)	N/A	Not applicable to this Planning proposal.
Drinking Water Catchments REP No.1	N/A	Not applicable in the Campbelltown City LGA.

6. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

Yes. Details of the planning proposal and consistency with applicable s117 directions are summarised as follows:

Ministerial Direction	Assessment Comments
1.1 Business and industrial zones	The economic assessment supports the economic growth and employment generation potential of the proposed business park as being complementary to the retail hierarchy of commercial centres in the Campbelltown - Macarthur area. In this respect, retail premises are to be restricted to a maximum floor area of 100m ² in order to mitigate adverse economic impacts on the Campbelltown-Macarthur major centre. As such, the Maryfields planning proposal is considered consistent with this direction as it proposes employment land in a suitable location.
2.3 Heritage conservation	The Maryfields planning proposal is considered consistent with this direction as it promotes the conservation of listed heritage items in accordance with a Conservation Management Plan.
3.1 Residential zones	The Maryfields planning proposal is considered consistent with this direction as it would facilitate a variety and choice of housing types to provide for existing and future housing needs, and make more efficient use of existing infrastructure and services without adverse environmental impacts.
3.3 Home occupations	The Maryfields planning proposal is not inconsistent with this direction.

3.4 Integrating land use and transport	The Maryfields planning proposal is considered consistent with this direction as it would provide housing and employment opportunities within an area that is readily accessible to transport infrastructure, including public transport services.
4.1 Acid sulphate soils	The Maryfields planning proposal is considered consistent with this direction as the site does not contain acid sulphate soils.
4.2 Mine Subsidence and Unstable Land	The Maryfields planning proposal is considered consistent with this direction as the site is not identified as being subject to mine subsidence or identified as unstable land identified as being subject to mine subsidence or identified as unstable land.
4.3 Flood prone land	The Maryfields planning proposal is considered consistent with this direction as the flood impact assessment has demonstrated that the planning proposal is generally consistent with the principles of the Floodplain Development Manual 2005 and will not result in the land identified for seniors living, business park or residential being classified as flood prone land, being land susceptible to the PMF flooding event. Road construction would be required within a potential flood prone area, however the future design of that road would be required to comply with the Flood Policy and Manual as appropriate.
4.4 Planning for bushfire protection	The Maryfields planning proposal is considered consistent with this direction as it allows for appropriate defensible spaces and asset protection zones in accordance with the Planning for Bushfire Protection 2006 Guidelines.
5.1 Implementation of regional strategies	The Maryfields planning proposal is considered consistent with this direction as it seeks to meet the regional strategy vision, land use strategy, policies, outcomes and actions.
6.2 Reserving land for public purposes	The planning proposal seeks to alter the existing 6(a) Local Open Space Zone for a parcel of land described as historical Lot 2 DP 569795. This area is privately owned, and not used for public open space. It comprises a land-locked wedge-shaped 1.964ha parcel of

	residual land formed as a result of the boundary readjustment process associated with the historical widening of the adjacent Hume Motorway. There is no public access to this allotment and there is no strategic requirement to acquire this land for public purposes. Accordingly, the planning proposal is considered to be consistent with the objective of the Direction to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.
6.3 Site Specific Provisions	The Maryfields planning proposal is to be consistent with this direction.
7.1 Implementation of the Metropolitan Plan for Sydney 2036	The Maryfields planning proposal is considered consistent with this direction as it generally complies with the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.

Section C – Environmental, social and economic impact.

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

An ecological assessment has been undertaken for the proposal and has identified that the site includes remnant Cumberland Plain Woodland which is a critically endangered ecological community. No other critical habitat or threatened species, populations or ecological communities, or their habitats, have been identified on the land.

The conceptual layout of future development on the land generally conserves the most sensitive ecological areas within undeveloped open space and riparian areas. It is therefore considered unlikely that the proposal would have an adverse impact on the remnant Cumberland Plain Woodland or any potential habitat for threatened species.

Additional assessment of potential ecological impacts on possible threatened species (Green and Golden Bell Frog) has been undertaken in line with Survey guidelines for Australia's threatened frogs: Guidelines for detecting frogs listed as threatened under the Environment Protection and Biodiversity Conservation Act 1999 (Department of the Environment, Water, Heritage and the Arts). The survey results indicate that the targeted species are not present in the project area, which is in keeping with the reasonably unpolluted water present in the water bodies surveyed.

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

There are a number of potential environmental effects associated with the proposal which require specific management strategies so as to ensure acceptable and sustainable environmental outcomes.

A Vegetation Management Plan has been prepared to support and guide vegetation management of the site in order to achieve an environmentally sustainable and sensitive urban design outcome, particularly enhancement of the riparian patch of degraded Cumberland Plain Woodland that occurs on the site.

A Bushfire Constraints Assessment has addressed Asset Protection Zone requirements to the 'forest' vegetation within John Kidd Reserve to the east; the Grassy Woodland vegetation within the Hume Motorway corridor to the northwest and the 'rainforest' vegetation within the southern stream riparian corridor. Appropriate bushfire protection measures have been incorporated into the planning proposal and concept plan to manage the bushfire risk to the proposed residential precinct; seniors living precinct and business precinct, consistent with the deemed-to satisfy provisions of Planning for Bushfire Protection 2006.

The presence of a local heritage item (Stations of the Cross) will require its retention, conservation and establishment of an appropriate curtilage. The proposed heritage curtilage is based upon a Conservation Management Plan prepared for the site.

An area of potential Aboriginal heritage sensitivity has been identified within the central portion of the site. The project concept plan has been appropriately modified to minimise the potential for ground disturbing activities within these areas. Further investigations and an Aboriginal Heritage Impact Permit would be required where harm to an Aboriginal object or Aboriginal place cannot be avoided.

Advanced storm-water management practices will be required to ensure appropriate stormwater management and water quality control outcomes, particularly given the relationship to the riparian corridors meandering through the site and associated dam structures.

The planning proposal provides a Conceptual Masterplan for future development on the site, which is supported by a number of environmental and technical studies. It is considered that this information provides a sufficient understanding of the likely environmental effects of the proposal and no issues have been identified that would preclude the planning proposal proceeding.

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

An assessment of social and economic effects of the PP proceeding on the site has been undertaken, are considered to be generally beneficial having regard to the following matters:

- Provision of a range of housing types and living situations, including aged care and seniors living, that respond to the needs of the changing population
- Provision of a development outcome that protects and enhances social and local cultural amenity and identity through the integration and management of listed heritage items

- Broadening and stimulating economic growth with the development of a business park that capitalises on existing higher order education and medical precincts in Campbelltown / Macarthur
- Provision of new recreation places and spaces, and improved connections for pedestrians and cyclists, particularly with Blair Athol and John Kidd Reserve
- A business park would likely provide complementary economic activity to what is currently on offer in Campbelltown-Macarthur, as there would be very little functional overlap or competition between Campbelltown-Macarthur and proposed business park development at the subject site. This outcome is to be reinforced by including a local clause within the PP to restrict the size of retail premises on the land (proposed Business Park) to 100m² in floor area so as to limit the service catchment of these premises to the immediate surrounding area.

Section D – State and Commonwealth interests.

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

Some upgrades will be required as part of any future Part 4 DA assessment to the existing road intersection of the site with Narellan Road. Further consultation with the NSW Roads and Maritime Service, is required to finalise these requirements.

Consultation with infrastructure service agencies has identified that some routine upgrades may be required at subdivision stage to facilitate the planned development of the land.

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

Council has formally notified the draft planning proposal to the following agencies:

- NSW Roads and Maritime Service
- Transport for NSW
- NSW Office of Environment and Heritage
- NSW Rural Fire Service
- NSW Department of Education
- Endeavour Energy
- Sydney Water
- Camden Council
- NSW Health
- NSW Environment Protection Authority
- Water NSW
- Western Sydney University.

Comments received from the relevant public authorities have been considered and are summarised below.

a. Roads and Maritime Service

- **Intersection Works (Narellan Road):** consideration will need to be given to upgrading the existing signalised intersection with Narellan Road as part of any future Development Application.

Comment: It is agreed that this matter is to be addressed as part of any Development Application relating to subdivision and road works affecting Narellan Road.

- **State and Regional Infrastructure Provision:** an appropriate contribution, consistent with the State Infrastructure Contribution Levy for Growth Centres, should be entered into as part of any Voluntary Planning Agreement entered into with the proponent.

Comment: The subject planning proposal is to be nominated as an 'Urban Release Area' under Part 6 of CLEP 2015 which requires (amongst other things) that satisfactory arrangements for the provision of State public infrastructure are made prior to subdivision of the land. Accordingly, further consultation will be required between the proponent and the RMS to resolve this matter prior to development of the land occurring.

b. Transport for NSW

- **Internal transport network:** The future site specific Development Control Plan (DCP) should include a sustainable travel plan, and measures to promote a public and active transport network on the site.

Comment: The concept masterplan that supports the proposal is to be delivered through the preparation of a site specific DCP and includes provision for a bicycle / pedestrian pathway network and bus capable road through the site. The specific transport related requirements of Transport for NSW are to be considered as part of the preparation of the DCP in accordance with the Urban Release Area provisions of CLEP 2015.

- **State / Regional Infrastructure:** Regional road and transport infrastructure contributions commensurate to that of the SIC Levy should be provided as part of a VPA to offset the likely transport impacts associated with the future development of the site.

Comment: This issue is similar to the comments provided by the RMS. The Gateway Determination Conditions require that the subject land is nominated as an 'Urban Release Area' under Part 6 of CLEP 2015, which requires (amongst other things) that satisfactory arrangements for the provision of State public infrastructure are made prior to subdivision of the land. Accordingly, further consultation will be required between the proponent, the RMS and TfNSW to resolve this matter prior to development of the land occurring.

c. NSW Office of Environment and Heritage (OEH)

- **Flora survey:** It is unclear whether the flora survey effort meets the OEH standard of one person hour for each hectare of habitat.

Comment: The proponent has confirmed that the flora survey effort was in the order of 49 hours which exceeds the OEH standard (one person hour/hectare of habitat) for threatened plant survey.

- **CPW Grasslands:** No plot surveys have been undertaken in the 'cleared' area, so it

cannot be confirmed that these do not contain Cumberland Plain Woodland (CPW) derived native grasslands.

Comment: Targeted plot surveys for CPW Derived grassland were conducted by two ecologists on the 22nd and 24th of July 2017 using a combination of Random Data Points (RDPs) and Biometric Plots. Three small areas of CPW derived grassland of approximately 0.15 hectares (Waypoint 165), 0.16 hectares (Waypoint 167) and 0.065 hectares (Waypoint 173) were found at the south western corner and southern border of the Maryfields Estate site in an area designated to be a conservation area. All three were highly disturbed from historical impacts and current grazing pressures. All other areas of open grassland across the site were classic pasture areas either dominated by exotic grass species or a single native grass species (*Themeda australis*).

- **Pimelea Spicata:** No targeted surveys have been conducted for *Pimelea Spicata* (Spike Rice Flower).

Comment: Targeted field surveys for *Pimelea spicata* were conducted by two ecologists on the 22nd and 24th of July 2017 using a combination of Random Data Points (RDPs), Biometric Plots, and systematic targeted searches in areas of potential *Pimelea spicata* habitat. Targeted searches across the study area did not record any *Pimelea spicata*. Given the general lack of potential habitat, low resilience across much of the study area, and lack of records immediately adjacent to the study area, it is highly unlikely *Pimelea spicata* occurs within the study area.

- **Impacts on CPW:** OEH considers that the proposed zones, alignment of zone boundaries and indicative transport layout in the Concept Masterplan are inconsistent with the retention of CPW.

Comment: The proposal would result in the reduction of CPW within the study area through the clearing of approximately 0.8 hectares of the lowest quality vegetation on site. This vegetation occurs in a highly disturbed drainage line, which is currently grazed by cattle, and invaded by weeds, with very little native understorey or midstorey, and in areas adjacent to existing access roads, and is already highly dissected. The proposal is therefore not likely to result in the isolation of currently interconnecting or proximate areas of CPW.

The majority of the best quality CPW (5.6 ha) will be retained and improved within open space zones and managed within riparian corridors. Accordingly, it is considered likely that the planning proposal will have a net positive impact on these areas as the result of the exclusion of grazing pressures and benefit from the proposed conservation of this part of the site.

Assessments of significance under the TSC Act and EPBC Act have been undertaken for CPW in regards to the impacts of the proposal. These assessments of significance concluded that the proposal is unlikely to have a significant impact on CPW.

- **Flood Risk Assessment** - OEH requested Council compare the results of the Development Consultant's Flood Impact Assessment Report (March 2015) with the 2013 Blairmount Locality Study prepared for the broader catchment, in order to help set the footprint of proposed development on site and set appropriate development controls.

Comment: Council has reviewed the flood risk assessment studies for the site and is satisfied that the development of the site as indicated in the Planning Proposal is generally consistent

with the principles of the Floodplain Development Manual 2005 and will not result in the land identified for seniors living, business park or residential being classified as Flood Prone Land, or land that is land susceptible to flooding by the PMF event within the Monastery creek system. Accordingly, there are no flooding issues identified that would preclude development within these areas. Future design details of buildings, road and drainage systems will need to be submitted at DA stage in compliance with Council's flood and stormwater engineering requirements.

- **Aboriginal Cultural Heritage** - OEH requested the completion of additional archaeological and cultural assessment studies to inform the planning process. This includes consultation with Aboriginal stakeholders to explore options for conserving areas of Aboriginal heritage significance.

Comment: The Aboriginal community has been involved in the preparation of this planning proposal, including a joint inspection of the site with the proponent's archaeological consultant to identify and assess the significance of any potential Aboriginal sites/objects on the land. This work has directly informed the planning proposal by determining areas of potential Aboriginal significance on the site and modifying development outcomes to conserve these sensitive areas.

The Aboriginal Heritage Due Diligence Assessment prepared by the proponent's heritage consultants (Niche) involved a physical inspection of the land with Aboriginal representatives and included consideration of the landscape context, soil geology, hydrology characteristics, land use history, and the Aboriginal Heritage Information Management System (AHIMS). The AHIMS search confirmed that there are no registered Aboriginal sites within the subject area, with the closest registered sites being approximately 450m to the southwest and 500m to the west of the Maryfields site.

The assessment identified that the majority of the site has low potential for Aboriginal sites or objects due to the terrain characteristics, distance from water sources and/or historical land disturbance. However, land adjacent to the creeklines was considered to have high potential to contain Aboriginal sites and/or objects given proximity to a water source and less ground disturbance. It is noted that the riparian areas are generally excluded from future development under the planning proposal due to ecological and flooding constraints.

The field inspection supporting the assessment was undertaken by Amanda Atkinson (Niche archaeologist), Glenda Chalker (Cubbitch Barta) and Kirsty-Lee Chalker (Cubbitch Barta). The key finding of the field work was the identification of an Aboriginal artefact (Maryfields AS1) located on a terrace adjacent to the central creekline. In addition, the surrounding land of approximately 1000 m² in area on the northern (higher) side of the creekline has been nominated as a potential archaeological deposit (PAD) to recognise the potential for sub-surface intact Aboriginal artefacts within this portion of the site.

The findings of the assessment have directly informed the planning proposal by conserving the PAD site clear of future development on the accompanying masterplan. In this respect, archaeological investigations (as requested by OEH) would be required for any future proposed works which have the potential to impact the defined extent of the PAD. It is therefore considered that this issue can be more appropriately addressed at the development application stage when details of proposed works are known, and would include where relevant the requirement for an Aboriginal Heritage Impact Permit to be issued under the National Parks and Wildlife Act prior to any impacting works proceeding.

As such, the completion of additional archaeological and cultural assessment studies at this stage is not considered practical or necessary given the assessment work and consultation already undertaken with Aboriginal stakeholders to inform the planning proposal having regard to Aboriginal heritage issues.

- **European Heritage** - OEH (Heritage Division) has advised that it has no objection to the proposed rezoning as it affects the 'Stations of the Cross' which is listed within Schedule 1 'Heritage items and heritage conservation areas' of Campbelltown (Urban Area) Local Environmental Plan 2002. However, it has requested that any impacts on potential archaeology are thoroughly investigated prior to the finalisation of the planning proposal.

Comment: The proposed rezoning and revised heritage curtilage are informed by a Heritage Impact Statement dated December 2013 and a Conservation Management Plan (CMP) dated May 2015, both prepared by Perumal Murphy Alessi. The proposed zoning of the item to RE2 Public Recreation will retain the statues and landscape elements within an open "rural" setting, as recommended by the CMP. Further, it is noted from the CMP has identified that the archaeological potential of the area around the statues is low or highly disturbed. Accordingly, archaeological investigations are not considered warranted given the low archaeological potential of the site, restrictions for development under the proposed RE2 zone, and the environmental safeguards in place under the revised heritage curtilage and CMP.

d. Environment Protection Authority (EPA)

The EPA has not raised any objection to the planning proposal and has provided routine comments for Council's consideration on the following issues:

- Air Quality
- Water Quality
- Noise
- Waste Management
- Land Contamination.

Comment: The above issues have been considered in the assessment of the Planning Proposal and have either been satisfactorily addressed or will be considered and resolved at the DA stage for subdivision and building works on site.

e. Agencies with No Objection

The following agencies have advised have confirmed that they have no objection to the proposal and/or have provided routine comments on development assessment issues that can be appropriately addressed at DA Stage for future road, building and subdivision works.

- NSW Rural Fire Service
- NSW Department of Education
- Endeavour Energy
- Camden Council
- Sydney Water
- UrbanGrowth NSW

- Water NSW (formerly Sydney Catchment Authority and State Water)
- Western Sydney University.

Part 4 – Mapping

In seeking to achieve the PP objectives and outcomes the following map amendments to CLEP 2015 are proposed (refer Appendix A):

- Proposed Land Zoning Map
- Proposed Height of Building Map
- Proposed Floor Space Ratio Map
- Proposed Lot Size Map
- Proposed Heritage Map
- Proposed Urban Release Area Map
- Proposed Lot Size for Dual Occupancy Map.

In addition, the draft Planning Proposal also includes:

- a new land use table (B7 Business Park zone) based upon the standard template as attached at **Appendix B**
- an additional clause to provide a minimum qualifying site area and lot size in the R3 Medium Density Residential Zone as attached at **Appendix C**
- an additional clause to limit the size of retail premises to 100m² in the B7 Business Park Zone, as attached at **Appendix D**.

Part 5 - Community Consultation

Consultation with the community with regard to this planning proposal was undertaken through the formal statutory notification and exhibition period which occurred from 8 June 2017 until 7 July 2017.

Council received three submissions from residents located in Blair Athol. One of these submissions included a petition with signatures from 73 residences (or 98 separate signatures) in Blair Athol.

The concerns raised by the residents all related to potential traffic impacts on the existing road network of Blair Athol, which have been investigated and addressed in the relevant traffic studies undertaken for the proposal.

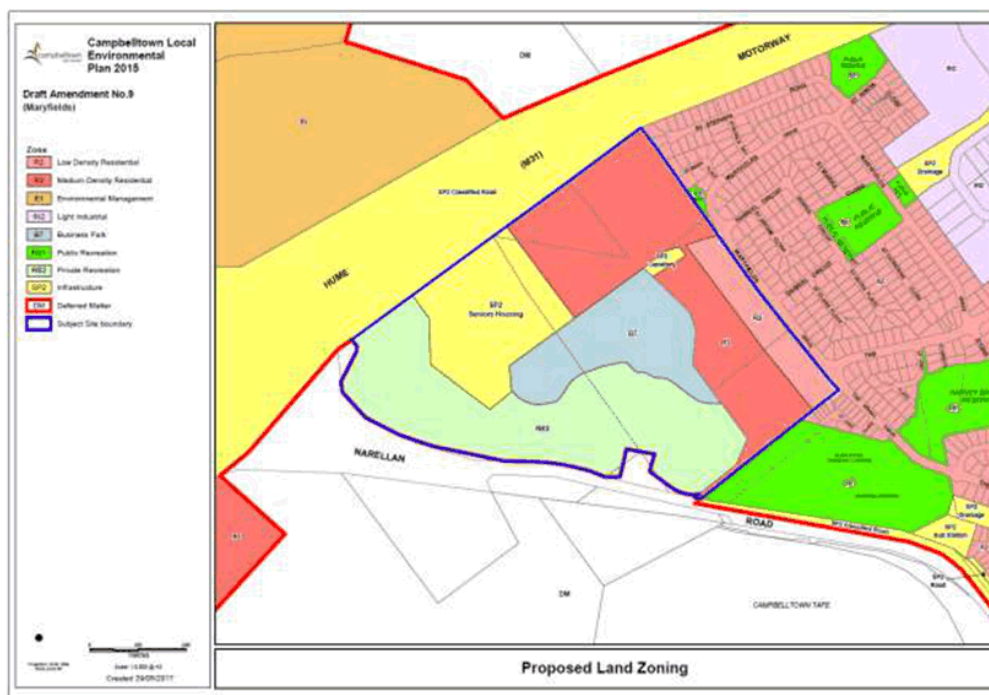
Part 6 - Project Timeline

The following notional project timeline is proposed:

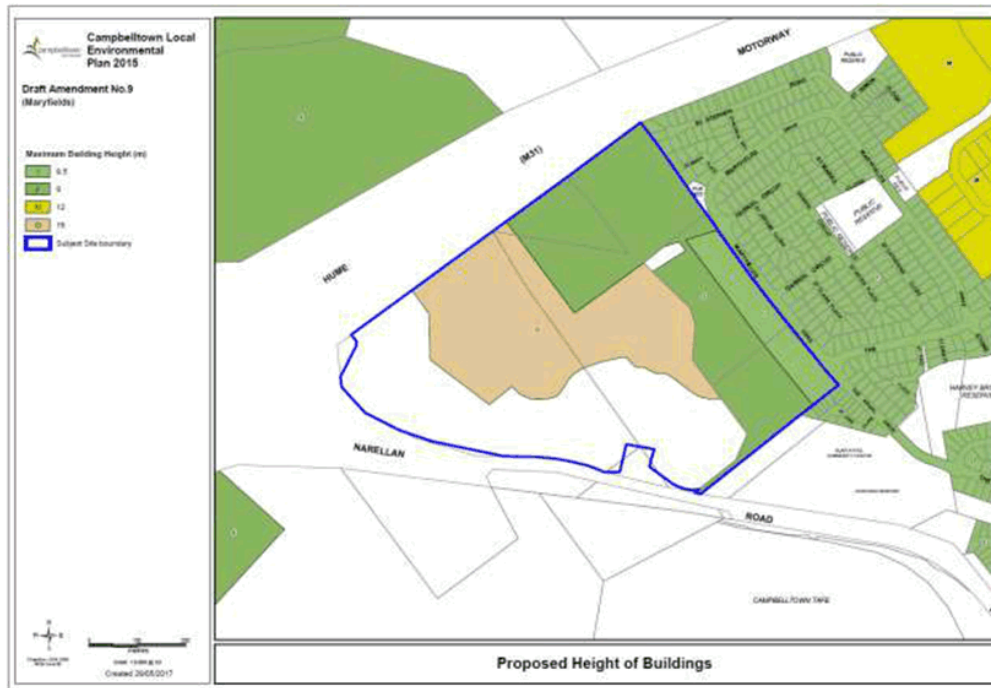
Date of Gateway Determination	8 December 2014 Amended 15 August 2016 Amended 3 March 2017
Public Exhibition Period	8 June 2017 - 7 July 2017
Consideration of submissions and additional consultation with Government Agencies	July - September 2017
Timeframe for completion of technical information	July - October 2017 (as may be required to address any issues from consultation period)
Timeframe for consideration of a proposal post exhibition (Report to Council)	November / December 2017
Referral to Department of Planning and Environment for finalisation	January 2018
Plan amendment made	February / March 2018

Appendix A - Draft Maryfields Planning Proposal Maps

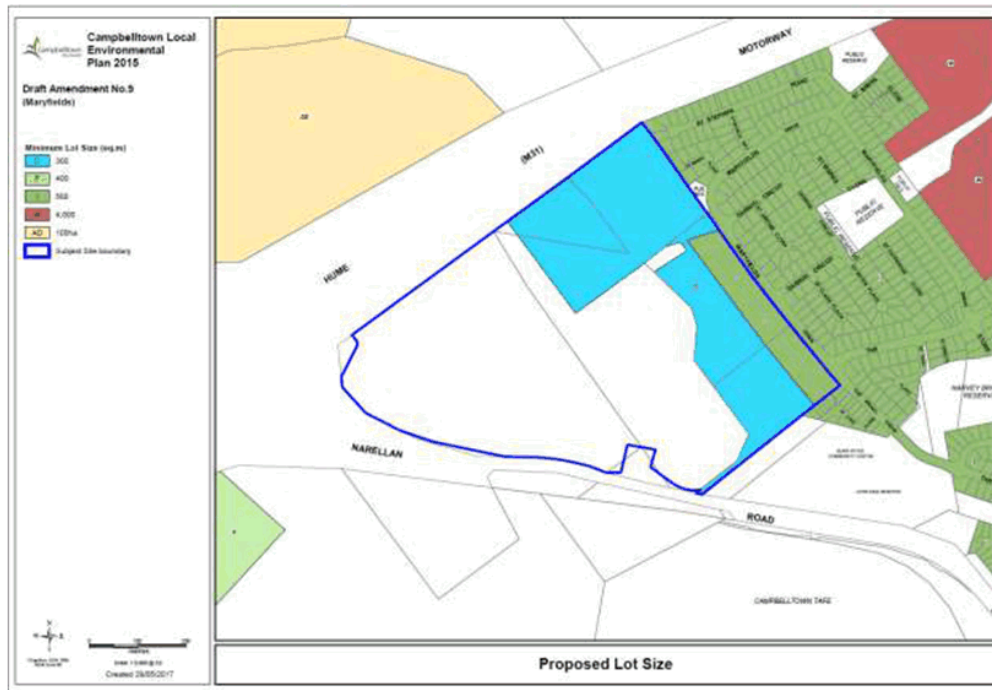
Draft Land Zoning Map



Draft Height of Buildings Map



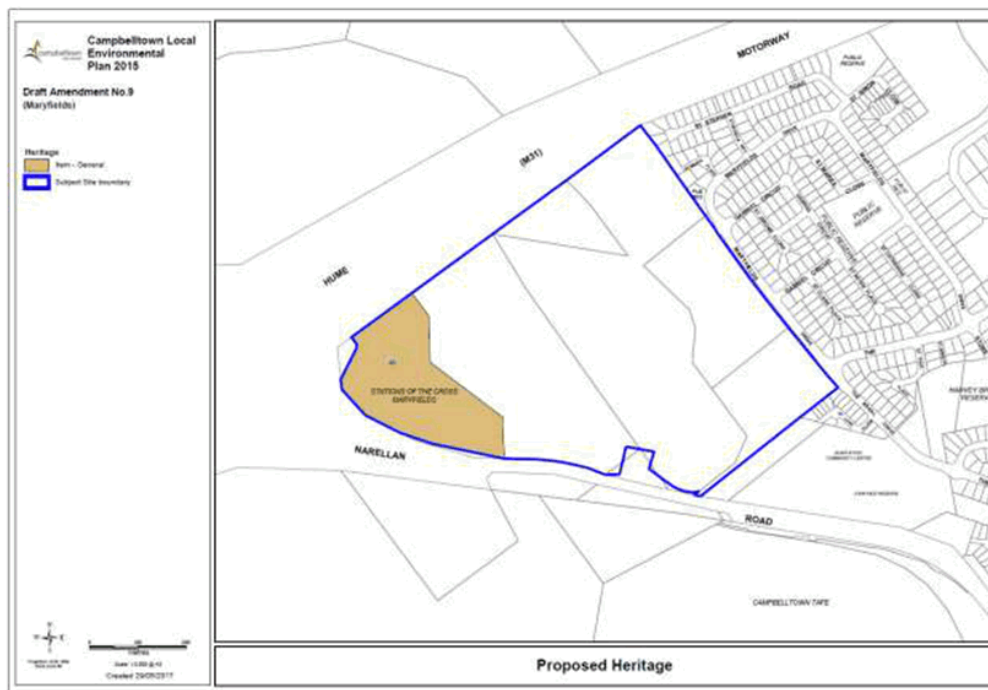
Draft Lot Size Map



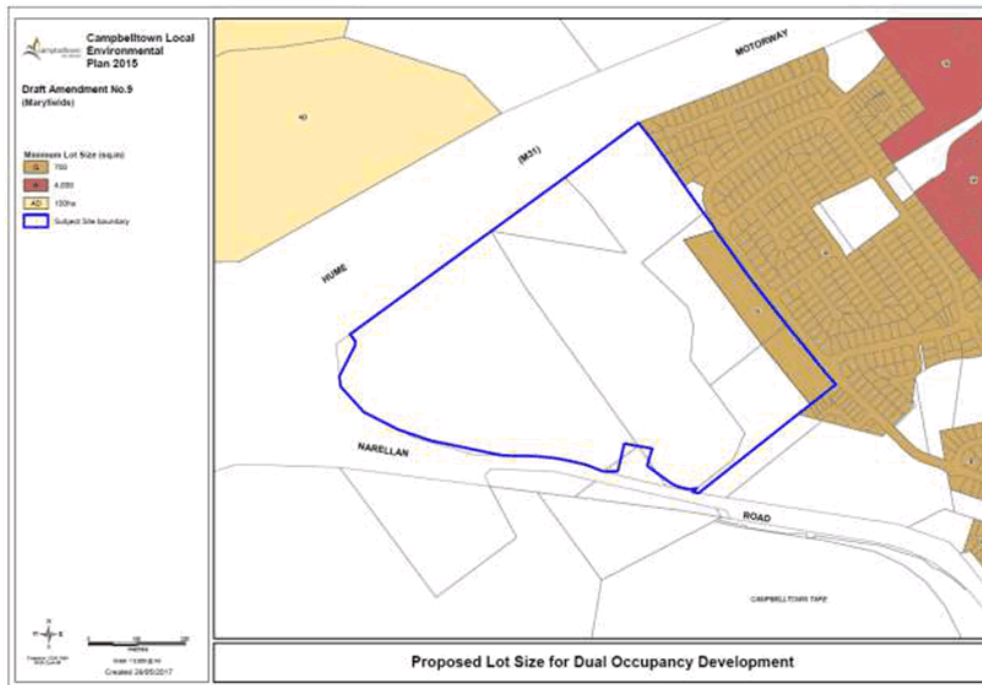
Draft Floor Space Ratio Map



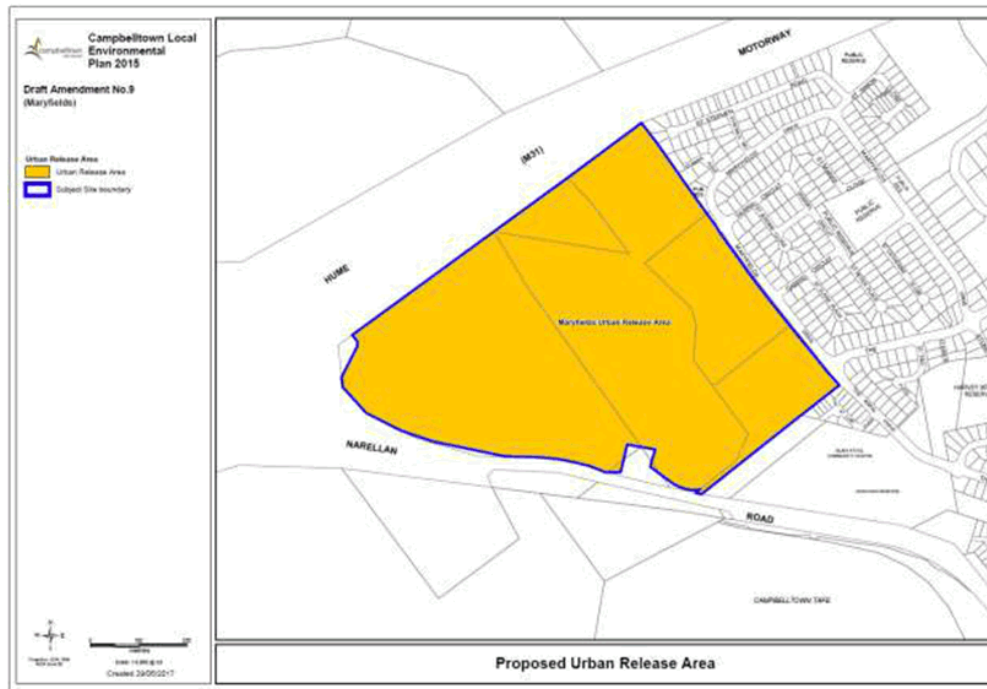
Draft Heritage Map



Draft Lot Size for Dual Occupancy Map



Draft Urban Release Area Map



Appendix B - Draft Land Use Table Amendment

Zone B7 Business Park

1 Objectives of zone

- to provide a range of office and light industrial uses
- to encourage employment opportunities
- to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area
- to permit limited accommodation that supports employment opportunities
- to encourage industries or businesses involved in scientific research or development
- to minimise adverse impacts on the economic functions and performance of existing and future centres.

2 Permitted without consent

Nil

3 Permitted with consent

Advertising structures; Building identification signs; Business identification signs; Business premises; Car park; Child care centres; Educational establishments; Environmental facilities; Environmental protection works; Function centre; Garden centres; Hardware and building supplies; Health services facility; Hotel or motel accommodation; Light industries; Neighbourhood shops; Office premises; Passenger transport facilities; Pub; Recreation areas; Respite day care centres; Recreation facilities (indoor); Restaurant or cafe; Roads; Serviced apartments; Small bar; Warehouse or distribution centres.

4 Prohibited

Any development not specified in item 2 or 3

Appendix C - Qualifying Clause - Minimum Lot Size R3 Zone**4.2DD Exceptions to minimum subdivision lot sizes for land zoned R3 Medium Density Residential in the Maryfields Urban Release Area.**

- (1) The objective of this clause is to provide flexibility in the application of lot size standards for residential development on larger sized lots in the R3 Medium Density Residential Zone of the Maryfields Urban Release Area.
- (2) This clause applies to land zoned R3 Medium Density Residential within the Maryfields Urban Release Area.
- (3) Despite Clause 4.1, development consent may be granted for the subdivision of a residential development with a minimum qualifying site area of 1800m² which results in a minimum lot size of 225m² for each approved dwelling, only if that residential development has been approved and completed under a single development consent.

Appendix D - Limitation on Retail Uses within Business Park Zone.

7.23 Limitations on Retail Premises for land zoned B7 Business Park in the Maryfields Urban Release Area.

- (1) The objectives of this clause are as follows:
 - (a) to ensure retail uses do not adversely impact upon the economic function of the Campbelltown-Macarthur major centre, and
 - (b) to restrict the scale of retail premises to those that mainly serve the needs of the immediate area.
- (2) This clause applies to land zoned B7 Business Park within the Maryfields Urban Release Area.
- (3) The gross floor area of any retail premises on the land must not exceed 100m².

Sent: Friday, 23 June 2017 11:25 AM
To: Council
Subject: Maryfields development

Thank you for the information about the development. Our feedback is that you are just making a short cut from Narellan Road to Maryfields Road causing a major increase in traffic flow in that area. Your map does not show how to stop this but does allow bus route only allows the flow of cars to short cut to Raby and St Andrews and other suburbs.

03.07.2017

Campbelltown City Council,
Civic Centre, Queen Street,
Campbelltown 2560

Concerns over Maryfields Planning Proposal – Application no 190-2014

Dear councillors,

In response to your letter dated 13th of April, 2015, application # 366/2015/DA-SW, we, community of Blair Athol gathered together and discussed. This resulted the strong objection to this proposal asked for council to review whole planning in more practical and realistic way. Once we handed over the objection from the community, we were asked to hold onto that and told that we were going to receive another notification on this proposal.

After 2 years, only few of our community received a letter dated 2nd of June, 2017 under the heading of 'Exhibition of Planning Proposal-Maryfields, Campbelltown (Application no 190-2014)'. Due to low number of recipient, not many people are aware of such developments. Those who received this message has checked proposal details and found out below:

- There are 80 low density dwellings to be developed
- There are 500 medium density dwelling to be developed
- Access to above dwelling from Blair Athol. Through corner of The Kraal and Maryfields round about as well as corner of Maryfields and St Gabriel circuit round about.

Our concerns:

The current infra structure is not designed for this sort of development.

Developing 590 dwelling means at least 1000 extra cars on the Maryfields drive and on The Kraal Drive. This caused terrible traffic congestion on the already busy roads. Both roads are narrow and only one lane for each direction. Especially in the peak hours, these roads cannot handle such traffic volume.

We do not have to remind you or your planners that the residential cars have to pull in and out of our driveways several times a day, causing unnecessary delays to all the residents in Blair Athol. Please note that the Kraal Drive and Maryfields drive connect to many other streets and cul-de-sacs.

We have all purchased our homes with a fundamental hope that we have settled in a quiet and peaceful locality, now our hopes are shattered.

Last but not least imagine what can happen to the roundabout and the traffic lights at the ALDI supermarket. Even current condition many days cars are getting jammed up beyond

Sent: Friday, 7 July 2017 12:22 PM
To: Council
Cc:
Subject: Re: Maryfields Planning Proposal - Application No. 190/2014

To whom it may concern,

We are writing in regards to the planning proposal for the new suburb of Maryfields (Application No. 190/2014).

As both residents and property owners in Blair Athol, we would like to voice our concern over the planned route for residential traffic into Maryfields.

The proposal you set forth proposes that "residential areas would be accessed from the north via the two existing roundabouts on Maryfields Drive through the existing local road network of Blair Athol". As you are aware this would mean that most vehicles for the proposed 590 dwellings would have to enter Blair Athol through the existing traffic lights at the intersection of The Kraal Drive and Blaxland Road. This proposed route for traffic would not only put considerable stress on the aforementioned intersection, but would add additional travel time onto the daily commute for persons who reside in this local area. In addition this would increase noise pollution for those living along, or close to the proposed route for residential traffic.

We ask that you reconsider this proposed route for residential traffic into Maryfields and consider also allowing access through Narellan Road for residents.

Regards,

control. It is not necessary to say what it going to happen at this intersection with the proposal dwellings.

Blair Athol has been recognised as a prestigious suburb, and we as residents want to keep it that way.

Recommendation:

The proposed development of dwellings can be and should be accessed from Narellan road which will be much safer and easier to work with. Practically, Narellan road can handle this increase, comparing to current traffic this only insignificant increase. The widening of Narellan road will easily absorb such volume of the proposed dwellings at Maryfields.

We would like to hear from you.

All your correspondences please direct to below:

Please see the attached signatories with this concern.

* A petition with 98 signatories was received attached to this submission. Names and addresses withheld.

8.3 Glenlee Planning Proposal - Revised Gateway Determination

Reporting Officer

Senior Strategic Environmental Planner
City Development

Community Strategic Plan

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

Officer's Recommendation

1. That Council endorse the revised draft Glenlee Planning Proposal and associated documentation for public exhibition.
2. That Council forward a copy of the revised draft Glenlee Planning Proposal to the Department of Planning and Environment, prior to the commencement of the public exhibition.

Purpose

The purpose of this report is to advise Council of a revised Gateway Determination received from the Department of Planning and Environment and seek Council's endorsement to place the revised planning proposal, Glenlee Development Control Plan and associated documents on public exhibition.

History

Council at its meeting held 26 February 2013 resolved to endorse a draft planning proposal jointly with Camden Council, which seeks to rezone certain land at Glenlee (in the vicinity of the coal washery/emplacement site) for industrial and related development purposes (but not including retailing, bulky goods retailing and stand-alone commercial development) from its existing rural zoning, and forward to the then Department of Planning and Infrastructure (now the Department of Planning and Environment) for determination by the Gateway Panel. The subject site falls within both the Camden and Campbelltown local government areas as illustrated on the map marked attachment 1.

Council received a Gateway Determination (dated 3 July 2013) which required Council to meet certain conditions prior to public exhibition including the preparation of a number of technical studies and to update its consideration of S117 Directions 3.4 Integrating Land Use and Transport, 2.3 Heritage Conservation, 4.4 Planning for Bushfire Protection and 4.3 Flood Prone Land to reflect the outcome of the technical studies and consultation with public authorities.

All required technical studies were completed to Council's satisfaction and formed the basis of a revised draft Glenlee Planning Proposal.

To address access and traffic issues, Camden Council originally imposed a gross floor area cap of 12,500sqm on warehousing and 10,000sqm on general industrial use (or a combination of both). The proponent undertook a review of the proposed cap and found that up to 90,000sqm of additional floor space could be supported subject to upgrading road works at the intersection of the Camden Bypass and Liz Kernohan Drive which has the support of NSW Road and Maritimes Services (RMS) and Transport for NSW.

Council at its meeting held 18 April 2017 resolved:

1. That Council endorse the amendment of the draft Glenlee Planning Proposal to include an increase in the proposed development cap to 90,000sqm gross floor area and forward to the Department of Planning and Environment with a request for the Gateway Panel to amend the previous Gateway Determination.
2. That Council endorse the draft Glenlee Planning Proposal and associated documentation for public exhibition in accordance with the amended determination of the Gateway Panel.
3. That Council approve the draft Glenlee Development Control Plan as an amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 for public exhibition purposes in accordance with the provisions of the Environmental Planning and Assessment Regulation 2002.

Council has received a revised gateway determination (dated 3 October 2017) which required Council in addition to the increase in the gross floor area cap, to undertake a number of further amendments to the draft planning proposal prior to public exhibition. A copy of the revised gateway determination is shown as Attachment 3 to this report.

This report provides information to Council on the revised Gateway Determination and seeks Council's endorsement to place the revised draft planning proposal, the draft Glenlee Development Control Plan (draft Glenlee DCP) and associated studies on public exhibition.

Report

The property description and ownership details for each property contained within the planning proposal are detailed below:

Property Description:	Part of Lot 38 DP 1098588 and Part of Lot 1 DP 405624
Owner:	Sada Services Pty Ltd
Property Description:	Part of Lot 1102 DP 883495
Owner:	J & W Tripodi Holdings Pty Ltd

The Site

The subject site straddles the boundary between the local government areas (LGA) of both Camden and Campbelltown, and includes 74ha of land owned by Sada Services, 27ha owned by Camden Soil Mix and 8.8ha owned by the TRN Group. While the total area of the site is approximately 110ha, approximately 60ha is considered by the property owner's consultant to be suitable for employment/industrial use.

The site is located south of the Spring Farm Advanced Resource Recovery Park, south west of the Australian Botanic Garden at Mount Annan, and east of the Nepean River. A separate spur line (owned by Sada Services) connects with the Main Southern Railway, and vehicular access is only currently available via the Camden local road network. It is understood that this spur line is not currently electrified.

The planning proposal

The objectives of the planning proposal are summarised under the History with further details provided in attachment 2 together with the proposed zoning changes.

Revised Gateway Determination

The following comments are provided in relation to the additional gateway requirements.

1. Prior to undertaking consultation, Council is to amend the planning proposal to clearly advise that the proposed local provision does not allow warehouse and industrial development to exceed the gross floor area cap of 90,000sqm.

Comment:

The draft planning proposal has been amended to reflect the increase in the cap as discussed above.

2. Nominate, in consultation with Camden Council, the portion of the gross floor area cap applying to land within the Campbelltown local government area, or alternatively, indicate that the proposed cap applies to land in both Camden and Campbelltown local government areas (which is subject to planning proposal).

Comment:

It is recommended that Council impose the restriction on the site as a whole, rather than allocating a percentage of the floor space cap to each Council area. This approach is supported by senior planning staff at Camden Council who have advised they will be amending their planning proposal to match.

3. Include maps/figures which show road access to/from the site in the short, medium and long term - all maps are to be at appropriate scale and clearly identify the subject site.

Comment:

The short to medium term (2017-2021) strategy relies upon the extension of Liz Kernohan Drive to connect to an industrial haul road that is being constructed on the western side of the Spring Farm Advanced Resource Recovery Park, which will connect to the Glenlee site. It is anticipated that these new sections of road will be completed prior to the Glenlee Precinct being developed.

The long term access strategy of Glenlee assumes the construction of Spring Farm Parkway to the M31 Hume Motorway and Menangle Road. Traffic to and from Glenlee would access the M31 Hume Motorway via Spring Farm Parkway and the new interchange with the Motorway.

The draft planning proposal (attachment 4) has been updated to include maps which show road access to/from the site in the short, medium and long term.

4. Adjust the project timeline to show current projected dates.

Comment:

The project timeline has been updated to reflect the current status of the project.

5. Amend the proposed zoning maps by removing the words SP2 Classified Road where these words appear on the maps and replace with SP2 Infrastructure. In this regard, Council is also required to address the requirements of Section 117 Direction 6.2 Reserving Land for Public Purposes.

Comment:

The area of the site that is proposed to be zoned SP2 Infrastructure would form part of the Spring Farm Parkway; a proposed regional road that would connect Camden bypass with the M31 Hume Motorway and Menangle Park through an extension of Liz Kernohan Drive. Therefore, this part of the site should potentially be acquired by RMS for this purpose (refer to page 8 of attachment 4 for information on the proposed alignment of the Spring Farm Parkway).

The Department required Council to consult with RMS prior to assigning Zone SP2 Classified Road to this part of the site. Accordingly, as part of the public exhibition of the draft planning proposal, Council will consult with RMS and clarify this matter.

6. Remove reference to the prohibition of retailing and other uses on the site where these words appear in the planning proposal.

Also include advice that Council will seek to introduce a proposed mechanism to ameliorate the impact of commercial development on other centres, for example, by limiting floor area of particular land uses on the site and specify the mechanism and the particular uses that will be subject to such limitation.

Comment:

The draft planning proposal that was forwarded to the Department in April 2017 included a provision that prohibited retailing, bulky goods retailing and stand-alone commercial development within Zone IN1 General Industry.

As advised by the revised gateway determination, Council is unable to prohibit a land use that is mandated under the Standard Instrument-Principal Local Environmental Plan (SILEP).

Under the CLEP 2015, commercial premises comprise any of the following:

- (a) business premises
- (b) office premises
- (c) retail premises.

The above commercial premises are separately defined as follows:

Business premises and office premises are not permissible land uses within Zone IN1 General Industrial under the provisions of the CLEP and therefore would not occur on the site.

Bulky goods retailing is not a permissible land use under the zone IN1 General Industry. However, a range of land uses that are considered similar to bulky goods retailing are permissible including, garden centres, hardware and building supplies, rural supplies and landscaping material supplies. The remaining retail premises that are currently permissible under the Zone IN1 comprise kiosks, neighbourhood shops (which is a type of a shop) and Takeaway food and drink premises (which a type of food and drink premises).

To address Council's concern in relation to limiting retail premises within the Glenlee site, it is proposed to restrict the gross floor area of any retail premises on the site to 500sqm. This would still allow a kiosk or a takeaway food and drink premises to be provided to service the future industrial land uses, however, it would prevent a 'big box' retail type development to occur on site. Notably, a similar mechanism was utilised for the Glenfield Waste Site, and was considered appropriate by the Department.

The above restriction would not apply to industrial retails premises as they are separately defined and are not a type of retail premises.

7. Submit the amended planning proposal to the Sydney Region West office of the Department by Council, prior to community consultation.

Comment:

Prior to public exhibition, a copy of the draft planning proposal will be submitted to the Department.

8. Remove the requirements for satisfactory arrangements for state related infrastructure from the planning proposal prior to community consultation as this provision cannot be introduced in respect of local infrastructure facilities.

Comment:

The proposed clause has been deleted from the planning proposal. Section 94 of the *Environmental Planning and Assessment Act 1979* makes provision for a Council to address infrastructure impacts. Further, it is noted that most of the infrastructure will be addressed as conditions of development consent or via a Voluntary Planning Agreement.

The required infrastructure to service the proposed development (such as roads and drainage structures) will be dealt with at the development application stage.

Draft Glenlee Development Control Plan

Council at its meeting held 18 April 2017 resolved to approve the draft Glenlee Development Control Plan as an amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 for public exhibition.

In accordance with the revised gateway determination, no amendments to the draft Glenlee DCP are required.

The draft Glenlee DCP will be placed on public exhibition with the revised draft planning proposal.

Public Exhibition

It is recommended that the planning proposal, the draft Glenlee DCP and associated technical studies be placed on public exhibition for 28 days as per the gateway determination. Should the public exhibition occur during the Christmas holiday period; the 28 day timeframe will be extended in accordance with Council's policy.

It is also recommended that all adjoining properties be notified of the public exhibition period.

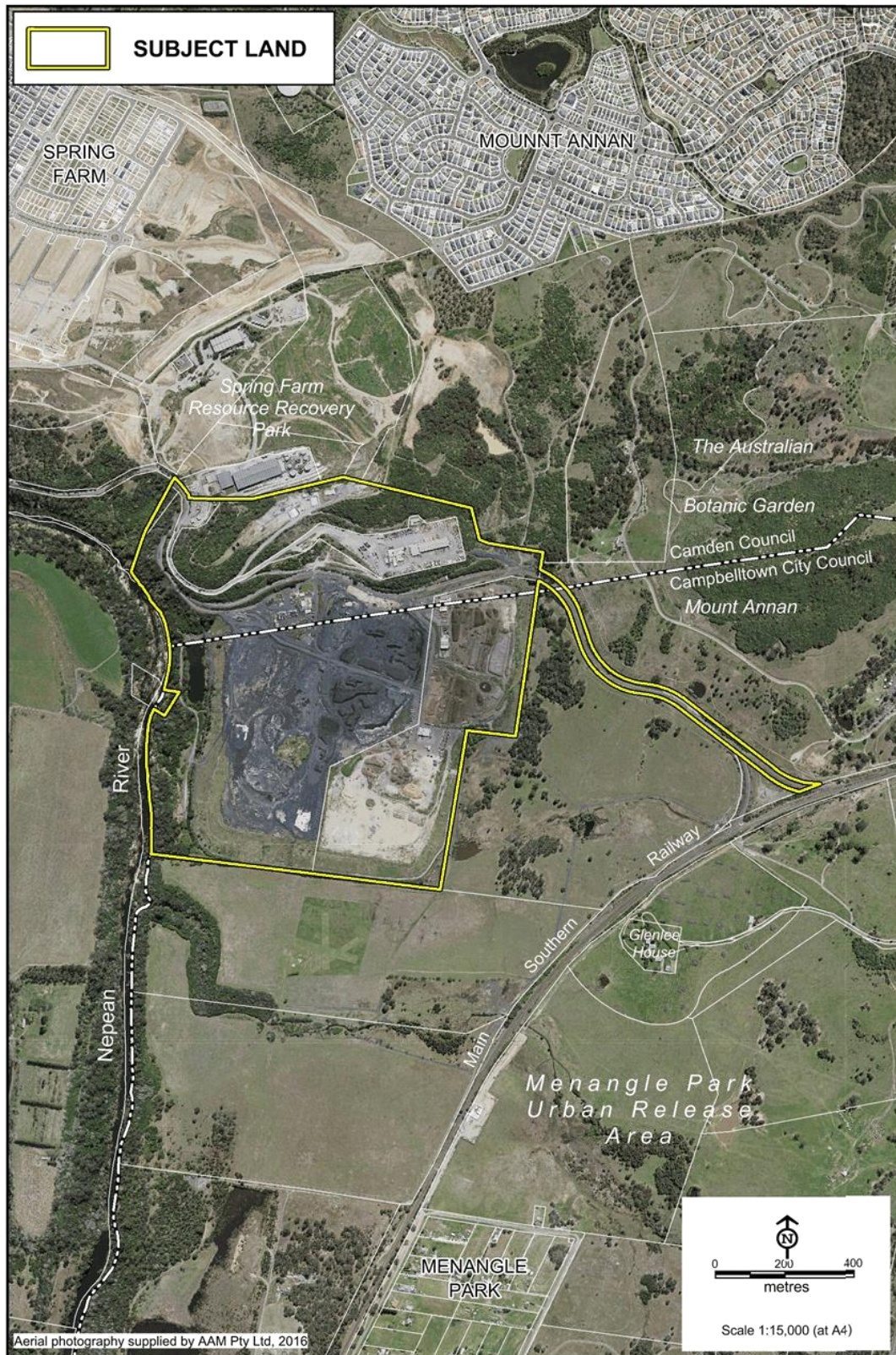
Conclusion

The draft planning proposal has been revised to address the matters raised by the revised gateway determination. Accordingly, it is recommended that Council endorse the revised draft planning proposal for public exhibition to occur concurrently with exhibition of the draft Glenlee DCP.

Attachments

1. Glenlee Locality Map (contained within this report)
2. Copy of previous Council Report dated 11 April 2017 (contained within this report)
3. Revised Gateway Determination (contained within this report)
4. Revised Glenlee Planning Proposal (contained within this report)

Attachment 1: Locality Map





Ordinary Meeting 11/04/17

TITLE Draft Glenlee Planning Proposal - Request Amendment and Public Exhibition

Division

City Development

Reporting Officer

Director City Development

Attachments

1. Glenlee Locality Map (contained within this report)
2. Draft Glenlee Development Control Plan (contained within this report)
3. Draft Glenlee Planning Proposal (distributed under separate cover due to size of document 118 pages)

Purpose

To request Council's endorsement to amend the gross floor area cap on development at Glenlee and to publicly exhibit the draft Glenlee Planning Proposal, associated documentation and the draft Glenlee Development Control Plan.

History

Council resolved at its meeting held on 26 February 2013 to endorse a draft planning proposal jointly with Camden Council, which seeks to rezone certain land at Glenlee (in the vicinity of the coal washery/emplacement site) for industrial and related development purposes (but not including retailing, bulky goods retailing and stand-alone commercial development) from its existing rural zoning, and forward to the Department of Planning and Infrastructure (now the Department of Planning and Environment) for determination by the Gateway Panel. The subject site falls within both the Camden and Campbelltown local government areas. Please see the map marked attachment 1 for the location of the subject site. The property description and ownership details for each property contained within the planning proposal are detailed below:

Property Description:	Part of Lot 38 DP 1098588 and Part of Lot 1 DP 405624
Owner:	Sada Services Pty Ltd
Property Description:	Part of Lot 1102 DP 883495
Owner:	J & W Tripodi Holdings Pty Ltd

Currently the only vehicular access to the site is via the Camden Local Government Area (LGA) which includes the Spring Farm Urban Release Area. Both Councils recognise that the Spring Farm Parkway, which is proposed to link the Camden bypass with the M31 freeway, is vital to any future development of the Glenlee area. The existing road network within Camden is not considered to be able to accommodate the expected increase in heavy vehicle movements which this type of development would generate. Camden Council's traffic engineers undertook an initial investigation into the ability of the existing and planned local road system within the Camden LGA, to cater for the increase in traffic type and volume likely to result from the rezoning of the Glenlee Precinct as originally proposed. The outcome of this initial investigation was that no more than 12,500sqm gross floor area of warehousing or 10,000sqm gross floor area of general industrial use (or a combination of both) should be developed, until the proposed Spring Farm Parkway is constructed with access to the M31 freeway. As such the draft Glenlee Precinct Planning Proposal includes a restriction on development in accordance with the findings of Camden Council's traffic engineers.

Report

A copy of the Glenlee Planning Proposal and associated planning documentation was forwarded to the Department of Planning and Infrastructure (now known as Planning and Environment) in May 2013 for determination by the Gateway Panel. As a result Council received a positive response from the Panel in July 2013. The Gateway Determination advised that the proposed rezoning of the subject land could proceed under certain conditions. These conditions included the preparation of a number of technical studies to support the planning proposal. The technical studies have now all been completed and form the basis of the final draft Glenlee Planning Proposal. A copy of the final draft Glenlee Planning Proposal is marked attachment 3. Please note that the technical studies which are appendices to the draft planning proposal are not part of attachment 3.

The Site

The subject site straddles the boundary between the local government areas (LGA) of both Camden and Campbelltown, and includes 74ha of land owned by Sada Services, 27ha owned by Camden Soil Mix and 8.8ha owned by the TRN Group. While the total area of the site is approximately 110ha, only approximately 60ha is considered by the property owner's consultant to be suitable for employment/industrial use. Please note that the land within the Campbelltown LGA, only falls within the ownership of Sada Services (being part of Lot 38 DP 1098588 and part of Lot 1 DP 405624) and Camden Soil Mix (being part of Lot 1102 DP 883495).

The site is located south of the Spring Farm Advanced Resource Recovery Park, south west of the Australian Botanic Garden at Mount Annan, and east of the Nepean River. A separate spur line (owned by Sada Services) connects with the Main Southern Railway, and vehicular access is only currently available via the Camden local road network. It is understood that this spur line is not currently electrified.

Technical Studies

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

- Flooding and Stormwater Drainage
- Riparian Corridor Assessment
- Flora and Fauna Assessments
- Bushfire

- Air Quality
- Noise and Vibration
- Contamination Assessment
- Aboriginal Heritage
- Non indigenous Heritage
- Visual and Landscape
- Transport and Access
- Infrastructure Servicing
- Land Capability - Geotechnical.

In preparing the technical studies consultation has been undertaken by Council and the proponents with relevant agencies and service providers. These agencies and service providers would also be consulted as part of any public exhibition process.

Key Planning Issues

A planning report and associated technical studies have been prepared by consultants, which indicate that the subject site can feasibly accommodate general industrial development.

Transport and Traffic Access

As noted above the only vehicular access to the site is currently via the Camden local road network, which is not considered by Camden Council as being capable of accommodating the projected increase in heavy vehicle movements which are expected to result from the development of the whole of the area proposed to be rezoned for future industrial land uses. As a result Camden Council requested a restriction on the amount of industrial gross floor area (GFA) that could occur prior to the construction of the proposed Spring Farm Parkway through to the M31 freeway. The GFA proposed was no more than 12,500sqm of warehousing or 10,000sqm of general industrial use (or a combination of both) and these figures were included in the Gateway determination.

The proponent accepted this as a concern and undertook a review of the extent of the proposed cap and found that the cap can be increased subject to appropriate upgrading road works at the intersection of the Camden Bypass and Liz Kernohan Drive. Subsequently in principle support has been given by RMS and TfNSW for a revised cap of 90,000sqm GFA. If Council chooses to raise the cap from 12,500sqm to 90,000sqm GFA it will be necessary to request the Gateway Panel to issue an amended Gateway Determination in support of this.

It is noted that this restriction on development does not impact on the Campbelltown LGA, as traffic in the interim (until the construction of the proposed Spring Farm Parkway) will travel through the Camden LGA. Camden Council has advised that it has no objection to the proposed increase in the development cap and this matter is the subject of a report to the Ordinary Council Meeting to be held at Camden on 11 April 2017.

Geotechnical Constraints

The primary geotechnical-related hazards are:

- long term and differential settlement
- erosion and slope stability of the existing fill embankments.

The results of the geotechnical assessment indicate that the redevelopment of the emplacement site for commercial or industrial land use is considered feasible from a

geotechnical perspective. However, ongoing detailed geotechnical investigation and analysis will be required to confirm the earthworks methodology for the construction of any new development on the subject site. Surcharging of the emplacement and soft soils is expected to be effective to achieve settlement targets. This combined with a compacted capping to the engineered fill is considered to mitigate differential settlements. Erosion and stability risks around the existing fill embankment slopes can be mitigated with the following potential engineering solutions:

- installation of appropriate surface protection, drainage measures and vegetation
- replacement of loose fill with compacted engineered fill or rock fill or cement stabilised soil
- soil nail stabilisation
- various ground improvement schemes, including installation of mini-piles, soil cement/ lime columns, grouting, dynamic compaction or displacement piles.

Controls have been included in the draft Glenlee Development Control Plan (DCP) to ensure the stabilisation of the embankments prior to any development of the subject site.

Contamination Constraints

The Glenlee Phase 1 contamination assessment identified a range of potentially contaminated areas (PCAs) across the precinct. This assessment also found that coal reject (sourced from the Illawarra Coal Measures) is present across the majority of the precinct.

The material is considered to be chemically benign and has previously been found to contain low metals concentrations and is usually non-detect for polycyclic aromatic hydrocarbons (PAHs). The coal reject has been confirmed by the NSW EPA to comply with the Protection of the Environment Operations (Waste) Regulation 2005 – general exemption under Part 6, clause 51 and 51A the coal washery rejects general exemption 2009. However, other general industrial activities that supported the original coal processing (such as the workshop and fuel storage areas and the neighbouring transport depots) have the potential for contamination.

An appropriate Sampling, Analysis and Quality Plan has been prepared for future Phase 2 intrusive investigations targeting the PCAs. It is considered that such Phase 2 intrusive investigations would be more appropriately undertaken closer to the time of redevelopment (as opposed to during the rezoning process) due to the length of time before the proposed development, as well as the ongoing operations and the associated potential for changes in environmental site conditions before development, proceeds.

A Remedial Strategy document (Phase 3) has been prepared to demonstrate to the auditor, landowners, agencies and consent authorities that remedial strategies, should contamination be found through Phase 2 investigations, are available and feasible and capable of rendering the Precinct suitable for the intended uses (subject to appropriate validation and contingency measures).

Visual and Landscape

The subject site, being an elevated platform, is highly visible from the surrounding cultural landscape which includes:

- the heritage listed properties of Glenlee House and the Camden Park Estate
- the Australian Botanic Garden
- the current and proposed residential area of Menangle Park.

The proposed employment-generating industrial development will result in a considerable increase in the number and extent of large buildings compared with the existing structures, with potential increases in contrast with the existing environment and resulting visual impacts.

The draft Glenlee DCP includes objectives and provisions to ensure that future industrial development is not visually prominent. This is proposed to be achieved through the construction of a perimeter road around the emplacement site with suitable landscaping, the choice of the material and colour of buildings and site specific landscaping.

Air Quality and Acoustic Issues

Due to the location of the subject site and its proximity to the Australian Botanic Garden and proposed Menangle Park Residential Release Area, any future industrial development must consider any air quality and acoustic issues that may arise as a result of such development. In this regard it is noted that all future development must comply with the provisions of the *Protection of the Environment Operations Act 1997* and the Industrial Noise Policy published by the Environment Protection Authority to ensure that air quality and acoustic issues are satisfactorily addressed.

Aboriginal Heritage and Environmental Protection Lands

While the subject site has been heavily disturbed, the Aboriginal Due Diligence Assessment has recorded some archaeological sites within the riparian lands. These lands are proposed to be zoned E2 Environmental Conservation. It is also recognised that significant works will be required to rehabilitate and revegetate these lands which currently contain many exotic plants and weeds.

Servicing

Water and Wastewater

The proponents consultants have been working with Sydney Water to determine a strategy for providing water and wastewater services to the subject site. It is proposed that potable water could be provided via the Campbelltown Water Supply System from the existing 200mm water main located adjacent to the Hume Highway. Wastewater is proposed to be discharged through a connection to the Menangle Park Urban Release Area and transferred to the Glenfield Sewage Treatment Plant.

Electricity

Endeavour Energy has advised that electricity supply can be sourced from the Nepean zone substation subject to the installation of additional infrastructure and possible relocation of certain existing power infrastructure.

Gas

There is currently no existing gas service to the subject land although there are gas mains to the north in the Spring Farm residential area. However the site could be serviced if there is sufficient demand for it.

Telecommunications

It is anticipated that the subject site would be able to be connected to the National Broadband Network which is currently available to properties within the Spring Farm and Mount Annan residential areas.

The Objectives and Intended Outcomes of the Draft Planning Proposal

The objectives of this planning proposal are as follows:

- (a) to enable the redevelopment of that part of the Glenlee Precinct that falls within the Campbelltown Local Government Area (LGA), (being the Glenlee coal washery/reject coal emplacement site, and adjoining greenwaste recycling facility) for industrial and related development (but not including retailing, bulky goods retailing and stand-alone commercial development)
- (b) to provide for a corridor of environmental conservation open space around the site and along the Nepean River, which would provide a link with the Australian Botanic Garden at Mount Annan and the bush corridor in the Spring Farm Urban Release Area
- (c) to restrict industrial development on the subject land to a total of 90,000sqm GFA of general industrial land use until such time as a road link to the F5 Freeway is established.

Zoning

The subject site is currently zoned part RU2 Rural Landscape and part SP2 Infrastructure - Road under the provisions of *Campbelltown Local Environmental Plan 2015* (CLEP 2015). CLEP 2015 also provides for the greenwaste recycling facility currently operating from the Camden Soil Mix site (part of Lot 1102 DP 883495). The coal washery/reject coal emplacement site (part of Lot 38 DP 1098588) is currently operating under the existing use rights provisions of the *Environmental Planning and Assessment Act 1979*.

The draft zoning map included in the draft planning proposal indicates the proposed zone boundaries for the various land uses. These include:

- Zone IN1 Industrial. This zone will provide for the development of employment generating land uses on the coal emplacement platform
- Zone E2 Environmental Conservation. This zone is proposed to include the land adjacent to the Nepean River and generally the embankments of the emplacement platform.

In addition to the above zones it is proposed to include further provisions in CLEP 2015 as follows:

- a restriction which will prohibit retailing, bulky goods retailing and stand-alone commercial development within proposed Zone IN1 Industrial
- a restriction which will limit any future industrial development on the subject land to a total 90,000sqm GFA of general industrial use until such time as a road link to the M31 Freeway is established.

Draft Glenlee Development Control Plan

The draft Glenlee Development Control Plan (DCP) has been prepared to identify the planning, design and environmental objectives and controls against which Council would assess future development applications within the subject land. It is proposed that the draft Glenlee DCP be included within volume 2 of the Campbelltown (Sustainable City) Development Control Plan 2015. As the subject land falls within the LGAs of both Campbelltown City Council and Camden Council consultation has been undertaken between officers of both Councils in the preparation of two separate but compatible DCPs. The draft Glenlee DCP for the Campbelltown LGA is considered worthy of Council's support for the purposes of public exhibition.

The vision stated in the draft DCP is as follows:

Glenlee provides an opportunity to create an employment precinct providing a balanced mix of sustainable land uses, within the landscape context of its elevated position, the Nepean River and the Australian Botanic Garden. Glenlee will act as a significant destination and employment precinct to complement the new residential areas currently being released, and proposed to be released within the locality.

The Glenlee Precinct is highly exposed to public places of significance and potentially impacts on a sensitive cultural landscape. Further, it forms an important distant backdrop when viewed from the M31 Hume Motorway. It will therefore consist of a variety of low elevation industrial, warehouse and logistic development in a landscaped setting that ensures no detrimental visual impact on the surrounding cultural heritage and residential areas.

The key development objectives of the draft DCP are as follows:

1. Facilitate new development and industries such as industrial, warehousing, logistic activities and the like
2. Provide a framework that will lead to a high standard of development in the Glenlee Precinct encouraging local employment and creating an area which is pleasant, safe and efficient to work in
3. Ensure that development takes account of the physical nature of the local environment, particularly the Nepean River, ridgelines and the natural landscape
4. Ensure that development does not result in pollution of waterways and in particular the Nepean River; and protects, restores and enhances riparian corridors
5. Promote the development of a visually attractive physical environment where the form, scale, colour, shape and texture of urban elements are managed in a way which will achieve an aesthetically pleasing balance which does not adversely affect the amenity of surrounding areas, in particular the residential areas of Menangle Park, Glenlee House, the Australian Botanic Garden and Camden Park
6. Ensure the stability of the emplacement site and stabilisation and revegetation of the embankments
7. Allow suitable transport and pedestrian connectivity to and from the site including consideration for the Macarthur Recreational Trail
8. Identify and provide for public amenities and service infrastructure to accommodate development
9. Establish environmental criteria and controls for development within the area to ensure that the environmental quality of adjoining areas is not compromised
10. Promote the conservation of existing bushland and establish corridors to allow for the movement of fauna from the Nepean River through to the Australian Botanic Garden
11. Minimise the impact of development on areas of high biodiversity, archaeological and heritage significance
12. Ensure a legible, safe and convenient pedestrian and cycle network, connecting with networks external to the precinct.

A copy of the draft Campbelltown Glenlee DCP is marked attachment 2.

Conclusion

As outlined in this report, the preparation of all the planning documentation for the rezoning and development of the Glenlee Precinct has been completed. This documentation includes the final draft Glenlee Planning Proposal (which includes an increase in the proposed development cap to 90,000sqm GFA subject to receipt of an amended Gateway Determination from the Gateway Panel) and associated technical studies, and the draft Glenlee Development Control Plan.

It is recommended that Council endorse an increase in the proposed development cap to 90,000sqm GFA and subsequently request the Gateway Panel, through the Department of Planning and Environment, to amend the Gateway Determination to include this proposed increase. It is also recommended that on receipt of an amended Gateway Determination Council endorse the amended planning documentation for the rezoning of the Glenlee Precinct for public exhibition purposes in accordance with the determination of the Gateway Panel.

Officer's Recommendation

1. That Council endorse the amendment of the draft Glenlee Planning Proposal to include an increase in the proposed development cap to 90,000sqm gross floor area and forward to the Department of Planning and Environment with a request for the Gateway Panel to amend the previous Gateway Determination.
2. That Council endorse the draft Glenlee Planning Proposal and associated documentation for public exhibition in accordance with the amended determination of the Gateway Panel.
3. That Council approve the draft Glenlee Development Control Plan as an amendment to the Campbelltown (Sustainable City) Development Control Plan 2015 for public exhibition purposes in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2002*.



17/06758

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

Dear Ms Deitz

**Planning Proposal at Glenlee, Menangle Park PP_2013_CAMPB_001_00 –
Alteration of Gateway Determination**

I refer to your letter in relation to the amended Planning Proposal
PP_2013_CAMPB_001_00 which seeks to rezone land at Glenlee, Menangle Park.

I have determined as the delegate of the Greater Sydney Commission, in accordance
with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter
the Gateway determination dated 3 July 2013 (as altered) for
PP_2013_CAMPB_001_00. The Alteration of the Gateway Determination and
amended written authorisation to Exercise Delegation are enclosed.

In reaching this decision, I have conditioned the altered determination so that the
proposed road corridor is zoned SP2 Infrastructure in the planning proposal in the
absence of an agreement from the Roads and Maritime Services to be the
acquisition authority. This will allow the proposal to proceed to the community
consultation stage and for Council to further investigate the assignment of the
acquisition role for the land during the process. In this regard, Council will be required
to address section 117 Direction 6.2 Reserving Land for Public Purposes, prior to the
plan being made.

Furthermore, the proposed satisfactory arrangements clause is to be removed from
the planning proposal prior to community consultation as this provision cannot be
introduced in respect of local infrastructure and facilities.

In addition, Council is unable to prohibit retailing uses as these are predominately
mandated for the IN1 General Industrial Zone. In these circumstances, I would
encourage Council to consider and introduce a suitable mechanism to address its
concerns over the impact of commercial development on the site. I have conditioned
the attached alteration document according. I understand that discussion have been
held between council officers and departmental staff over a suitable alternative
mechanism and officers of the Sydney Region Office of the Department remain
available to offer assistance, if necessary.

If you have any questions in relation to this matter, I have arranged for Ms Chantelle Chow to assist you. Ms Chow can be contacted on (02) 9860 1548.

Yours sincerely

SIGNATURE HAS BEEN
REMOVED

4 October 2017
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Alteration to Gateway Determination
Written Authorisation to Exercise Delegation



Alteration of Gateway Determination

Planning Proposal (Department Ref: PP_2013_CAMPB_001_00)

I, the Executive Director, Regions, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* ("the Act") to alter the Gateway determination dated 3 July 2013 (as since altered) for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Change the description of the Planning Proposal

from

"I, the Acting Executive Director, Metropolitan Planning at the Department of Planning and Infrastructure as the delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Campbelltown (Urban Area) Local Environmental Plan (LEP) 2002 and Interim Development Order No. 15 – City of Campbelltown to rezone land at Glenlee to 4(a) General Industry, 5(b) Special Uses Arterial Roads and a new environmental conservation zone, include a land use table for the environmental conservation zone and a new provision which prohibits development of warehousing and industrial uses over a certain gross floor area should proceed subject to the following conditions:"

to

"I, the Executive Director, Regions, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) 2015 to rezone land at Glenlee to IN1 General Industrial, SP2 Infrastructure and E2 Environmental Conservation; apply a minimum lot size of 4000sqm; a maximum building height of 12m and no maximum floor space ratio for land proposed to be zoned IN1, apply a maximum building height of 9m for land zoned E2; remove certain development controls on land proposed to be zoned SP2; identify land at Liz Kernohan Drive on the Land Reservation Acquisition Map, and a new provision which prohibits development of warehousing and industrial uses over a certain gross floor area should proceed subject to the following conditions:"

PP_2013_CAMPB_001_00 (14/08799)



2. Delete:

"condition 1"

and replace with a new condition 1:

1. Prior to undertaking consultation, Council is to amend the planning proposal to:
 - a) clearly advise that the proposed local provision does not allow warehouse and industrial development to exceed the gross floor area cap of 90,000sqm. (note: the removal/amendment to the cap can only occur via a subsequent planning proposal, once suitable provisions for infrastructure have been agreed upon);
 - b) nominate, in consultation with Camden Council, the portion of the gross floor area cap applying to land within the Campbelltown local government area, or alternatively, indicate that the proposed cap applies to land in both Camden and Campbelltown local government areas (which is subject to planning proposal: PP_2013_CAMDE_012_00 and PP_2013_CAMPE_001_00);
 - c) include maps/figures which show road access to/from the site in the short, medium and long term – all maps are to be at appropriate scale and clearly identify the subject site;
 - d) adjust the project timeline to show current projected dates;
 - e) amend the proposed zoning maps within the planning proposal by removing the words 'SP2 Classified Road' where these words appear within the maps and replaced with the words 'SP2 Infrastructure';
 - f) remove reference to the prohibition of retailing and other uses on the site where these words appear in the planning proposal; and,
 - include advice that Council will seek to introduce a proposed mechanism to ameliorate the impact of commercial development on other centres, for example, by limiting floor area of particular land uses on the site;
 - specify the mechanism and the particular uses that will be subject to such limitation; and,
 - submit the amended planning proposal to the Sydney Region West office of the Department by Council, prior to community consultation; and,

PP_2013_CAMPB_001_00 (14/08799)



- g) remove Council's intention to introduce a satisfactory arrangements provision applying to the land.

Dated *4th* day of *October* 2017.

SIGNATURE HAS BEEN
REMOVED

Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and
Environment

Delegate of the Greater Sydney
Commission

PP_2013_CAMPB_001_00 (14/08799)

**WRITTEN AUTHORISATION TO EXERCISE DELEGATION**

Campbelltown City Council is authorised to exercise the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979* (the Act) that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_CAMPB_001_00	Planning proposal to rezone land at Glenlee to IN1 General Industrial, SP2 Infrastructure and E2 Environmental Conservation; apply a minimum lot size of 4000sqm, a maximum building height of 12m and no maximum floor space ratio for land proposed to be zoned IN1; apply a maximum building height of 9m for land zoned E2; remove certain development controls on land proposed to be zoned SP2; identify land at Liz Kernohan Drive on the Land Reservation Acquisition Map; and a new provision which prohibits development of warehousing and industrial uses over a certain gross floor area.

In exercising the Greater Sydney Commission's functions under section 59 of the Act, the Council must comply with the Department's "*A guide to preparing local environmental plans 2016*" and "*A guide to preparing planning proposals 2016*".

Dated 4th October 2017

SIGNATURE HAS BEEN REMOVED

~~Stephen Murray~~
Executive Director, Regions
Planning Services
Department of Planning and Environment

Delegate of the Secretary
of the Department of Planning and Environment

PP_2013_CAMPB_001_00 (14/08799)

Draft Glenlee Planning Proposal

**April 2017
(Revised October 2017)**

Campbelltown City Council

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Planning Proposal

Subject: Amendment to Campbelltown Local Environmental Plan 2015 - Glenlee Precinct
(previously Draft Campbelltown (Urban Area) Local Environmental Plan 2002 –
Amendment No 16 – Glenlee Precinct)

Introduction

The Glenlee Precinct, which straddles the local government boundary between Camden and Campbelltown Councils, comprises a strategic holding of land located in proximity to higher order transport infrastructure, extensive existing and proposed urban development and within a broader sensitive natural environmental system and cultural landscape setting. It is a precinct which for some considerable period of time has been identified to exhibit significant potential for redevelopment as a comprehensive employment area. Indeed it is this potential and the changing focus of current land use activities which led to the commencement of a formal investigation and rezoning process in late 2006/early 2007, and concluded with a recommendation that the land was suitable for rezoning for industrial (employment) purposes, provided a number of issues were addressed, most notably the assurance that appropriate vehicular access to the subject site could be achieved.

The land to a greater extent has been used, for a number of years, for specific industrial related purposes notwithstanding its current rural zoning. These industrial uses include the Sada Services landholding (truck maintenance and depot, coal transshipment, including stockpiling, blending and sizing, and reject coal emplacement), Camden Soil Mix (truck maintenance and depot, greenwaste and recycling facility), and TRN (truck maintenance and depot).

The subject land is situated to the west of the M31 Freeway and Main Southern Railway, southwest of the Australian Botanic Garden, and to the southeast of the Spring Farm Urban Release Area, with the land occupied by the Spring Farm Resource Recovery Park effectively creating a buffer to lands to the north. Further, it is located south of the Mount Annan residential area, northwest of the proposed Menangle Park Residential Release Area and east of the Nepean River.

Importantly, it interfaces and displays potential functional relationships with these surrounding areas, and also exhibits an important contextual relationship (including visual) with iconic areas such as Camden Park Estate, Glenlee House, Australian Botanic Garden and the Nepean River.

The site has a total area of approximately 110 hectares of which approximately 60 hectares are considered capable of being developed for industrial purposes.

It should be noted that the rail siding, which links to the site, is approximately 4.2km in length and connects to the Main Southern Railway Line, is privately owned and maintained by Sada Services. At this stage there are no plans to upgrade the siding, but this may change depending on the future land uses of the site. Indeed, the presence of the rail siding could be a point of difference with other industrial lands throughout the region to promote freight and logistics related development(s).

Traffic analysis undertaken by Camden Council detailed the theoretical traffic capacity of critical intersection points throughout the Camden local road network that would be affected

3

by this planning proposal. In this regard, the maximum capacity of the intersections are considered to only be able to accommodate a total of 12,500sqm GFA of warehousing or 10,000sqm GFA of general industrial use (or a combination of both) until such time as a link to the M31 Freeway is established. However, further investigation has been undertaken by traffic consultants which indicates that subject to the upgrading of the intersection with the Camden bypass and Liz Kernohan Drive, the restriction on GFA can be raised to 90,000sqm. Both Transport for NSW and Roads and Maritime Services have no objection to this increase in GFA conditional on the completion of the proposed upgrading road works.

Please note that at the time that the original planning proposal was submitted to Council it was anticipated that the proposed rezoning of the subject land would be effected through an amendment to *Campbelltown (Urban area) Local Environmental Plan 2002* (CLEP 2002). However, as Council has now replaced CLEP 2002 with *Campbelltown Local Environmental Plan 2015* (CLEP 2015), this planning proposal has been prepared as an amendment to CLEP 2015.

Council received a Gateway Determination made by the Director-General of the then Department of Planning and Infrastructure on 3 July 2013 to proceed with this planning proposal. The timeframe noted within this determination for the completion of the planning proposal has since been extended to 9 January 2018 and a copy of the Gateway Determination and latest alteration of the timeframe required for completion is included in Appendix 1.

In April 2017 Council sent a request to the Department seeking a revised Gateway Determination to increase development cap of the site to 90,000sqm.

Council has received a revised Gateway Determination (dated 3 October 2017) which required Council in addition to the increase in the gross floor area cap, to undertake a number of further amendments to the draft Planning Proposal prior to public exhibition. A copy of the revised Gateway Determination is included in Appendix 1.

Part 1 – Objectives or Intended Outcomes

The objectives of this planning proposal are as follows:

- (a) to enable the redevelopment of that part of the Glenlee Precinct that falls within the Campbelltown Local Government Area (LGA), (being the Glenlee coal washery / reject coal emplacement site, and adjoining greenwaste recycling facility) for industrial and related development
- (b) to provide for a corridor of environmental conservation open space around the site and along the Nepean River, which would provide a link with the Australian Botanic Garden at Mount Annan and the bush corridor in the Spring Farm Urban Release Area
- (c) to restrict warehouse and industrial development on the subject land to a total of 90,000sqm GFA of general industrial use until such time as a road link to the M31 Freeway is established. The proposed cap applies to land in both Camden and Campbelltown local government areas (which is subject to planning proposal (PP_2013_CAMDE_012_00 and PP_2013_CAMP_001_00).
- (d) to restrict the gross floor area of any retail premises on the part of the site that is located within Campbelltown LGA to a 500sqm to minimise the potential impacts on the hierarchy of commercial centres within Campbelltown City.

Part 2 – Explanation of the Provisions

The property description and current land uses of the subject site (being that land within the Campbelltown local government area) are as follows:

- Part Lot 1102 DP 883495 – greenwaste recycling facility
- Part Lot 1 DP 405624 – rail spur line connecting with the Main Southern Railway
- Part Lot 38 DP 1098588 - truck maintenance and depot, coal transshipment, including stockpiling, blending and sizing, and reject coal emplacement.

A map indicating the location of the subject site and the boundary between the Camden and Campbelltown Local Government Areas is shown as **Map1** in Appendix 2. **Map 7** in appendix 2 shows an aerial map of the site.

The subject site is currently zoned part RU2 Rural Landscape and part SP2 Local Road under the provisions *Campbelltown Local Environmental Plan 2015* (CLEP 2015). CLEP 2015 also provides for the greenwaste recycling facility currently operating from the Camden Soil Mix site (part Lot 1102 DP 883495). The truck maintenance and depot, coal transshipment, including stockpiling, blending and sizing, and reject coal emplacement site is currently operating under the existing use rights provisions of the *Environmental Planning and Assessment Act 1979*. A copy of the existing zoning map is shown as **Map 2** in Appendix 2.

It is proposed to rezone the subject site to part IN1 - General Industrial with a minimum subdivision allotment size of 4000sqm and a maximum height limit of 12 metres, part E2 - Environmental Conservation and change the current zoning of the road within the site from SP2 Local Road to SP2 Infrastructure.

The proposed amendments to CLEP 20015 are as follows:

1. Amendment of *Campbelltown Local Environmental Plan 2015* in accordance with the proposed Land Zoning Map shown as **Map 3** in Appendix 2.
2. Amendment of *Campbelltown Local Environmental Plan 2015* in accordance with the proposed Lot Size map shown as **Map 4** in Appendix 2.
3. Amendment of *Campbelltown Local Environmental Plan 2015* in accordance with the proposed Height of Buildings Map as shown as **Map 5** in Appendix 2.
4. Amendment of *Campbelltown Local Environmental Plan 2015* in accordance with proposed Land Reservation Acquisition Map as shown as **Map 6** in Appendix 2.
5. Amendment of *Campbelltown Local Environmental Plan 2015* to ensure that no more than a total of 90,000sqm GFA of general industrial use is developed on the subject land until such time as a road link to the M31 Freeway is established regardless of whether the land is within the Campbelltown LGA or the Camden LGA.
6. Amendment of *Campbelltown Local Environmental Plan 2015* to ensure that development on the subject land for any retailing premises is restricted to 500sqm in gross floor area for the part of the site that is located within Campbelltown LGA.

Part 3 – Justification

Section A – Need for the planning proposal

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

The Glenlee Precinct Employment Lands Planning Report (GPELPR) forms the basis of this planning proposal. This document was informed by a number of technical studies prepared by specialist consultants and notes the main issues for development of the site, provides an indicative layout plan (ILP) and recognises a number of key issues that would need to be addressed in the preparation of development applications. All studies/reports including the GPELPR report will be placed on public exhibition with this draft planning proposal.

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

It is considered that an amendment to *Campbelltown Local Environmental Plan 2015* to provide for the rezoning of the subject land is the best means of achieving the objectives of this planning proposal.

Section B – Relationship to strategic planning framework

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

Sydney Metropolitan Strategy - A Plan for Growing Sydney

The *Sydney Metropolitan Strategy - A Plan for Growing Sydney* was released in December 2014 and aims to guide land use planning decisions for the next 20 years. Campbelltown-

Macarthur is recognised in this strategy as one of three Regional City Centres (which include Penrith and Liverpool) outside of the Sydney and Parramatta Central Business Districts. The Strategy notes that the Government will recognise Campbelltown-Macarthur as an important strategic and regional city centre for additional housing, employment and services benefitting the local area. It also aims to provide for more jobs closer to home.

It is considered that this planning proposal is consistent with *A Plan for Growing Sydney* by aiming to provide for more employment in an area which is easily accessible from the existing and new Spring Farm residential development within the Camden local government area (LGA) and potentially from the future residential development within the proposed Menangle Park Urban Release Area within the Campbelltown LGA.

Greater Macarthur Land Release Investigation and Greater Macarthur Priority Growth Area

The proposed rezoning of the subject land for employment purposes is noted within the *Greater Macarthur Land Release Investigation* (GMLRI) documentation, and included in the proposed *Greater Macarthur Priority Growth Area*. The GMLRI document also notes that this site will provide additional employment opportunities for the proposed Menangle Park / Mount Gilead urban development areas. The planning proposal is therefore not considered to be inconsistent with this documentation.

Draft South West District Plan

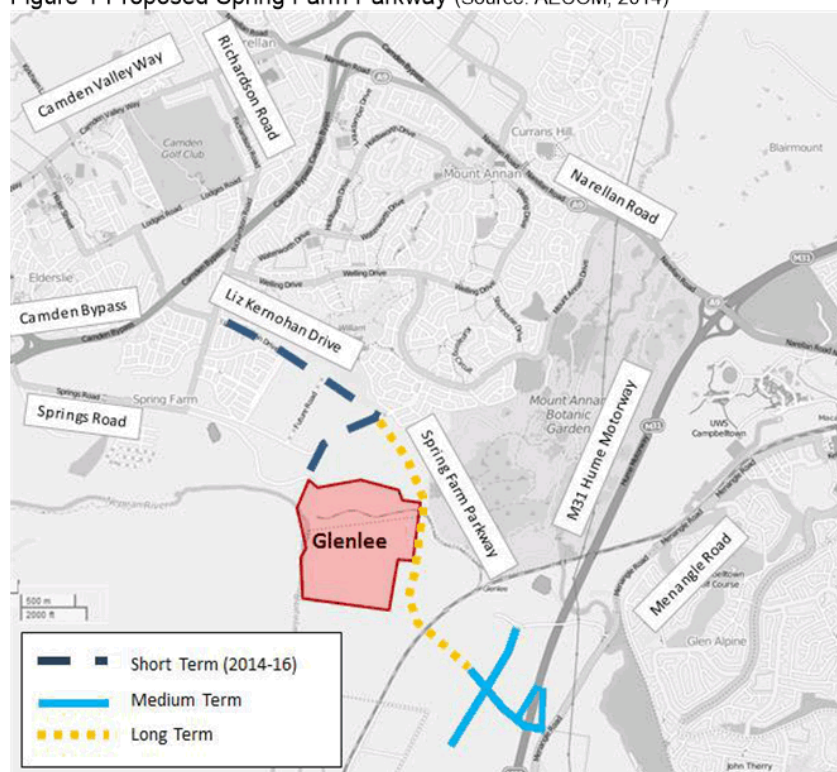
It is considered that this planning proposal is consistent with the draft South West District Plan (SWDP) as it aims to provide additional employment opportunities within the Campbelltown - Macarthur area. It is also consistent with Priority Action P19 which aims to plan for the "*efficient movement of freight to, from and within the District, with least impact on residents' amenity*", as the subject site includes an existing railway siding which links with the Main South rail line.

Access Strategy

It is expected that staged access will be available to the Precinct from Liz Kernohan Drive and Spring Farm Parkway, as it is progressively implemented.

The proposed Spring Farm Parkway between Liz Kernohan Drive and Menangle Road with a connection to the M31 Hume Motorway is shown in the Figure1 below:

Figure 1 Proposed Spring Farm Parkway (Source: AECOM, 2014)



The access options during the various timeframes of the proposed Glenlee redevelopment are discussed below. It should be noted that Richardson Road (north of Liz Kernohan Drive) is only identified as an access route for light vehicles and all heavy vehicles will either use Liz Kernohan Drive, Springs Road, Richardson Road (south of Liz Kernohan Drive) and Camden Bypass to access the external road network.

Short to medium term (2016-2021)

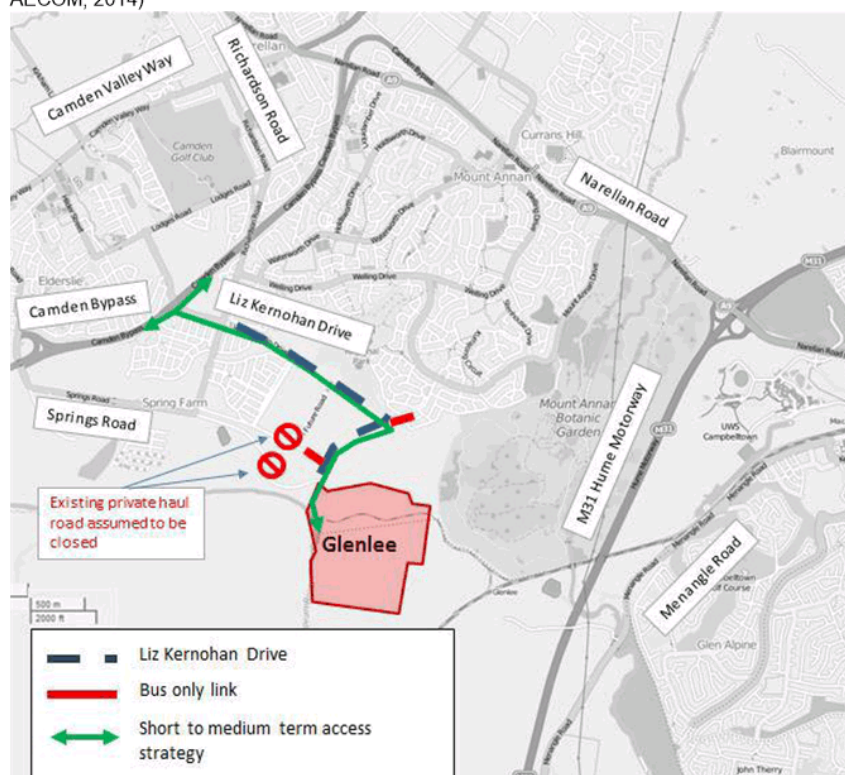
In the short to medium term, the existing private haul road to Glenlee and the private access road to the SFARRP will be closed due to future Spring Farm development to the east and the extension of Springs Road, which was approved by Council in November 2013. The developers of Spring Farm are required to extend Liz Kernohan Drive to provide access to

the Glenlee Precinct (along the eastern boundary of the SFARRP) before both private access roads can be closed and the construction of Springs Road extension can be started. It is anticipated that this section of Liz Kernohan Drive will be completed before the Glenlee Precinct would be developed.

Access to the northern precincts of Glenlee will be provided via the Liz Kernohan Drive extension. A public transport (bus only) corridor between Spring Farm and South Mount Annan is also proposed via the intersection at the western end of the proposed Liz Kernohan Drive extension. Any light and heavy vehicle trips between Spring Farm and Mount Annan will not be able to 'rat-run' through this intersection.

It is expected that the majority of the heavy vehicle trips will be heading towards the Hume Motorway (via Liz Kernohan Drive, Camden Bypass and Narellan Road) for any local and regional destinations. Some local car trips will use Camden Bypass or Camden Valley Way. The access route is shown in Figure 2 below.

Figure 2 Short to medium term access route (after Liz Kernohan Drive constructed) (Source: AECOM, 2014)



Long term (2031)

The long-term access strategy of Glenlee assumes the construction of Spring Farm Parkway to the M31 Hume Motorway and Menangle Road.

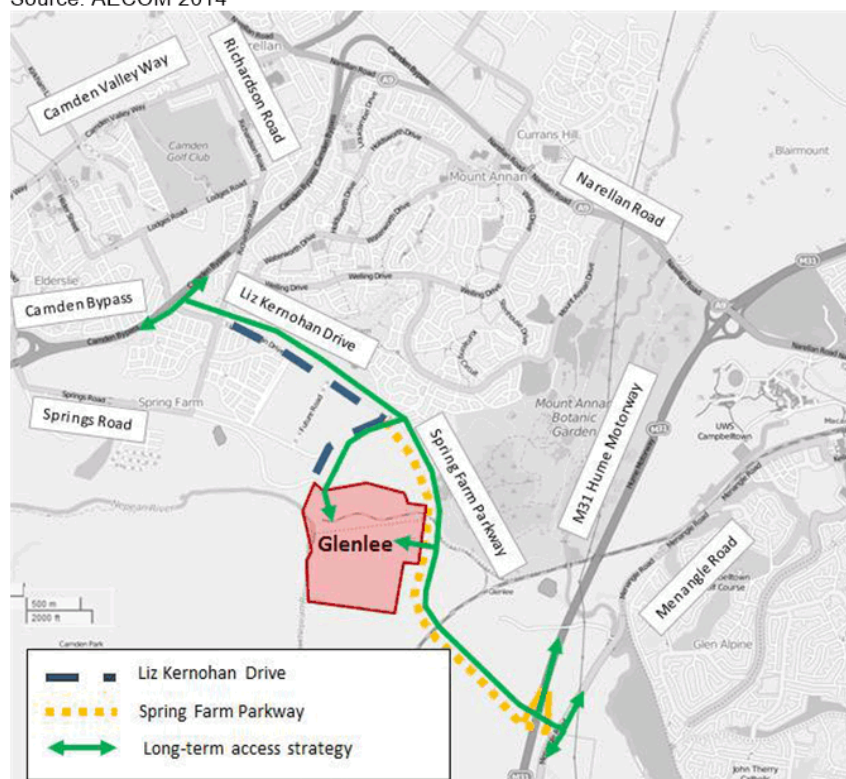
Traffic to/from Glenlee would access the M31 Hume Motorway via Spring Farm Parkway and the new interchange with the freeway. This would reduce the amount of traffic on Narellan Road, which is already congested. Small amounts of heavy vehicle traffic heading towards Camden Valley Way would continue using Liz Kernohan Drive.

With Spring Farm Parkway completed, an additional access would be provided to the eastern side of Glenlee, as shown in Figure 3 below.

If the section of Spring Farm Parkway between Liz Kernohan Drive and the M31 Hume Motorway does not proceed, the access strategy for Glenlee will be the same as the medium term access strategy.

Figure 3 Long term access route (after Spring Farm Parkway constructed)

Source: AECOM 2014



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

The planning proposal is not inconsistent with the:

- *Campbelltown 2025 Looking Forward* long term town planning strategy, which recognises the need for a sustainable supply of zoned employment lands in appropriate locations,
- *Campbelltown Local Planning Strategy* where Glenlee is specifically noted as a future employment area, and
- *Campbelltown Community Strategic Plan* which aims to attract business to the local area to create jobs.

It is also noted that the potential of the subject site for employment development was recognised within the *South-West Sydney Employment Lands Strategy* prepared by Hill PDA for Campbelltown, Liverpool and Camden Councils in 2003 and the *Campbelltown Employment Lands Review* prepared by Strategic Economics and Cox Richardson in 2011.

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

It is considered that the planning proposal is not inconsistent with the following State Environmental Planning Policies.

SEPP	Comment
State Environmental Planning Policy No 19 – Bushland in Urban Areas	Not inconsistent
State Environmental Planning Policy No 33 – Hazardous and Offensive Development	Not inconsistent.
State Environmental Planning Policy No 44 – Koala Habitat Protection	Not inconsistent
State Environmental Planning Policy No 55 – Remediation of Land	Not inconsistent It is noted that there are some areas of environmental concern which require further investigation, but are not considered to significantly restrict future industrial development.
State Environmental Planning Policy No 64 – Advertising and Signage	Not inconsistent
State Environmental Planning Policy (Exempt and Complying Codes) 2008	Not inconsistent
State Environmental Planning Policy (Infrastructure) 2007	Not inconsistent. It is considered that whilst this planning proposal is dependent upon the construction of the Spring Farm Parkway to realise its full industrial development potential, it could also be considered a catalyst in ensuring the development of such infrastructure.
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Not inconsistent
Sydney Regional Environmental Plan No. 9 (No.2 - 1995) (Extractive Industries)	Not inconsistent
Sydney Regional Environmental Plan No 20 - Hawkesbury Nepean River (No 2 - 1997)	Not inconsistent The planning proposal aims to maximise the protection of waterways, riparian corridors, remnant vegetation etc., and manage stormwater appropriately to ensure consistency with this SREP.

6. Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

It is considered that the planning proposal is either consistent or justifiably inconsistent with the following applicable s117 directions.

117 Direction	Comment
1.1 Business and Industrial Zones	Not inconsistent as this planning proposal aims to encourage employment growth and the subject site is specifically noted in the <i>Greater Macarthur Land Release Investigation</i> documentation, and included in the proposed <i>Greater Macarthur Priority Growth Area</i> .
1.2 Rural Zones	It is considered that this planning proposal is justifiably inconsistent with this direction. Whilst the subject site is currently zoned RU2 Rural Landscape it is not agricultural land as it is an emplacement site where industrial uses are currently being undertaken. The subject site is also specifically noted in the <i>Greater Macarthur Land Release Investigation</i> documentation, and included in the proposed <i>Greater Macarthur Priority Growth Area</i> , as suitable for investigation as future employment land.
1.3 Mining, Petroleum Production and Extractive Industries	The proposed zones do not specifically permit mining, petroleum production and extractive industries. However, the provisions of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i> which do permit mining, petroleum production and extractive industries, prevail over the provisions of Campbelltown LEP 2015. Therefore it is considered that this planning proposal is justifiably inconsistent with this direction.
2.1 Environment Protection Zones	Not inconsistent as this planning proposal aims to rezone land adjoining the Nepean River to Zone E2 Environmental Conservation.
2.3 Heritage Conservation	Not inconsistent
3.4 Integrating Land Use and Transport	Not inconsistent as this planning proposal aims to provide employment land within close proximity to new urban release areas. Movement of freight will be able to be achieved either by rail or via the proposed Spring Farm Parkway.
4.2 Mine Subsidence and Unstable Land	Not inconsistent as it is recognised that the subject site is within the South

13

	Campbelltown Mine Subsidence District and Council will comply with the provisions of clauses (4) and (5) specifically noting the required consultation with the Mine Subsidence Board. However, it is also noted that correspondence was received from the Department of Planning (dated 4 May 2006) which advised that <i>"mining of coal resources beneath Menangle Park should be restricted to enable urban development to occur at the scale and form necessary to make that development viable. This is because of the importance of Menangle Park's contribution to land supply in the Sydney Metropolitan Region"</i> . A copy of this correspondence will be placed on public exhibition.
4.3 Flood Prone Land	Not inconsistent as this planning proposal does not propose to rezone any flood affected land for industrial uses.
4.4 Planning for Bushfire Protection	Not inconsistent as Council has consulted with the NSW Rural Fire Service and noted that future development must comply with <i>Planning for Bushfire Protection 2006</i> .
5.10 Implementation of Regional Plans	Not inconsistent with the draft South West District Plan
6.1 Approval and Referral Requirements	Not inconsistent
6.2 Reserving Land for Public Purposes	Not inconsistent as Council will not be assigning a public authority for the acquisition of the local road within the site. Council will be consulting with RMS and TfNSW as part of the public exhibition and would not assign a public authority for the acquisition of land without its concurrence.
7.1 Implementation of A Plan for Growing Sydney	Not inconsistent
7.2 Implementation of Greater Macarthur Land Release Investigation	Not inconsistent

Section C – Environmental, social and economic impact.

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

The bulk of the subject site is a coal emplacement area that does not exhibit any critical habitats or threatened species. The western portion of the subject site adjoins the Nepean River and contains poor quality vegetation including exotic shrubs and olive trees. However, it is proposed that this area be regenerated and revegetated to provide an ecological corridor along the Nepean River and provide a link with the Australian Botanic Garden.

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

Due to the nature of this site being an emplacement area it is critical that all issues regarding the geotechnical stability of the site are addressed satisfactorily. The primary geotechnical related hazards are:

- long term and differential settlement
- erosion and slope stability of the existing fill embankments.

It is considered that the emplacement site can be developed for industrial uses provided further detailed geotechnical investigation and analysis is undertaken to confirm the earthworks methodology for any future development applications for construction and stabilisation of the embankments.

It is also acknowledged that any future development of the subject site must address issues relating to visual, acoustic and air quality impacts and any bushfire hazard. These matters can be addressed through the provisions of the proposed development control plan for the subject site.

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

The Aboriginal Heritage Due Diligence Assessment for the Glenlee Precinct has been prepared to advise on the existence and legislative framework for the protection of Aboriginal archaeological sites. The planning proposal aims to include these sites within the proposed E2 Environmental Conservation zone.

The subject site does not contain any items of environmental heritage however; the Non-Indigenous Heritage Assessment that has been prepared for the Glenlee Precinct provides information on the significance of the surrounding cultural landscape. As such the draft Glenlee Development Control Plan includes provisions with regard to the visual impact of any future industrial development on the site.

The area of land proposed to be rezoned for industrial purposes (being approximately 60 hectares) is not considered to detrimentally impact upon other industrial areas within both the Campbelltown and Camden LGAs. Council has specifically ensured that only industrial uses are proposed, and that any retailing is restricted to 500sqm in gross floor area, as it was considered that retail premises were not appropriate in this location, and that they could also jeopardise the viability of existing nearby precincts which exhibit such land uses. At a rate of 25 employees per hectare there is the potential for the subject site to provide approximately 1,500 jobs.

Section D – State and Commonwealth interests.

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

The subject site is currently unsewered but the provision of sewer services and upgraded water facilities were addressed as part of the work undertaken for the Menangle Park Urban Release Area and are thus anticipated to be as follows:

- Sewer – connection is proposed to the existing Glenfield wastewater network

- Water – extension from the existing Macarthur Water Supply System (Narellan inlet main).

Both electricity and telecommunications are currently available on site and can be upgraded as required.

The most significant infrastructure that will be required affects the road network in both the Camden and Campbelltown LGAs. The local road network within the Camden LGA is not considered to be able to accommodate the expected significant increase in vehicular traffic resulting from this proposed rezoning, particularly heavy truck movements. It is for this reason that a restriction is proposed on the amount of development that can proceed prior to the development of the proposed Spring Farm Parkway which will connect with the M31 Hume Highway.

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

Some initial consultation has already been undertaken with relevant government agencies and servicing authorities and their responses have been taken into consideration in the preparation of the supporting technical studies. However further consultation with the following public authorities and service providers will occur as part of the public exhibition of the planning proposal:

- Fire and Rescue NSW
- NSW Rural Fire Service
- NSW Office of Water
- NSW Office of Environment and Heritage (Heritage Branch)
- NSW Office of Environment and Heritage (Environmental Branch)
- Roads and Maritime Services
- Transport for NSW
- NSW Department of Industry -Resources and Energy
- NSW Department of Primary Industries - Agriculture
- Mines Subsidence Board
- Sydney Water
- Australian Rail Track Corporation Ltd
- Tharawal Local Aboriginal Land Council
- Cubbitch Barta Native Title Claimants
- Integral Energy
- AGL
- Telstra
- Australian Botanic Gardens
- Urban Growth.

With regard to the proposed GFA cap on development a review was undertaken by consultants and the results have been included in the Glenlee Precinct Traffic Impact Assessment. This review indicates that the GFA cap can be increased to 90,000sqm.

Transport for NSW and the Roads and Maritime Services have advised that they have no objection to the proposed increase in the GFA cap provided certain upgrading road works are completed with regard to the intersection of the Camden bypass and Liz Kernohan Drive.

Part 4 – Mapping

The following maps are attached to this planning proposal in Appendix 2:

1. Map 1 Land subject to the planning proposal
2. Map 2 Current land use zones applying to the land
3. Map 3 Proposed Land Zoning Map shown as
4. Map 4 Proposed Lot Size map shown as in Appendix 2.
5. Map 5 Proposed Height of Buildings
6. Map 6 Proposed
7. Map Aerial photographic

Part 5 – Community Consultation

It is proposed that this planning proposal be publicly exhibited for a period of a minimum of 28 days, and the notice of the exhibition period would be given in accordance with the provisions included in *A Guide to Preparing Local Environmental Plans*.

Part 6 - Project Timeline

The draft project timeline has been included in Table 6 below. The anticipated timeframes and dates have been assigned to each milestone of the Gateway process.

Table 6: Project Timeline

Milestone	Date
– commencement date (date of Gateway determination)	3 July 2013
– anticipated timeframe for the completion of required technical information	Completed 2016
– revised Gateway determination	3 October 2017
– commencement and completion dates for public exhibition period	December-January 2018
– timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) – Consultation with government agencies is proposed to be undertaken while the proposal is on public exhibition.	February/March 2018
– timeframe for consideration of submissions (report to Council)	April 2018
– anticipated date RPA will make the plan (delegated)	May/June 2018
– anticipated date RPA will forward to the Department for notification	



Contact: David Radich
Phone: (02) 9860 1568
Email: David.Radich@planning.nsw.gov.au
Postal: GPO Box 39 Sydney NSW 2001

Our ref: PP_2013_CAMPB_001_00 (13/08773)

Mr Paul Tosi
General Manager
Campbelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2560

Dear Mr Tosi,

Planning proposal to amend Campbelltown (Urban Area) Local Environmental Plan 2002 and Interim Development Order No. 15 – City of Campbelltown

I am writing in response to your Council's letter dated 9 May 2013 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to rezone land at Glenlee to 4(a) General Industry, 5(b) Special Uses Arterial Roads and a new environmental conservation zone, include a land use table for the environmental conservation zone and a new provision which prohibits development of warehousing and industrial uses over a certain gross floor area until a road link to the F5 Freeway is established.

As delegate of the Minister for Planning and Infrastructure, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

While I support Council's proposal to cap warehousing and industrial gross floor area on the subject site at Glenlee, it is considered that a satisfactory arrangements provision which permits development above the cap subject to road improvements being undertaken is not appropriate because of the lack of certainty over the construction and timing of these improvements. Consequently, while the cap on gross floor area is to remain in the planning proposal, the proposal is to clearly advise that the proposed local provision does not allow development to exceed the gross floor area cap, until a subsequent planning proposal is submitted to amend/remove the cap, once suitably provisions for infrastructure have been agreed on.

I have also agreed the planning proposal's inconsistencies with S117 Directions 1.2 Rural Zones, 1.5 Rural Lands and 6.3 Site Specific Provisions are of minor significance. No further approval is required in relation to these Directions.

Council may still need to obtain the Director General's agreement to satisfy the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

The Minister delegated his plan making powers to councils in October 2012. It is noted that Council has now accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan. Council is reminded that it must not use its delegation where there is an unresolved agency objection to the proposal. In this instance, Council is to contact the regional office of the department to seek assistance in resolving the matter so that the plan may proceed under delegation.

The amending Local Environmental Plan (LEP) is to be finalised within 18 months of the week following the date of the Gateway determination. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected

Bridle Street Office: 23-33 Bridge Street Sydney NSW 2000 GPO Box 39 Sydney NSW 2001 DX 22 Sydney

publication date. A copy of the request should be forwarded to the department for administrative purposes.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact David Radich of the regional office of the department on 02 9860 1568.

Yours sincerely,
SIGNATURE HAS BEEN
REMOVED

Daniel Keary
Acting Executive Director
Metropolitan Planning

3/7/13



Gateway Determination

Planning proposal (Department Ref: PP_2013_CAMPB_001_00): to facilitate the development of land at Glenlee.

I, the Acting Executive Director, Metropolitan Planning at the Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Campbelltown (Urban Area) Local Environmental Plan (LEP) 2002 and Interim Development Order No. 15 – City of Campbelltown to rezone land at Glenlee to 4(a) General Industry, 5(b) Special Uses Arterial Roads and a new environmental conservation zone, include a land use table for the environmental conservation zone and a new provision which prohibits development of warehousing and industrial uses over a certain gross floor area should proceed subject to the following conditions:

1. Prior to undertaking public exhibition, Council is to update the planning proposal to:
 - (a) clearly advise that the proposed local provision does not allow warehouse and industrial development to exceed the gross floor area cap. The removal/amendment to the cap can only occur via a subsequent planning proposal, once suitably provisions for infrastructure have been agreed on.
 - (b) if considered appropriate, nominate the proposed standard instrument zones for the subject land under the draft Campbelltown LEP. The planning proposal is to clearly indicated which instruments are being amended;
 - (c) nominate, in consultation with Camden Council, the portion of the gross floor area cap applying to land within the Campbelltown local government area, or alternatively, indicate that the proposed cap applies to land within both Camden and Campbelltown local government areas (which is subject to planning proposals PP_2013_CAMDE_012_00 and PP_2013_CAMPB_001_00);
 - (d) include maps/figures which show road access to/from the site in the short, medium and long term. All maps are to be at an appropriate scale and clearly identify the subject site; and
 - (e) include a project timeline, consistent with Section 2.6 Part 6 of the *A Guide to Preparing Planning Proposal*.
2. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:
 - geotechnical
 - flora, fauna and habitat
 - surface, groundwater and flooding
 - bushfire hazard management
 - Aboriginal and European heritage
 - scenic quality, visual, acoustic and air quality
 - transport, access and movement
 - capacity of infrastructure, services and facilities
 - consideration of Sydney Regional Environmental Plan 20 – Hawkesbury Nepean River
 - consideration of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

Once the above information has been obtained and consultation has been undertaken with public authorities, and prior to undertaking public exhibition, Council is to update its consideration of S117 Directions 3.4 Integrating Land Use and Transport, 2.3 Heritage Conservation, 4.4 Planning for Bushfire Protection and 4.3 Flood Prone Land to reflect the outcomes of the work and consultation undertaken.



3. Council is to ensure that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land. If required, Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning & Infrastructure 2013).
5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and other relevant parties and/or to comply with the requirements of or demonstrate consistency with relevant S117 Directions:
 - AGL
 - Landcom
 - Sydney Water
 - Telstra
 - Transport for NSW
 - Endeavour Energy
 - Fire and Rescue NSW
 - NSW Trade and Investment
 - Australian Botanic Gardens
 - NSW Department of Primary Industries – Agriculture
 - Mine Subsidence Board (S117 Direction 4.2 Mine Subsidence and Unstable Land)
 - NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
 - NSW Trade and Investment – Minerals and Petroleum (S117 Direction 1.3 Mining, Petroleum Production and Extractive Industries)
 - Office of Environment and Heritage (S117 Directions 2.1 Environment Protection Zones and 2.3 Heritage Conservation)
 - Hawkesbury - Nepean Catchment Management Authority (S117 Direction 2.1 Environment Protection Zones)
 - Adjoining LGAs (including Camden Council)
 - The owner of the rail spur
 - Roads and Maritime Services to confirm the special purpose zone and acquisition responsibilities

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).



7. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated 3rd day of July 2013.

SIGNATURE HAS BEEN REMOVED

Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Delegate of the Minister for Planning and Infrastructure



Planning & Infrastructure

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Campbelltown City Council is authorised to exercise the functions of the Minister for Planning and Infrastructure under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_CAMPB_001_00	Planning proposal to rezone land at Glenlee to 4(a) General Industry, 5(b) Special Uses Arterial Roads and a new environmental conservation zone, include a land use table for the environmental conservation zone and a new provision which prohibits development of warehousing and industrial uses over a certain gross floor area.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "A guideline for the preparation of local environmental plans" and "A guide to preparing planning proposals".

Dated

3/7/2013

SIGNATURE HAS BEEN REMOVED

Daniel Keary
Acting Executive Director
Metropolitan Planning
Planning Operations and Regional Delivery
Department of Planning and Infrastructure

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table 1 – To be completed by the department

Stage	Date/Details
Planning Proposal Number	PP_2013_CAMPB_001_00
Date Sent to Department under s56	09/05/2013
Date considered at LEP Review Panel	27/06/2013
Gateway determination date	03/07/2013

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP&I requesting notification		

Table 3 – To be completed by the department

Stage	Date/Details
Notification Date and details	

Additional relevant information:

**Planning &
Environment**

Ms Lindy Deitz
General Manager
Campbelltown City Council
PO Box 57
Campbelltown NSW 2580

16/15842

Attention: Felicity Saunders

JAN12'17 07:31:44 RCVD

Dear Ms Deitz

Alteration of Gateway determination for *Campbelltown (Urban Area) Local Environmental Plan 2002* and Interim Development Order No. 15 – Glenlee (PP_2013_CAMPB_001_00)

I refer to Council's request to alter the Gateway determination for PP_2013_CAMPB_001_00, issued on 3 July 2013, to extend the timeframe by an additional 12 months.

I have determined, as delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination, dated 3 July 2013 (altered on 29 January 2016), for the planning proposal PP_2013_CAMPB_001_00, which seeks to amend the *Campbelltown (Urban Area) Local Environmental Plan 2002* and Interim Development Order No. 15 by rezoning land at Glenlee to IN1 General Industrial, SP2 Infrastructure and E3 Environmental Management.

I enclose the Alteration of Gateway Determination for your attention.

If you have any questions in relation to this matter, please contact Ms Chantelle Chow on (02) 9860 1583.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

9/01/2017

Catherine Van Laeren
Director, Sydney Region West
Planning Services

Delegate of the Greater Sydney Commission

Encl:
Alteration to Gateway Determination

Department of Planning and Environment
Sydney Region West | Level 5, 10 Valentine Avenue, Parramatta | GPO Box 39 Sydney 2001 | planning.nsw.gov.au

**Planning &
Environment**

FEB09'16 08:12:27 RCVD

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

16/01638

Dear Ms Deitz

Extension of Gateway Timeframes for the Glenlee and Menangle Park Planning Proposals

In response to Council's request of 23 December, 2015, as delegate of the Minister for Planning, I have, under section 56(7) of the *Environmental Planning and Assessment Act 1979*, altered the Gateway Determination by extending the timeframes under section 56(2)(f) of the Act for completion of the planning proposals, as listed below.

The alterations of Gateway determination (2) are enclosed.

Planning Proposal	Proposed extension	Proposed new due date
PP_2013_CAMPB_001_00 Glenlee	12 months	10 January 2017
PP_2012_CAMPB_001_00 Menangle Park	12 months	25 November 2016

If you have any questions in relation to this matter, please contact Ms Michelle Dellagiacoma of the Metropolitan Region (Parramatta) office of the Department of Planning and Environment on (02) 9860 1560.

Yours sincerely

SIGNATURE HAS

BEEN REMOVED 29/1/2016

Rachel Cumming
Director Metropolitan (Parramatta)
Planning Services

Department of Planning & Environment
Level 5, 10 Valentine Avenue, Parramatta NSW 2124 | GPO Box 39 Sydney NSW 2001 | T 02 9228 6333 | F 02 9228 6455 |
www.planning.nsw.gov.au



**Planning &
Environment**

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2013_CAMPB_001_00)

I, Rachel Cumming, Director, Metropolitan (Parramatta), at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined, under section 56(7) of the Environmental Planning and Assessment Act 1979 ("EP&A Act"), to alter the Gateway determination dated 3 July 2013, for the proposed amendment to Campbelltown (Urban Area) LEP 2002 and Interim Development Order No. 15, as follows:

1. Delete:

condition "7"

and replace with:

a new condition 7 "The LEP is to be finalised by 10 January 2017".

Dated 29th day of January 2016.

SIGNATURE HAS BEEN
REMOVED

**Rachel Cumming
Director
Metropolitan (Parramatta)
Planning Services**

**Delegate of the Greater Sydney
Commission**

Department of Planning & Environment
Level 5, 10 Valentine Avenue, Parramatta NSW 2124 | GPO Box 39 Sydney NSW 2001 | T 02 9228 6333 | F 02 9228 6455 |
www.planning.nsw.gov.au



**Planning &
Environment**

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2012_CAMPB_001_00)

I, Rachel Cumming, Director, Metropolitan (Parramatta), at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined, under section 56(7) of the Environmental Planning and Assessment Act 1979 ("EP&A Act"), to alter the Gateway determination dated 20 February 2012, for the proposed amendment to rezone land within the Menangle Park Urban Release Area to a mix of zones for urban purposes and to introduce development controls for the subject land, as follows:

1. Delete:

condition "7"

and replace with:

a new condition 7 "The LEP is to be finalised by 25 November 2016".

Dated 29th day of January 2016.

SIGNATURE HAS BEEN
REMOVED

**Rachel Cumming
Director
Metropolitan (Parramatta)
Planning Services**

**Delegate of the Greater Sydney
Commission**

Department of Planning & Environment
Level 5, 10 Valentine Avenue, Parramatta NSW 2124 | GPO Box 39 Sydney NSW 2001 | T 02 9228 6333 | F 02 9228 6455 |
www.planning.nsw.gov.au



Planning & Environment

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2013_CAMPB_001_00)

I, the Director, Sydney Region West at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* (the Act) to alter the Gateway determination dated 3 July 2013 (as amended) for the proposed amendment to the *Campbelltown (Urban Area) Local Environmental Plan 2002* and Interim Development Order No. 15 as follows:

1. Delete:

condition "7"

and replace with:

a new condition 7 "The LEP is to be finalised by 9 January 2018".

Dated 9th day of January 2017

SIGNATURE HAS BEEN REMOVED

Catherine Van Laeren
Director, Sydney Region West
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

CAMPBELLTOWN PP_2013_CAMPB_001_00 (16/15842)



17/06758

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

Dear Ms Deitz

**Planning Proposal at Glenlee, Menangle Park PP_2013_CAMPB_001_00 –
Alteration of Gateway Determination**

I refer to your letter in relation to the amended Planning Proposal PP_2013_CAMPB_001_00 which seeks to rezone land at Glenlee, Menangle Park.

I have determined as the delegate of the Greater Sydney Commission, in accordance with section 56(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 3 July 2013 (as altered) for PP_2013_CAMPB_001_00. The Alteration of the Gateway Determination and amended written authorisation to Exercise Delegation are enclosed.

In reaching this decision, I have conditioned the altered determination so that the proposed road corridor is zoned SP2 Infrastructure in the planning proposal in the absence of an agreement from the Roads and Maritime Services to be the acquisition authority. This will allow the proposal to proceed to the community consultation stage and for Council to further investigate the assignment of the acquisition role for the land during the process. In this regard, Council will be required to address section 117 Direction 6.2 Reserving Land for Public Purposes, prior to the plan being made.

Furthermore, the proposed satisfactory arrangements clause is to be removed from the planning proposal prior to community consultation as this provision cannot be introduced in respect of local infrastructure and facilities.

In addition, Council is unable to prohibit retailing uses as these are predominately mandated for the IN1 General Industrial Zone. In these circumstances, I would encourage Council to consider and introduce a suitable mechanism to address its concerns over the impact of commercial development on the site. I have conditioned the attached alteration document according. I understand that discussion have been held between council officers and departmental staff over a suitable alternative mechanism and officers of the Sydney Region Office of the Department remain available to offer assistance, if necessary.

If you have any questions in relation to this matter, I have arranged for Ms Chantelle Chow to assist you. Ms Chow can be contacted on (02) 9860 1548.

Yours sincerely

SIGNATURE HAS BEEN REMOVED

4 October 2017
Stephen Murray
Executive Director, Regions
Planning Services

Encl: Alteration to Gateway Determination
Written Authorisation to Exercise Delegation



Alteration of Gateway Determination

Planning Proposal (Department Ref: PP_2013_CAMPB_001_00)

I, the Executive Director, Regions, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* ("the Act") to alter the Gateway determination dated 3 July 2013 (as since altered) for the proposed amendment to the Campbelltown Local Environmental Plan 2015 as follows:

1. Change the description of the Planning Proposal

from

"I, the Acting Executive Director, Metropolitan Planning at the Department of Planning and Infrastructure as the delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to the Campbelltown (Urban Area) Local Environmental Plan (LEP) 2002 and Interim Development Order No. 15 – City of Campbelltown to rezone land at Glenlee to 4(a) General Industry, 5(b) Special Uses Arterial Roads and a new environmental conservation zone, include a land use table for the environmental conservation zone and a new provision which prohibits development of warehousing and industrial uses over a certain gross floor area should proceed subject to the following conditions:"

to

"I, the Executive Director, Regions, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Campbelltown Local Environmental Plan (LEP) 2015 to rezone land at Glenlee to IN1 General Industrial, SP2 Infrastructure and E2 Environmental Conservation; apply a minimum lot size of 4000sqm; a maximum building height of 12m and no maximum floor space ratio for land proposed to be zoned IN1, apply a maximum building height of 9m for land zoned E2; remove certain development controls on land proposed to be zoned SP2; identify land at Liz Kernohan Drive on the Land Reservation Acquisition Map, and a new provision which prohibits development of warehousing and industrial uses over a certain gross floor area should proceed subject to the following conditions:"

PP_2013_CAMPB_001_00 (14/08799)



2. Delete:

"condition 1"

and replace with a new condition 1:

1. Prior to undertaking consultation, Council is to amend the planning proposal to:

- a) clearly advise that the proposed local provision does not allow warehouse and industrial development to exceed the gross floor area cap of 90,000sqm. (note: the removal/amendment to the cap can only occur via a subsequent planning proposal, once suitable provisions for infrastructure have been agreed upon);
- b) nominate, in consultation with Camden Council, the portion of the gross floor area cap applying to land within the Campbelltown local government area, or alternatively, indicate that the proposed cap applies to land in both Camden and Campbelltown local government areas (which is subject to planning proposal: PP_2013_CAMDE_012_00 and PP_2013_CAMPE_001_00);
- c) include maps/figures which show road access to/from the site in the short, medium and long term – all maps are to be at appropriate scale and clearly identify the subject site;
- d) adjust the project timeline to show current projected dates;
- e) amend the proposed zoning maps within the planning proposal by removing the words 'SP2 Classified Road' where these words appear within the maps and replaced with the words 'SP2 Infrastructure';
- f) remove reference to the prohibition of retailing and other uses on the site where these words appear in the planning proposal; and,
 - include advice that Council will seek to introduce a proposed mechanism to ameliorate the impact of commercial development on other centres, for example, by limiting floor area of particular land uses on the site;
 - specify the mechanism and the particular uses that will be subject to such limitation; and,
 - submit the amended planning proposal to the Sydney Region West office of the Department by Council, prior to community consultation; and,

PP_2013_CAMPB_001_00 (14/08799)



- g) remove Council's intention to introduce a satisfactory arrangements provision applying to the land.

Dated *4th* day of *October* 2017.

SIGNATURE HAS BEEN REMOVED

Stephen Murray
Executive Director, Regions
Planning Services
Department of Planning and
Environment

**Delegate of the Greater Sydney
Commission**

PP_2013_CAMPB_001_00 (14/08799)



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Campbelltown City Council is authorised to exercise the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979* (the Act) that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2013_CAMPB_001_00	Planning proposal to rezone land at Glenlee to IN1 General Industrial, SP2 Infrastructure and E2 Environmental Conservation; apply a minimum lot size of 4000sqm, a maximum building height of 12m and no maximum floor space ratio for land proposed to be zoned IN1; apply a maximum building height of 9m for land zoned E2; remove certain development controls on land proposed to be zoned SP2; identify land at Liz Kernohan Drive on the Land Reservation Acquisition Map; and a new provision which prohibits development of warehousing and industrial uses over a certain gross floor area.

In exercising the Greater Sydney Commission's functions under section 59 of the Act, the Council must comply with the Department's "A guide to preparing local environmental plans 2016" and "A guide to preparing planning proposals 2016".

Dated 4th October 2017

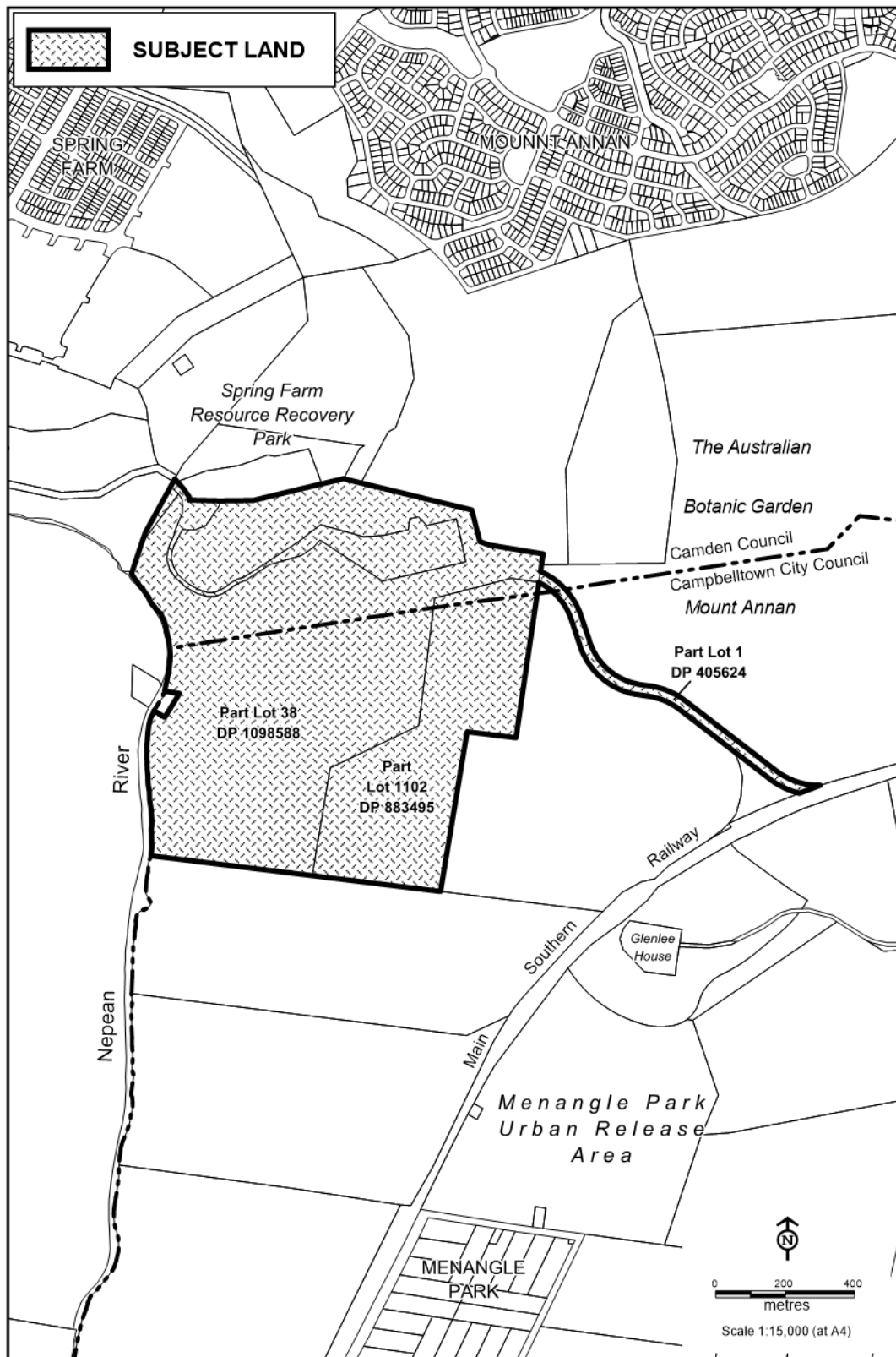
SIGNATURE HAS BEEN REMOVED

Stephen Murray
 Executive Director, Regions
 Planning Services
 Department of Planning and Environment

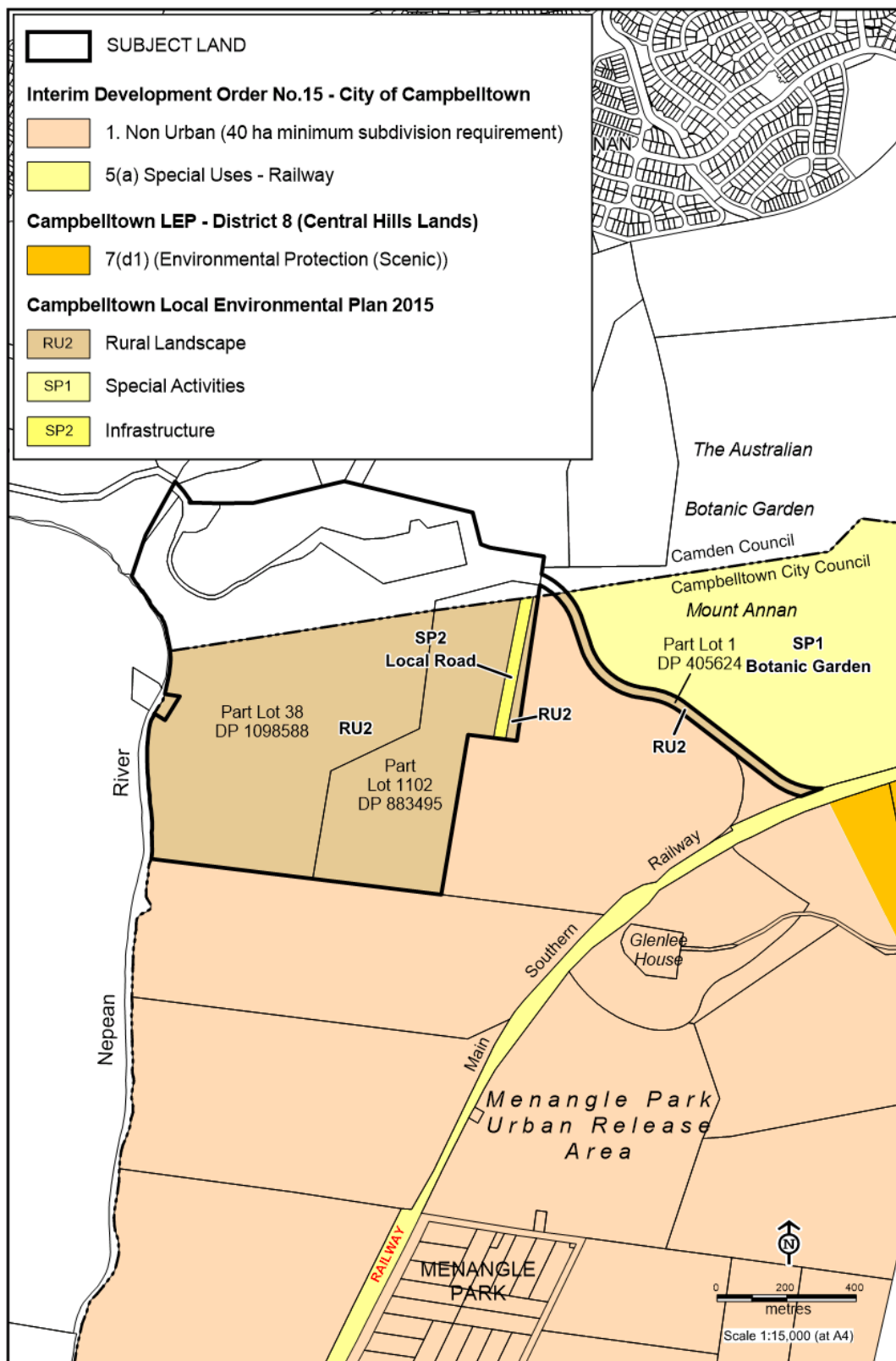
**Delegate of the Secretary
 of the Department of Planning and Environment**

PP_2013_CAMPB_001_00 (14/08799)

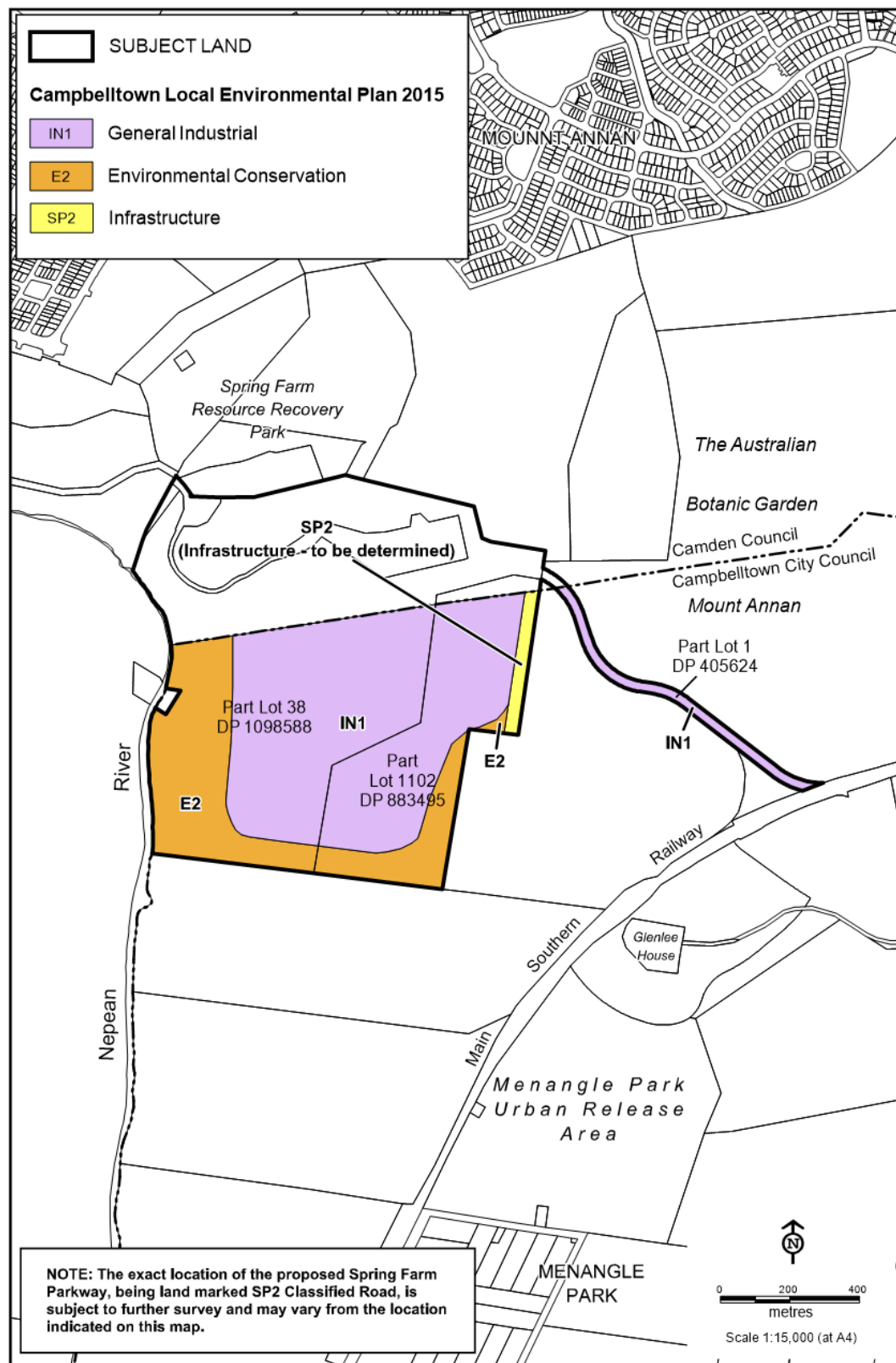
Map 1 - Land subject to the planning proposal



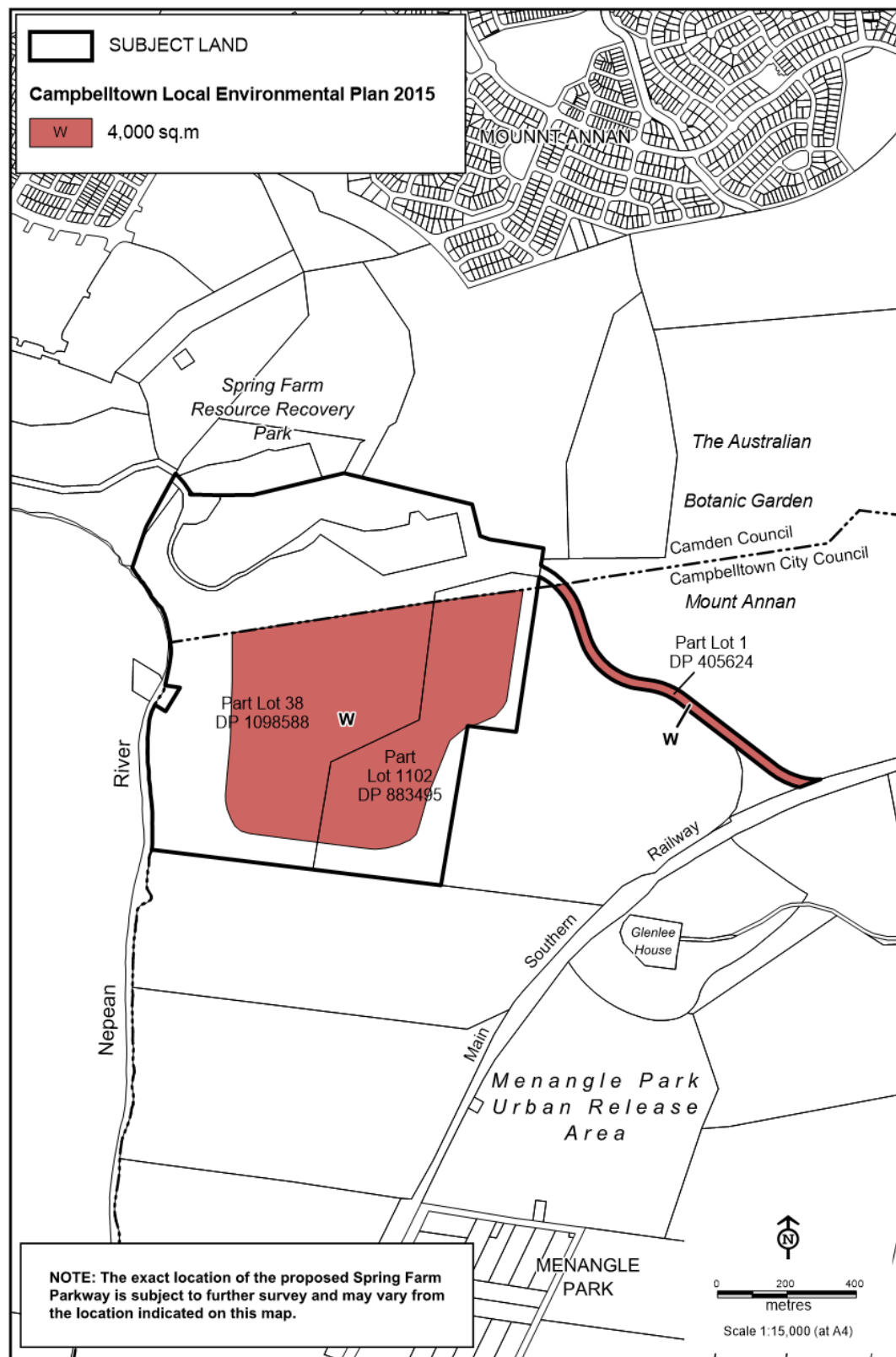
Map 2 - Current land use zones applying to the land



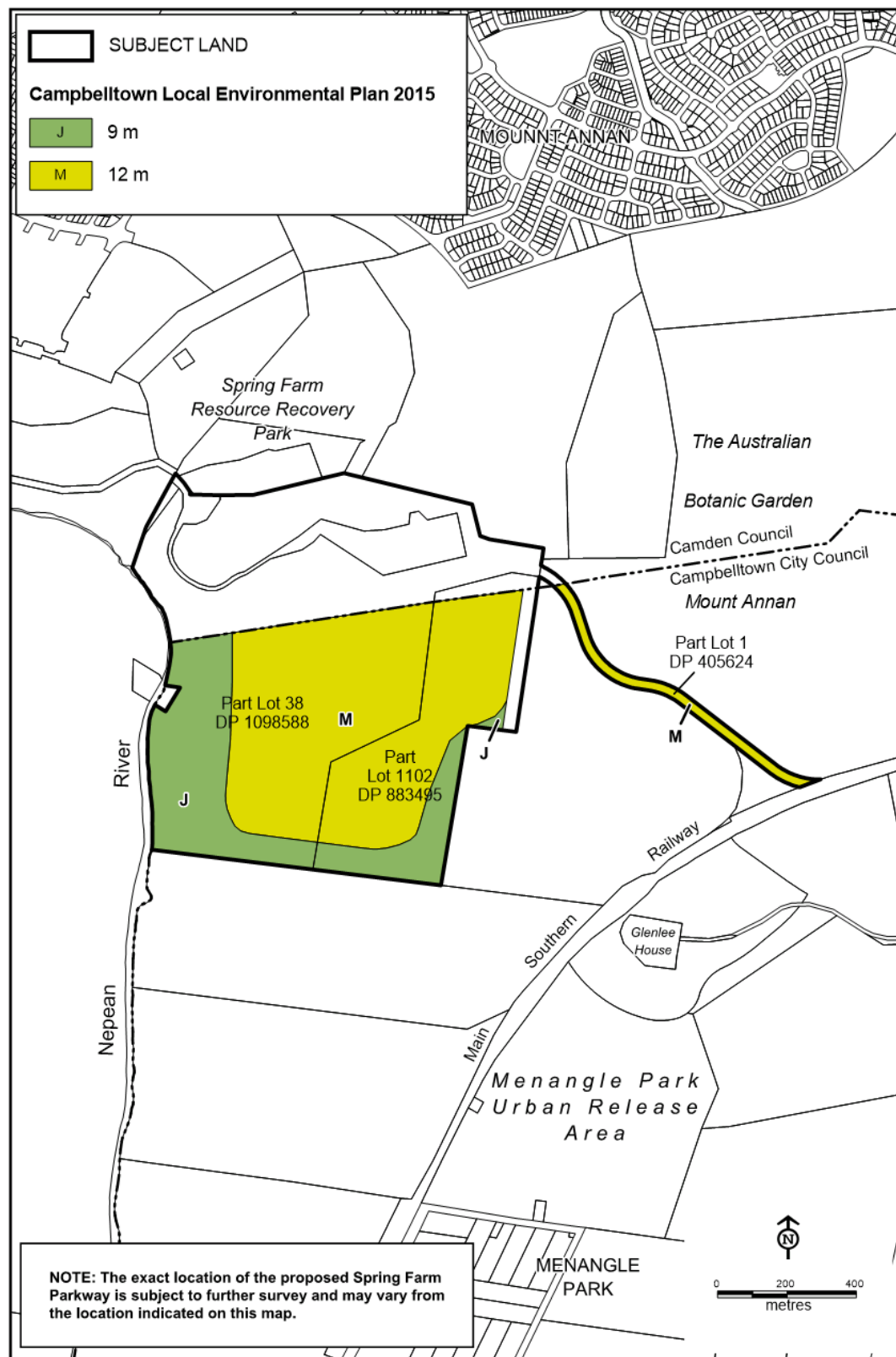
Map 3 - Proposed land use zones



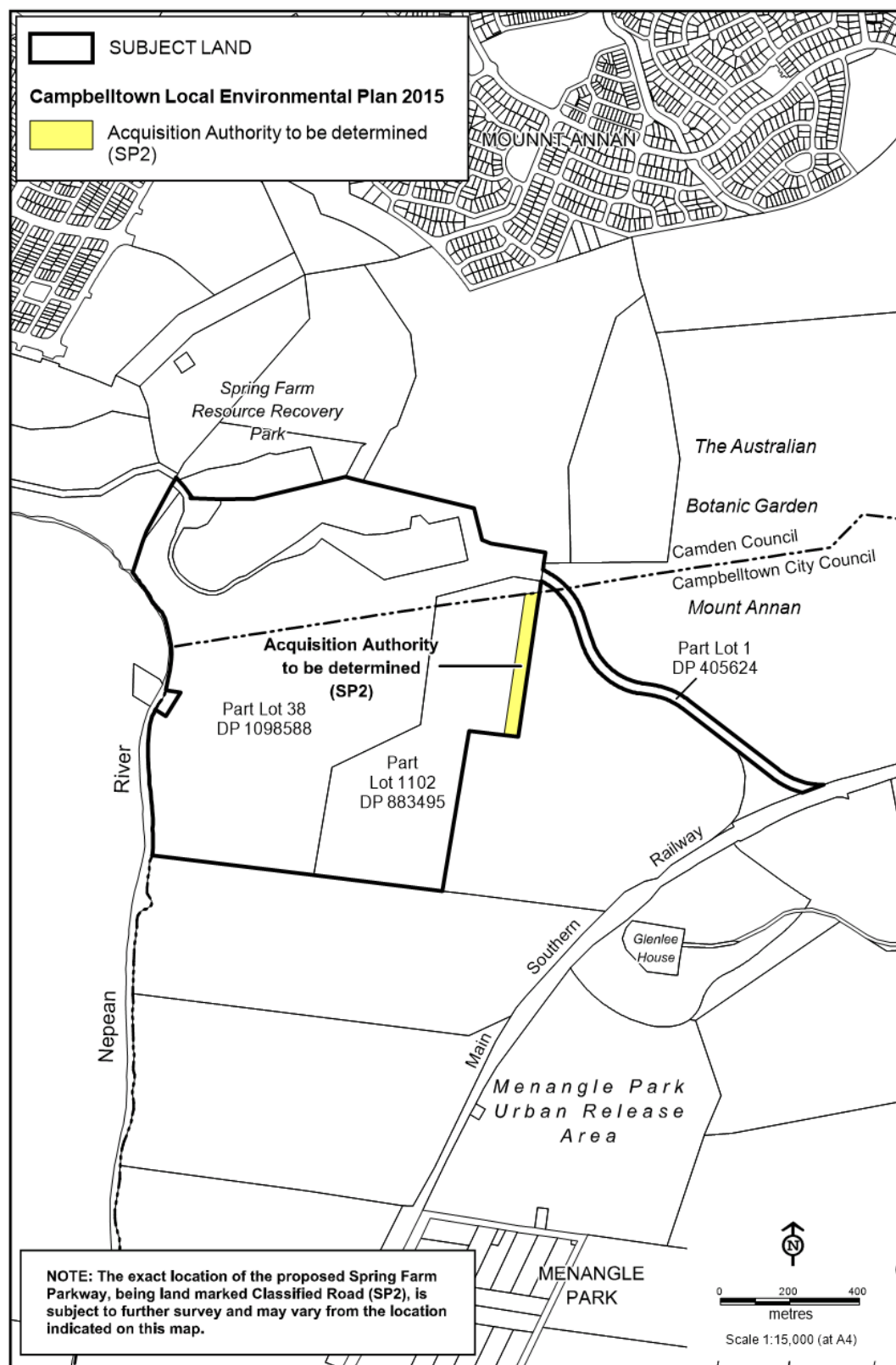
Map 4 - Proposed lot size map



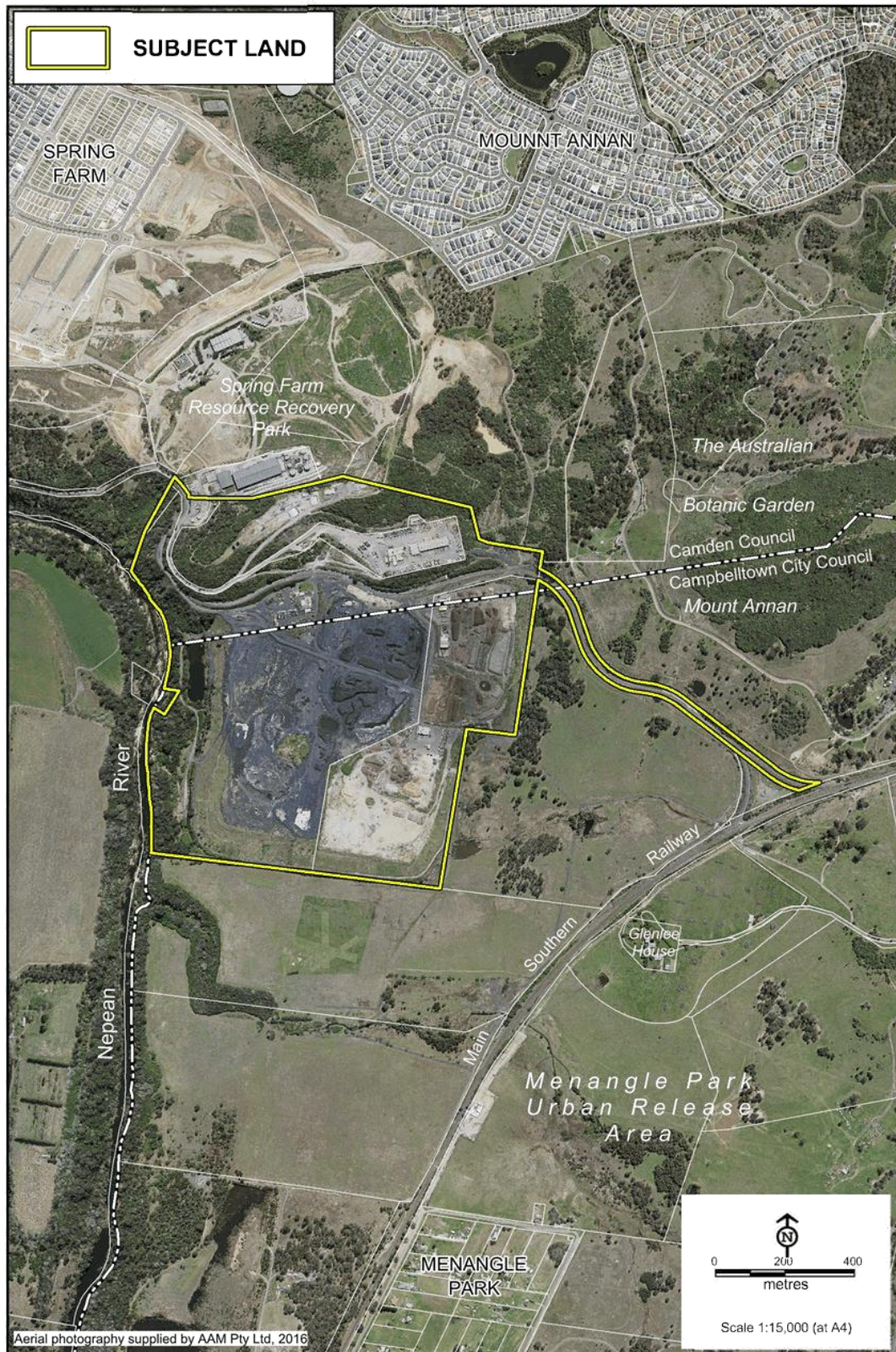
Map 5 - Proposed height of buildings map



Map 6 - Proposed land reservation acquisition map



Map 7 - Aerial photographic map



8.4 Proposed Natural Assets Corridors

Reporting Officer

Executive Manager Urban Renewal
City Development

Community Strategic Plan

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

Officer's Recommendation

1. That Council endorse, in relation to South Campbelltown, the draft natural asset corridor maps and principles provided in attachment 1 and 2 for:
 - a. submission to the Department of Planning and Environment to inform the strategic biocertification process; and
 - b. continued engagement with key landholders and government authorities involved in developing plans for the area.
2. That a further report be presented to Council in relation to a draft Campbelltown Biodiversity Conservation Plan for public exhibition purposes, including an update of the status of the draft Western Sydney Priority Growth Areas, Strategic Biocertification Plan.

Purpose

The purpose of this report is to outline a draft strategy in respect of natural asset corridors in the Mount Gilead (South Campbelltown) proposed urban release area.

History

The planning environment for South Campbelltown is rapidly evolving and requires strategic input from Council. An important contributory element to the creation of new sustainable communities will be natural asset corridors.

The progression of detailed masterplanning for South Campbelltown requires that Council formalise a position in relation to the establishment of a natural assets conservation framework for the area. A position is required due to:

- the Department of Planning and Environment (DP&E) advancing the preliminary findings contained in the foundation planning document The Greater Macarthur Land Release Investigation – Preliminary Strategy and Action Plan

- the DP&E seeking to finalise biocertification of the recently rezoned first stage of the Mount Gilead urban release area
- the DP&E and Office of Environment and Heritage (OEH) pursuit of regional biocertification initiatives
- the principal landholder stakeholder interest groups (the Mir Group led Gilead Landowners Group and Lend Lease) pursuit of masterplanning and compilation of planning proposals (rezoning applications) for lodgement
- community environmental advocates and recognised environmental interest groups lobbying for local and regional biodiversity outcomes
- the Roads and Maritime Services (RMS) preparation of plans and environmental assessments for the upgrade of Appin Road.

With this in mind, it is considered pertinent that Council formalise a position on natural asset corridors in the South Campbelltown precinct to inform ongoing consultation with agencies and key stakeholders.

Report

Council has long held a position of commitment to environmental conservation outcomes, notwithstanding the past and proposed urbanisation of large parts of the Local Government Area (LGA).

This commitment has recently been further reinforced through consultation and subsequent adoption of the Campbelltown Community Strategic Plan – Campbelltown 2027 (CSP). The CSP has a strong natural environment underpinning reflected principally in Outcome 2 – ‘a respected and protected natural environment’.

Strategies attached to the subject natural environment outcome include, amongst others:

- 2.1 Implement and advocate for initiatives that conserve the City’s natural environment.
- 2.4 Conserve and care for our City’s biodiversity.
- 2.5 Plan for and ensure that development in our city is sustainable and resilient.

It is also noted that some of the other CSP outcomes leverage off the city’s environmental attributes, including Outcome 4 – a successful city and in particular:

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

1. Draft Campbelltown Biodiversity Conservation Plan and Natural Asset Corridors

Council recently considered a presentation on the draft Campbelltown Biodiversity Conservation Plan at a briefing held on 15 August 2017. The plan is being further revised in response to initial feedback.

A central feature of the draft plan is the establishment of natural asset corridors focused on the conservation of high quality habitat and waterways and the movement of wildlife through the area.

A series of natural asset corridors were highlighted, inclusive of the Mount Gilead (South Campbelltown) Precinct.

2. Procurement and Management of Natural Asset Corridors

Some elements of the proposed corridors are in private ownership as biobank sites (e.g. Beulah) or will be in the future, and will remain in private ownership and be maintained in accordance with the corresponding agreement and management action plans.

Other elements, particularly the higher order riparian aligned corridors (primary corridors), would be rehabilitated to a maintainable standard as a condition of subdivision approval and dedicated to Council for ongoing care, control and management. If these sites are designated to be stewardship sites (new terminology for biobanking) there would be funding made available through the stewardship program for the in-perpetuity management of these areas. Should they not be eligible for stewardship classification and associated funding, Council would be responsible for their acquisition and care, control and management.

It is generally assumed that as a minimum, their dedication in a rehabilitated form (maintainable standard) would be achievable through the Voluntary Planning Agreement process. Council may have an ongoing maintenance responsibility in these circumstances.

Lower order riparian aligned corridors (secondary corridors) are important at the local landscape scale and may not be funded via the stewardship program. It is anticipated that they would generally be required to be procured via the Voluntary Planning Agreement process which may require Council to assume an ongoing maintenance role. In this regard, the determination of areas as stewardship sites would most likely occur through the Strategic Biocertification process currently being pursued by the Department of Planning.

Some corridors could also remain in private ownership and be managed via a community title subdivision, an example being Harrington Forest in Harrington Grove (Camden LGA) at the discretion of the developer.

It should be noted that any budgetary shortfall for ongoing maintenance may potentially be addressed via extraordinary grants, bushcare programs and the like.

3. Role and function of Natural Asset Corridors

The principal objectives of establishing natural asset corridors in proposed urban release areas such as Mount Gilead (South Campbelltown) include:

- creation of new sustainable masterplanned suburbs/communities with a substantial natural systems underpinning
- conservation of threatened and endemic flora and fauna
- maintenance of ecosystem services including water and air filtration and pollination
- movement opportunities for fauna (including between the Nepean and Georges River)
- management of urban heat island effect
- setting for some passive/sensitive recreational uses
- means of creating a sense of place/sense of community
- context for lifestyle housing.

The benefits of these corridors cover a suite of social, environmental and economic issues and have the potential to facilitate a unique and liveable community in this precinct.

4. Location and qualities of Proposed Corridors

It is important to establish several levels of corridor. The higher order corridors (primary), which perform a sub-regional function, focus on the Nepean River and the Georges River and their linkage. The future means of controlling/facilitating wildlife crossing of Appin Road is the subject of on-going consultation with the relevant authorities.

The lower order corridors (secondary) provide movement pathways at a local landscape level.

Corridors should not merely focus on the extent of existing vegetation. They should also provide for embellishment where natural corridor narrowing may be otherwise evidenced to provide adequate habitat and protection from urban impacts such as noise and light. Wider corridors provide for greater species diversity, have less impacts from adjoining land uses and associated edge effects (i.e. weed invasion and predators) and can provide habitat in their own right.

Australian research on edge effects (Goldingay and Whelan 1997; Clarke and Oldmand 2007) indicate that edge effects extend 150-200m from the edge, so corridors may need to be greater than 350m wide to have even a small amount of habitat not impacted by edge effects. In recognition of this Doeer et al. 2010 suggest that 350m may be the true required width of corridors.

Council officers have undertaken extensive analysis of the flora and fauna within the South Campbelltown Precinct and have delineated appropriate proposed corridors as illustrated in in attachment 1.

Where possible, the minimum width for primary corridors has been defined of at least 350m. However, concessions have been made where vegetation is in either poor condition or other constraints are present. Secondary corridors have been mapped at a smaller width in recognition of their lesser role as largely movement pathways.

In addition, draft Natural Asset Corridor Principles have been drafted to guide future planning and development within the South Campbelltown precinct which are detailed in attachment 2.

5. Achieving balanced planning outcomes

The formulation of the proposed corridors has sought to ensure there is a reasonable balance between conservation and development opportunities.

To ensure significant and sustainable corridors, Council's strategy should facilitate reasonable development outcomes with requisite supporting infrastructure and commensurate Greenfield development densities.

Any increase in residential densities must, however, be accompanied by relevant alternative transport means and champion high amenity.

6. Engagement/Consultation

Due to the imminent timing of actions summarised in the history section of this report, there is limited opportunity to undertake extensive community and development industry consultation in respect of corridor preservation. The proposed strategy should inform immediate dialogue with the DP&E and OEH in respect of Biodiversity Certification and developer led masterplanning initiatives.

When the draft Campbelltown Biodiversity Conservation Plan is finalised, an extensive engagement/consultation exercise will be undertaken. Until this time, it is considered that the proposed natural asset corridors are consistent with the community views reflected in the CSP and articulated by local environmental advocates.

Additionally, the development industry should note, at a broad level, projected development yields are likely to be achievable at densities of up to 25 dwellings per hectare.

7. Way forward

To facilitate engagement on this issue, a position of Council is required with respect to Natural Asset Corridors for the Mount Gilead (South Campbelltown) locality given the immediate need to:

- engage with the DP&E and OEH in respect of regional level Biocertification initiatives
- enter into masterplanning discussions with the principal Mount Gilead developer/development syndicates.

Upon securing an outcome with the above agencies, a draft Campbelltown Biodiversity Conservation Plan would be finalised and presented to Council seeking a resolution to proceed to public exhibition. The policy would include but not be limited to, proposed final maps and principles for corridor delivery and preservation.

Conclusion

The importance of natural asset corridors in the creation of sustainable and resilient urban communities for the Mount Gilead (South Campbelltown) Precinct is a key community issue.

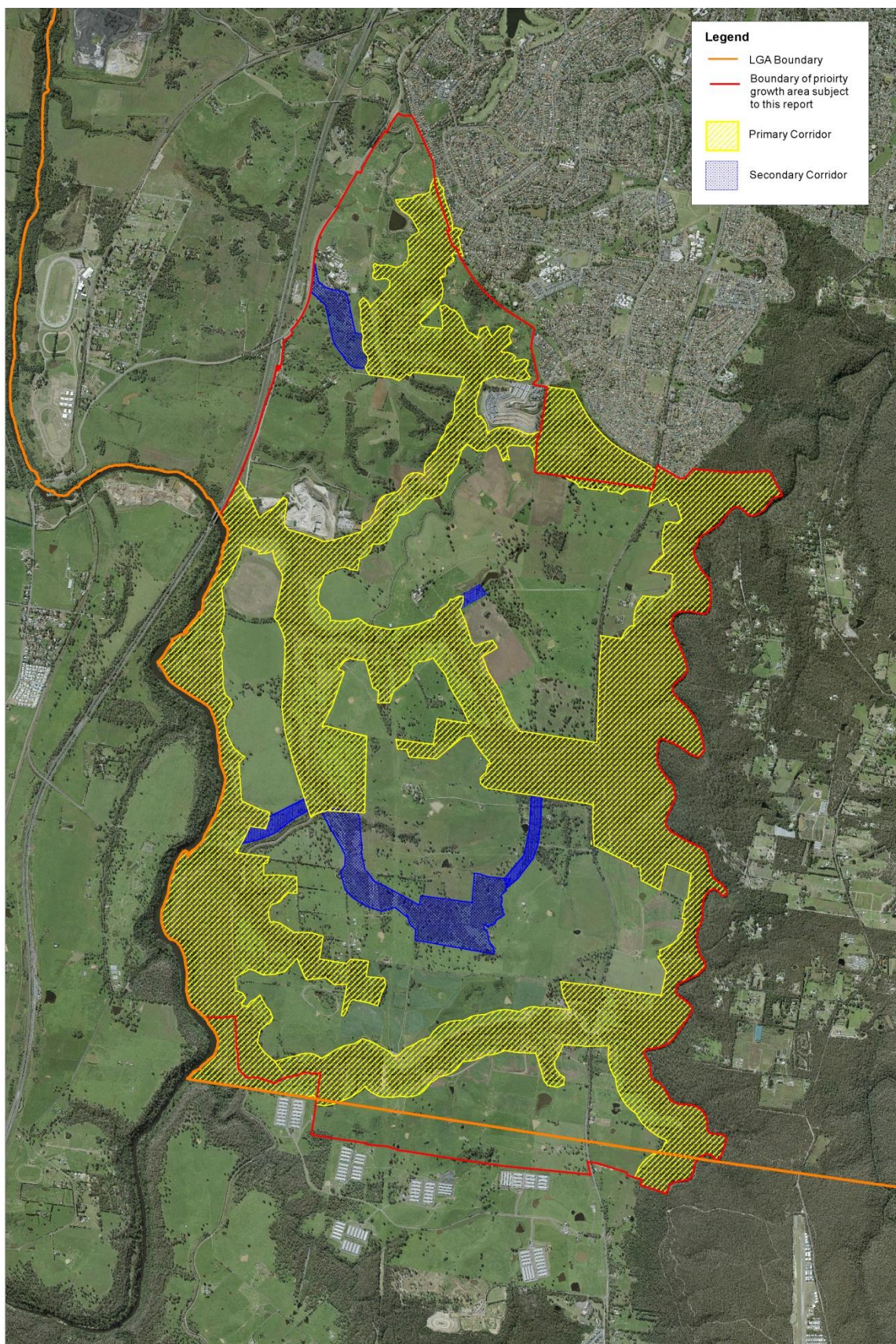
The proposed corridors appear to be economically achievable.

Further, they are considered to be consistent with projected new dwelling yields, be it at slightly increased densities.

Therefore, it is recommended that Council endorse the draft natural asset corridor maps and principles provided in attachments 1 and 2 for the purpose of engaging with the key agencies and landholders to inform the NSW Government's strategic biocertification process, planning for South Campbelltown and finalisation of a draft Campbelltown Biodiversity Conservation Plan.

Attachments

1. Corridor Map (contained within this report)
2. Natural Asset corridor Principles (contained within this report)



NATURAL ASSET CORRIDOR PRINCIPLES

Principle 1 – Existing native vegetation along identified corridors should be retained

Principle 2 – The design of the corridor network should be consistent with corridor design principles (i.e. to meet the ecological and spatial requirements of priority endemic species).

Principle 3 – Infrastructure and Asset Protection Zones should be located outside of identified primary habitat corridors and largely restricted within secondary corridors within the development footprint.

Principle 4 – A sensitive urban interface should be provided in areas adjacent to primary habitat corridors and other areas being managed for conservation purposes

Principle 5 - Permissible activities within primary and secondary corridors should not have an adverse impact on the biodiversity and cultural heritage values of habitat corridors and where possible should be complementary to biodiversity conservation

Principle 6 – Rezoning proposals and associated future development should be consistent with relevant threatened species Management Plans and Guidelines

Principle 7 – Existing and any future barriers to fauna movement within identified corridors should be appropriately addressed to facilitate the safe movement of fauna

Principle 8 – The ongoing management of natural corridors should be appropriately funded

Principle 9 - Conservation areas that will generate conservation stewardship credits (biodiversity) credits should be zoned E2 - environmental conservation

Principle 10 – Any conservation lands proposed for dedication to Council should be consistent with any Council Land Dedication Policy

Principle 11 – Ongoing monitoring of threatened biodiversity should be undertaken prior to, during and after development.

8.5 Revised Policy - Pesticide Use Notification

Reporting Officer

Executive Manager Urban Renewal
City Development

Community Strategic Plan

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

Officer's Recommendation

1. That the revised Pesticide Use Notification Policy as attached to this report be adopted.
2. That the Policy review date be set at 30 September 2020.

Purpose

To seek Council's endorsement of the revised Pesticide Use Notification Policy.

History

This policy was first adopted by Council at its meeting held 8 May 2012 and is therefore due for review in accordance with Council's Records Management Policy.

Report

The Pesticide Use Notification Policy supports the Pesticides Use Notification Plan for prescribed public spaces and aims to assist Council in notifying the public about details of planned pesticide application to ensure that Council conducts its operations in a safe and effective manner.

The policy has been revised in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

In mid-2017, the NSW Environmental Protection Authority completed a review of the *Pesticide Regulation 2009* with the new *Pesticide Regulation 2017* taking effect on 1 September 2017. An outline of the changes is provided below relating to pesticide use as a result of the review:

- Prescribed occupations (under the Act) now require a licence for pesticide use. However, employees of local or state public authorities and farmers working on their own lands are exempt from licensing provisions.


- Requirements for record keeping relating to pesticide use have been expanded to a range of occupations including farmers, market gardeners, landscape gardeners and nursery operators. The requirement for Council and its contractors have not changed.

Given the above legislative changes, the only required amendments to Council's Pesticide Use Notification Policy is to reference the *Pesticide Regulation 2017*.

It is therefore recommended that the revised Pesticide Use Notification Policy be adopted as attached.

Attachments

1. Revised Pesticide Use Notification Policy (contained within this report)
2. current Pesticide Use Notification Policy - 1 July 2014 (contained within this report)

		POLICY
Policy Title	Pesticide Use Notification	
Related Documentation	Pesticide Use Notification Plan Location Map of Reserves adjacent to Sensitive Places	
Relevant Legislation/ Corporate Plan	<i>Pesticides Act 1999</i> <i>Pesticides Regulation 2017</i>	
Responsible Officer	Executive Manager Urban Release and Engagement, Urban Release and Engagement	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To ensure Council uses pesticides in prescribed public spaces in a safe and effective manner and in accordance with relevant legislation and policy.

Policy Statement

Council is committed to the safe and effective use of pesticides that minimises risks to human health, the environment, property and trade.

1. Council will follow the guidelines set out in its Pesticide Use Notification Plan for the use of pesticides in prescribed public spaces.
2. Council will undertake appropriate record keeping and training in regard to the use of pesticides in prescribed public spaces.

This policy supports the Pesticides Use Notification Plan for prescribed public spaces and aims to assisting Council in notifying the public about details of planned pesticide application. The policy is particularly relevant when the use of pesticides is scheduled adjacent to pre-defined 'sensitive places'.

Scope

The Policy applies to Council operational and environmental works which require the application of pesticides.

Definitions

'Pesticide' as per the definition within the *Pesticides Act 1999* or as amended.

'Pesticide Use Notification Plan' as per the definition within the *Pesticides Regulation 2017* or as amended.

'Prescribed public space' as per the definition within the *Pesticides Regulation 2017* or as amended.

DATA AND DOCUMENT CONTROL		
Division: Planning and Environment Section: Environmental Planning DocSet: 3410614	Adopted Date: 08/05/2012 Revised Date: 01/07/2014 Minute Number: 105 Review Date: 30/06/2022	Page: 1 of 2

Campbelltown City Council

'Sensitive places' as per the definition within the *Pesticides Regulation 2017* or as amended.

Legislative Context

The *Pesticides Act 1999* regulates the use of pesticides after the point of sale and promotes the protection of human health, the environment, property and trade by minimising risks from pesticide use.

The *Pesticides Regulation 2017* prescribes measures required for the notification and record keeping of the use of pesticides in public places. In response Council was required to develop a Pesticide Use Notification Plan for pesticide use in prescribed public places.

Principles

Procedures outlining measures taken to comply with the policy are detailed in the Notification Plan for the use of Pesticides in Public Spaces.

Responsibility


This policy is provided for implementation by all Council's Environmental Planning and Operational Services Sections involved in the planning and/or application of pesticides. The Manager of Environmental Planning is responsible for its monitoring and review.

Effectiveness of this Policy

This policy will be reviewed in accordance with Council's adopted procedure for policy development.

END OF POLICY STATEMENT

DATA AND DOCUMENT CONTROL		
Division: Planning and Environment Section: Environmental Planning DocSet: 3410614	Adopted Date: 08/05/2012 Revised Date: 01/07/2014 Minute Number: 105 Review Date: 30/06/2022	Page: 2 of 2

 campbelltown city council	<h2>POLICY</h2>
Policy Title	Pesticide Use Notification
Related Documentation	Pesticide Use Notification Plan Location Map of Reserves adjacent to Sensitive Places
Relevant Legislation/ Corporate Plan	<i>Pesticides Act 1999</i> <i>Pesticides Regulation 2009</i>
Responsible Officer	Manager Environmental Planning

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To ensure Council uses pesticides in prescribed public spaces in a safe and effective manner and in accordance with relevant legislation and policy.

Policy Statement

Council is committed to the safe and effective use of pesticides that minimises risks to human health, the environment, property and trade.

1. Council will follow the guidelines set out in its Pesticide Use Notification Plan for the use of pesticides in prescribed public spaces.
2. Council will undertake appropriate record keeping and training in regard to the use of pesticides in prescribed public spaces.

This policy supports the Pesticides Use Notification Plan for prescribed public spaces and aims to assisting Council's ~~Environmental Planning Section and Operational Services Section~~ in notifying the public about details of planned pesticide application. The policy is particularly relevant when the use of pesticides is scheduled adjacent to pre-defined 'sensitive places'.

Scope

The Policy applies to Council operational and environmental works which require the application of pesticides.

Definitions

'Pesticide' as per the definition within the *Pesticides Act 1999* or as amended.

'Pesticide Use Notification Plan' as per the definition within the *Pesticides Regulation 2009* or as amended.

'Prescribed public space' as per the definition within the *Pesticides Regulation 2009* or as amended.

'Sensitive places' as per the definition within the *Pesticides Regulation 2009* or as amended.

Legislative Context

The *Pesticides Act 1999* regulates the use of pesticides after the point of sale and promotes the protection of human health, the environment, property and trade by minimising risks from pesticide use.

The *Pesticides Regulation 2009* prescribes measures required for the notification and record keeping of the use of pesticides in public places. In response Council was required to develop a Pesticide Use Notification Plan for pesticide use in prescribed public places.

Principles

Procedures outlining measures taken to comply with the policy are detailed in the Notification Plan for the use of Pesticides in Public Spaces.

Responsibility

This policy is provided for implementation by all Council's Environmental Planning and Operational Services Sections involved in the planning and/or application of pesticides. The Manager of Environmental Planning is responsible for its monitoring and review.

Effectiveness of this Policy

This policy will be reviewed in accordance with Council's adopted procedure for policy development.

END OF POLICY STATEMENT

8.6 NSW Government's Future Transport 2056 Strategy

Reporting Officer

Director City Delivery
City Delivery

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.1 - Advocate and plan for enhanced connectivity, accessibility and movement within, to and from our city through improved public transport, road and traffic management infrastructure, cycling and pedestrian movement

Officer's Recommendation

That Council make a submission to the public exhibition of the draft Future Transport 2056 Strategy consistent with the concerns and issues raised in this report, inclusive of the following points:

- a. Council concurs with the principles and objectives of the NSW State Government's Future Transport 2056 strategy.
- b. Council requests that the NSW State Government:
 - (i) delivers the rail connection between the Leppington Spur and the Western Sydney Airport, prior to the opening of the airport.
 - (ii) at the same time provides a Y-link that connects the Leppington Spur directly to the T2 Southern Line north of Macquarie Fields rail station, such that a direct train service can operate between the Western Sydney Airport and the Campbelltown CBD.
 - (iii) provides greater consideration for the short-term need for the provision of strategic road and/or bus transit corridors for Campbelltown, the Greater Macarthur and Western Sydney.
 - (iv) expedites the extension of electrified rail network to Wilton/Picton (or at the very least, establishes the transport corridor to connect the Greater Macarthur urban land release areas of Menangle Park, Mt Gilead, Gilead, Appin and West Appin as well as Wilton New Town as the first stage in a more extensive public transport network for the Macarthur)
 - (v) investigate within the next five years, the need for east-west public transport connections (rapid bus transit or light rail) from Campbelltown CBD to the Strategic Centre of Narellan, and also for Campbelltown to Oran Park, Gregory Hills, Currans Hill and Gledswood Hills.

- (vi) undertake a review of the positioning of Glenfield centre within the draft Greater Sydney Region Plan in light of its strategic location at the junction of multiple metropolitan rail lines and connectivity to the Western Sydney Airport, Liverpool, Parramatta, Kingsford Smith Airport and the Sydney CBD, and the potential that centre has for significant employment development
- (vii) demand that there needs to be greater State Government commitment for immediate time-frames for the transport initiatives, actions and opportunities to be implemented in Campbelltown, the Macarthur Region and South West Sydney to support the growth that is occurring and that is set to occur, thus allowing for greater market and community certainty to help drive population, economic and jobs growth.

Purpose

This report provides Councillors with an overview of the draft Future Transport 2056 Strategy and presents a draft submission to State Government pursuant to its public exhibition.

Importantly, the report also discusses a range of transport outcomes that are considered necessary to secure a productive and sustainable future, especially in light of the extraordinary scale of future urban growth and change currently being planned for that will take place over the next 40 years.

The Strategy is a significant opportunity for NSW to embrace transport planning and delivery to strategically shape the future of Sydney, including Campbelltown and the Greater Macarthur Region.

Officers recognise the role of transport as an enabler of more productive, liveable, sustainable and fairer urban outcomes at a metropolitan, regional and local scale, especially when integrated with strategic land use and development initiatives. This is particularly significant to the importance transport will play in delivering the right planning outcomes for the City of Campbelltown, the south west growth corridor and western Sydney more generally

The report also submits to Council, that the draft Transport 2056 Strategy under delivers for the City of Campbelltown, and is light on any tangible support for Council's and the community's future growth and development aspirations. This report urges the NSW Government to re-examine its priorities and commitments to place a greater and deserved emphasis on planning and securing more integrated and comprehensive transport network extensions and enhancements that would make more of the opportunities that the Macarthur Region and the City of Campbelltown present to global Sydney's prosperity and resilience.

History

Future Transport 2056 is the 2017 update of the NSW Long Term Transport Master Plan, first prepared in 2012.

It is a 40 year vision for mobility in NSW and is being developed by the State Government in conjunction with the draft Greater Sydney Region Plan and district plans across Sydney, being prepared by the Greater Sydney Commission. It should be note that the Commission recently released the draft Western City District Plan. These planning documents are on public exhibition and further reports addressing these plans will be submitted to Council at the Next Council meetings scheduled for 12 December 2017.

The draft Future Transport Strategy has been prepared by Transport for NSW and sets out a vision, strategic directions and customer outcomes, with infrastructure and services plans for Greater Sydney and Regional NSW to deliver these directions across the state.

Report

The draft Future Transport 2056 Strategy is a vision for how transport can support growth and the economy of New South Wales over the next 40 years. This strategy is underpinned by the draft Regional Services and Infrastructure Plan and the draft Greater Sydney Services and Infrastructure Plan, also prepared by Transport for NSW.

The land use and transport vision for Sydney

This strategy supports the Greater Sydney Commission's vision for a Three Cities Sydney Metropolis as described in the draft Greater Sydney Region Plan, consisting of the:

- (i) Eastern Harbour City – Sydney CBD
- (ii) Central River City - Parramatta
- (iii) Western Parkland City - WCA

The 30 minute city

This vision for Greater Sydney is one where people are provided with access to education, jobs and services in centres, within 30 minutes by public transport regardless of where they live. As a principle this is very encouraging. However, there is little detail in the plan explaining how this be will be achieved in Western Sydney in the short to medium term (next ten years).

Overview of transport objectives and customer outcomes for Greater Sydney

Six outcomes have been set for Future Transport 2056 and they have been customised into objectives specific to Greater Sydney. These include:

1. convenient and responsive to customer needs
2. sustaining and enhancing the liveability of our places
3. connecting people and places in a growing city
4. safety, efficiency and reliably moving people and goods
5. accessible for all customers
6. makes the best use of available resources and assets.

From these six objectives, 12 customer outcomes have been developed for Greater Sydney. These include:

- i. new technology is harnessed to provide an integrated, end-to-end journey experience for customers
- ii. future forms of mobility are made available to customers and integrated with other modes of transport
- iii. walking or cycling is the most convenient option for short trips around centres and local areas, supported by a safe road environment and suitable pathways
- iv. vibrant centres supported by streets that balance the needs for convenient access while enhancing the attractiveness of our places
- v. 30 minute access for customers to their nearest centre by public transport seven days a week
- vi. fast and convenient interchanging, with walking times of no longer than five minutes between services
- vii. efficient, reliable and easy-to-understand journeys for customers, enabled by a simple hierarchy of services
- viii. efficient and reliable freight journeys supported by 24/7 rail access between key freight precincts with convenient access to centres
- ix. a safe transport system for every customer with the aim for zero deaths or serious injuries on the network by 2056
- x. fully accessible transport for all customers
- xi. transport services and infrastructure are delivered, operated and maintained in a way that is affordable for customers and the community
- xii. a resilient transport system that contributes to the NSW Government's objective of net-zero emissions by 2050.

Draft Services and Infrastructure Plan Initiatives

Through this element of the draft Strategy, the Government indicates a commitment to implement a number of transport/connectivity initiatives over the next ten years across the Sydney region. The draft plan also provides numerous investigations associated with possible initiatives that will be considered over the next 0-10 years, 10-20 years, and beyond 20 years.

The following section describes the list of current commitments and others that are included within the draft plan for investigation, with a selected emphasis on those initiatives relevant to the City of Campbelltown and the Greater Macarthur Region (generally attributable as part of the list of initiatives proposed for Greater Sydney Commission's Western City)

A. Initiatives for implementation: 0-10 years for Campbelltown, the Macarthur Region and South West Sydney:

- Investment in road based transport to support growth of Western Sydney Airport (WSA)/Aerotropolis and surrounding area (but it would seem that there is little or no detail that supports any new projects outside the existing \$3.7b Federal Road Package (under which Eagleview Drive and now more recently announced the preliminary stage of the Badgally Road upgrade will take place)
- Investment in access to Moorebank intermodal

This compares to the following extensive list of specific initiatives listed for the Eastern Harbour and Central River Cities as initiatives that the Government has committed to for delivery in next ten years:

- Sydney Metro North West
- Sydney Metro City and Southwest
- Northern Beaches B-Line
- CBD and South East Light Rail
- Western Harbour tunnel and beaches link,
- F6 - West Connect to Kogarah link
- West Connex
- North Connex
- Sydney Metro West
- Parramatta Light Rail

B. Initiatives for investigation: 0-10 years for potential commitment or implementation in Campbelltown, the Macarthur Region and South Western Sydney:

- early investment in strategic links such as north-south train link through the Western City (WSA/Aerotropolis) to Campbelltown/Macarthur) and train link from Leppington to the WSA/Aerotropolis
- upgrades to the Southern Sydney Freight Line (SSFL)
- suburban passenger train services extended south of Macarthur (but no detail seems to have been provided on how and when this will happen and doesn't clearly acknowledge Wilton nor the Greater Macarthur urban land releases)
- infrastructure to support Rapid Bus Connections between the WSA/Aerotropolis and Liverpool, Campbelltown, Blacktown and Penrith (but again no details appear and there is an apparent inconsistency with the relevant map that depicts no such rapid bus connection between Campbelltown and the WSA/Aerotropolis))
- protection of future transport corridors to support future passenger and freight infrastructure (yet again there appears to be no detail on how this will be achieved, even though the Western Sydney Rail Alliance (of which Council is a partner) previously provided a detailed report
- Appin Road and Picton Road improvements.

Further to the initiatives above, and despite Council's submission to the Western Sydney Rail Needs Scoping Study, there is no mention of the possible "Y" link at Glenfield to connect the T2 Line with an extension of the South West Rail Link (Leppington Spur) to the WSA/Aerotropolis, which would grant direct accessibility for Campbelltown, Wollondilly, Southern Highlands, ACT and potentially Illawarra residents, to and from the WSA/Aerotropolis

Again, the comparison of this list of initiatives with what has been listed in this category (investigation for 0-10 years) for the Eastern Harbour and Central River Cities is interesting (especially given the firm obligations for delivery they would have achieved in the first ten years and the benefits that those inner and central city citizens will receive from those initiatives being implemented):

- upgrades to road and rail corridors including the F6 Kogarah to Loftus (for immediate detailed planning). It is not unreasonable to ask how this project was elevated above the WSA? Aerotropolis rail connections.
- increase road and rail capacity around port Botany
- Heathcote Road improvements – M5 to M1
- investigation into strategic public transport links including linking T-Ways
- Northern Sydney Freight Corridor Stage 2.

C. Initiatives for investigation; 10-20 years for potential commitment or implementation in Campbelltown, the Macarthur Region and South West Sydney:

- supporting population and jobs growth through higher capacity public transport and road links. This is a “general” statement, where action is required now to support employment and population growth in south western Sydney (e.g. commit to and provide transport corridor preservation immediately before acquisition opportunities are lost or become cost prohibitive)
- investing in Maldon to Dombarton freight trail link to Illawarra. (It is not unreasonable to query why isn't this happening sooner, and why hasn't there been any consideration for passenger rail connections between the Macarthur and the Illawarra)
- further increasing capacity to the Southern Sydney Freight Line (SSFL) .

Once again, the Eastern Harbour and Central River Cities seem set to receive further benefits with their 10-20 years initiative lists, that include:

- investment in higher capacity public transport links in selected parts of the Eastern Harbour City to support urban renewal initiatives, including a mass transit/ train link to the South East and extension of light rail to Maroubra and the Bays Precinct.
- supporting separation of freight and passenger trains by investing in freight capacity between Sydney and the Central Coast
- development of higher capacity mass transit links around Parramatta to expand 30-minute access, particularly from the north to south, including potential links between Parramatta-Epping and Parramatta-Kogarah.

D. Visionary initiatives: 20+ years longer term initiatives that may be investigated within the next 10 years, but are unlikely to require implementation within 20 years in Campbelltown, the Macarthur Region and South Western Sydney:

- higher capacity transport connections between centres to support population and jobs growth. (This needs to be a commitment to delivery in the short term...not just left to a vision)
- extension of Sydney Metro City and Southwest to Liverpool.
- supporting the efficient movement of road freight from Moorebank Intermodal Terminal by extending the M5 to the Outer Sydney Orbital

The Eastern Harbour and Central River Cities on the other hand are set to achieve the following:

- addressing longer-term capacity constraints on selected corridors through new train and road links, such as extension of the South East mass transit/ train link to Miranda
- further investment in north-south transport links near Greater Parramatta to improve access and support better places, including through the Parramatta-Norwest mass transit/ train link. Supporting the efficient movement of freight with a Central City strategic road corridor.

Implications for the City of Campbelltown and the Greater Macarthur Region

The draft Strategy addresses a wide range of challenges that will confront transport planning and delivery in NSW into the future. And on a positive note, the draft Strategy plays significant attention to transport, as viewed by the user or the customer.

Considerable effort has been spent by the draft Strategy on working through the implications of likely future technological, social, and economic change as it will affect transport choices and decisions, through a range of lenses – as it might apply for example, payment modes, integration of trip planning, shared use of transport, and the like. There is also some limited and only general discussion concerning transport network efficiencies, expansion and change, dealing with urban and population growth, changing preferences, driverless vehicles and capacity building etc.

Whilst the narrative that supports the strategy is satisfactory in principle, it is the commitment behind the delivery of outcomes that support the narrative which becomes critical, and unfortunately is lacking as far as the City of Campbelltown and the south west growth corridor in particular is concerned

There is little demonstrated commitment to a ‘spatial’ recognition of Campbelltown’s existing and future needs and in particular the delivery of an integrated transport system to properly serve the existing and future economies and communities of the South West Growth Corridor.

Unfortunately, and as far as the City of Campbelltown is concerned, the single outstanding issue that the draft Strategy needs to improve upon relates to connectivity and access to opportunity.

What has been identified is a number of issues and challenges, most importantly relating to a lack of spatially based planning and commitment to funding and delivery of integrated transport network solutions, that would better enable the future growth of Campbelltown (its population and economy) and better connect Campbelltown with the:

- Western Sydney Airport and the Aerotropolis (essentially for community access to new job opportunities and new economic growth)
- other metropolitan cluster centres such as Liverpool, Penrith and Blacktown (linking Campbelltown with other significant economic hubs)
- its own regional city trade catchment which includes the South West Growth Centre and the proposed Greater Macarthur Urban Release Areas as well as the recently declared Wilton Priority Growth Area

There are up to an additional 60,000 dwellings alone that are currently the focus of planning investigation and strategy by the Department of Environment and Planning located south of Campbelltown. Both Wollondilly Shire and Campbelltown City Councils are also in receipt of a number of planning proposals that deal with these areas and which seek rezoning from non-urban to urban uses. The point is that the degree and urgency of needing to identify and plan for transport corridors in these locations appears to have not been identified by the draft strategy. This is both unacceptable and concerning given the longer term implications of creating greater certainty for the market in terms of investment in housing, new local economies, jobs and centres etc... Further, there is a very substantial risk that as development proceeds, the capacity to plan for and acquire strategic transport corridors in these growth areas is missed, or at the very least significantly constrained.

It is unclear if proper account has been taken by the draft Strategy of the additional development capacity accommodated by the recently undertaken Glenfield-Macarthur Urban Renewal Corridor Strategy which is understood could amount to an additional 20,000 dwellings. This says nothing of the infill development potential that exists within the current urban zoned areas of the Campbelltown Local Government Area.

What this suggests is that the existing regional public transport and road network in and around Campbelltown is in urgent need of expansion/enhancement and better integration in order to accommodate this degree of anticipated urban growth.

There is a strong argument that can be mounted that current local and regional transport and road capacity is already inadequate, and if not enhanced comprehensively, will result in a lost strategic opportunity to:

- transform the Campbelltown and Greater Macarthur into a more prosperous and self-sustaining metropolitan cluster city
- connect the people with the emerging and planned economic and higher order job opportunities earmarked to locate at the WSA/Aerotropolis
- consolidate the Campbelltown-Macarthur centre's longer term viability in the face of an expanding Aerotropolis and other major CBDs across Sydney

Hence, the opportunity must be taken now to better plan and commit to facilitate a network expansion that addresses historical legacies and the extent, location and nature of future urban development in and around Campbelltown. Network investment would grow accessibility to jobs and connect people with services and facilities, and should correlate with and facilitate future urban growth.

The draft Strategy must be reviewed to address this fundamental issue, and ensure that connectivity becomes a major metropolitan driver of land use, economic growth and employment development, building resilience through greater social equity of access to opportunities such as health, education, retail, and recreation facilities and services. Transport must be taken as a critical element of building and strengthening communities in the City of Campbelltown, the Macarthur region and south western Sydney.

There is a range of other issues that are deserved of Council's attention in considering the draft Transport 2056 Strategy. These are presented below:

Further points for consideration

- the lists of initiatives in the draft Future Transport 2056 Strategy have been aligned with their spatial locations; i.e. either in the Eastern Harbour City, Central River City or Western Parklands City. The concentration of initiatives for implementation within the next ten years are in the Eastern Harbour and Central River Cities. Whilst the investment of Government in the Western Sydney Roads Package is admirable, significant commitments to the early delivery of integrated public transport solutions are essential...just as they are in the Central and Eastern Cities.
- there is a need for government to expedite public transport connections to/from the Western Sydney Airport to the rest of Western Sydney, particularly the Macarthur, from the first day of operation of the new WSA
- there should at least be a rail connection to/from WSA and the Leppington Spur. This should include provision of the Council's suggestion for a Y-link that provides direct connection between Edmondson Park and Macquarie Fields. This would have significant economic and community benefits for the City of Campbelltown and the wider Macarthur region
- the 30 minute city. The strategy/plan should consider better connections between Campbelltown and Southern NSW, including the Regional Centre of Wollongong (the Illawarra and Southern Highlands)
- the mass transit/train network shows no connection to Macarthur/Wilton Priority Growth Areas, but it does show north-south rail connectivity between WSA and Campbelltown-Macarthur, linking with Narellan, Oran Park and north to St Marys, Marsden Park and Rouse Hill and Norwest in the longer term.
- the road network planning makes no reference to the development of any further strategic road corridors in the vicinity of Campbelltown
- the 2056 Intermediate Transit Network map appears to show no rapid bus corridor between Campbelltown and the Western Sydney Airport. Nor does it show any like connection between Campbelltown and Liverpool. However, it does show rapid bus transits for Narellan to Western Sydney Airport via Leppington and North Austral. It also shows on-street rapid transport corridor (light rail/rapid bus) to Wollongong via Appin, but no links between Campbelltown-Macarthur and Greater Macarthur Urban Release Areas and Wilton New Town
- the time frames for actions/initiatives to be implemented are mostly long-term (visionary) for Campbelltown and the broader Macarthur – there needs to be greater Government commitment for much shorter time-frames for these actions or the opportunities for growth through higher capacity of jobs and population creation will be lost
- there will be a continuation of the social and economic inequity for Western Sydney and the Greater Macarthur/Campbelltown with the draft Strategy's connectivity emphasis through still concentrated on the Eastern Harbour City and Central River City
- there needs to be a greater transport system vision for the Greater Macarthur land release areas: extension of the electrified rail network (at least establish the transport corridor) to include Menangle Park, Mt Gilead, Gilead, Appin and West Appin as a first stage in a more extensive public transport network for the Greater Macarthur Region.
- is there a need for east-west public transport connections now from Campbelltown CBD to the Strategic Centre of Narellan + Campbelltown to Oran Park/Gregory Hills/Currans Hill/Gledswood Hills? Rapid Bus Transit or maybe even Light Rail Transit need to be considered and at the very least, Government should create the corridor preservation required for these east-west connections.

Council Response

It is suggested that Council make a comprehensive submission to Transport for NSW concerning the draft Transport 2056 Strategy, consistent with the concerns raised in this report and including any additional items Council identifies as being worthy of inclusion.

Council may also wish to consider the proposition that the submission be referred to local State and Federal Members of Parliament with a request to assist Council in its advocacy for enhanced strategic transport outcomes for the City of Campbelltown that would enable its growth and development in a more economically resilient, socially just and sustainable manner.

Attachments

1. NSW Future Transport Strategy 2056 (due to the size of the document 112 pages) (distributed under separate cover)

8.7 Establishment of the Campbelltown Arts Centre Trust

Reporting Officer

Manager Creative Life
City Lifestyles

Community Strategic Plan

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

Officer's Recommendation

1. That Council apply to the Office of Local Government for the approval of the Minister for Local Government under s358 of the *Local Government Act 1993* to Council's formation of, and involvement in, the Company to be known as Campbelltown Arts Centre Limited (Company) and the trust to be known as Campbelltown Arts Centre Trust.
2. That upon approval of the Minister for Local Government, the company be incorporated and the Trust be established on the terms set out in this report.
3. That Council be the sole member of the company.
4. That Council nominate the Mayor, two Councillors to be the initial Directors of the company for the term of Council.
5. That Council advertise via an Expression of Interest process for up to five Directors to participate on the board of the Campbelltown Arts Centre Limited (Company).
6. That the General Manager be delegated authority to amend the draft Trust Deed and Constitution attached to this report in order to comply with the requirements of any Government Authority.

Purpose

To seek Council's endorsement for the establishment of Campbelltown Arts Centre Trust (Trust) and the recommended structure of the Board.

History

Council at its meeting held 17 February 2015 resolved:

1. That Council endorse the establishment of the Campbelltown Arts Centre Trust in accordance with all New South Wales State and Australian Federal legislation in its establishment and management.
2. That Council approve the General Manager to sign all documents on behalf of Council, relating to the Campbelltown Arts Centre Trust.

A Councillor briefing was held on 3 October 2017, to provide the Council with an update on work undertaken since the resolution of 2015 and in particular the governance arrangements and proposed structure.

Report

The establishment of a Trust is a key strategy in supporting the financial sustainability of the Campbelltown Arts Centre through enabling access to greater funding through a Trust structure.

The principal purpose of the Trust is to improve private funding opportunities with respect to the provision of cultural services in the Campbelltown Local Government Area (LGA). The Trust would allow Council to accept donations of money, property or benefits with a focus on Campbelltown Arts Centre, but which could also benefit the entire LGA.

The Trust structure allows the diversification of available funding streams and encourages public support for cultural development within the LGA.

The Campbelltown Arts Centre Trust would be controlled by Council as the sole member of the Trustee Company. It is proposed that the Board of the Trustee Company will include the Mayor, two Councillors, General Manager, Manager Creative Life and up to five Directors selected from the community, via an advertised process.

Marsdens Law Group has provided advice on the required process to establish and then manage the Campbelltown Arts Centre Trust, to ensure that it is compliant with all New South Wales State and Australian Federal legislation.

To facilitate the formation of the Trust it is intended to establish the following entities:

1. An incorporated company limited by guarantee named Campbelltown Arts Centre Limited (company).
2. A Trust to be known as Campbelltown Arts Centre Trust (Trust). The company will be the Trustee of the Trust.

It is intended that the Trust seek endorsement as a Public Ancillary Fund which will enable it to receive donations of money and property and to provide deductible gift receipts for those donations.

As a Public Ancillary Fund, the Trust will then be able to distribute the donations received by it, to other deductible gift recipient charitable entities that operate for the benefit of the arts and cultural activities within the Campbelltown LGA.

The Public Ancillary Fund structure, draft Trust Deed and draft Company Constitution have been prepared to enable the acceptance of contributions towards the Campbelltown Arts Centre and other cultural initiatives within the Campbelltown LGA.

The founder of the Public Ancillary Fund in the Trust Deed cannot be Council itself under the Public Ancillary Fund Guidelines 2011 (Cth). In view of this, it is proposed Justin Thornton of Marsdens Law Group be the founder of the Public Ancillary Fund.

Attachments

1. Draft Trust Deed (contained within this report)
2. Proposed Campbelltown Arts Centre Limited Constitution (contained within this report)

Trust Deed
Campbelltown Arts Centre Trust

Justin Robert Thornton (**Founder**)

Campbelltown Arts Centre Limited (ACN ***) (**Trustee**)

Marsdens Law Group
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CAMPBELLTOWN NSW 2560
Tel: 02 4626 5077
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DX: 5107 Campbelltown
Ref: 65 36 0260



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Trust Deed Campbelltown Arts Centre Trust

Parties

Founder	Name	Justin Robert Thornton
	Address	49 Dumaresq Street Campbelltown NSW 2560
Trustee	Name	Campbelltown Arts Centre Limited
	Address	***INSERT***
	ABN	***INSERT***

Recitals

- A** The Founder wishes to establish the Trust.
- B** The Founder has therefore paid the Settled Sum to the Trustee.
- C** The Trustee has agreed to hold and administer the Settled Sum in accordance with the terms and trusts contained within this document and under all relevant laws from time to time.

Operative provisions

1 Definitions and Interpretation

1.1 Definitions

In this document, words beginning with a capital letter that are defined in Part 1 of **Schedule 1** have the meaning attributed to them in that schedule.

1.2 Interpretation

The interpretational rules that are contained in Part 2 of **Schedule 1** are to be applied in the interpretation of this document.

1.3 Headings

In this document, headings are used for convenience and do not affect the interpretation of this document.

2 Declaration of Trust

The Founder and the Trustee declare that the Trustee must hold and administer the Trust Fund in accordance with and subject to the terms, trusts, powers and restrictions contained within or established under this document and in accordance with all relevant laws from time to time.

3 Name

The name of the Trust is "**Campbelltown Arts Centre Trust**"

4 Trust Purpose

The purpose of the Trust is:

- (1) to raise and receive money, property (real or personal) and benefits; and
- (2) to provide that money, property (real or personal) and benefits to or for Eligible Entities operating on the basis of objects which, in the opinion of the Trustee, meet the current and future cultural needs of Campbelltown Arts Centre and the broader Campbelltown Local Government Area,

(Trust Purpose).

5 Distribution of Trust Fund

5.1 Distribution

The Trust Fund must not be paid, applied or distributed other than for the sole purpose of providing money, property or benefits to or for Eligible Entities or for the creation of such Eligible Entities as the Trustee so decides in accordance with the Guidelines.

5.2 Conditional Distribution

In the event that a proposed distribution will not be tax deductible unless the conditions stipulated within the relevant item of the table in subdivision 30-B of the ITAA 97 are satisfied, the distribution in question must be made in accordance with those conditions.

5.3 Relevant Factors

In exercising its discretion to distribute the Trust Fund in accordance with clause 5.1, the Trustee is permitted, but not obliged, to have regard to:

- (1) the recommendations of a Committee; and
- (2) the provisions and objects of other relevant trusts, in so far as such provisions and objects are consistent with the terms contained within this document, if:
 - (a) the capital of the other trust has been transferred to or otherwise vested in the Trustee to hold in accordance with the terms, trusts, powers and restrictions contained within or established under this document; and
 - (b) the trustee of the other trust has, in transferring that capital, requested that the Trustee recognise the provisions and objects of the other trust when exercising the Trustee's discretions and powers in accordance with this document.

5.4 Policies and Rules

The Trustee is empowered to:

- (1) formulate policies;

- (2) make rules in connection with such policies; and
- (3) affect the revocation or amendment of such policies or rules and formulate others in their stead.

5.5 Not For Profit

The Trust is established as a 'not for profit' organisation and must be maintained and administered as a not-for-profit organisation.

5.6 In Australia

- (1) The Trust is established in Australia.
- (2) The Trust must be maintained and administered from and for the benefit of Australia.

5.7 Public Contribution

The public must be invited to contribute to the Trust Fund.

5.8 Sub Funds

- (1) The Trustee is permitted, but is not obliged, to establish and maintain sub-funds in respect of gifts and deductible contributions that are received from a particular donor or group of donors.
- (2) If a sub-fund is established, it can be used to record the gifts and deductible contributions received from a particular donor or group of donors, the income received as a result of such gifts and deductible contributions as well as the distributions made from such sub-funds.
- (3) The donor, group of donors or their nominees are permitted to make requests or indicate preferences in relation to:
 - (a) the name of the sub-fund; and
 - (b) the manner in which and to whom distributions are made from the sub-fund,

however, the Trustee is under no obligation to accept or adhere to such requests or preferences.
- (4) If a sub-fund is established in accordance with this part, it will continue to form part of the Trust Fund and must be invested and accounted for having regard to that fact.
- (5) If it is desirable to do so, the Trustee can wind up a sub-fund and instead account for the monies comprising that sub-fund as well as the investments and distributions of the monies comprising that sub-fund using the general accounts.
- (6) The Trustee can, but is not obliged to, provide reports setting out the investments and distributions of the monies comprising a particular sub-fund to the donor, group of donors or their nominees.
- (7) The Trustee is empowered to formulate rules and policies relating to the maintenance of such sub-funds provided that such rules and policies do not contravene the terms, trusts, powers and restrictions contained within or established under this document.

5.9 Portability

The Trustee can, if:

- (1) the Commissioner agrees; and
- (2) it is otherwise also permitted to do so at law,

distribute the Trust Fund in whole or in part to or for the benefit of a private ancillary fund or another public ancillary fund if the terms and trusts upon which the recipient fund has been established and is administered accord with the Trust Purpose.

6 Uncommercial Transactions

- (1) The Trustee must not enter into a transaction that is uncommercial when entered into, unless the transaction in question is:
 - (a) with a deductible gift recipient covered under item 1 of the table in section 30-15 of the ITAA 97; and
 - (b) is in the course of, or in the furtherance of the Trust's purpose,
 unless the transaction in question is on terms more favourable to the Trust than would otherwise be expected under an arm's length transaction.
- (2) In paragraph (1), a transaction that is uncommercial will include the provision of a financial or other benefit on terms which:
 - (a) would not be considered reasonable in the event that the financial or other benefit had been provided on an arm's length basis; and
 - (b) which a reasonable person in the position of the Trustee would not or should not have entered into having regard to all relevant circumstances.

7 Benefits

- (1) The Trust Fund must not be paid or applied otherwise than in accordance with clauses 5 and 19 of this document, to or for the direct or indirect benefit of the following parties:
 - (a) Donors.
 - (b) Trustee.
 - (c) Founder.
- (2) In paragraph (1) above:
 - (a) a reference to the parties listed therein also includes a reference to an Associate of those parties unless that Associate has been endorsed as a deductible gift recipient under item 1 of the table in section 30-15 of the ITAA 1997 in which case distributions in accordance with clause 4(2) will be permitted; and
 - (b) a reference to the Trustee also includes a reference to a member, staff member, office holder and agent of the Trustee.

8 Qualifications of Trustee

8.1 Corporation

- (1) The Trustee must, subject to clause 8.2 of this document, be a corporation to which paragraph 51(xx) of the Constitution applies.

- (2) The Trustee's board of directors must comprise a minimum of three (3) persons and a maximum of nine (9) persons, a majority of which must fall within the definition of a Responsible Person, all of which must be active and involved in the decision making process.

8.2 Other Trustees

In the absence of a trustee that is a corporation to which paragraph 51(xx) of the Constitution applies, the Trustee must be:

- (1) a public trustee; or
- (2) an organisation so prescribed under section 426-102(1)(a)(ii) of Schedule 1 of the TAA 1953.

8.3 Qualifications Unsatisfied

- (1) If the requirements in clauses 8.1 or 8.2 are not satisfied, the Trustee must not exercise the discretions or powers granted to it under this document until such a time as these requirements are met, except:
 - (a) to protect the Trust Fund;
 - (b) in the event that an urgent matter arises; or
 - (c) for the purpose of exercising a legislated power to appoint a new or additional trustee.
- (2) If the requirements in clauses 8.1 or 8.2 are not met and if the Trustee does not have or is unable to exercise a legislated power to appoint a new or additional trustee as outlined in paragraph (1)(a) then the Trustee will be permitted to appoint a new or additional trustee via a written instrument.

9 Trustee's Powers

9.1 Powers

- (1) The Trustee will possess the following powers subject, of course, to the exercise of such powers being consistent with the Guidelines and also the Trust's investment strategies where applicable:
 - (a) To change an investment or amend the terms and conditions on which an investment is held at its discretion.
 - (b) To sell or otherwise dispose of the monies, assets and investments comprising the Trust Fund from time to time in whole or in part at its discretion.
 - (c) To borrow, raise or secure monies and to secure monies required to ensure that debts, liabilities, contracts, guarantees together with all other engagements are repaid in full using, without limitation, mortgages, charges, liens, encumbrances, debentures and all other securities, fixed or floating, over all present or future assets of whatever kind and wherever situated.
 - (d) To procure and act in reliance upon the opinion of a solicitor or barrister practising in Australia in relation to the interpretation or effect of:
 - (i) this document; or

- (ii) the trusts and powers contained within or established as a result of this document,

without being responsible for the errors or losses that are made or incurred as a result of doing so.
- (e) To take such action as the Trustee deems reasonable for the adequate protection or insurance of the Trust Fund in whole or in part.
- (f) To purchase, draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, and other negotiable or transferable instruments of whatever nature.
- (g) In accordance with and subject to the terms and trusts contained within and established pursuant to this document:
 - (i) to perform administrative acts; and
 - (ii) to ensure that all costs, charges, commissions, stamp duties, imposts, outgoings and expenses:
 - (A) of, or incidental to the Trust Fund including without limitation its management, its winding up or the revocation of its endorsement as a deductible gift recipient; or
 - (B) or, or in connection with the preparation, execution, stamping and amending of this document;

other than fees incurred, paid or reimbursed as penalties under section 426-120 of Schedule 1 to the TAA 53, are paid or deducted regardless of whether the Trustee is under a legal obligation to do so.
- (h) To engage and remunerate staff without being responsible for the defaults of such staff or losses suffered as a result of that engagement.
- (i) To engage and remunerate agents, contractors or professional persons without being responsible for the default of such agents, contractors or professional persons and without incurring liabilities for losses suffered as a result of that engagement.
- (j) To accept gifts (including gifts made via will), donations, settlements or other dispositions of monies, assets or benefits to or for the benefit of the Trust, as part of the Trust Fund and either:
 - (i) retain such dispositions in their original form without selling or converting them; or
 - (ii) deal with such dispositions via investment, application or distribution in whatever manner the Trustee deems fit provided that it is permitted to do so in accordance with the terms of this document.
- (k) To decline or otherwise refuse to accept gifts, donations, settlements or other dispositions.
- (l) To manage and deal with real property using all of the powers of an absolute proprietor including, without limitation, the power to allow Eligible Entities to occupy the property on terms and conditions the Trustee deems fit.

- (m) To do all other things incidental to or otherwise required in connection with the exercise of the Trustee's powers under this document.
- (2) The Trustee must not invest the monies which comprise the Trust Fund from time to time other than in a manner and to an extent that trustees are otherwise permitted to do so under Relevant Law.

9.2 Powers Supplement Law

The powers and discretions in clause 9.1 supplement the powers vested in trustees at law from time to time.

10 Compliance

10.1 General

The Trustee must act in accordance with all relevant Australian laws, all binding directions of the Commissioner and all requirements contained within the Guidelines.

10.2 Guidelines

In order to exercise a discretion or power vested in or granted to the Trustee under a provision of this document or otherwise at law, the Trustee must first ensure that the proposed exercise accords with the Guidelines.

11 Breach of Trust

11.1 Indemnities

The Trustee (including its members, staff members, office holders and agents) is:

- (1) not liable for losses or liabilities; and
- (2) entitled to be indemnified from the Trust Fund in connection with losses, liabilities, costs and expenses relating to:
 - (a) entering into this document or a deed or agreement amending this document;
 - (b) establishing, operating, administering, amending, terminating and winding up the Trust; or
 - (c) all matters incidental to the creation, management and administration of the Trust; and
 - (d) all liabilities incurred (including liabilities with respect to income tax together with all other applicable taxes, fines and penalties incurred in that regard) and all acts done in connection with or as a result of the matters referred to in paragraph (2) including without limitation, the Trustee performing its duties and exercising its powers and discretions in accordance with this document,

if such liabilities are incurred whilst purporting to act in the exercise and pursuance of the trusts, powers and discretions established under this document.

11.2 Limitation of Indemnities

The Trustee (including its members, staff members, office holders and agents) is prohibited from being indemnified from the Trust Fund if the losses, liabilities, costs or expenses incurred are attributable to:

- (1) the dishonest conduct of the Trustee or of its members, staff members, office holders and agents;
- (2) the gross negligence or recklessness of the Trustee or of its members, staff members, office holders and agents;
- (3) a deliberate act or omission of the Trustee or of its members, staff members, office holders and agents where it can be established on the balance of probabilities that the person responsible for the act or omission in question knew that the act or omission in question would constitute a breach of trust; or
- (4) administrative penalties incurred in accordance with section 426-120 of Schedule 1 of the TAA 53.

12 Gift Account

12.1 Creation

The Trustee must establish, maintain and administer or cause to be administered a management account in order to:

- (1) record the gifts and deductible contributions received from time to time; and
- (2) record the monies received as a result of the conversion, sale or disposition of such gifts and deductible contributions,

(Gift Account).

12.2 One Account

The Gift Account forms part of the Trust Fund.

12.3 Limitations

The Trustee must ensure that the:

- (1) Gift Account is not used or dealt with otherwise than for the Trust Purpose; and
- (2) Gift Account does not receive or record gifts or donations made otherwise than for the Trust Purpose.

12.4 Winding Up

- (1) If the Trust:

- (a) is wound up;
- (b) ceases to be a public ancillary fund; or
- (c) has its endorsement as a deductible gift recipient revoked;

all surplus gifts, deductible contributions and monies made to and held in the Trust Fund must be transferred to one or more Eligible Entities which the Trustee shall determine at its discretion.

- (2) In the event that a proposed distribution made in accordance with this part will not be tax deductible unless the conditions stipulated within the relevant item of the table in subdivision 30-B of the ITAA 97 are satisfied, the distribution in question must be made in accordance with those conditions.

12.5 Minimum Annual Distribution

The Trustee must, unless exempted, ensure that minimum annual distributions are made in accordance with the Guidelines.

13 Returns

If required to do so:

- (1) at law; or
- (2) pursuant to a binding direction of the Commissioner,

then the Trustee must give to the Commissioner a return for each financial year within the period required.

14 Material

The Trustee must ensure that it complies with all applicable requirements in relation to the provision of material to the Commissioner in accordance with Subdivision 388 of Schedule 1 of the TAA 53 and the Guidelines.

15 Accounts

15.1 Receipts

- (1) The Trustee is empowered to:
 - (a) receive gifts and deductible contributions including without limitation capital; and
 - (b) to issue valid receipts in connection with such gifts and deductible contributions for all purposes including without limitation, purposes stipulated under statute.
- (2) The Trustee must issue a valid and compliant receipt in connection with each gift and deductible contribution following a request from the donor or group of donors or their nominee.
- (3) In order for a receipt issued in accordance with this part to be valid and compliant, it must accord with the Guidelines and further, must state the information stipulated under section 30-228 of the ITAA 97.

15.2 Valuation

The market value of the monies and assets comprising the Trust Fund from time to time must be determined in the manner prescribed under the Guidelines.

15.3 Annual Audit

The Trustee must ensure that, in each financial year, an audit or review is commissioned and carried out in the manner prescribed under the Guidelines.

15.4 Proper Accounts

- (1) The Trustee must keep or cause to be kept proper accounts:
 - (a) in respect of all gifts and deductible contributions made to the Trust Fund; and

- (b) in respect of all dealings entered into or carried out in connection with the Trust Fund,

and must ensure that the accounting practices adopted from time to time accord with the obligations of deductible gift recipients required under Subdivision 382-B of Schedule 1 of the TAA 53 and the Guidelines.

- (2) The accounts kept in accordance with paragraph (1) must be retained for a period of not less than five years from the completion of the transaction to which the accounts relate.

15.5 Financial Statements

The Trustee must, as soon as it is practicable to do so after the end of each financial year, prepare or cause to be prepared a financial statement showing the financial position of the Trust in the manner prescribed under the Guidelines.

15.6 Investment Strategies

- (1) The Trustee must prepare and maintain investment strategies:
 - (a) in a written form; and
 - (b) which enable third parties to observe compliance or non-compliance with the Guidelines together with all Relevant Laws.
- (2) The Trustee must implement the investment strategies prepared and maintained in accordance with paragraph (1) and must ensure that all investment decisions are made in accordance with such investment strategies.

16 Committees

16.1 Creation

The Trustee is empowered to:

- (1) create committees for the purpose of providing advice in relation to the application and distribution of income in specific circumstances;
- (2) determine the manner in which the business of a particular committee is to be conducted and the procedures to be adhered to in that regard; and
- (3) appoint, remove or otherwise provide for the appointment and removal of committee members from time to time and further, dissolve such committee, should it see fit at its absolute discretion,

(Committees).

16.2 Reliance

The Trustee will not be required to act upon or accept the advice given to it by a Committee established in accordance with this part.

16.3 Committee Members

Committees established in accordance with this part can consist of a single person or a number of persons to be determined at the Trustee's discretion.

17 Patrons

The Trustee is empowered to appoint one (1) or more persons as patrons of the Trust.

18 Amendment

The Trustee is empowered to revoke, add to or amend the provisions of this document using a written instrument, provided that:

- (1) at no point in time do the monies or assets comprising the trust fund become subject to trusts other than trusts for the provision of benefits to or for Eligible Entities;
- (2) unless the Commissioner consents to the revocation, addition or amendment:
 - (a) no amendments are made to clause 4,
 - (b) no material amendments are made to clauses 5, 6, 7 and 9.2;
 - (c) no amendments are made to the definition of the term 'Trust Fund' in Part 1 of Schedule 1;
 - (d) no amendments are made which contravene or contradict, direct or indirect, the requirements contained within the Guidelines; and
 - (e) no amendments are made to this clause 18 so as to permit this document to be amended in a manner that would otherwise be prohibited under paragraphs 18(2)(a) to 18(2)(d); and
- (3) the Trustee notifies the Commissioner of the amendment that has been made within twenty-one (21) days in the approved manner.

19 Trustee's Remuneration

- (1) The Trust Fund can be distributed to the Trustee:
 - (a) as fair and reasonable remuneration at a rate not exceeding 1.056% annually (GST inclusive) of the gross value of the Trust Fund in exchange for the administrative services provided; and
 - (b) as due reimbursement for reasonable expenses incurred in the exercise of its duties and responsibilities as Trustee of the Trust.
- (2) The Trust Fund cannot be distributed or applied in satisfaction of, or as reimbursement for, penalties paid or incurred from time to time where such penalties have been incurred under section 426-120 of Schedule 1 of the TAA 53.

20 General

20.1 Discretions and Powers

If a discretion or power is granted to the Trustee under this document and is not limited pursuant to a term of this document, that discretion or power is absolute and uncontrolled and is therefore exercisable at the Trustee's absolute and unfettered discretion.

20.2 Trustee's Personal Interests

The Trustee (including a member, staff member, office holder or agent of the Trustee) can exercise or concur in exercising all of the discretions and powers granted to it under or in accordance with this document or at law, subject to the terms of this document and the Relevant Law, even if the Trustee or the person in question:

- (1) could benefit from the exercise of the discretion or power in either a direct or indirect sense; and
- (2) has or could have a direct or otherwise personal interest or conflict in the method adopted in, or the end result of the exercise of the discretion or power, and

even if the Trustee is a sole trustee.

20.3 Delegation

- (1) The Trustee will, subject to the limitations and requirements set out under clauses 8 and 9 of this document and under the Relevant Law, be empowered to delegate the discretions and powers granted to it under this document to third parties at its absolute discretion.
- (2) If a delegate exercises such discretions and powers, that exercise is valid and effectual and binds all persons interested under this document.

20.4 Trustee's Decisions

- (1) The Trustee will be empowered to decide:
 - (a) whether monies received are to be considered as capital or income;
 - (b) whether expenses, outgoings or other debts accruing from time to time ought to be paid out of capital or income; and
 - (c) the outcome of all questions or matters of doubt arising in connection with the execution and pursuance of the trusts contained within or established under this document.
- (2) The Trustee's decisions on these matters are conclusive and bind all persons interested under this document.

21 Winding up

- (1) If the Trust:
 - (a) is wound up;
 - (b) ceases to be a public ancillary fund; or
 - (c) has its endorsement as a deductible gift recipient revoked;

all surplus gifts, deductible contributions and monies made to and held in the Trust Fund must be transferred to one or more Eligible Entities which the Trustee shall determine at its discretion.
- (2) In the event that a proposed distribution is made in accordance with this part will not be tax deductible unless the conditions stipulated within the relevant item of the table in subdivision 30-B of the ITAA 97 are satisfied, the distribution in question must be made in accordance with those conditions.

22 Governing law

This document is subject to and governed by the laws of New South Wales and the Commonwealth of Australia.

Schedule 1

Defined terms and Interpretation

Part 1 - Definitions

Associate	has the meaning attributed to it in section 318 of the ITAA 36.
Committee	means a committee established under clause 16.
Charitable	has the meaning attributed to it under: <ol style="list-style-type: none"> (1) the common law; and (2) the law governing this document from time to time.
Commissioner	means the: <ol style="list-style-type: none"> (1) Commissioner of Taxation; (2) Second Commissioner of Taxation; or (3) Deputy Commissioner of Taxation, for the purposes of the ITAA 97.
Constitution	means the <i>Commonwealth of Australia Constitution Act 1900</i> .
Donor	means a person who donates a gift or a deductible contribution to the Trust.
Eligible Entity/Entities	a fund, authority or institution: <ol style="list-style-type: none"> (1) which is Charitable or would be a charity within the meaning of the <i>Charities Act 2013</i> (Cth) if it were not a 'government entity' as defined in that Act; and (2) gifts to which are deductible under item 1 of the table in section 30-15 of the ITAA 97.
Financial Year	means: <ol style="list-style-type: none"> (1) the period commencing on the date of this document and ending on the following 30 June; and then, (2) each period of twelve (12) months

	commencing 1 July and ending on the following 30 June in each year
	or such other period as agreed with the Commissioner.
Governing Law	means the laws of New South Wales and the Commonwealth of Australia.
Guidelines	means the Public Ancillary Fund Guidelines 2011 as amended from time to time, made in accordance with section 426-103 of Schedule 1 of the TAA 53.
ITAA 36	means the <i>Income Tax Assessment Act 1936</i> (Cth).
ITAA 97	means the <i>Income Tax Assessment Act 1997</i> (Cth).
Officer	means an officeholder of the Trustee and includes: <ol style="list-style-type: none"> (1) directors; (2) secretaries; and (3) members of a committee of management or other controlling bodies; of the Trustee.
Public Ancillary Fund	means: <ol style="list-style-type: none"> (1) a trust; (2) of which all Trustees are constitutional corporations; (3) of which all Trustees have agreed, using the approved form, to adhere to the rules contained in the Guidelines as in force from time to time.
Relevant Law	means: <ol style="list-style-type: none"> (1) an Act of which the Commissioner has the general administration (including a part of an Act to the extent to which the Commissioner has the general administration of the part); (2) regulations made under such an Act (including a part of such an Act); and

- (3) all other statutes, regulations or laws applicable to Public Ancillary Funds.

Responsible Person(s)

means an individual who:

- (1) performs a significant public function; or
- (2) is a member of a professional body having a code of ethics or rules of conduct; or
- (3) is officially charged with spiritual functions by a religious institution; or
- (4) is a director of a company whose shares are listed on the Australian Securities Exchange; or
- (5) has received formal recognition from government for services to the community; or
- (6) is an individual before whom a statutory declaration may be made; or
- (7) is otherwise approved as a Responsible Person by the Commissioner.

Settled Sum

means \$100.

TAA 53

means the *Taxation Administration Act 1953* (Cth).

Trust

means "The Campbelltown Cultural Fund" being a Public Ancillary Fund established under the Trust Deed.

Trustee

means the person named in this document as the Trustee and any other person appointed as the trustee of the Trust from time to time.

Trust Deed

means this document as amended from time to time.

Trust Fund

means the accumulation of:

- (1) the Settled Sum;
- (2) all monies, investments and assets paid or transferred to and accepted by the Trustee as additions to the Trust Fund including all gifts and deductible

contributions;

- (3) all income of the Trust Fund including income earned or to which it otherwise is entitled;
- (4) all accretions to the Trust Fund;
- (5) all accumulations of income;
- (6) all monies, investments and property from time to time representing the above or into which they are converted;

and includes any part of the Trust Fund.

Trust Purpose

means the purpose outlined in clause 4 of this document.

Part 2 – Interpretational rules

In this document, unless the context requires otherwise:

- (1) the singular (including defined terms) includes the plural and the plural includes the singular, and words of any gender include all genders;
 - (2) a reference to this document means this document as originally executed and as from time to time lawfully amended;
 - (3) a reference to any legislation or legislative instrument or a provision of any legislation or legislative instrument, includes any amendment to that legislation or legislative instrument or provision, any consolidation or replacement of that legislation or legislative instrument or provision, and any subordinate legislation or legislative instrument made under that legislation instrument; and
 - (4) a reference to a donation or contribution includes a gift.
-

Execution page

Executed as a deed

Dated:

Executed by ***INSERT*** by the Founder...

Witness (Signature)

Justin Robert Thornton

Name of Witness (Print Name)

Signed, sealed and delivered by **Campbelltown Arts Centre Limited** by its duly authorised directors in accordance with section 127(1) of the Act:

Director/Secretary (Signature)

Director (Signature)

Name of Director/Secretary (Print Name)

Name of Director (Print Name)

Constitution

Campbelltown Arts Centre Limited (ACN [tbc])

A public company limited by guarantee and not having share capital

Marsdens Law Group

Level 1
49 Dumaresq Street
CAMPBELLTOWN NSW 2560

Tel: 02 4626 5077

Fax: 02 4626 4826

DX: 5107 Campbelltown

Ref: 65 36 0260 JRT

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Constitution

Campbelltown Arts Centre Limited (ACN [tbc])

Part 1 – General, Objects and Finances

1 Interpretation

1.1 Headings

In this document, headings are used for convenience and do not influence the construction or interpretation of the provisions contained herein.

1.2 Definitions

In this document, words that begin with a capital letter that are defined in Part 1 of **Schedule 1** have the meaning ascribed to them in that schedule.

1.3 Interpretation

The interpretational rules contained in Part 2 of **Schedule 1** are to be applied in the interpretation of this document.

2 The Replaceable Rules

The Replaceable Rules contained in the Act do not apply to the Company.

3 Name

The name of the Company is to be "**Campbelltown Arts Centre Limited**".

4 Objects

4.1 Objects

The Company's Objects are:

- (1) to promote, provide and encourage the provision of goods, services, facilities and activities deemed appropriate from time to time having regard to the current and future needs of the Campbelltown Local Government Area; and
- (2) to:
 - (a) assist in;
 - (b) attend to the formation, management and administration; and
 - (c) to act as the trustee of,

trusts or funds including without limitation, public ancillary funds, operating on a not for profit basis and in a manner which accords with the broader objects contained within this clause 4.1,

(Objects).

4.2 Powers

The Company is, for the sole purpose of pursuing and realising the Objects, empowered to do all of the acts, deeds and things:

- (1) listed in **Schedule 2**; and
- (2) that a company otherwise has the power to do at law.

4.3 Restrictions

The Company must not:

- (1) engage in activities or undertakings, commercial or otherwise; or

- (2) exercise the powers, functions or discretions granted to it under this document or at law, unless

such activities, undertakings, powers, functions and discretions are related or otherwise incidental to the Objects.

5 Financial Matters

5.1 Annual Membership Fee

- (1) An Annual Membership Fee must be paid by the Members to the Company.
- (2) The Board is empowered to determine the amount of the Annual Membership Fee as well as the manner in which the Annual Membership Fee must be paid.

5.2 Income and Assets

- (1) The income and assets (real or personal) of the Company must be used in the pursuit and promotion of the Objects.
- (2) The income and assets (real or personal) of the Company must not be paid, transferred or distributed, direct or indirect, via dividend, bonus or via any other means to Members except as fair, reasonable and proper:
 - (a) reimbursement for out of pocket expenses incurred on behalf of the Company;
 - (b) remuneration, in good faith, to an Office Holder, Member or staff Member in return for services rendered to the Company; or
 - (c) consideration in return for goods supplied to the Company, in the usual course of the relevant Member's business or trade.
- (3) The income and assets (real or personal) of the Company can, despite paragraph (2), also be paid, transferred or distributed to a Member if:
 - (a) the recipient Member is a local council or government organisation; and
 - (b) the income and assets in question are being paid, transferred or distributed to the recipient Member in satisfaction of charges, rates, levies or taxes which the recipient Member has assessed and imposed upon the Company in the Member's role as a local council or government organisation.

6 Financial Records

6.1 General Obligation

The Board of Directors must ensure that proper accounting methods are adopted and maintained and that proper accounting records relating to the financial position of the Company are kept in accordance with the Act.

6.2 Member Access

The Members are entitled to access the accounts, books and registers of the Company provided that reasonable notice, in writing, is given to the Board or Directors.

7 Auditors

7.1 Auditor

- (1) A qualified Auditor or group Auditors must be appointed pursuant to a resolution of the Board of Directors.
- (2) The Auditor's remuneration will be fixed and its duties regulated in accordance with all relevant laws including without limitation, the Act.
- (3) The Auditor must be permitted to attend all of the meetings of the Company and must be granted access to all of the records and books of the Company at all times.

7.2 Auditor's Report

- (1) The Auditor must:
 - (a) examine the accounts of the Company;
 - (b) prepare a report in relation to the financial position of the Company at least once in each twelve (12) month period; and
 - (c) act in accordance with all relevant laws including without limitation, the provisions of the Act.
- (2) The Board of Directors must use its best endeavours to ensure that the Auditor acts in Compliance with and in the spirit of this clause 7.2.

8 Winding Up

- (1) If:
 - (a) the Company is wound up or dissolved;
 - (b) all of its debts and liabilities have been satisfied in full; and
 - (c) there remains surplus income or assets (real or personal) of whatever nature, then

such surplus income and assets (real or personal) must not be paid to or distributed amongst the Members but instead, must be paid, transferred or distributed to one (1) or more Eligible Entities.
 - (2) The Board of Directors must determine which Eligible Entities are to receive the surplus income referred to in paragraph (1) prior to the date of the winding up or dissolution.
-

Part 2 - Membership and Member's Meetings

9 Members

9.1 Membership

The number of Members will be one (1), or such greater number as is determined pursuant to a unanimous resolution of the Members from time to time.

9.2 New Members

A person will be eligible for admission as a Member if a unanimous resolution of the then existing Members is passed which affirms that admission.

9.3 Termination of Membership

- (1) A Member will cease to be a Member if:
 - (a) that Member dies (if the Member is a natural person);
 - (b) that Member is wound up, dissolved or becomes insolvent (if the Member is a corporation or other entity);
 - (c) that Member fails to ensure that the Annual Membership Fee is paid within three (3) months of a written demand being made;
 - (d) that Member is removed as a Member pursuant to a Special Resolution of the Members;
 - (e) that Member serves written notice upon the Company confirming its decision to forfeit its membership; or
 - (f) that Member is disqualified in accordance with a provision of this document or otherwise in accordance with the operation of law, including without limitation a provision of the Act.
- (2) A Special Resolution purporting to remove a Member in accordance with paragraph (1)(d) will not be valid and effective unless:
 - (a) the Member that is the subject of the proposed Special Resolution has been provided at least one (1) months written notice of the proposed meeting;
 - (b) the Member that is the subject of the proposed Special Resolution has been afforded a chance to:
 - (i) make oral submissions to the Members at the meeting; and
 - (ii) provide a written statement to the Company for circulation to the other Members; and
 - (c) a statement provided in accordance with paragraph (2)(b)(ii), that is less than one thousand (1,000) words long and that does not appear to contain defaming content, has been circulated to all of the Members entitled to vote at the proposed meeting, via:
 - (i) sending copies of the statement to all Members to whom notice of the proposed meeting was sent; or
 - (ii) if there is insufficient time before the proposed meeting to circulate the statement in accordance with clause 9.3(2)(c)(i), distributing the statement to all Members in attendance at the meeting and ensuring that the statement is read out at the meeting before the resolution is considered and voted on.

9.4 Members Contribution

- (1) The Members' liabilities are limited.
- (2) If the Company is wound up or dissolved, the Members must each make a contribution:

-
- (a) to the assets of the Company, if the Company is wound up:
 - (i) while a Member is a Member; or
 - (ii) within twelve (12) months of a person ceasing to be a Member,in order to ensure that the debts and liabilities of the Company which have been incurred during or just after the period of that Member's membership are paid, provided that the amount of each Member's contribution does not exceed a total of one hundred dollars (\$100.00); and
 - (b) to the costs, charges, and expenses of winding up as well as for the adjustment of the rights of the contributories among Members, provided that the total amount of each Member's contribution under this clause 9.4 does not exceed one hundred dollars (\$100.00).

9.5 Non-Transferrable

A Member's membership is personal and as such, must not be transferred or dealt with otherwise than in accordance with the provisions contained in this document.

10 Members' Meetings

10.1 Types of Meetings

There will be two (2) kinds of Member's Meetings, being:

- (1) General Meetings; and
- (2) Annual General Meetings.

10.2 First General Meeting

The first General Meeting must be held no less than one (1) month and no more than three (3) months following registration and incorporation under the Act.

10.3 General Meetings – Convened

Subject to the Act, the Secretary is empowered to convene a General Meeting if it receives a request to do so in writing, from:

- (1) a Director; or
- (2) a Member or group of Members representing not less than one tenth (1/10th) of the Members.

10.4 General Meetings – Notice

- (1) If a General Meeting is to be held, all Members must be served with proper notice of that fact and notice must accord with this clause 10.4.
- (2) If, in accordance with clause 10.4(1) a notice of a General Meeting is issued, that notice will not be valid and effective unless it:
 - (a) is in writing;
 - (b) states the date, time and place of the General Meeting;
 - (c) states the business to be transacted at the General Meeting;
 - (d) has been sent to all Members eligible to vote at the meeting in question; and
 - (e) has been sent to all such Members no less than twenty one (21) business days prior to the date scheduled for the General Meeting.

10.5 Annual General Meetings

- (1) The Company must hold an Annual General Meeting at least once in every twelve (12) month period.
- (2) The following business must be conducted at an Annual General Meeting:

- (a) subject to:
 - (i) the provisions of this document; and
 - (ii) all relevant laws including without limitation, the Act,
 the election or affirmation of all those persons that will comprise the Board of Directors;
- (b) the consideration of the:
 - (i) Auditor's Report;
 - (ii) Directors' Report; and
 - (iii) Annual Financial Report,
- (c) the appointment of an Auditor in accordance with clause 7.1; and
- (d) the fixing of the remuneration of the Auditor and the Office Holders (if applicable) in accordance with clauses 7.1.

10.6 Members' Meetings – Quorum

- (1) If there are three (3) Members or less at the time that a Member's Meeting is held, a quorum will not be present unless all of the Members are present either in person or by proxy.
- (2) If there are more than three (3) Members at the time that a Member's Meeting is held, a quorum will not be achieved unless at least three (3) of the then existing Members are present either in person or by proxy.
- (3) There can be no business transacted at a Members' Meeting unless a quorum is present in accordance with this clause 10.6.
- (4) If a quorum is not present, the meeting must be adjourned to the same time and place in the following week.
- (5) If a quorum is not present at the commencement of the adjourned meeting in the following week, the meeting in question cannot be adjourned for a second time and must be dissolved.

10.7 Members' Meetings – Adjournment

- (1) The Chairperson is empowered to adjourn a General Meeting.
- (2) If a General Meeting is adjourned pursuant to a direction of the Chairperson, the adjourned meeting must be reconvened at a time and place to be chosen at the discretion of the Chairperson.
- (3) If, pursuant to a direction of the Chairperson, an adjourned meeting is to reconvene more than one (1) month from the date that the original meeting was scheduled to occur, new notices with respect to that adjourned meeting must be sent out to all Members.

11 Members' Meetings - Voting

11.1 Decision Making

- (1) In a Members' Meeting, resolutions are to be decided upon a show of hands unless:
 - (a) the Chairperson; or
 - (b) a Member or group of Members representing no less than one quarter (1/4) of the total votes to be counted at the Members' Meeting,
 demand that a poll be conducted in connection with the resolution that is being considered and voted upon.
- (2) The Chairperson must, before a vote is cast, inform the Members whether proxy votes have been received and if so, how those votes have been cast.

- (3) If a poll is not demanded, a declaration from the Chairperson which states that a resolution has, on a show of hands, been:

- (a) lost; or
- (b) carried; and
- (c) a notation to that effect in the book containing the minutes of the proceedings of the Company,

will be deemed to be conclusive evidence of the fact without the need for proof of the number or proportion of the votes that were recorded in favour of, or against the resolution in question.

11.2 Polls

- (1) A poll can be demanded in accordance with clause 11.1(1):
 - (a) before a vote is cast;
 - (b) before the results of a vote, on a show of hands, is declared; or
 - (c) in the period just after the results of a vote, on a show of hands, have been declared.
- (2) If a poll is demanded pursuant to clauses 11.1(1) and 11.2(1), it can be withdrawn at the discretion of the person who made the demand.
- (3) If a poll is demanded in accordance with clauses 11.1(1) and 11.2(1) and is not withdrawn pursuant to clause (2), it must be conducted:
 - (a) if the question to be determined via the poll concerns the election of a Chairperson or in the alternative, concerns the adjournment of the meeting being conducted, forthwith; or
 - (b) in all other cases and circumstances, in such a manner and at such a time as the Chairperson deems reasonable and appropriate having regard to question being considered.
- (4) The outcome of a particular poll will determine whether a particular resolution is voted down or carried.

11.3 Equal Votes

If, in the conduct of a Members' Meeting, an equal number of votes is cast for and against a particular resolution (whether on a show of hands or on a poll) the Chairperson will be entitled to cast a second vote to determine the outcome of the resolution in question.

12 Voting Rights

12.1 Entitlements

The Members are entitled to one (1) vote each at a Members' Meeting, regardless of whether a resolution is to be decided on a show of hands or via poll, unless a Member has been disqualified from voting pursuant to the operation of this document or a relevant law in which case that Member will not be entitled to vote.

12.2 Circular Resolutions

- (1) A resolution can be passed without the need for an actual meeting at which all Members are present, if exact counterpart copies of a written notice which contain the resolution to be considered:
 - (a) are circulated to all Members; and
 - (b) are returned bearing the signatures of all Members, confirming that the resolution in question has been passed.
- (2) If a circular resolution is passed in accordance with clause (1), the date of the resolution will be the date upon which all Members have signed the relevant notice.

12.3 Technological Mediums

A Members' Meeting can be held at two (2) or more venues using whatever technological mediums are capable of granting to the Members a reasonable chance of participating in the Members' Meeting.

13 Proxy Voting

13.1 Appointment

- (1) A Member will be permitted to appoint a person as their proxy for the purposes of attending a Members' Meeting and exercising the voting rights of the Member.
- (2) An instrument appointing a proxy:
 - (a) must bear the signature of the Member appointing the proxy;
 - (b) must be in writing and must be in a form approved by the Board of Directors; and
 - (c) can, but need not, contain directions as to the manner in which the appointed proxy must vote in respect of a particular resolution.

13.2 Lodgement of Instrument

The appointment of a proxy is not effective unless the instrument appointing the proxy is deposited with the Secretary at least forty eight (48) hours prior to the meeting at which the proxy has been appointed to vote.

Part 3 - The Board

14 Directors

14.1 Powers

- (1) The management of the Company's business is vested in and will remain vested in the Board of Directors.
- (2) The Board of Directors hold the benefit of, and are empowered to exercise:
 - (a) all of the powers conferred upon them under this document and under all relevant laws including without limitation, the Act; and
 - (b) all of the powers of the Company, with the exception of those which, pursuant to this document or pursuant to the operation of some relevant law including without limitation the Act, must be exercised in a Members' Meeting.

14.2 Appointment – Directors

- (1) The Board of Directors are empowered to appoint, via resolution, a person (whether or not that person is a Member) as a Director to fill vacancies on the Board.
- (2) If an appointment is made pursuant to paragraph (1), that appointment must be confirmed via resolution at the next Member's Meeting that is held after the appointment is made.
- (3) If an appointment is not confirmed in accordance with paragraph (2), the Director in question will cease to be a Director upon the conclusion of that Members' Meeting.
- (4) If a Director is appointed in accordance with paragraph (1), that Director can be appointed either:
 - (a) for a specified term; or
 - (b) until that Director is removed from office in accordance with this document or the Act.

14.3 Appointment – Members

A person will be appointed as a Director if, in a General Meeting, a resolution is passed confirming the appointment of that person as a Director.

14.4 Removal

A Director, other than a Director appointed to the Board of Directors in accordance with clauses:

- (1) 14.8(1)(a);
- (2) 14.8(1)(b); or
- (3) 14.8(1)(c),

can be removed from office pursuant to a resolution of the Members passed at a Member's Meeting.

14.5 Resignation

A Director can resign as a Director at its absolute discretion, upon serving written notice on the Company to that effect.

14.6 Vacancies

The position of Director will become vacant, for the purposes of clause 14.2(1), if a Director:

- (1) becomes a bankrupt;
- (2) becomes of unsound mind;
- (3) ceases to be, or is prohibited from being, a Director in accordance with the provisions of this document or otherwise pursuant to the operation of a relevant law, including without limitation the Act;

- (4) is convicted on indictment of an offence and the Board of Directors does not, within one (1) month of that conviction, resolve to confirm the Director's appointment as a Director; or
- (5) fails to attend meetings of the Board on more than three (3) separate occasions without a leave of absence being granted from the Board.

14.7 Composition – General

- (1) The Board of Directors must be comprised of a minimum of three (3) and a maximum of ten (10) Directors, a majority of which:
 - (a) must ordinarily reside in Australia; and
 - (b) must be classified as Responsible Persons.
- (2) The Members are empowered to resolve, in a General Meeting, to either increase or reduce the maximum number of Directors however, the minimum number of Directors must not be varied.

14.8 Composition – Specific

- (1) Unless the Members unanimously resolve to the contrary and subject to paragraph (2), the Board of Directors will be comprised as follows:
 - (a) one (1) person, being either:
 - (i) the person that is appointed to the position of Arts Director within Campbelltown Council from time to time; or
 - (ii) that person's nominee;
 - (b) one (1) person, being either:
 - (i) the person that is appointed to the position of the General Manager of Campbelltown Council from time to time; or
 - (ii) that person's nominee;
 - (c) two (2) persons, each being:
 - (i) then current elected Councillors of Campbelltown Council; or
 - (ii) the nominees of such persons;
 - (d) three (3) other persons, each being persons nominated and appointed pursuant to a formal resolution of the Members in a meeting of the Members.
- (2) A majority of the Board of Directors must be Responsible Persons.
- (3) If a person who has been appointed to the Board of Directors in accordance with clauses (1)(a) - (1)(c), ceases to hold the position that makes that person eligible to be appointed under clauses (1)(a) - (1)(c), for example, General Manager, Art Director or Councillor then:
 - (a) that person must resign; and
 - (b) that person must be replaced in accordance with the terms of this document and in particular, clause 14.8.

14.9 Term of Office

A person appointed as a Director of the Company will hold office until that person is removed in accordance with the provisions contained within this document or otherwise in accordance with a relevant law, including without limitation the Act.

14.10 Restriction on Expenditure

The Directors must not:

- (1) encumber an asset (real or personal) of the Company; or

- (2) commit to, or incur, expenditure on behalf of the Company which exceeds the amount determined by the Members from time to time for the purpose of this clause 14.10 in a single transaction;

without the prior approval of the Members as evidenced via a unanimous resolution of the Members in a general meeting.

14.11 Remuneration and Expenses

- (1) The Directors are to be remunerated at the rate (if any) determined by the Members from time to time.
- (2) The Company must reimburse Directors for all reasonable travelling expenses as well as all other reasonable expenses incurred:
 - (a) while attending and returning from meetings of the Company; and
 - (b) while attending to the proper discharge of their duties under this document and at law from time to time.

14.12 Directors' Committees

- (1) The Directors are empowered to form Directors' Committees at their absolute discretion.
- (2) If a Directors' Committee is formed, it must be comprised entirely of Directors however, will be permitted to seek the advice of, consult with and receive recommendations from third parties.
- (3) The Directors are empowered to delegate all or part of the exercise of their powers to a Directors Committee if a unanimous resolution of the Board of Directors is passed to that effect.
- (4) All meetings of Directors Committees are to be held in accordance with the rules relating to meetings of the Board of Directors.

14.13 General Committees - Recommendations

- (1) The Directors are also empowered to form General Committees at their absolute discretion.
- (2) If a General Committee is formed in accordance with this clause 14.13, it must be comprised of at least one (1) Director.
- (3) The Directors must not delegate the exercise of their powers to a General Committee however, will be permitted (but are not obliged) to accept the recommendations of a General Committee made from time to time.
- (4) All meetings of General Committees are to be held in accordance with the rules relating to meetings of the Board of Directors.

15 Chairperson

15.1 Appointment

The Directors are empowered to appoint one (1) of their number to be the Chairperson.

15.2 Role of Chairperson

The Chairperson must:

- (1) chair all meetings; and
- (2) ensure the proper and efficient conduct of those meetings,

in accordance with the provisions contained within this document, all relevant laws including without limitation the Act and all accepted rules of procedural fairness.

15.3 Alternate Chairperson

- (1) If the Chairperson is absent from a meeting then:

- (a) for a Members' Meeting, the Members present at that meeting will be empowered to appoint one (1) of their number to act as the Chairperson for that particular meeting; or
- (b) for a Board Meeting, the Directors present at that meeting will be empowered to appoint one (1) of their number to act as the Chairperson for that particular meeting.
- (2) If an Alternate Chairperson is appointed under paragraph (1) he or she will not have a casting vote.

16 Secretary

- (1) The Company must have at least one (1) Secretary who is, ordinarily, resident in Australia.
- (2) The Secretary must not be appointed other than in accordance with:
 - (a) the Act; or
 - (b) a resolution of the Board of Directors.
- (3) The Secretary must be appointed for such a term, at such reasonable remuneration (if applicable) and upon such conditions as the Board of Directors deems reasonable and proper in the circumstances.

17 Board Meetings

17.1 Board Meetings

The Secretary must, subject to provisions contained within this document and all relevant laws including without limitation the Act, convene a Board Meeting if it receives a request to do so, in writing, from a Director.

17.2 Board Meetings – Timing

The Board of Directors will meet as often or as little as it determines.

17.3 Notice

- (1) If a meeting of the Board of Directors is called, written notice must be delivered to the address of each Director listed in the Company's register or records.
- (2) If a notice is issued in accordance with paragraph (1), that notice:
 - (a) must be in writing;
 - (b) must state the time and place of the meeting;
 - (c) need not state the general nature of the business proposed to be discussed during the meeting;
 - (d) can be given immediately before the meeting;
 - (e) can be given in person, via post, via facsimile, via telephone, via e-mail or via all other electronic means; and
 - (f) will be deemed to have been given to an alternate Director if it is given to the Director who appointed that alternate Director and vice versa.
- (3) A Director is empowered to:
 - (a) waive the requirement for them to be given notice of a meeting of the Board of Directors; or
 - (b) stipulate a different manner in which that Director can receive notice of such meeting/s from time to time,

via serving notice, in writing, upon the Company from time to time.

17.4 Failure to Receive Notice

If a Director (including an alternate Director) fails to receive a notice of a meeting of the Board of Directors, a resolution that has been passed at that meeting will not be invalidated if:

- (1) that Director's failure to receive a notice of the meeting was the result of accident or error; or
- (2) that Director, or their alternate Director:
 - (a) had waived the requirement for them to be provided with notice;
 - (b) had notified the Company of their agreement to the resolutions proposed to be passed at the meeting; or
 - (c) had, in fact, attended the meeting notwithstanding the fact that notice was not received.

17.5 Proxies

- (1) A Director may appoint a proxy to attend a Board Meeting to exercise the voting rights of that Director.
- (2) A Director may only appoint a proxy if:
 - (a) the person appointed as proxy is also a Director; or
 - (b) if the person appointed as proxy is not an existing Director, notice is given to the Chairperson at least seven (7) days prior to the Board Meeting at which the proxy is to attend and vote.

17.6 Quorum

A quorum, for the purposes of a Board Meeting, will be present if:

- (1) at least three (3) Directors are present in person or via proxy; and
- (2) a majority of the Directors that are present in person or via proxy are either Responsible Persons or Directors appointed in accordance with clauses 14.8(1)(a), 14.8(1)(b) or 14.8(1)(c) of this document.

17.7 Insufficient Directors

If there are insufficient Directors in office to constitute a quorum, the Board of Directors will be empowered to act for the purpose of calling a General Meeting of the Company but for no other purpose.

17.8 Voting

- (1) If a question arises during a Board Meeting it is, subject to the provisions contained within this document, to be decided pursuant to:
 - (a) a majority of votes; and
 - (b) a determination by a majority of the Members of the Board.
- (2) If, in the conduct of a Board Meeting, an equal number of votes is cast for and against a particular question (whether on a show of hands or on a poll) the Chairperson will be entitled to cast a second vote to determine the outcome of the particular question.

17.9 Form of Meeting

- (1) A resolution will be deemed to have been passed during a Board Meeting without the need for an actual meeting, if:
 - (a) the resolution in question was contained on a circular that was presented to all Directors; and
 - (b) the required majority of Directors assented to the resolution in question by signing the circular or an exact counterpart of it; and

-
- (c) a majority of the Directors that assented to the resolution in question must be Directors referred to in clause 14.8.
 - (2) A resolution will also be deemed to have been passed during a Board Meeting if the meeting in question has been conducted using electronic media (including telephone, internet and video conferencing or a combination of these various mediums) and:
 - (a) a quorum was present via such electronic mediums; and
 - (b) the resolution in question was passed by the required majority of Directors; and
 - (c) a majority of the Directors that assented to the resolution in question are either Responsible Persons or are Directors referred to in clause 14.8.

17.10 Interested Transaction

- (1) A Director must disclose the nature and extent of all material, personal interests in transactions proposed to be entered into from time to time.
 - (2) If a Director discloses a material, personal interest in a particular transaction or undertaking then the Board of directors must determine, via a resolution, whether or not that Director will be permitted to vote in relation to the interested transaction.
 - (3) If the Board of Directors resolve that the Director in question should be permitted to vote on the relevant matter, that Director will (subject to the Act) be permitted to vote with respect to:
 - (a) a proposed contract or undertaking; and
 - (b) the exercise of a power or discretion under this document or at law,in connection with the transaction in question, notwithstanding that that Director holds a material, personal interest in the proposed contract or undertaking or in the exercise of the proposed power or discretion.
-

Part 4 - Miscellaneous

18 Execution of Documents

18.1 Execution by Directors

If a document is executed on behalf of the Company, execution will be valid if the document bears the signatures of:

- (1) two (2) current Directors; or
- (2) one (1) current Director and one (1) current Secretary.

18.2 Execution by one Director

- (1) The Directors are empowered to authorise, via resolution evidenced in writing, a single Director to sign documentation on behalf of the Company from time to time.
- (2) If a document is signed in accordance with the authorisations and processes contemplated under paragraph (1), that document will be as binding upon the Company as if it had been signed in accordance with clause 18.1.

18.3 Company Seal

- (1) The Directors will be empowered to resolve that the Company adopt a Company Seal.
- (2) If the Company adopts a Company Seal, the Company Seal must accord with the requirements for Company Seals contained within the Act.
- (3) If the Company adopts a Company Seal, the Company Seal does not need to be affixed to a document in order for that document to be executed in a valid manner and execution pursuant to clauses 18.1 and 18.2 will remain valid.

19 Notices

19.1 Service

A notice will, subject to the Act, be given to a Member when it is:

- (1) served, in person, on the Member;
- (2) sent to the address of the Member which is recorded in the register of Members;
- (3) transmitted via facsimile to the facsimile number for that Member which is recorded in the register of Members; or
- (4) transmitted via e-mail to the Member's usual e-mail address or using whatever other electronic means are available at the time.

19.2 Deemed Service

A Member will be deemed to have received a notice served in accordance with clause 19.1:

- (1) if notice has been served in person, on the date that the notice is in fact served upon the Member;
- (2) if the notice has been sent to the address of the Member, on the date that is forty eight (48) hours after the notice has been posted; or
- (3) if the notice has been sent to the Member using electronic means, upon receiving confirmation of the transmission in question has been received.

19.3 Persons entitled to receive notice of a Member's Meeting

The following persons are entitled to receive notice of a Members' meeting:

- (1) Auditors;
- (2) Directors; and
- (3) Members or the personal legal representative of a particular Member.

20 Indemnities and Insurance

20.1 Indemnities – Office Holders

- (1) The Company, subject to clause 20.2 and also the relevant provisions of the Act, indemnifies each Office Holder against all liabilities incurred in the course of discharging their duties as an Office Holder.
- (2) The indemnities contained in paragraph (1) do not apply to liabilities:
 - (a) owed to a related body corporate of the Company;
 - (b) for pecuniary penalties or a compensation order levied under the Act; or
 - (c) owed to a person other than the Company that did not arise out of conduct carried out in good faith.

20.2 Indemnities – Legal Costs

- (1) The Company, subject to paragraph (2), indemnifies each Office Holder against all liabilities for legal costs incurred in the course of discharging their duties as an Office Holder.
- (2) The indemnities granted under paragraph (1) and under this document in general do not cover liabilities for legal costs incurred:
 - (a) in defending or resisting proceedings in which the Office Holder is found to have liabilities for which that Office Holder could not be indemnified under clause 20.1;
 - (b) in defending or resisting criminal proceedings in which the Office Holder is found to be guilty;
 - (c) in defending or resisting proceedings brought by ASIC or a liquidator for a court order, if the court determines that the grounds for making the order are reasonable and have been established (but this paragraph is not applicable with respect to costs incurred in responding to actions taken by ASIC or a liquidator as part of an investigation before commencing proceedings for the court order); or
 - (d) in connection with proceedings for relief to the Office Holder under the Act in which the court denies the relief.

20.3 Insurance

The Company will, subject to all relevant provisions contained within this document and in the Act, be permitted to pay a premium for a contract which insures a person who is, or has been an Office Holder of the Company against:

- (1) liabilities arising from negligence or other conduct; or
- (2) costs and expenses in defending proceedings, whether civil or criminal, whatever their outcome.

20.4 Indemnities and Insurance – Other Officers

The Company will be permitted to grant indemnities to, and insure other officers and staff members from time to time.

21 Obligations of Members

The Members are each subject to and to that end, must ensure strict compliance with the obligations set out below:

- (1) To keep confidential and not use or disclose Company reports, data, submissions or other information of the Company. Disclosure will be permitted where:
 - (a) the disclosure in question is required at law;
 - (b) the Company consents to the disclosure in question;

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- (c) the disclosure in question is made to professional advisers (including legal and financial advisers) of the Member who are subject to a duty of confidentiality.
 - (2) Not to engage in conduct (either by making statements or otherwise) that would materially harm or prejudice the ability of the Company to achieve the Objects.
 - (3) To ensure that the Company has sufficient funds available to it from time to time to allow it to pursue the Objects.
 - (4) Not to engage in conduct (either by making statements or otherwise) that would bring the Company into disrepute.
 - (5) Not to unreasonably refuse to enter into agreements with third parties which the Members have approved via Special Resolution and which the Board of Directors considers to be in the best interests of the Company.
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**Schedule 1:
Defined terms and interpretation**

Part 1 - Definitions

Act	means the <i>Corporations Act (Cth) 2001</i> including any regulations made under that Act.
Annual Financial Report	means a report as to the financial position of the Company in each twelve (12) month period for presentation to the Members at an Annual General Meeting.
Annual General Meeting	means a meeting held pursuant to clause 10.5.
Annual Membership Fee	means the annual fee payable by Members to the Company in accordance with clause 5.1.
Arts Director	means the Council Officer charged with the management and administration of the Campbelltown Arts Centre.
Auditor	means a qualified Auditor appointed in accordance with clause 7.1 to examine and assess the finances of the Company from time to time.
Auditor's Report	means a report prepared by the Auditor in relation to the financial affairs and position of the Company for each twelve (12) month period for presentation to the Members at an Annual General Meeting.
Board	means collectively the Directors of the Company.
Board Meeting	means a meeting of the Board.
Campbelltown Arts Centre	means the Campbelltown Bicentennial Art Gallery.
Chairperson	means a Chairperson of the Company appointed pursuant to a resolution of the Board from time to time.
Company	means "Campbelltown Arts Centre Limited".
Company Seal	means a common seal for the purposes of section 123 of the Act.
Constitution	means this document.
Council Officer	means a councillor or staff member of Campbelltown City Council.
Directors	means the Directors of the Company as are appointed from time to time in accordance with the terms of this document and the relevant provisions of the Act.
Directors' Report	means a report on the affairs of the Company for each twelve (12) month period for presentation to the Members at an Annual General Meeting.

Eligible Entities

means funds, authorities or institutions:

- (1) with Objects which are similar to or otherwise compliment the Objects of the Company as set out within this document;
- (2) which prohibits the distribution of income and assets (real or personal) to its Members; and
- (3) to which gifts are deductible under items 1 or 4 of the table in section 30:15 of the ITAA 1997.

Eligible Entities has a corresponding meaning.

Encumbrance

means an interest or power:

- (1) reserved in or over an interest in an asset (real or personal); or
- (2) created or otherwise arising in or over an interest in an asset (real or personal) under a mortgage, charge (whether fixed or floating), pledge, lien, hypothecation, title retention, conditional sale agreement, hire or hire purchase agreement, option, restriction as to transfer, use or possession, easement, subordination to any right of any other person and any other encumbrance or security interest, trust or bill of sale; or
- (3) by way of security for the payment of a debt or other monetary obligation or the performance of any obligation.

Encumber means to grant an Encumbrance.

General Meeting

means a meeting of the Members called in accordance with this document other than an Annual General Meeting.

Member

means a Member of the Company from time to time.

Member's Meeting

means either an Annual General Meeting or a General Meeting.

Objects

means the Objects of the Company set out in clause 4.

Office Holders

means collectively the Directors and the Secretary.

Responsible Person

means an individual who:

- (1) performs a significant public function; or
- (2) is a Member of a professional body having a code of ethics or rules of conduct; or
- (3) is officially charged with spiritual functions by a religious institution; or
- (4) is a Director of a Company whose shares are listed on the Australian Securities Exchange; or
- (5) has received formal recognition from government for services to the community; or
- (6) is approved as a Responsible Person by the

Commissioner,

and who is not:

- (7) disqualified from managing a corporation under the *Corporations Act 2002* (Cth); or
- (8) disqualified from being a responsible person or a registered charity by the ACNC Commissioner.

Secretary

means a person appointed to perform the duties of a secretary of the Company pursuant to this document and the Act.

Special Resolution

means a resolution of either the Members of the Directors in favour of which at least three quarters (3/4) of the Members or Directors present and eligible to vote have voted.

Part 2 - Interpretational Rules

clauses, annexures and schedules

a clause, annexure or schedule is a reference to a clause in or annexure or schedule to this Constitution.

reference to statutes

a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.

singular includes plural

the singular includes the plural and vice versa.

person

the word "person" includes an individual, a firm, a body corporate, a partnership, joint venture, an unincorporated body or association or any government agency.

executors, administrators, successors

a particular person includes a reference to the person's executors, administrators, successors, substitutes (including persons taking by novation) and assigns.

dollars

Australian dollars, dollars, \$ or A\$ is a reference to the lawful currency of Australia.

calculation of time

if a period of time dates from a given day or the day of an act or event, it is to be calculated exclusive of that day.

reference to a day

a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.

accounting terms

an accounting term is a reference to that term as it is used in accounting standards under the Corporations Act or, if not inconsistent with those standards, in accounting principles and practices generally accepted in Australia.

reference to a group of persons

a group of persons or things is a reference to any two or more of them jointly and to each of them individually.

meaning not limited	the words "include", "including", "for example" or "such as" are not used as, nor are they to be interpreted as, words of limitation, and, when introducing an example, do not limit the meaning of the words to which the example relates to that example or examples of a similar kind.
next day	if an act under this Constitution to be done by a party on or by a given day is done after 4.30pm on that day, it is taken to be done on the next day.
next Business Day	if an event must occur on a stipulated day which is not a Business Day then the stipulated day will be taken to be the next Business Day.
time of day	time is a reference to Sydney time.
headings	headings (including those in brackets at the beginning of paragraphs) are for convenience only and do not affect the interpretation of this Constitution.
agreement	a reference to any agreement, Constitution or instrument includes the same as varied, supplemented, novated or replaced from time to time.
gender	a reference to one gender extends and applies to the other and neuter gender.

**Schedule 2:
Company Powers**

The Company is authorised to do the following:

- (1) To accept, make or refuse a gift, donation, endowment or bequest of whatever nature:
 - (a) made to;
 - (b) made from; or
 - (c) acquired on behalf of,the Company, for a purpose which accords with or is incidental to the Objects stipulated in this document.
- (2) To take such lawful steps by personal or written appeal, public meetings or otherwise as may from time to time be deemed expedient for the purposes of procuring contributions to the funds of the Company in the form of donations, annual subscriptions or otherwise in order to allow it to pursue and promote the Objects.
- (3) To publish or to contribute to the publication of a periodical, journal or magazine and to print and circulate books, papers, pamphlets and information to provide and circulate an annual or other report of the Company, its proceedings and its work.
- (4) To subscribe to, become a Member of and co-operate with other associations or organisations, whether incorporated or not, whose Objects are altogether or in part similar to those of the Company provided that the Company must not subscribe to or support with its funds an association or organisation which does not prohibit the distribution of its income and assets (real or personal) among its Members to an extent at least as great as that imposed on the Company under this document.
- (5) In furtherance of the Objects to purchase, sell and otherwise deal in all kinds of apparatus, literature and other items required by the Members of the Company or persons frequenting the Company's premises.
- (6) To purchase, take on lease or in exchange, hire and otherwise acquire lands, buildings, easements or property, real and personal and any rights or privileges which may be requisite for the purposes of, or capable of being conveniently used in connection with, any of the Objects provided that in case the Company takes or holds any property which may be subject to any trusts the Company may only deal with that property in such manner as is allowed by law having regard to such trusts.
- (7) To enter into any arrangements with any Government or authority, supreme, municipal, local or otherwise that may seem conducive to the Objects or any of them; and to obtain from any such Government or authority any rights, privileges and concessions which the Company thinks it desirable to obtain; and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- (8) To appoint, employ, remove or suspend such managers, clerks, secretaries, servants, workmen and other persons as may be necessary or convenient for the Objects.
- (9) To invest and deal with the money of the Company not immediately required in such manner as may be permitted by law for the investment of trust funds and any other investments as might be made by a prudent investor.
- (10) To borrow or raise or secure the payment of money in such manner as the Company may think fit and to secure the repayment of that money or the repayment or performance of any other debt, liability, contract, guarantee or other engagement incurred or to be entered into by the Company in any way.
- (11) To make, draw, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading and other negotiable or transferable instruments.

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- (12) In furtherance of the Objects to sell, improve, manage, develop, exchange, lease, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Company.
 - (13) To make donations for patriotic or charitable purposes.
 - (14) To do all such other things as are incidental or conducive to the attainment of the Objects and the exercise of the powers of the Company.
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8.8 Campbelltown Arts Centre Strategic Committee - Election of Chairperson and Deputy Chairperson

Reporting Officer

Manager Creative Life
City Lifestyles

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.1 - Provide opportunities for our community to be engaged in decision making processes and to access information

Officer's Recommendation

That Council elect a Chairperson and Deputy Chairperson to the Campbelltown Arts Centre Strategic Committee for the term of Council in accordance with the Campbelltown Arts Centre Strategic Committee Terms of Reference.

Purpose

The Campbelltown Arts Centre Strategic Committee Terms of Reference specifies that Council elect a Chairperson and Deputy Chairperson to the Campbelltown Arts Centre Strategic Committee in accordance with the Terms of Reference.

History

Council at its meeting held 28 March 2017 resolved:

1. That the Campbelltown Arts Centre Sub Committee's name be changed to Campbelltown Arts Centre Strategic Committee.
2. That the former Campbelltown Arts Centre Sub Committee Guidelines be rescinded.
3. That the Campbelltown Arts Centre Strategic Committee Terms of Reference be adopted as attached.
4. That Councillor Oates, Councillor Moroney and Councillor Chowdhury be appointed as representatives for the Committee.
5. That Council advertise via an Expression of Interest process for business sector/community representatives.
6. That a further report be presented to Council following the Expression of Interest process for endorsement of the representatives for the Campbelltown Arts Centre Strategic Committee for the term 2017-2020.
7. That Camden Council be invited to provide a representative for the Committee.

Report

Council is required to elect a Chairperson and Deputy Chairperson to the Campbelltown Arts Centre Strategic Committee as per the Terms of Reference.

The Campbelltown Arts Centre Strategic Committee Terms of Reference states the following:

- 3.1 The Chairperson of the Committee shall be one of the Councillors appointed to the Committee by Council and so nominated to be the Chairperson by the Council and will be appointed for the term of Council.
- 3.2 The Deputy Chairperson shall be the other Councillor appointed to the Committee by the Council and will be appointed for the term of Council.
- 3.3 The Campbelltown City Council Mayor by virtue of that office is a member of each committee of Council. If the Mayor is in attendance at the meeting he/she may choose to assume the Chair for the duration of the meeting.
- 3.4 If the Chairperson, Deputy Chairperson and the Mayor are unable to attend the meeting an Acting Chairperson should be elected from within the committee membership.

The current Councillor representatives on the Campbelltown Arts Centre Strategic Committee are Councillor Oates, Councillor Moroney and Councillor Chowdhury.

Council is to nominate the Chairperson and Deputy Chairperson of the Campbelltown Arts Centre Strategic Committee for the term of Council from the three elected Councillors.

Attachments

Nil

8.9 Minutes of Campbelltown Arts Centre Strategic Committee held 11 October 2017

Reporting Officer

Executive Manager Community and Cultural Services
City Lifestyles

Officer's Recommendation

That the minutes be noted.

Purpose

To seek Council's endorsement of the minutes of the Campbelltown Arts Centre Strategic Committee held 11 October 2017.

Report

Detailed below are the recommendations of the Campbelltown Arts Centre Strategic Committee. Council officers have reviewed the recommendations and are now presented for Council's consideration.

Reports listed for consideration:

4.1 Minutes of the previous Campbelltown Arts Centre Strategic Committee Meeting held 23 August 2017

Committee's Recommendation:

That the information contained in the Campbelltown Arts Centre Strategic Committee meeting minutes of 23 August 2017 be noted.

5.1 Strategic Objectives for Campbelltown Arts Centre

Committee's Recommendation:

That the feedback provided by the Campbelltown Arts Centre Strategic Committee members in relation to the development of the Campbelltown Arts Centre's Audience Development Strategy be collated by Council staff and distributed to Committee members for their information and consideration.

5.2 Campbelltown Arts Centre 2016-2018 Strategic Plan

Committee's Recommendation:

That the information contained in the Campbelltown Arts Centre Strategic Plan distributed to Committee members be noted.

Attachments

1. Minutes of the Campbelltown Arts Centre Strategic Committee Meeting 11 October 2017 (contained within this report)

Minutes Summary

Campbelltown Arts Centre Strategic Committee Meeting held at 6.00pm on Wednesday, 11 October 2017 .

ITEM	TITLE	PAGE
1.	ACKNOWLEDGEMENT OF LAND	2
2	APOLOGIES	2
3.	DECLARATIONS OF INTEREST	2
4.	MINUTES OF THE PREVIOUS CAMPBELLTOWN ARTS CENTRE STRATEGIC COMMITTEE MEETING HELD 23 AUGUST 2017	3
5.	REPORTS	3
5.1	Strategic Objectives for Campbelltown Arts Centre	3
5.2	Campbelltown Arts Centre 2016-2018 Strategic Plan	5
6.	GENERAL BUSINESS	5

Minutes of the Campbelltown Arts Centre Strategic Committee Meeting held on 11 October 2017

Present:

Deputy Mayor Cr M Oates	Chairperson, Campbelltown City Council
Councillor M Chowdhury	Committee Member, Campbelltown City Council
Councillor B Moroney	Committee Member, Campbelltown City Council
Ms Lisa Miscamble	Director City Lifestyles, (GM Nominee), Campbelltown City Council
Councillor M Banasik	Committee Member, Wollondilly Shire Council
Dr Cheryle Yin-Lo	Committee Member, Camden Council
Mr Rudi Kolkman	Committee Member, Business Sector/Community
Ms Alison Derrett	Committee Member, Business Sector/Community
Mr Steven Donaghey	Committee Member, Business Sector/Community
Mr Andrew Christie	Committee Member, Arts Community
Ms Mariah Calman	Committee Member, Education Sector

Also Present:

Mrs Justine Uluibau	Executive Manager Community and Cultural Services, Campbelltown City Council
Mr Michael Dagostino	Manager Creative Life, Campbelltown City Council
Ms Amanda King	Media and Communications Coordinator, Campbelltown City Council
Mrs Jane Worden	Executive Support, Campbelltown City Council

1. ACKNOWLEDGEMENT OF LAND

An Acknowledgement of Land was presented by Councillor Meg Oates.

***Committee Note:** In the absence of the Mayor Councillor Brticevic, the Deputy Mayor Councillor Meg Oates was unanimously elected to chair the meeting by members of the Campbelltown Arts Centre Strategic Committee.

2 APOLOGIES

Committee's Recommendation: (Kolkman/Banasik)

That the apologies from Committee members Mayor Councillor G Brticevic - Campbelltown City Council, Lindy Deitz - General Manager, Campbelltown City Council, Lucy Stackpool - Business Sector/Community, Ms Lorna Grear - Education Sector, Joan Long - Friends of Campbelltown Arts Centre and Dorothy Heatley - Friends of Campbelltown Arts Centre be received and accepted.

CARRIED

3. DECLARATIONS OF INTEREST

There were no Declarations of Interest made at this meeting.

4. MINUTES OF THE PREVIOUS CAMPBELLTOWN ARTS CENTRE STRATEGIC COMMITTEE MEETING HELD 23 AUGUST 2017

Reporting Officer

Executive Manager Community and Cultural Services

Officer's Recommendation

That the information be noted.

Committee's Recommendation: (Chowdhury/Yin –Lo)

That the information contained in the Campbelltown Arts Centre Strategic Committee meeting minutes of 23 August 2017 be noted.

CARRIED

Report

The minutes of the Campbelltown Arts Centre Strategic Committee Meeting held 23 August 2017, copies of which have been circulated to each Sub Committee member, were adopted by Council at its meeting held 26 September 2017.

Attachments

Nil

5. REPORTS

5.1 Strategic Objectives for Campbelltown Arts Centre

Reporting Officer

Manager Creative Life
City Lifestyles

Officer's Recommendation

That the Campbelltown Arts Centre Strategic Committee provides their assistance and guidance in the development of the Campbelltown Arts Centre's Audience Development Strategy.

Committee's Recommendation: (Kolkman/Moroney)

That the feedback provided by the Campbelltown Arts Centre Strategic Committee members in relation to the development of the Campbelltown Arts Centre's Audience Development Strategy be collated by Council staff and distributed to Committee members for their information and consideration.

CARRIED

Purpose

The members of the Campbelltown Arts Centre Strategic Committee will participate in a workshop whereby a series of audience segments will be reviewed and the committee will be able to make recommendations on how to best engage them in the Arts Centre program.

Report

Campbelltown Arts Centre has a wide ranging and engaged audience, with healthy visitation of more than 125,000 people annually. Our audiences engage with the Arts Centre and our program in a number of ways, including visitation to exhibitions, forums, public programs, performances, workshop participation, school program participation, venue hire, outreach programs, work experience and volunteers, café and retail offerings.

The Arts Centre has identified six audience segments that offer us opportunities to expand our visitation and to explore groups who may not currently be well represented in our audience catchment.

The audience groups are:

- Large local organisations (staff & visitors) eg. Western Sydney University, Macarthur Square and Campbelltown Hospital

- Young People (16-24)
- Cultural and Linguistically Diverse communities
- School parents
- Newly arrived residents (new growth areas)
- Ambassadors

Our challenge lies in new audience development:

- How do we reach new audiences?
- How do we keep existing audiences engaged?
- How do we introduce ourselves to people who don't know we exist?
- What other communication channels are we not utilising that offer opportunity?

Campbelltown Arts Centre places a strong importance on marketing and communication with our audience, both to promote our program and to profile the Arts Centre as the premier contemporary cultural institution in Western Sydney.

We will continue to grow our digital audience base through the promotion of our digital and social platforms, with a particularly focus on our website, Facebook, Instagram and by growing our subscriber base. We currently have a strong social media presence with a highly engaged following. We also have a healthy subscriber base, with a high open rate for our marketing material.

We also see the media as an important conduit to our audience, and continue to strengthen our relationships with the media and promote the Arts Centre at all opportunities, with local, metropolitan and international media.

The Campbelltown Arts Centre Strategic Committee will workshop six audience segments as outlined above to provide guidance that will form part of the Campbelltown Arts Centre's Audience Development Strategy.

Attachments

Nil

5.2 Campbelltown Arts Centre 2016-2018 Strategic Plan

The Manager Creative Life will discuss the Campbelltown Arts Centre 2016-2018 Strategic Plan.

***Committee Note:** Council's Manager Creative Life distributed the Campbelltown Arts Centre 2016-2018 Strategic Plan to members of the Campbelltown Arts Centre Strategic Committee (prior to this meeting) for their information and review. The Strategic Plan was tabled for discussion where Committee members noted the content contained within the Strategic Plan.

Committee's Recommendation: (Kolkman/Banasik)

That the information contained in the Campbelltown Arts Centre Strategic Plan distributed to Committee members be noted.

CARRIED

6. GENERAL BUSINESS

The next meeting of the Campbelltown Arts Centre Strategic Committee will be held on 22 November at the Campbelltown Arts Centre .

The Deputy Mayor,

Chairperson

Meeting Concluded: 8.05pm

8.10 Statement of Commitment to ending Violence Against Women

Reporting Officer

Executive Manager Community Life
City Lifestyles

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

That the draft Statement of Commitment to Ending Violence Against Women be adopted.

Purpose

To provide an update on Council's progress towards White Ribbon Workplace Accreditation, and to propose a Statement of Commitment regarding Violence Against Women for adoption by Council.

History

Council at its meeting held 11 April 2017 resolved:

1. That Council endorse its participation in the White Ribbon Workplace Accreditation Program to complement other initiatives such as the Statement of Commitment.
2. That Council consider the allocation of funds in the 2017-2018 budget for the White Ribbon Workplace Accreditation Program.

Report

Council formally signed up to the White Ribbon Workplace Accreditation Program in August 2017. The Executive nominated the Director City Delivery as project sponsor. Nominations have been received for an internal working group to oversee the accreditation process, which takes 18 months to complete. This group will commence meeting in November 2017.

White Ribbon Australia recently announced the successful accreditation of a further seventeen workplaces across the country, taking the total to 123 organisations accredited against White Ribbon's framework, reaching over 600,000 working Australians. A further 100 organisations, including Campbelltown City Council, are currently undergoing the accreditation process.

A statement of commitment to ending Violence Against Women supports Council's actions in becoming a White Ribbon Accredited Workplace. The proposed statement outlines the expected outcomes that are consistent with Council's objectives and values, specifically around Equal Employment Opportunities, Code of Conduct, and Bullying and Harassment policies. The statement supports the framework for the accreditation process and adds to the evidence required to meet accreditation standards.

Following adoption, the statement of commitment will be published on Council's website, and made available to all staff through a variety of communication techniques.

One of the first steps in the accreditation process is a baseline survey of staff, which was conducted during October 2017. White Ribbon Australia administer the survey and data collation on Council's behalf. The survey will be repeated in 2018 to assess the extent to which the White Ribbon Workplace Accreditation process is increasing staff awareness and education of violence against women, and the way in which the organisation's policies, procedures and employee wellbeing programs assist employees who are experiencing family violence.

The next steps include staff and Councillor training, review of documentation such as policies and procedures, and a development of a communication strategy to increase staff awareness of violence against women and the accreditation process.

Council officers will also be pursuing opportunities to network and partner with other workplaces within Campbelltown City who have achieved, or are in the process of achieving, White Ribbon Workplace Accreditation. These relationships will enable sharing of good practice and innovation, and have the potential to encourage other workplaces in Campbelltown to pursue accreditation.

Attachments

1. Draft Statement of Commitment (contained within this report)

Campbelltown City Council**Statement of Commitment to Ending Violence Against Women**

Campbelltown City Council (Council) is dedicated to upholding principles of ethical behaviour, social justice and equity. These principles are demonstrated in Council's values, policies and procedures, and are an integral part of Council's vision to achieve an engaged, healthy, resilient and vibrant organisation and community.

Council acknowledges the impact of violence against women in the community, and recognises the wide ranging and damaging impact that it has on the lives of those affected. Council views violence in the workplace and in the community, in any form, as unacceptable and not to be tolerated.

As an organisation, Council recognises that employees sometimes face situations of violence or abuse in their personal life and that this may affect their attendance or performance at work, particularly for women. Statistics reflect that this situation is more probable and severe for women.

Council therefore pledges its commitment to working towards an organisational and community culture that has zero tolerance for violence against women, and family and domestic violence in any form, promoting a positive influence on behaviours and attitudes. By modelling non-violent, equitable and respectful relations and policies, Council can make a strong and proactive contribution to creating a violence-free community.

Council is committed to:

- encouraging greater understanding, knowledge and action around violence prevention within Council for the benefit of all employees and the organisation as a whole
- demonstrating that Council recognises violence against women as a human rights issue that must be addressed in all aspects of society including the workplace
- promoting a workplace culture which supports employees who are affected by violence
- generating awareness of relevant support available to employees who are affected by violent situations
- articulating Council's commitment to preventing violence against women, including a zero tolerance for violence in the workplace.

Council will achieve this by:

- partnering with local organisations and businesses to promote an understanding of the impacts of violence, and collectively promote the support services available
- advocating for principles and practices to be upheld across the organisation and community that demonstrate a commitment to ending violence against women in a broad range of settings including, but not limited to, workplaces, recreation, education and social arenas
- promoting healthy, positive and respectful relationships, between all genders, across Council and the community
- promoting and ensuring a safe working environment in mainstream council operations, strategies, policies and service delivery
- providing appropriate training in domestic violence awareness
- continued commitment to and participation in White Ribbon Day

Council will further demonstrate its commitment to ending violence against women through seeking White Ribbon Workplace Accreditation and encouraging other workplaces in Campbelltown City to do likewise.

Related Management Plans, Authorised Statements or Policies

EEO Management Plan and Authorised Statement

Code of Conduct Procedure – Policy

Inappropriate Workplace Behaviour - Policy

Authorised Statement - WH&S and Procedures

Authorised Statement – Provision of EAP Services and Provider Procedures

Authorised Statement - Leave Provision

8.11 Revised Policy - Bicycle Education and Road Safety Centre

Reporting Officer

Executive Manager Community and Cultural Services
City Lifestyles

Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.9 - Create places where people feel good, are likely to stay, to return to and tell others about their experience

Officer's Recommendation

1. That the revised Family, Education and Community Services Policy as attached to this report be adopted and the title updated to Bicycle Education Centre Policy.
2. That the Bicycle Education Centre Policy review date be set at 14 December 2020.

Purpose

To seek Council's endorsement of the revised Bicycle Education Centre Policy.

History

The original Children's Services Bicycle Education and Road Safety Centre policy was adopted by Council on 11 September 1990 and is due for review in accordance with the Record Management Policy.

Report

This policy has been reviewed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

Edits have been made to the policy and include:

- changes to the policy title from Education and Care Services to Family, Education and Community Services to reflect Council's new organisation structure
- changes to responsibility from Manager Healthy Lifestyles to Operations Manager Family, Family Education and Community Services to reflect Council's new organisation structure
- changes to reflect Council's commitment to the provision of the service

- removal of operational procedures which will form part of a procedure and agreement document.

Attachments

1. Bicycle Education and Road Safety Centre Policy - current version (contained within this report)
2. Bicycle Education Centre Policy proposed version (contained within this report)

 campbelltown city council		POLICY
Policy Title	Bicycle Education and Road Safety Centre – Use and Operation	
Related Documentation	Form - Bicycle Education and Road Safety Agreement - Casual Hire Campbelltown Bicycle Education Centre Agreement	
Relevant Legislation/ Corporate Plan	Section 356 Local Government Act	
Responsible Officer	Manager Healthy Lifestyles – Operations Manager Family, Education and Community Services	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

1. To set out the rules and regulations that will apply to all users of the Bicycle Education and Road Safety Centre located at King Street, Campbelltown.
2. To provide education for children and cyclists in road behaviour, bicycle skills and pedestrian safety in a fun and safe environment.

To provide the community with a safe recreational facility and environment for families and children within the community.

To provide a facility that enhances the health and well-being of its community.

Policy Statement

The Bicycle Education and Road Safety Centre is an recreational and educational facility for teaching adults, pre-schooler and, school aged children and adults the rules of the road, and whilst helping them to recognise and become aware of know the appropriate action to take at the various traffic control devices. Community and private groups providing their own supervision may use the facility for recreational purposes however sub-leasing is not permitted.

The facility also aims to encourage healthy well-being for all community members by being fit and active within a purpose built facility.

Scope

This policy applies to all the community and target groups such as users wishing to utilise The Bicycle Education and Road Safety Centre, including but not limited to pre-schools, primary schools, disability groups, community groups and private hirers.

Legislative Context

Section 356 of the Local Government Act (as amended).

Campbelltown City Council

Principles

1. The facility is accessible available to pre-schools, primary schools, disability groups, community groups and private hirers, for preschool groups; schools; special needs; families, sporting groups and the general public.
2. The centre offers a range of programs such as Education Programs (for pre-schoolers, schools and groups for children with special needs); fFree oOpen Days (for families and the general public); Private Hire (for general public; and playgroups, social and sporting groups); and Learn To Ride programs and private lessons (all age groups and abilities).
3. The Centre Utilising the Centre has fosters many health outcomes for the community including getting active by cycling; and providing cycle awareness, pedestrian safety, road rules for cyclists and helmet education.

Users and Times of Use

1. Educational Programs (Including Pre-schoolers and the special needs group)

~~Priority for use of the facility is given to schools for Educational Programs. School Educational Programs are conducted on weekdays between 10.00am and 2.00pm during school terms.~~

~~A booking is required prior to use of the Centre and all schools will be charged a per child fee based on current fees and charges. Conditions apply on minimum numbers.~~

~~A current Public Liability Certificate must be provided before using Council's Bicycle Education Centre. The cover must be for a minimum of twenty million dollars (\$20,000,000) and be extended to indemnify Campbelltown City Council. Please note: Final approval to use Council's Bicycle Education Centre will be granted following receipt of Public Liability documentation.~~

~~Children may take their own helmet, however Council provides helmets for children who do not own one.~~

~~Groups are required fax a list of students attending the excursion and mark the children that require Bikes with training wheels by allocated date preparation of Road Safety Certificates can be completed and the organisation of correct number of bikes with or without training wheels for the day.~~

2. Open Days

~~The Centre operates every Sunday as an Open Day from 10.00am and 3.00pm free of charge.~~

~~During school holidays the Centre will operate on weekdays similar to Sunday Open Days from 10.00am to 3.00pm free of charge.~~

~~The Centre will be closed on public holidays, Ready to Ride Day and during the Easter, Christmas and New Year periods.~~

DATA AND DOCUMENT CONTROL		
DocSet: 1555239	Page: 3 of 6	

Campbelltown City Council

3. ~~Casual Hire of the Centre~~

~~The Centre is an educational facility and cannot be used as a fund raising venue without prior consent from Council.~~

~~The Centre is available for private hire as presented in Councils annual fee and charges, Sunday to Friday from 3.30 pm till dusk and Saturdays from 9.00 am till dusk.~~

~~Hirers who wish to use external party entertainment such as Jumping Castle or Face Painter must seek Council approval and provide Company's Public Liability Insurance prior to booking date.~~

DATA AND DOCUMENT CONTROL		
DocSet: 1555239	Page: 4 of 6	

Campbelltown City Council

4. Safety and responsibilities

All persons cycling must obey Rules of the Cycleway as indicated on the signboard at the entrance of the Centre. Rules are as follows:

- All cyclists must have their own bicycle and helmet. A Standards Association of Australia (SAA) approved helmet must be worn when riding a bicycle in the centre.
- Enclosed shoes should be worn at all times and headwear (such as hats and beanies) should not be worn under helmets.
- All bicycles must be safe and roadworthy and have fully functioning brakes.
- Skateboards, ripstiks, rollerskates, rollerblades, green machines, power wigs, motorised ride on cars and other similar recreational wheeled devices are not permitted into the centre.
- Cyclists must always ride on the left hand side of the main road circuit and not on footpaths or grass.
- All road rules must be obeyed. Speeding or overtaking of other cyclists is not permitted.
- Children under four years of age are not permitted to ride on the main road circuit without parental supervision on track with child at all times.
- Supervisor on duty has the authority to ask you to leave the Centre if safety rules are not adhered to.

All bicycles must be safe and roadworthy. Bicycles must have:-

- Standards Association of Australia (SAA) approved helmets must be worn at all times while on the track.
- All helmets are to be sterilised after each use.
- All bicycles must be roadworthy.
- Bicycles must have two working brakes – one front and one rear.
- Bicycle tyres must be in good condition.
- Bicycles must have a bell.
- Side and rear reflectors must be fitted on the bicycle.
- Handle grips that are not worn, exposing the metal handlebar ends.

All scooters must be safe and roadworthy. Scooters must have:-

- A working rear brake.
- Wheels that are in good working condition.
- Handle grips that are not worn, exposing the metal handlebar ends.

5. General

- The Hirer shall sign the Hire booking form which includes the Terms and Conditions that must be adhered to at all times.
- Cycling is not permitted on grassed areas, within playground area or on the footpaths (areas designated with black cement).
- Smoking, alcohol or animals are not permitted within the facility.

DATA AND DOCUMENT CONTROL		
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Campbelltown City Council

- ~~Visitors or hirers who disobey the Centre's rules, or causing a nuisance to others by their anti-social behaviour. The patron(s) concerned will be given one warning and then be asked to leave if bad behaviour persists. Any damage caused to the Centre due to anti-social behaviour will render the patron liable for costs.~~
- ~~Council provides twenty five (25) bicycles and fifty (50) small helmets for use in Educational Programs. Supervisor on duty is responsible for the distribution and collection of the bicycles, helmets and all borrowed equipment.~~
- ~~Casual Hirers will be required to provide their own bicycles, helmets and equipment.~~
- ~~The Centre cannot be used for commercial or profit making purposes.~~

Responsibility


Manager Healthy Lifestyles Operations Manager Family, Education and Community Services

Effectiveness of this Policy

The Policy will be reviewed on a three-year basis to ensure the appropriate level of recognition or if relevant legislation changes.

END OF POLICY STATEMENT

DATA AND DOCUMENT CONTROL		
DocSet: 1555239	Page: 6 of 6	

		POLICY
Policy Title	Bicycle Education Centre	
Related Documentation	Form - Bicycle Education Agreement - Casual Hire Campbelltown Bicycle Education Centre Agreement	
Relevant Legislation/ Corporate Plan	Section 356 Local Government Act	
Responsible Officer	Operations Manager Family, Education and Community Services	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To provide the community with a safe recreational facility and environment for families and children within the community.

To provide a facility that enhances the health and well-being of its community.

Policy Statement

The Bicycle Education Centre is an recreational and educational facility for teaching adults, pre-school and, school aged children the rules of the road, whilst helping them to recognise and become aware of the appropriate action to take at the various traffic control devices.

The facility also aims to encourage healthy well-being for all community members by being fit and active within a purpose built facility.

Scope

This policy applies to all the community and target groups such as pre-schools, primary schools, disability groups, community groups and private hirers.

Legislative Context

Section 356 of the Local Government Act (as amended).

DATA AND DOCUMENT CONTROL		
Division: Community Services Section: Healthy Lifestyles DocSet: 1555239	Adopted Date: 11/09/90	Page: 1 of 2
	Revised Date: 19/08/2014	
	Minute Number: 150	
	Review Date: 30/06/2017	

Campbelltown City Council

Principles

1. The facility is available to pre-schools, primary schools, disability groups, community groups and private hirers, families, sporting groups and the general public.
2. The centre offers a range of programs such as Education Programs (for pre-schoolers, schools and groups for children with special needs); Free Open Days (for families and the general public); Private Hire (for general public; playgroups, social and sporting groups); and Learn To Ride programs and private lessons (all age groups and abilities).
3. The Centre has fosters many health outcomes for the community including getting active by cycling; and providing cycle awareness, pedestrian safety, road rules for cyclists and helmet education

Responsibility

Operations Manager Family, Education and Community Services

Effectiveness of this Policy

The Policy will be reviewed on a three-year basis to ensure the appropriate level of recognition or if relevant legislation changes.

END OF POLICY STATEMENT

8.12 Campbelltown City Council Collection Policy

Reporting Officer

Executive Manager Community and Cultural Services
City Lifestyles

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

1. That the revised Campbelltown City Council Collection Policy as attached to this report be adopted.
2. That the Campbelltown City Council Collection Policy review date be set at 30 December 2020.
3. That the Deaccessioning and Disposal for the Art Centre's Collection Policy be rescinded.

Purpose

1. To seek Council's endorsement of the revised Campbelltown City Council Collection Policy.
2. To rescind the Deaccessioning and Disposal for the Art Centre's Collection Policy that has been identified as being redundant due to it being merged with the Campbelltown City Council Collection Policy.

History

The above mentioned policy was adopted by Council on 26 May 1992 and was last reviewed on 1 July 2014. The policy is now due for review in accordance with the Records Management Policy and the adopted procedure for Policy Development and Review.

Report

The Campbelltown City Council Collection Policy has been developed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.

The Deaccessioning and Disposal for the Art Centre's Collection Policy has been reviewed and any relevant items required have been merged into the Collection Policy. Therefore the Deaccessioning and Disposal for the Arts Centre Collection Policy is no longer required and can be rescinded.

The following amendments have been made to the Campbelltown City Council Collections Policy:

- the policy title changed from Campbelltown Arts Centre Collection to Campbelltown City Council Collection
- the new division has been changed throughout to reflect the new structure of City Lifestyles
- the new section title has been changed throughout to reflect the new section name of Creative Life
- the Manager Cultural Services title has been changed throughout to reflect the new title of the position Manager Creative Life
- a purpose has been added to reflect Council's new policy document structure as below:

The purpose of this policy is to provide a framework for the management of Campbelltown City Council's permanent collection by Campbelltown Arts Centre. To ensure a sustainable permanent collection in accordance with Council's Asset Management and Collection Policy objectives

Under objectives the points have been added:


- to collect artworks that reflect the artistic, cultural and social development of Campbelltown, the Macarthur Region and Western Sydney.
- to provide the community with opportunities to engage with works of art in a public place.
- to acquire works of art by way of purchase (from artists' studios, exhibitions and auction), bequest or gift or donation in accordance with the established delegated authority.
- to collect artworks which do not duplicate existing holdings, but strengthen the relevance of other related works within the permanent collection.
- to enable Campbelltown Arts Centre to de-accession and dispose of objects that are not required as part of its collection in accordance with the policy statement.

In addition to these changes, there have been a further three sections added to the policy that include:

1. point 2 Approvals
2. point 3 Collection Management
3. point 4 Deaccessioning Permanent Collection artworks

Attachments

1. Campbelltown City Council Collection Policy - new version (contained within this report)
2. Campbelltown City Council Collection Policy - previous version (contained within this report)
3. Deaccessioning and Disposal for the Art Centre's Collection Policy - rescinded (contained within this report)

 campbelltown city council	POLICY
Policy Title	Campbelltown City Council Collection
Related Documentation	Cultural Gifts Program – Certificate of Donation Deed of Donation – Form Procedural Document - Accessing Artworks in Collection Storage Areas Council's Asset Management Policy.
Relevant Legislation/ Corporate Plan	
Responsible Officer	Manager Creative Life

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Purpose

The purpose of this Policy is to provide a framework for the management of Campbelltown City Council's permanent collection by Campbelltown Arts Centre. To ensure a sustainable permanent collection in accordance with Council's Asset Management and Collection Policy objectives.

Objectives

To develop a permanent collection, to be housed and cared for by Campbelltown Arts Centre, of post 1950 original works of art. The collection will include paintings, original prints, drawings, sculptures and ceramics, of the highest professional standard, and of national significance.

To collect and develop unique collections building on key focus areas including but not limited to Aboriginal Art, Contemporary Art, ceramics, works on paper, installation and new media art.

To collect and represent historical artworks of regional significance to the exploration and settlement of Campbelltown and South-West Sydney.

To collect works of significance by professional artists associated with Campbelltown, the Macarthur region and Western Sydney.

To collect artworks that reflect the artistic, cultural and social development of Campbelltown, the Macarthur region and Western Sydney.

To provide the community with opportunities to engage with works of art in a public place.

To acquire works of art by way of purchase (from artists' studios, exhibitions and auction), bequest or gift or donation in accordance with the established delegated authority.

To collect artworks which do not duplicate existing holdings, but strengthen the relevance of other related works within the permanent collection.

To enable Campbelltown Arts Centre to deaccession and dispose of objects that are not required as part of its collection in accordance with the Policy Statement.

Policy Statement

1. Acquisitions

1.1 All artworks acquired for the Campbelltown City Council's collection whether by gift, bequest, purchase or loan, involve a considerable investment by the Arts Centre in the care, maintenance, conservation and protection of such artworks. Therefore only artworks of the highest artistic standard, which satisfy the objectives of the Campbelltown City Council's collection, shall be accepted by purchase, gift or loan into the permanent collection at the Arts Centre.

1.2 Artworks offered, on loan or as a gift, which do not meet the quality criteria or meet the Collection Policy objectives, should not be recommended for acquisition into the permanent collection.

1.3 Artworks, which by their size or characteristics, are considered to be permanent fixtures requiring considerable attachment to part of the structure of the building, shall not be accepted for the permanent collection unless such artworks are considered to be of outstanding artistic merit and recognised as valuable to the development of Australian art.

1.4 All moral, legal and ethical implications of proposed acquisitions must be considered prior to approval of new artworks for the permanent collection.

1.5 All new artworks acquired must be unencumbered for transfer of title to Campbelltown City Council, and accompanied by a completed Deed of Donation or Certificate of Donation form at time of donation.

1.6 Any artworks offered to Campbelltown City Council by bequest may be held within the permanent collection on long term inward loan. For accepted bequests a copy of the will, codicils and other related documentation will be retained by Campbelltown Arts Centre.

2. Approvals

2.1 The Manager, Creative Life will make recommendations for the acquisition of artworks to the Business Coordinator and two (2) nominated Strategic Committee members, who then makes a formal recommendation to the Strategic Committee. The Strategic Committee will then approve and recommend to Council whether to acquire the donated works in line with the Collection Policy objectives.

3. Collection Management

3.1 All artworks held in the permanent collection will be cared for, handled and displayed in line with the Accessing Artworks in Collection Storage Areas procedural document and in line with National Standards for Australian Museums and Galleries where relevant.

3.2 The Arts Centre will make permanent collection artworks available for loan at the approval of Manager, Creative Life for institutions with museum grade environmental and security conditions outlined in a Standard Facility Report. The borrower must complete a Loan agreement and agree to the Arts Centres terms and conditions prior to the commencement of the loan.

3.3 All artworks must be managed inline the Council's Asset Management Policy.

4. Deaccessioning Permanent Collection artworks

4.1 Campbelltown City Council recognises that the ability to deaccession and dispose of objects from the permanent collection is an essential part of an effective collection management program.

The deaccessioning of objects from the collection will be approached with caution and due consideration. All collection material considered for deaccessioning will be approved by the Manager Creative Life.

4.2 Permanent collection artworks may be deaccessioned for the following reasons:

- Objects that do not fall within Campbelltown City Council Collection policy
- Objects of a particular genre of which the Council possesses better examples
- Object has no associated information or provenance
- Object irretrievably degraded or irreparably damaged beyond the capacity of the Arts Centre to rectify

4.3 Campbelltown Arts Centre will dispose of material in a manner it considers most beneficial to the collection and future of the object. The following are a list of disposal methods in order of priority:

- Return to donor or donor's family
- Offered to other institutions in the cultural sector
- Sale/Auction
- Recycled or destroyed

4.4 Campbelltown Arts Centre may determine to transfer objects which by virtue of its subject focus may be better placed in another art gallery or similar public collecting institution or exchange objects with another art gallery or similar public collecting institution, where this will result in the mutual enrichment of both collections.

4.5 On completion of the deaccessioning and disposal process, the Arts Centre's database and files shall be amended to note the deaccessioning and disposal of the object and copies of photographic and written records pertaining to the object shall be retained by the Arts Centre.

4.6 Full documentation of the objects will remain in the collection management system including the reason for deaccessioning. The objects accession number will not be reassigned.

Responsibility

Manager Creative Life

END OF POLICY STATEMENT

 campbelltown city council	POLICY
Policy Title	Campbelltown Arts Centre Collection
Related Documentation	
Relevant Legislation/ Corporate Plan	
Responsible Officer	Manager Cultural Services

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

1. To develop a permanent collection, to be housed at the Campbelltown Arts Centre, of post 1950 original works of art. The collection will include paintings, original prints, drawings, sculptures and ceramics, of the highest professional standard, and of national significance. ~~The Manager Cultural Services shall determine additions to the collection.~~
2. To collect and represent historical art works of regional significance to the exploration and settlement of Campbelltown and South-West Sydney.
3. To collect ~~and represent outstanding contemporary art~~ works of regional significance to Campbelltown and South-West Sydney, including works by professional artists associated with the area, through teaching or working in the region.
4. To develop as unique collections, ~~examples of~~ Aboriginal art, contemporary ~~Australia~~ ceramics and contemporary ~~Australian~~ works on papers, ~~which by their quality and completeness have national significance.~~
5. ~~To collect and represent the work of contemporary artists, who have made a significant and recognised contribution to the development of Australian art.~~

Policy Statement

1. All art works acquired for the Campbelltown Arts Centre's collection whether by gift, bequest, purchase or loan, involve a considerable investment by the Art Centre in the care, maintenance, conservation and protection of such art works. Therefore only art works of the highest artistic standard, which satisfy the objectives of the Campbelltown ~~Arts Centre's~~ collection, shall be accepted by purchase, gift or loan into the permanent collection ~~of the Arts Centre.~~

2. Art works offered, on loan or as a gift, which do not meet the quality criteria or meet the Collection Policy objectives, should not be recommended for acquisition into the permanent collection ~~of the Arts Centre. Such art works may be offered to Council if suitable for acceptance and display in Council's Administration Centre.~~
3. Art works, which by their size or characteristics, are considered to be permanent fixtures requiring considerable attachment to part of the structure of the building, shall not be accepted for the permanent collection ~~at the Arts Centre~~ unless such art works are considered to be of outstanding artistic merit and recognised as valuable to the development of Australian art.
4. All moral, legal and ethical implications of proposed acquisitions must be considered prior to approval of new art works for the permanent collection.

Responsibility

Manager Cultural Services

END OF POLICY STATEMENT**DOCUMENT HISTORY AND VERSION CONTROL RECORD**

 campbelltown city council	POLICY
Policy Title	Deaccessioning and Disposal for the Art Centre's Collection
Related Documentation	Campbelltown Arts Centre Collection
Relevant Legislation/ Corporate Plan	
Responsible Officer	Manager Cultural Services

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

1. To enable Campbelltown Arts Centre to deaccession and dispose of objects that are not required as part of its collection, in accordance with the guidelines set out below.
2. To transfer objects which by virtue of its subject focus may be better placed in another art gallery or similar public collecting institution.
3. To exchange objects with another art gallery or similar public collecting institution, where this will result in the mutual enrichment of both collections.

Policy Statement

This policy covers the deaccessioning and disposal of objects from the Campbelltown Arts Centre Collection.

Campbelltown City Council recognizes that the ability to deaccession and dispose of objects from the Campbelltown Arts Centre Collection is an essential part of an effective collection management program. The deaccessioning of objects from the collection will be approached with caution and due consideration. All collection material considered for deaccessioning will be approved by the Manager Cultural Services.

Scope

Campbelltown Arts Centre may deaccession objects for the following reasons:

- Objects that do not fall within Campbelltown Arts Centre Collection policy
- Objects of a particular genre of which the Arts Centre possesses better examples
- Object has no associated information or provenance
- Object irretrievably degraded or irreparably damaged beyond the capacity of the Arts Centre to rectify.

Campbelltown Arts Centre will dispose of material in a manner it considers most beneficial to the collection and future of the object. The following are a list of disposal methods in order of priority:

- Return to donor or donor's family
- Offered to other institutions in the cultural sector
- Sale/Auction
- Recycled or destroyed.

On completion of the deaccessioning and disposal process, the Arts Centre's database and files shall be amended to note the deaccessioning and disposal of the object and copies of photographic and written records pertaining to the object shall be retained by the Arts Centre.

Full documentation of the objects will remain in the collection management system including the reason for deaccessioning. The objects accession number will not be reassigned.

Responsibility

Manager Cultural Services

END OF POLICY STATEMENT

8.13 Investment and Revenue Report - September 2017

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the information be noted.

Purpose

To provide a report outlining activity in Council's financial services portfolio for the month of September 2017.

Report

Investment Portfolio

Council's Investment Portfolio as at 30 September 2017 stood at approximately \$214m. Funds are currently being managed both by Council staff and Fund Managers and are in accordance with the *Local Government Act 1993*, Local Government (General) Regulation 2005 and Council's Investment Policy.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions. Any funds placed with institutions that have a BBB long term rating have maturity lengths in the short term of up to 12 months, effectively A-2 rated, in accordance with Council's investment policy. All investments have a short term rating of A-2 or higher.

The return on Council's investments is tracking in accordance with budget expectations and continues to outperform the benchmark of the AusBond bank bill index.

The portfolio is diversified with maturities ranging between three months and five years.

The official cash rate has remained steady, with no movement since August 2016 at its present level of 1.50 per cent.

Regular liaison with Council's external financial advisor in assessing any new investment products offered assists in monitoring all of the risk factors to maximise Council's return on the investment portfolio.

Rates

Rates and Charges levied for the period ending 30 September 2017 totalled \$105,130,875 representing 97.8 per cent of the current budget estimate.

The rates and charges receipts collected to the end of September totalled \$35,135,037. In percentage terms, 33 per cent of all rates and charges due to be paid have been collected; in comparative terms, the amount collected in the same period last year was 32.3 per cent.

Debt recovery action during the month involved the issue of 14 Statements of Claim to ratepayers with two or more instalments outstanding and a combined balance exceeding \$500. Further recovery on accounts with previous action resulted in 13 Judgments and 11 Writs being served on defaulters that have not made suitable payment arrangements or failed on multiple occasions to maintain an agreed payment schedule.

Council staff continues to provide assistance to ratepayers experiencing difficulty in settling their accounts. This includes the monitoring of 398 ratepayers with a total arrears balance of \$530,534, who have made suitable payment arrangements.

Ratepayers who purchased property since the July annual rates and charges notices are issued with a Notice to New Owner letter. During the month, 36 of these notices were sent to ratepayers advising them of the amount unpaid on their account and the amount levied in annual rates and charges.

Sundry Debtors

Debts outstanding to Council as at 30 September 2017 are \$1,092,227 reflecting a decrease of \$511,479 since August 2017. During the month, 1,379 invoices were raised totalling \$653,864. The majority of these are paid within a 30 day period. Those that are not paid within the 30 day period are reflected in the ageing report in Attachment 3. Debts exceeding 90 days of age totalled \$355,174 as at 30 September 2017. Majority of this debt is made up of outstanding road widening works completed at 201 Eagleview Road, Minto. This debtor has entered into a payment arrangement with Council, the first payment of \$22,000 was made in September and future monthly payments of \$6,600 for a 12 month period to finalise the debt.

Debt recovery action is undertaken in accordance with Council's Sundry Debtors Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transaction is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 90 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 14 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

During the month, 11 accounts were issued a letter of demand on Council's letterhead, advising that if the account was not settled or an appropriate arrangement was not made, the account will escalate to formal legal action through Council's agent.

Council's agent were instructed to issue two bank Garnishees on one of Council's debtors for damage charges incurred regarding hall hire and one for unpaid health licence inspection fees.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

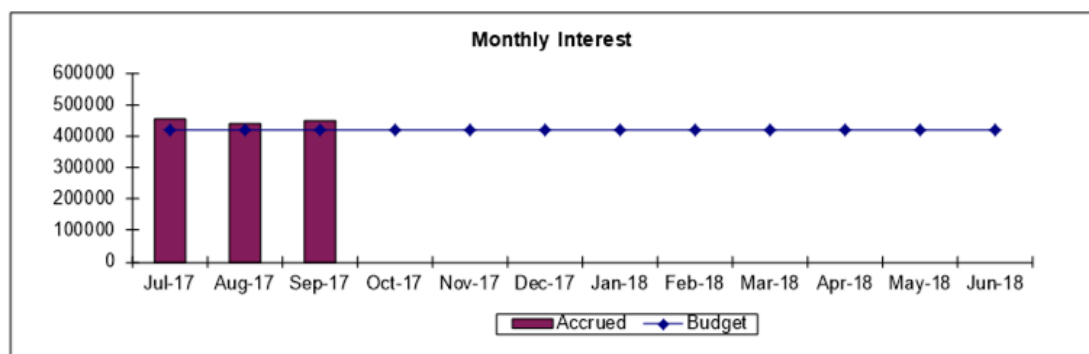
Attachments

1. Investment Report September 2017 (contained within this report)
2. Rates Summary and Statistics September 2017 (contained within this report)
3. Sundry Debtor Summary and Ageing September 2017 (contained within this report)

CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO
September 2017

Benchmark AusBond Bank Bill Index
Portfolio Balance \$214,938,913.96

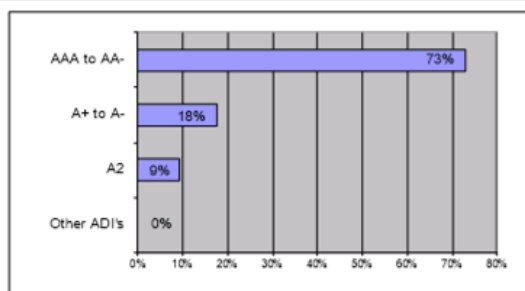
Monthly Performance	Return (mth)	Return (pa)
AusBond Bank Bill Index	0.14%	1.70%
Portfolio - Direct Investments	0.22%	2.70%
<i>Performance to Benchmark</i>	<i>+</i> 0.08%	<i>+</i> 1.00%
Short Term Call Accounts	0.14%	1.75%
Managed Funds	0.15%	1.87%



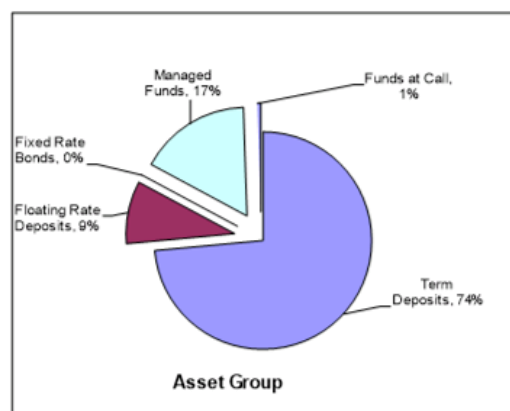
Year to Date Performance **Credit Exposure (S&P Long Term Rating)**

Rolling 12 Month Period
2.77% Council Managed Funds
1.75% Benchmark

Interest Budget to Actual
Avg Original Budget to Period \$1,268,750
Actual Accrued to Period \$1,345,467



Portfolio Diversity



			%
Funds at Call	\$ 1,157,802.84	AA-	1%
NSW Treasury	\$ 38,532,400.24	AA+	18%
National Australia Bank	\$ 42,437,246.67	AA-	20%
Westpac Bank	\$ 41,091,574.41	AA-	19%
Commonwealth Bank	\$ 27,104,393.09	AA-	13%
Bank Western Australia	\$ 6,488,382.07	AA-	3%
AMP Bank	\$ 5,000,000.00	A	2%
Suncorp Metway	\$ 23,870,386.99	A+	11%
ING Bank	\$ 9,040,389.04	A-	4%
Members Equity Bank	\$ 5,000,000.00	A2	2%
Rural Bank	\$ 6,026,369.86	A2	3%
Bank of Queensland	\$ 5,082,276.69	A2	2%
Credit Union Aust	\$ 4,107,692.06	A2	2%
	\$ 214,938,913.96		100%

RATES SUMMARY

STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2017	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,102,238.73	59,375,146.63	1,366,277.98	190,851.85	60,301,959.23	19,033,117.54	41,268,841.69	264,378.82	41,533,219.26
BUSINESS	315,185.85	18,454,977.13		14,789.69	18,784,952.67	7,053,852.02	11,731,100.65		11,731,100.65
FARMLAND	0.00	449,524.02	691.32	190.07	449,022.77	168,152.46	280,870.31	140,743.45	421,613.76
MINING	0.00	26,080.56		0.00	26,080.56	26,080.56	0.00		0.00
SR - LOAN	0.00	0.00		106.46	106.46	817.67	-711.21	8,546.38	0.00
SR - INFRASTRUCTURE	262,966.59	5,905,060.29		2,306.18	6,170,333.06	1,964,268.69	4,206,064.37	31,385.76	4,245,285.30
TOTAL	\$2,680,391.17	\$84,210,788.63	\$1,366,969.30	\$208,244.25	\$85,732,454.75	\$28,246,288.94	\$57,486,165.81	\$445,054.41	\$57,931,218.97
GARBAGE	625,322.26	20,540,643.74	838,629.59	9,705.04	20,337,041.45	6,424,653.07	13,912,388.38		13,912,388.38
STORMWATER	50,503.34	1,347,952.59		146.62	1,398,602.55	464,095.40	934,507.15		934,507.15
GRAND TOTAL	\$3,356,216.77	\$106,099,384.96	\$2,205,598.89	\$218,095.91	\$107,468,098.75	\$35,135,037.41	\$72,333,061.34	\$445,054.41	\$72,778,114.50

Total from Rates Financial Transaction Summary	72,393,994.12
Overpayments	-384,120.38
Difference	0.00

ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	511,390.07
Rate accounts greater than 12 months less than 18 months in arrears	201,540.76
Rate accounts greater than 18 months in arrears	59,377.19
TOTAL rates and charges under instruction with Council's agents	\$772,308.02

RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Sep-16
Rate Notices	49,616	324											
Electronic - DoH	5,266												
Instalment Notices													
Electronic - DoH													
Missed Instalment Notices			8,283										7,341
- Pensioners > \$15.00			733										650
Notice to new owner	122	83	36										32
7-day Letters - Council issued			1,793										1,796
- Pensioners > \$500.00			160										163
7-day Letters - Agent Issued			485										495
Statement of Claim	119	19	14										16
Judgments	9	68	13										17
Writs	10	48	11										15
eRates	1,993	2,110	2,136										1,814
BPAYView	1,248	1,344	1,442										398
Arrangements	303	263	398										401

DEBTORS SUMMARY 1 September 2017 to 30 September 2017

DEBTOR TYPE/DESCRIPTION	ARREARS AT 31/08/2017	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 30/09/2017	% DEBT RATIO
Corporate Administration	244,420	46,180	56,787	233,813	29.49%
Abandoned Items	1,068	0	0	1,068	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
Community Bus	89	0	0	89	0.01%
Sportsground and Field Hire	163,540	2,268	84,269	81,538	5.46%
Government and other Grants	678,361	68,172	507,023	239,510	12.87%
Public Hall Hire	162,417	67,004	67,349	162,072	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	46,101	249,352	217,449	78,004	5.63%
Healthy Lifestyles	26,718	46,065	13,345	59,439	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	70,086	14,158	41,104	43,141	1.85%
Pool Hire	2,765	13,524	2,510	13,779	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	40,086	20,226	38,334	21,978	28.17%
Shop and Office Rentals	13,089	71,885	64,474	20,501	2.17%
Various Sundry Items	148,365	30,990	48,763	130,592	6.42%
Waste Collection Services	23,607	24,039	23,937	23,709	6.17%
	1,603,706	653,864	1,165,342	1,092,227	100%

AGEING OF SUNDRY DEBTOR ACCOUNTS - 30 September 2017

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	38,201	16,551	643	178,418	233,813	109,592
Abandoned Items	0	0	0	1,068	1,068	1,068
Education and Care Services	18,710	0	0	0	18,710	0
Community Bus	89	0	0	0	89	0
Sportsground and Field Hire	-831	47,294	24,347	10,729	81,538	14,285
Government and other Grants	35,173	149,498	20,900	33,940	239,510	340,013
Public Hall Hire	64,215	43,466	8,327	46,064	162,072	46,758
Health Services	0	0	0	350	350	350
Land and Building Rentals	61,764	16,240	0	0	78,004	0
Healthy Lifestyles	44,624	4,047	3,410	7,359	59,439	160
Licence Fees	10,981	21,699	603	9,858	43,141	15,124
Pool Hire	13,601	0	0	178	13,779	347
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	20,226	548	0	1,204	21,978	1,204
Shop and Office Rentals	17,354	3,126	20	0	20,501	0
Various Sundry Items	27,499	22,042	16,467	64,584	130,592	74,147
Waste Collection Services	23,709	0	0	0	23,709	0
	337,826	324,510	74,717	355,174	1,092,227	604,472

8.14 Investment and Revenue Report - October 2017

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the information be noted.

Purpose

To provide a report outlining activity in Council's financial services portfolio for the month of October 2017.

Report

Investment Portfolio

Council's Investment Portfolio as at 31 October 2017 stood at approximately \$210m. Funds are currently being managed both by Council staff and Fund Managers and are in accordance with the *Local Government Act 1993*, Local Government (General) Regulation 2005 and Council's Investment Policy.

All investments are placed with approved deposit taking institutions and no funds are placed with any unrated institutions. Any funds placed with institutions that have a BBB long term rating have maturity lengths in the short term of up to 12 months, effectively A-2 rated, in accordance with Council's investment policy. All investments have a short term rating of A-2 or higher.

The return on Council's investments is tracking in accordance with budget expectations and continues to outperform the benchmark of the AusBond bank bill index.

The portfolio is diversified with maturities ranging between three months and five years.

The official cash rate has remained steady, with no movement since August 2016 at its present level of 1.50 per cent.

Regular liaison with Council's external financial advisor in assessing any new investment products offered assists in monitoring all of the risk factors to maximise Council's return on the investment portfolio.

Rates

Rates and Charges levied for the month ending 31 October 2017 totalled \$105,353,902 representing 98 per cent of the estimated budget for the year.

Rates and Charges collected to the end of October totalled \$38,377,837. In percentage terms this amount represents 36.1 per cent of all rates and charges due to be paid. In comparison, the amount collected in the same period last year was 35.5 per cent.

Instalment reminder notices for the second instalment were posted or emailed to ratepayers in preparation of the instalment due 30 November 2017. Council staff continue to encourage landowners to register to receive notices via electronic delivery with 3631 currently registered. This number consists of 2172 using Councils system and 1459 through BPAYView.

Debt recovery action during the month involved the issue of 197 Statements of Claim to ratepayers who had either failed to maintain arrangements or had not responded to previous correspondence. In addition, five Writs of Execution were served on delinquent payers previously served with a Statement of Claim.

Ratepayers who have purchased property since the last instalment notices were issued are sent a Notice to New Owner letter. This letter advises ratepayers the annual amount levied and any balance unpaid since settlement occurred. During October, 27 of these notices were sent to ratepayers.

Sundry Debtors

Debts outstanding to Council as at 31 October 2017 are \$1,463,641 reflecting an increase of \$371,414 since September 2017. During the month, 892 invoices were raised totalling \$1,162,213. The majority of these are paid within a 30 day period. Those that are not paid within the 30 day period are reflected in the ageing report in attachment 3. Debts exceeding 90 days of age totalled \$355,779 as at 31 October 2017. The majority of this debt is made up of outstanding road widening works completed at 201 Eagleview Road Minto. Debtor has entered into a payment arrangement with council under the hardship policy with the first payment of \$22,000 made in September with future monthly payments of \$6,600 which is being maintained.

Debt recovery action is undertaken in accordance with Council's Sundry Debtors Recovery Procedures Policy and commences with the issue of a tax invoice. A person or entity may be issued any number of invoices during the calendar month for any business, services or activities provided by Council. At the conclusion of each calendar month, a statement of transactions is provided with details of all invoices due and how payments or credit notes have been apportioned. Once an invoice is paid, it no longer appears on any subsequent statement.

All debts that age by 90 days or more are charged a statement administration fee of \$5.50 per statement. Debtors are contacted by telephone, email or in writing to make suitable arrangements for payment of the overdue debt. Where a suitable arrangement is not achieved or not maintained as agreed, a seven day letter is issued referencing referral to Council's debt recovery agents.

Matters referred to Council's recovery agent are conducted in accordance with relevant legislation and the *Civil Procedures Act 2001*. Formal legal recovery commences with a letter of demand (or letter of intent) providing debtors with at least 14 days to respond. In the event that no response is received, instructions are given to proceed to Statement of Claim allowing a further 28 days to pay or defend the action. Failing this, the matter will automatically proceed to judgment and continue through the *Civil Procedures Act 2001* process.

All costs associated with formal legal recovery are payable by the debtor and staff continue to make every effort to assist debtors to resolve their outstanding debt before escalating it through the local court.

During the month, 13 accounts were issued a letter of demand on Council's letterhead, advising that if the account was not settled or an appropriate arrangement was not made, the account will escalate to formal legal action through Council's agent.

Council's agents were instructed to obtain judgment on two accounts relating to unpaid health licence inspection fees and one Writ was issued for unpaid health licence inspection fees.

Council officers continue to provide assistance to debtors experiencing difficulties in paying their accounts. Debtors are encouraged to clear their outstanding debts through regular payments where possible, to avoid any further recovery action.

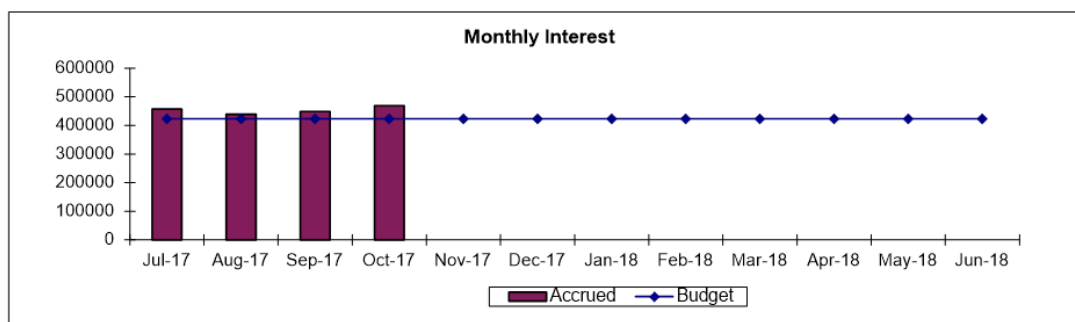
Attachments

1. Investment Report October 2017 (contained within this report)
2. Rates Summary and Statistics October 2017 (contained within this report)
3. Sundry Debtor Summary and Ageing October 2017 (contained within this report)

CAMPBELLTOWN CITY COUNCIL INVESTMENT PORTFOLIO**October 2017**

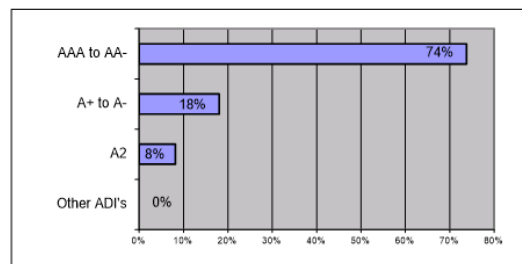
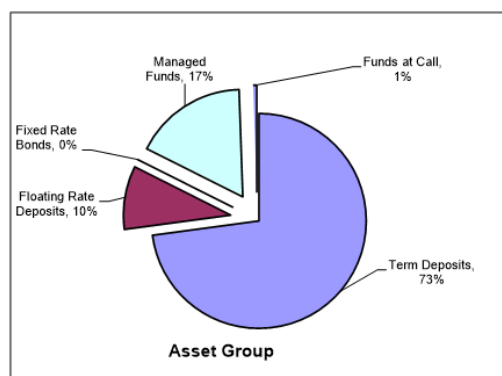
Benchmark AusBond Bank Bill Index
 Portfolio Balance 209,923,363.86

Monthly Performance	Return (mth)	Return (pa)
AusBond Bank Bill Index	0.15%	1.76%
Portfolio - Direct Investments	0.23%	2.68%
<i>Performance to Benchmark</i>	<i>+</i> 0.08%	<i>+</i> 0.91%
Short Term Call Accounts	0.15%	1.75%
Managed Funds	0.21%	2.45%

**Year to Date Performance****Credit Exposure (S&P Long Term Rating)**

Rolling 12 Month Period
 2.75% Council Managed Funds
 1.75% Benchmark

Interest Budget to Actual
 Avg Original Budget to Period \$1,691,667
 Actual Accrued to Period \$1,814,802

**Portfolio Diversity**

			%
Funds at Call	\$ 1,159,476.44	AA-	1%
NSW Treasury	\$ 38,606,822.03	AA+	18%
National Australia Bank	\$ 42,437,246.67	AA-	20%
Westpac Bank	\$ 41,091,574.41	AA-	20%
Commonwealth Bank	\$ 25,104,393.09	AA-	12%
Bank Western Australia	\$ 6,488,382.07	AA-	3%
AMP Bank	\$ 5,000,000.00	A	2%
Suncorp Metway	\$ 21,831,262.05	A+	10%
ING Bank	\$ 11,040,389.04	A-	5%
Members Equity Bank	\$ 5,000,000.00	A2	2%
Rural Bank	\$ 6,026,369.86	A2	3%
Bank of Queensland	\$ 3,044,304.09	A2	1%
Credit Union Aust	\$ 3,093,144.11	A2	1%
	\$ 209,923,363.86		100%

RATES SUMMARY

STATEMENT OF ALL OUTSTANDING RATES AND EXTRA CHARGES

RATE - CHARGE	NET ARREARS 1/7/2017	NET LEVY FOR YEAR	PENSION REBATES	EXTRA CHARGES	TOTAL RECEIVABLE	CASH COLLECTED	NET AMOUNT DUE	POSTPONED RATES & INTEREST	GROSS AMOUNT DUE
RESIDENTIAL	2,102,238.73	59,421,739.72	1,377,319.67	292,169.70	60,438,828.48	20,863,833.22	39,574,995.26	277,893.74	39,852,889.00
BUSINESS	315,185.85	18,457,891.83		34,662.40	18,807,740.08	7,676,700.25	11,131,039.83		11,131,039.83
FARMLAND	0.00	470,014.24	691.32	196.62	469,519.54	173,630.60	295,888.94	154,740.48	450,629.42
MINING	0.00	26,080.56		0.00	26,080.56	26,080.56	0.00		0.00
SR - LOAN	0.00	54.54		163.60	218.14	987.33	-769.19	8,507.31	0.00
SR - INFRASTRUCTURE	262,966.59	5,911,721.57		3,065.21	6,177,753.37	2,146,142.01	4,031,611.36	34,247.06	4,073,596.54
TOTAL	\$2,680,391.17	\$84,287,502.46	\$1,378,010.99	\$330,257.53	\$85,920,140.17	\$30,887,373.97	\$55,032,766.20	\$475,388.59	\$55,508,154.79
GARBAGE	625,322.26	20,570,987.92	845,274.16	12,644.90	20,363,680.92	6,981,735.87	13,381,945.05		13,381,945.05
STORMWATER	50,503.34	1,348,569.48		179.75	1,399,252.57	508,727.06	890,525.51		890,525.51
GRAND TOTAL	\$3,356,216.77	\$106,207,059.86	\$2,223,285.15	\$343,082.18	\$107,683,073.66	\$38,377,836.90	\$69,305,236.76	\$475,388.59	\$69,780,625.35

Total from Rates Financial Transaction Summary	69,325,829.69
Overpayments	-454,795.66
Difference	0.00

ANALYSIS OF RECOVERY ACTION

Rate accounts greater than 6 months less than 12 months in arrears	373,532.47
Rate accounts greater than 12 months less than 18 months in arrears	176,819.31
Rate accounts greater than 18 months in arrears	48,349.38
TOTAL rates and charges under instruction with Council's agents	\$598,701.16

RATES STATISTICS

No. of documents Issued	July	August	September	October	November	December	January	February	March	April	May	June	Oct-16
Rate Notices	49,616	324		236									1,005
Electronic - DoH	5,266												43,817
Instalment Notices				45,424									5,517
Electronic - DoH				5,276									
Missed Instalment Notices			8,283										
- Pensioners > \$15.00			733										
Notice to new owner	122	83	36	27									25
7-day Letters - Council issued			1,793										
- Pensioners > \$500.00			160										
7-day Letters - Agent Issued			485										
Statement of Claim	119	19	14	197									205
Judgments	9	68	13	16									15
Writs	10	48	11	5									6
Electronic - eRates & BPAYView	3,241	3,454	3,578	3,631									2,341
Arrangements	303	263	398	431									422

DEBTORS SUMMARY 1 October 2017 to 31 October 2017

DEBTOR TYPE/DESCRIPTION	ARREARS AT 30/09/2017	RAISED THIS PERIOD	RECEIVED THIS PERIOD	BALANCE AT 31/10/2017	% DEBT RATIO
Corporate Administration	233,813	175,885	50,993	358,704	29.49%
Abandoned Items	1,068	0	0	1,068	0.35%
Education and Care Services	18,710	0	0	18,710	0.98%
Community Bus	89	0	0	89	0.01%
Sportsground and Field Hire	81,538	76,814	51,035	107,317	5.46%
Government and other Grants	239,510	211,603	208,395	242,718	12.87%
Public Hall Hire	162,072	65,311	90,734	136,650	1.39%
Health Services	350	0	0	350	0.02%
Land and Building Rentals	78,004	130,938	141,318	67,623	5.63%
Healthy Lifestyles	59,439	11,202	41,397	29,243	0.15%
Library Fines and Costs	0	0	0	0	0.00%
Licence Fees	43,141	17,547	23,584	37,104	1.85%
Pool Hire	13,779	6,294	11,117	8,956	0.39%
Private Works	2,612	0	0	2,612	0.52%
Road and Footpath Restoration	21,978	209,890	62,379	169,489	28.17%
Shop and Office Rentals	20,501	56,000	53,662	22,839	2.17%
Various Sundry Items	130,592	178,478	32,146	276,924	6.42%
Waste Collection Services	23,709	22,253	24,039	21,923	6.17%
	1,092,227	1,162,213	790,799	1,463,641	100%

AGEING OF SUNDRY DEBTOR ACCOUNTS - 31 October 2017

	Current Charges	Total 30 Days	Total 60 Days	Total 90+ Days	Balance Due	Previous Month 90+ days
Corporate Administration	165,271	11,945	9,521	171,968	358,704	178,418
Abandoned Items	0	0	0	1,068	1,068	1,068
Education and Care Services	18,710	0	0	0	18,710	0
Community Bus	89	0	0	0	89	0
Sportsground and Field Hire	57,011	0	34,684	15,623	107,317	10,729
Government and other Grants	183,900	8,470	16,408	33,940	242,718	33,940
Public Hall Hire	52,559	29,087	18,095	36,909	136,650	46,064
Health Services	0	0	0	350	350	350
Land and Building Rentals	67,623	0	0	0	67,623	0
Healthy Lifestyles	14,096	6,532	2,132	6,484	29,243	7,359
Licence Fees	13,947	3,509	10,430	9,218	37,104	9,858
Pool Hire	6,597	2,181	0	178	8,956	178
Private Works	1,189	0	0	1,423	2,612	1,423
Road and Footpath Restoration	168,191	94	0	1,204	169,489	1,204
Shop and Office Rentals	19,692	2,200	926	20	22,839	0
Various Sundry Items	167,264	10,515	21,751	77,394	276,924	64,584
Waste Collection Services	21,923	0	0	0	21,923	0
	919,383	74,533	113,945	355,779	1,463,641	355,174

8.15 Procurement Policy

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

1. That the revised Procurement Policy, attached to this report, be adopted.
2. That the Procurement Policy review date be set at 30 October 2018.

Purpose

To seek Council's endorsement of the revised Procurement Policy.

History

Council at its meeting held 18 March 2008, adopted the Procurement Policy. The policy is now due to be reviewed in accordance with Council's Records Management Policy.

Report

The above mentioned policy has been developed in accordance with Council's Record Management Policy and the adopted procedure for Policy Development and Review.


The Procurement Policy refers to Council's procurement activities for goods, services and consultancies including, but not limited to, purchases by means of petty cash, purchase card, purchase order, quotation and tender processes.

It should be noted that this policy does not cover the purchase of land or contracts for employment.

The titles of related documentation have been amended to better reflect the correct purchasing method. Minor positional amendments have also been made to the responsible officer and contact details due to outcomes of the organisational restructure.

Attachments

1. Proposed Procurement Policy (contained within this report)
2. Current Procurement Policy (contained within this report)

		POLICY
Policy Title	Procurement Policy	
Related Documentation	General Procurement Procedure Council or Other Government Contract Procedure Procurement Less Than \$1,000 Procedure Procurement Between \$1,000 - \$10,000 Procedure Procurement Between \$10,000 - \$50,000 Procedure Public Quotation (Procurement Expenditure \$50,000 - \$150,000 Procedure Public Tender (Procurement Expenditure > \$150,000) Procedure	
Relevant Legislation	<i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2005</i> <i>Work Health and Safety Act 2011</i> <i>Work Health and Safety Regulations 2011</i> <i>Local Government Code of Accounting Practice and Financial Reporting</i>	
Responsible Officer	Coordinator Procurement and Contracts	

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To ensure that procurement activities are conducted in accordance with relevant legislation and Council's various Procurement Procedures.

Policy Statement

This Policy refers to Council's procurement activities for goods, services and consultancies including, but not limited to, the following procedures:

- Petty Cash purchases
- Purchase Card purchases
- Purchase Order purchases
- Quotation processes
- Tender processes.

This policy does not cover the purchase of land or contracts for employment.

This policy should be read in conjunction with Council's various Procurement Procedures which provides Council Officers with the procedures involved in the procurement process to enable compliance with this Policy, legislation and Australian Standards. This Policy will ensure compliance with the relevant Work Health and Safety legislation, regulations and guidelines required by Council's Work Health and Safety management system.

DATA AND DOCUMENT CONTROL		
Division: City Governance Section: Corporate Services and Governance DocSet: 1603906	Adopted Date: 18/03/2008 Revised Date: 01/07/2014 Minute Number: 112 Review Date: 30/06/2017	Page: 1 of 4

Campbelltown City Council

This Policy will enable Council to achieve the best value for money in procurement activities whilst ensuring the highest level of probity.

Scope

Council staff involved in any aspect of procurement must adhere to this policy.

Definitions

Contract: an agreement for the supply of goods or the performance of services or consultancy services.

Expression of Interest (EOI): an application from a person or organisation interested in supplying or tendering to supply goods or services to or for Council or in showing their capacity to do so.

Financial Delegation: the level of funds that a Council officer has the authority to expend.

Quotation: written or oral response to a request to a selected or public group of providers for the provision of specific goods or services to a specification prepared by Council.

Tender: a formal written offer in response to a request to tender to provide goods, services or facilities at an agreed amount or rate and to Council's specification. Tender management is governed by the provisions of the *Local Government Act 1993* (The Act) and *Local Government (General) Regulation 2005* (The Regulation) as well as by this policy.

Value for Money means the identification and inclusion of all direct and indirect costs associated with a particular product or material. This includes the initial cost of purchase, length of warranty, cost of operating the product, anticipated maintenance and repair, and the direct and indirect costs (or financial return) associated with disposal or removal of the product at the end of its useful life.

Legislative Context

Section 24 of the *Local Government Act 1993* states:

"A council may provide goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public, subject to this Act, the regulations and any other law."

In order to carry out its functions, section 23 confers on a Council the power "*to do all such things as are supplemental or incidental to, or consequential on, the exercise of its functions.*"

The effect of these provisions is that Council has the power to enter into contracts. This power is constrained by this policy, good practice and probity legislation, by Section 55 of the Act and by the *Local Government (General) Regulation 2005*.

This Policy is subject to and must be read alongside the Act and the Regulation which requires Council to tender in certain circumstances and to use particular tender procedures. If tenders are called when there is no legislative requirement to do so, it is Council's policy that the same process be used as for situations where tenders must be called. Where quotations are used, the provisions of the Regulation do not apply.

Principles

Purchasing procedures are defined in Council's various Procurement Procedures. All procurement must be carried out in accordance with these Procedures.

DATA AND DOCUMENT CONTROL		
DocSet: 1603906	Page: 2 of 4	

Campbelltown City Council

Work Health and Safety

Council will determine work health and safety requirements prior to the purchase of any goods, services or consultancy, and communicate those specifications to the supplier.

Work Health and Safety requirements will be identified, evaluated and incorporated into all purchasing specifications.

Procedures verify that purchased goods conform to health and safety requirements, and any goods that do not conform, are addressed before the goods are put into operational use.

The ability to meet work health and safety requirements is assessed in the selection of contractors.

Competent personnel will verify goods, services and consultancies ensuring they meet specified health and safety requirements.

Contractor health and safety performance is monitored and reviewed to ensure continued adherence to health and safety specifications.

Materials and substances are disposed of in a manner that minimises risk of personal injury and illness.

Sustainable Procurement

Council Officers will endeavour to purchase goods and services with the most beneficial environmental impact whenever they perform satisfactorily and are available at a reasonable price. When drafting specifications for procurement of goods or services and when making procurement decisions, Council officers will make the following considerations:

1. Minimising greenhouse gas emissions: confirm products and materials' energy rating and efficiency features. In addition to operational energy performance, consider the energy and water requirements of a product during its production, transportation and eventual disposal.
2. Minimising habitat destruction: consider paper and wood products obtained from recycled, plantation, salvaged or renewable sources.
3. Minimising toxicity: consider materials and products that are free from toxic or polluting materials (at any stage of their lifecycle)
4. Maximising water efficiency: consideration should be given to products that have the best water rating and conserve water or use water in an efficient way.
5. Minimising soil degradation: consider the purchase of products, materials and services that will not degrade or pollute the soil, or result in erosion through their use.
6. Minimising waste: purchasing decisions should be made in the context of the waste hierarchy to avoid, reduce, reuse and recycle:
 - a. Avoiding the unnecessary purchase of goods and services through identifying ways to carry out a function or task without using materials that generate waste and confirming the availability of excess goods in another department.
 - b. Selecting products that reduce the amount of materials required.
 - c. Seeking to re-use items where possible and extend the useful life of products and equipment through maintenance and repair or re-allocation.
 - d. Committing to buying recycled/part-recycled products that optimise consumption and stimulate demand for recycled products, promoting the collect and reprocessing of waste and working towards zero discharge to landfill.

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Campbelltown City Council

Responsibility and Delegation

Council Officers' financial delegations for procurement activities are defined in Council's various Procurement Procedures. It is the responsibility of all staff that are involved in procurement activities to ensure that the process is performed in a transparent and accountable way.

END OF POLICY STATEMENT



POLICY

Policy Title	Procurement Policy
Related Documentation	General Procurement Procedure Council or Other Government Contract Procedure Procurement Purchases Less Than \$1,000 Procedure Procurement Purchases Between \$1,000 - \$10,000 Procedure Procurement Purchases Between \$10,000 - \$50,000 Procedure Public Quotation Purchases (Procurement Expenditure Between \$50,000 - \$150,000 Procedure Public Tender Purchases (Procurement Expenditure > Over \$150,000) Request for Tender Procedure
Relevant Legislation/ Corporate Plan	Local Government Act 1993 Local Government (General) Regulation 2005 Work Health and Safety Act 2011 Work Health and Safety Regulations 2011 Local Government Code of Accounting Practice and Financial Reporting
Responsible Officer	Coordinator Procurement and Contracts Manager Assets and Supply Services

Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.

Objectives

To ensure that procurement activities are conducted in accordance with relevant legislation and Council's various Procurement Procedures.

Policy Statement

This Policy refers to Council's procurement activities for goods, services and consultancies including, but not limited to, the following procedures:

- Petty Cash purchases
- Purchase Card purchases
- Purchase Order purchases
- Quotation processes
- Tender processes

This policy does not cover the purchase of land or contracts for employment.

This policy should be read in conjunction with Council's various Procurement Procedures which provides Council Officers with the procedures involved in the procurement process to enable compliance with this Policy, legislation and Australian Standards. This Policy will ensure

DATA AND DOCUMENT CONTROL

Division: City Works Governance
 Section: ~~Assets and Supply Services~~
 Procurement and Contracts
 DocSet: 1603906

Adopted Date: 18/03/2008
 Revised Date: 01/07/2014
 Minute Number: 112
 Review Date: 30/06/2017

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Campbelltown City Council

compliance with the relevant Work Health and Safety legislation, regulations and guidelines required by Council's Work Health and Safety management system.

This Policy will enable Council to achieve the best value for money in procurement activities whilst ensuring the highest level of probity.

Scope

Council staff involved in any aspect of procurement must adhere to this policy.

Definitions

Contract: an agreement for the supply of goods or the performance of services or consultancy services.

Expression of Interest (EOI): an application from a person or organisation interested in supplying or tendering to supply goods or services to or for Council or in showing their capacity to do so.

Financial Delegation: the level of funds that a Council officer has the authority to expend.

Quotation: written or oral response to a request to a selected or public group of providers for the provision of specific goods or services to a specification prepared by Council.

Tender: a formal written offer in response to a request to tender to provide goods, services or facilities at an agreed amount or rate and to Council's specification. Tender management is governed by the provisions of the *Local Government Act 1993* (The Act) and Local Government (General) Regulation 2005 (The Regulation) as well as by this policy.

Value for Money means the identification and inclusion of all direct and indirect costs associated with a particular product or material. This includes the initial cost of purchase, length of warranty, cost of operating the product, anticipated maintenance and repair, and the direct and indirect costs (or financial return) associated with disposal or removal of the product at the end of its useful life.

Legislative Context

Section 24 of the *Local Government Act 1993* states:

"A council may provide goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public, subject to this Act, the regulations and any other law."

In order to carry out its functions, section 23 confers on a Council the power "*to do all such things as are supplemental or incidental to, or consequential on, the exercise of its functions.*"

The effect of these provisions is that Council has the power to enter into contracts. This power is constrained by this policy, good practice and probity legislation, by Section 55 of the Act and by the Local Government (General) Regulation 2005.

This Policy is subject to and must be read alongside the Act and the Regulation which requires Council to tender in certain circumstances and to use particular tender procedures. If tenders are called when there is no legislative requirement to do so, it is Council's policy that the same process be used as for situations where tenders must be called. Where quotations are used, the provisions of the Regulation do not apply.

Principles

Purchasing procedures are defined in Council's various Procurement Procedures. All procurement must be carried out in accordance with these Procedures.

DATA AND DOCUMENT CONTROL

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Campbelltown City Council

Work Health and Safety

Council will determine work health and safety requirements prior to the purchase of any goods, services or consultancy, and communicate those specifications to the supplier.

Work Health and Safety requirements will be identified, evaluated and incorporated into all purchasing specifications.

Procedures verify that purchased goods conform to health and safety requirements, and any goods that do not conform, are addressed before the goods are put into operational use.

The ability to meet work health and safety requirements is assessed in the selection of contractors.

Competent personnel will verify goods, services and consultancies ensuring they meet specified health and safety requirements.

Contractor health and safety performance is monitored and reviewed to ensure continued adherence to health and safety specifications.

Materials and substances are disposed of in a manner that minimises risk of personal injury and illness.

Sustainable Procurement

Council Officers will endeavour to purchase goods and services with the most beneficial environmental impact whenever they perform satisfactorily and are available at a reasonable price. When drafting specifications for procurement of goods or services and when making procurement decisions, Council officers will make the following considerations:

1. Minimising greenhouse gas emissions: confirm products and materials' energy rating and efficiency features. In addition to operational energy performance, consider the energy and water requirements of a product during its production, transportation and eventual disposal.
2. Minimising habitat destruction: consider paper and wood products obtained from recycled, plantation, salvaged or renewable sources.
3. Minimising toxicity: consider materials and products that are free from toxic or polluting materials (at any stage of their lifecycle)
4. Maximising water efficiency: consideration should be given to products that have the best water rating and conserve water or use water in an efficient way.
5. Minimising soil degradation: consider the purchase of products, materials and services that will not degrade or pollute the soil, or result in erosion through their use.
6. Minimising waste: purchasing decisions should be made in the context of the waste hierarchy to avoid, reduce, reuse and recycle:
 - a. Avoiding the unnecessary purchase of goods and services through identifying ways to carry out a function or task without using materials that generate waste and confirming the availability of excess goods in another department.
 - b. Selecting products that reduce the amount of materials required.
 - c. Seeking to re-use items where possible and extend the useful life of products and equipment through maintenance and repair or re-allocation.
 - d. Committing to buying recycled/part-recycled products that optimise consumption and stimulate demand for recycled products, promoting the collect and reprocessing of waste and working towards zero discharge to landfill.

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Campbelltown City Council

Responsibility and Delegation

Council Officers' financial delegations for procurement activities are defined in Council's various Procurement Procedures. It is the responsibility of all staff that are involved in procurement activities to ensure that the process is performed in a transparent and accountable way.

END OF POLICY STATEMENT

8.16 Refinance of Remaining Balance for Australia and New Zealand Banking Group Loan

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

1. That Council accept the initial quote from Australia and New Zealand Banking Corporation for the remaining loan balance of approximately \$1.645m for a five year fixed term, based on the indicative pricing provided, however final quotation be obtained on refinance of the funds.
2. That Council delegate the Mayor and General Manager to authorise the necessary documentation on the remaining loan balance.

Purpose

To seek Council's endorsement to enter into a refinanced loan contract with Australia and New Zealand Banking Corporation for an existing loan.

History

Council has a loan liability of some \$19m as at 30 June 2017 with varying rates of interest of up to 7.35 per cent.

In June 2012 Council adopted to borrow \$2.5m from the Australia and New Zealand Banking Corporation as a fully amortising loan over a ten year term at an interest rate of 5.46 per cent.

Report

As at 30 June 2017, Council is midway through the original ten year loan period and now has an opportunity to review the terms of this loan.

With lending interest rates now considerably lower than when this loan was drawn down, it is prudent for Council to refinance the terms of this loan for the remaining five years.

Indicative quotations were sought from alternate lenders with Australian and New Zealand Banking Corporation being most competitive. Independent advice regarding the refinance of this loan was provided by Council's Independent Financial Advisor, Spectra Financial Services.

Under the current terms of the loan the total interest to be paid over the ten year loan term would be \$900k however, if refinanced at the indicative rate provided by the Australian and New Zealand Banking Corporation of 3.60 per cent for the remaining five years, the total payback of interest over the life of the loan would be in the vicinity of \$750k. This would provide Council with an estimated saving of some \$150k in interest repayments over the life of the loan.

Attachments

Nil

8.17 Quarterly Budget Review Statement as at 30 September 2017

Reporting Officer

Executive Manager Corporate Services and Governance
City Governance

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.7 - Public funds and assets are managed strategically, transparently and efficiently

Officer's Recommendation

That the adjustments recommended in the Quarterly Budget Review Statement be adopted.

Purpose

To advise Council that the quarterly financial review has been conducted on the original income and expenditure estimates presented in the 2017-2018 budget. The adjustments relating to the review of the original budget allocations are presented for Council's consideration.

Introduction

The current planning and reporting framework for NSW Local Government has a greater focus on financial sustainability. In an effort to achieve consistency in reporting between councils, the Office of Local Government introduced a set of minimum requirements and predefined templates to assist councils in meeting their legislative obligations. Collectively, these documents are known as the quarterly budget review statement (QBRS). The latest QBRS under the reporting framework is attached.

Report

In accordance with Clause 203 of the Local Government (General) Regulations 2005, the Responsible Accounting Officer is required to prepare a quarterly budget review of income and expenditure estimates and submit a report to Council. The QBRS must also include an opinion of the Responsible Accounting Officer concerning the financial position of Council. This report provides an overview of the results of the financial review for the quarter ended 30 September 2017.

In June 2017, Council adopted a balanced budget for 2017-2018. There is no proposed change to the budget result in this review.

The recommended movements relating to income and expenditure are summarised in the attachment and details of significant items greater than \$20,000 are listed in the body of this report for Council's consideration.

The following items are detailed with corresponding adjustments recommended following the completion of the quarterly financial review:

City Development Directorate- \$79,800 increase in expenditure

Additional funding is required to offset the costs of recruiting the Executive Managers in the City Development Division. These costs have been offset by various salary savings generated through staff vacancies.

City Standards and Compliance Management - \$50,000 increase in expenditure

Additional staffing resources have been required in the Compliance Section; a business case is being reviewed to consider permanent resourcing requirements. This cost has been offset by additional income generated from the parking regulation program.

Animal Management - \$230,500 decrease in income and expenditure

During the original budget preparation, it was anticipated that Camden Council would be utilising Campbelltown's Animal Care Facility. As such, additional income and expenditure items were included in the 2017-2018 budget. Council has now been advised that Camden Council will seek alternative accommodation for its animals. This adjustment removes the additional items from the budget with no change to the Animal Care Facility's overall net budget.

Leisure Centres - \$282,800 increase in expenditure

The Macquarie Fields and Eagle Vale Leisure Centres have renewed the gym equipment. The value of the expenditure was not known when the original budget was being prepared. Council plans for the life cycle costing of its office equipment through an annual contribution to an Equipment Replacement Reserve which also makes provision for gym equipment replacement.

Operational Services – Horticulture - \$190,000 increase in income and expenditure

The Operations Section has been successful in bidding for the mowing contract of Roads and Maritime Services (RMS). The additional income will be utilised to fund the resource requirement of the additional mowing service level.

Strategic Property Services - \$35,300 increase in income

A new tenancy has been secured as an ongoing income stream for the building previously known as Parklands Early Learning Centre. The building has been vacant since the centre closed recently. In addition, the Property Section is also negotiating a new lease for Briar Cottage to KU Childcare along with a new lease to Macarthur Disability Service for the Macquarie Fields Youth Centre. The budget adjustments for this will be reflected in the December Financial Review.

Strategic Property Services - \$150,000 increase in expenditure

It is anticipated to expend funds on consultant costs associated with the identification and creation of future major income producing assets for Blaxland Road. The funding for these works is provisioned within the Property Reserve with any future benefits to be contributed back to the Reserve.

Cycleway Construction - \$200,000 decrease in income and expenditure

In previous years, Council has been successful in securing grant funding from the RMS towards the construction of new cycleways. Council has recently been advised that this year's grant application was unsuccessful. As such, the grant amount will be removed from the budget. A revised program will be developed for the remaining Council funds.

Financial Assistance Grant - increase in income

As previously reported, Council received additional funds in this year's Financial Assistance Grant (FAG) allocation and that this would be adjusted in this financial review. There are several projects that will be subject to imminent Council reports that may require additional funding. As such, the FAG budget has not been adjusted in this review and will be considered pending outcomes of the Council reports.

Summary

As reported to Council in previous years, the financial objective has been to budget a surplus to improve Council's liquidity ratio. The liquidity ratio has improved to a satisfactory level and as such, a balanced budget is proposed for the 2017-2018 financial year.

As per the Responsible Accounting Officer's statement, the 2017-2018 results continue to support Council's sound financial position in the short to medium term. During 2017-2018, Council will further refine its financial strategy in line with the development of the ten year Long Term Financial Plan, required by the Integrated Planning and Reporting Framework and determine the most appropriate and financially responsible action for future periods.

Attachments

1. Quarterly Budget Review Statement as at 30 September 2017 (contained within this report)

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005: as at 30 September 2017

It is my opinion that the Quarterly Budget Review Statement for Campbelltown City Council for the quarter ended 30/09/17 indicates that Council's projected financial position at 30/6/18 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____
SIGNATURE HAS BEEN REMOVED

date:

Corinne Mears
Responsible Accounting Officer

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Campbelltown City Council

Income & Expenses Budget Review Statement

Budget review for the quarter ended 30 September 2017

Income & Expenses - Council Consolidated

(\$000's)	Original Budget 2017/18	Approved Changes				Revised Budget 2017/18	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs	Dec QBRs					
Income										
Rates and Annual Charges	105,230	-	-	-	-	105,230	-		105,230	103,782
User Charges and Fees	14,388	-	-	-	-	14,388	(1)	1	14,388	4,364
Interest and Investment Revenues	5,256	-	-	-	-	5,256	-		5,256	441
Other Revenues	6,765	-	-	-	-	6,765	(13)	2	6,752	1,456
Grants & Contributions - Operating	24,981	489	1,344	-	-	26,814	(27)	3	26,787	5,192
Grants & Contributions - Capital	9,085	599	103	-	-	9,787	(200)	4	9,587	1,566
Total Income from Continuing Operations	165,704	1,088	1,448	-	-	168,240	(240)		168,000	116,803
Expenses										
Employee Costs	67,652	302	78	-	-	68,032	(782)	5	67,250	17,618
Borrowing Costs	1,020	-	-	-	-	1,020	-		1,020	(135)
Materials & Contracts	26,155	6,003	354	-	-	32,512	517	6	33,028	5,473
Depreciation	20,291	-	-	-	-	20,291	-		20,291	1,968
Legal Costs	1,055	-	-	-	-	1,055	30	7	1,085	237
Consultants	2,316	1,237	120	-	-	3,672	128	8	3,800	443
Other Expenses	32,589	1,166	(64)	-	-	33,691	381	9	34,073	8,964
Total Expenses from Continuing Operations	151,077	8,708	488	-	-	160,273	274		160,548	34,569
Net Operating Result from Continuing Operation	14,627	(7,620)	960	-	-	7,966	(514)		7,452	82,235
Discontinued Operations - Surplus/(Deficit)						-			-	
Net Operating Result from All Operations	14,627	(7,620)	960	-	-	7,966	(514)		7,452	82,235
Net Operating Result before Capital Items	5,542	(8,220)	856	-	-	(1,821)	(314)		(2,135)	80,669

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/17 and should be read in conjunction with the total QBRs report

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Reduction in income for Swimming Pool inspection program which is offset by increases in property rental income and Road Occupancy fees.
2	Reversal of Animal Care Facility income due to Camden Council deciding not to use Council's facilities, partly offset by increased income from parking fines and contract mowing work.
3	Reduction in anticipated income from the FESL program due to the program not continuing.
4	Reduction in Cycleway funding from the RMS due to Council being unsuccessful in this year's bid.
5	Variations in employee costs due to staff vacancies which in some case have been transferred to fund contract staff, and the reversal of salary costs included for Camden Council utilising the Animal care facility.
6	Funding of contracted positions due to staff vacancies, transfer of funds from the capital budget and additional funds for the new contract mowing work.
7	Funding required for unanticipated legal costs, transferred from consulting funds.
8	Additional funds required to progress the activation of Blaxland Road precinct (funded from Property Reserve funds)
9	Various increases and decreases across a number of areas, the major items including the transfer of funds from salary savings to fund hired personnel and the reversal of Animal Care funds due to Camden Council utilising the facility.

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Campbelltown City Council

Capital Budget Review Statement

Budget review for the quarter ended 30 September 2017

Capital Budget - Council Consolidated

	Original Budget 2017/18	Approved Changes				Revised Budget 2017/18	Variations for this Sep Qtr	Notes	Projected Year End Result	Actual YTD figures
		Carry Forwards	Other than by QBRs	Sep QBRs	Dec QBRs					
(\$000's)										
Capital Expenditure										
New Assets										
- Land & Buildings	332	1,988	0			2,320	-		2,320	-
Renewal Assets (Replacement)										
- Plant & Equipment	3,215	32	0			3,247	299	1	3,546	565
- Office Equipment/Furniture & Fittings	150	2,150	163			2,463	(23)	2	2,440	152
- Land & Buildings	19,667	6,834	228			26,729	-		26,729	2,977
- Roads, Bridges, Footpaths	12,205	1,066	550			13,820	(377)	3	13,443	4,049
- Stormwater/Drainage	100	1,562	31			1,693	-		1,693	1
- Other Assets	290	-	-			290	-		290	39
Loan Repayments (Principal)	3,551	-	-			3,551	-		3,551	238
Total Capital Expenditure	39,510	13,632	971	-	-	54,113	(101)		54,012	8,021
Capital Funding										
Rates & Other Untied Funding	25,805	-	796			26,601	(200)	4	26,401	6,100
Capital Grants & Contributions	9,085	599	103			9,787	(200)	5	9,587	1,566
Reserves:										
- External Restrictions/Reserves	1,200	1,385	-			2,585	-		2,585	-
- Internal Restrictions/Reserves	2,230	11,648	72			13,950	299	6	14,249	-
New Loans						-			-	
Receipts from Sale of Assets										
- Plant & Equipment	1,184	-	-			1,184	-		1,184	354
- Other Assets	6	-	-			6	-		6	1
Total Capital Funding	39,510	13,632	971	-	-	54,113	(101)		54,012	8,021
Net Capital Funding - Surplus/(Deficit)	-	-	-	-	-	-	-		-	-

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/09/17 and should be read in conjunction with the total QBRs report

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17**Capital Budget Review Statement**
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details
1	Purchase of new gym equipment and technical equipment, funded from equipment reserve.
2	Funds transferred from capital budget to fund operational expenditure at the Arts Centre and the purchase of new IT equipment.
3	Funds transferred from capital budget to fund operational expenditure for footpath reconstruction and the reduction in funding for the Cycleway program.
4	Reconciliation of untied funds as a result of capital movements utilised to fund capital works.
5	Removal of the unsuccessful RMS Cycleway grant from the budget.
6	Transfer of funds from the reserves to fund the purchase of gym equipment and technical equipment.

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Cash & Investments Budget Review Statement

Budget review for the quarter ended 30 September 2017

Cash & Investments - Council Consolidated

	Original Budget 2017/18	Movement in Reserves		Current Balance 2017/18	Projected Movement Sep Qtr	Notes	Projected Year End Balance	Actual YTD figures
		Income/ Expenses	Transfers to/from	Works in Kind				
Externally Restricted ⁽¹⁾								
Special Rates	-	-	-	-	-		-	-
Stormwater Management	1,159	-	-	-	1,159		959	1,159
Specific Purpose Grants	9,591	-	-	-	9,591	(200)	3,791	9,591
Specific Purpose Contributions	3,199	-	-	-	3,199	(5,800)	3,199	3,199
Developer Contributions - S94	15,840	5,113	-	(3,447)	17,506		17,506	17,506
Developer Contributions - Other	1,206	-	-	-	1,206		1,206	1,206
Domestic Waste Management	5,014	-	-	-	5,014		5,014	5,014
Self Insurance Workers Compensation Claims	5,640	-	-	-	5,640		5,640	5,640
Total Externally Restricted	41,648	5,113	-	(3,447)	43,314	(6,000)	37,314	43,314
(1) Funds that must be spent for a specific purpose								
Internally Restricted ⁽²⁾								
Property Development	79,482	-	-	-	79,482	(1,000)	78,482	79,482
Committed Works	11,069	-	50	-	11,119	(2,500)	8,619	11,119
Childcare	-	-	-	-	-		-	-
Self Insurance Workers Compensation Claims	500	-	-	-	500		500	500
Replacement of Plant and Vehicles	4,109	-	45	-	4,154	(1,000)	3,154	4,154
Committed Works funded by Loans	3,134	-	-	-	3,134		3,134	3,134
Employee Leave Entitlements	9,800	-	-	-	9,800		9,800	9,800
Environmental Sustainability	336	-	37	-	373		373	373
Asset Replacement	6,148	-	879	-	7,027		7,027	7,027
Infrastructure Replacement Fund	28,486	-	-	-	28,486		28,486	28,486
Olympic Ambassador	110	-	5	-	115		115	115
Insurance Claims - Excess	5,270	-	1,005	-	6,275		6,275	6,275
Local Government Elections	730	-	200	-	930		930	930
Other	133	-	-	-	133		133	133
Total Internally Restricted	149,307	-	2,221	-	151,528	(4,500)	147,028	151,528
(2) Funds that Council has earmarked for a specific purpose								
Unrestricted (i.e. available after the above Restricti	15,711				24,119	-	24,119	24,119
Total Cash & Investments	206,666				218,961	(10,500)	208,461	218,961

This statement forms part of Council's Quarterly Budget Review Statement (QBR) for the quarter ended 30/09/17 and should be read in conjunction with the total QBR report

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Cash & Investments Budget Review Statement**Comment on Cash & Investments Position**

Not Applicable

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$218,961,147

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 30/09/2017.

Reconciliation Status

The YTD Cash & Investment figure reconciles to the actual balances held as follows:

		\$ Amount
Cash at Bank (as per bank statements)		4,469,327
Investments on Hand		214,938,914
less: Unpresented Cheques	(Timing Difference)	(56,361)
add: Undeposited Funds	(Timing Difference)	40,981
less: Identified Deposits (not yet accounted in Ledger)	(Require Actioning)	(433,929)
add: Identified Outflows (not yet accounted in Ledger)	(Require Actioning)	2,215
Reconciled Cash at Bank & Investments		218,961,147
Balance as per Review Statement:		218,961,147
Difference:		-

Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes **Details**

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Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 September 2017

(\$'000's)	Current Projection		Original Budget 17/18	Actuals	
	Amounts	Indicator		Prior Periods	
	17/18	17/18	17/18	16/17	15/16

NSW Local Government Industry Key Performance Indicators (OLG):

1. Operating Performance					
Operating Revenue (excl. Capital) - Operating Expenses	-2,135	-1.3 %	3.5 %	10.6 %	9.7 %
Operating Revenue (excl. Capital Grants & Contributions)	168,413				

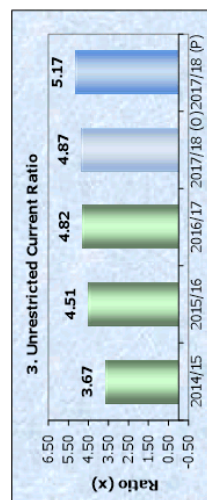
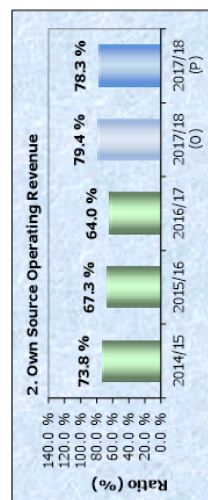
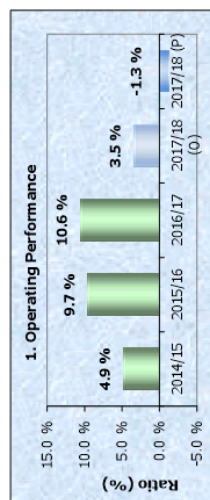
This ratio measures Council's achievement of containing operating expenditure within operating revenue.

2. Own Source Operating Revenue					
Operating Revenue (excl. ALL Grants & Contributions)	131,626	78.3 %	79.4 %	64.0 %	67.3 %
Total Operating Revenue (incl. Capital Grants & Cont)	168,000				

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.

3. Unrestricted Current Ratio					
Current Assets less all External Restrictions	124,000	5.17	4.87	4.82	4.51
Current Liabilities less Specific Purpose Liabilities	24,000				

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.



Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

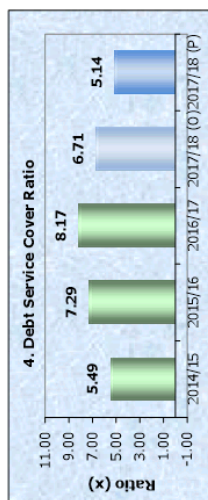
Budget review for the quarter ended 30 September 2017

(\$'000's)	Current Projection		Original Budget	Actuals	
	Amounts	Indicator	17/18	Prior Periods	
	17/18	17/18	17/18	16/17	15/16

NSW Local Government Industry Key Performance Indicators (OLG):

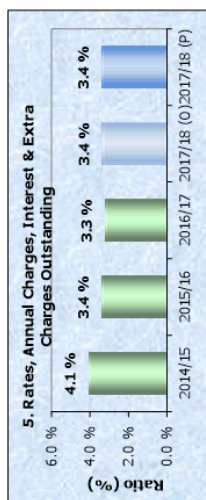
4. Debt Service Cover Ratio					
Operating Result before Interest & Dep. exp (EBITDA)	23,507	5.14	6.71	8.17	7.29
Principal Repayments + Borrowing Interest Costs	4,570				

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.



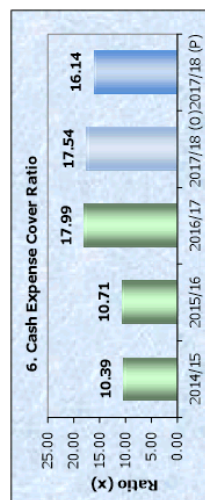
5. Rates, Annual Charges, Interest & Extra Charges Outstanding					
Rates, Annual & Extra Charges Outstanding	3,600	3.4 %	3.4 %	3.3 %	3.4 %
Rates, Annual & Extra Charges Collectible	105,500				

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.



6. Cash Expense Cover Ratio					
Current Year's Cash & Cash Equivalents (incl Term Deposits)	195,000	16.14	17.54	17.99	10.71
Operating & financing activities Cash Flow payments	145,000				

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.



Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Campbelltown City Council

Contracts Budget Review Statement

Budget review for the quarter ended 30 September 2017

Part A - Contracts Listing - contracts entered into during the quarter

Contractor	Contract detail & purpose	Procurement Process Undertaken	Start Date	Duration of Contract	Budgeted (Y/N)	Notes
EXPENDITURE \$50,000 - \$150,000						
STS GeoEnvironmental Pty Ltd	Q17/11 Geotechnical Investigation	Public Quote	01/10/17	5 years	Y	1
Todae Solar Pty Ltd	T17/12 Photovoltaic System at Eagle Vale Central and Minto Depot	Public Tender	20/07/17	Until Completion	Y	
EXPENDITURE \$150,000 - \$300,000						
Skyline Landscape Services Pty Ltd	T17/09 Grounds Maintenance at Park Central	Public Tender	01/10/17	3 years with 2 x 12 month options for extension	Y	1
Roelen Services Pty Ltd as trustee for Roelen Services Unit Trust	T17/06 Swimming Pool Maintenance	Public Tender	01/10/17	3 years with 2 x 12 month options for extension	Y	1
The Planning Group (NSW) Pty Ltd	Q17/19 Town Planner for the Sports and Health Centre of Excellence	LGP	28/09/17	Until Completion	Y	
Cliff Ferner Tractor Slashing Pty Ltd	T17/16 Channel Moving	Public Tender	01/09/17	2 years with 2 x 12 months options for extension	Y	1
EXPENDITURE > \$300,000						
Amos Bohuslav Trejbal Iias ABT Construction and Fitout	T15/24 Minto Indoor Sports Centre Extension	Public Tender	13/09/17	Until Completion	Y	
Peter Hunt Pty Ltd	T17/23 Architectural Services	Public Tender	08/09/17	Until Completion	Y	
Campbelltown Smash Repairs Pty Ltd Fever Enterprises Pty Ltd Franktony Pty Ltd Karras Prestige Smash Repairs Pty Ltd Ken Shafer Smash Repairs (NSW) Pty Limited Njubi Pty Ltd Smeaton Grange Paint & Panel Pty Limited	T17/19 Smash Repairs	Public Tender	15/10/17	two years with the option of 2 x 12 month extensions	Y	2

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
2. Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
3. Contracts for employment are not required to be included.

This statement forms part of Council's Quarterly Budget Review Statement (QBR) for the quarter ended 30/09/17 and should be read in conjunction with the Budget Review Report

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Notes Details

[illegible]

Campbelltown City Council

Quarterly Budget Review Statement
for the period 01/07/17 to 30/09/17

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

Expense	YTD Expenditure (Actual Dollars)	Budgeted (Y/N)
Consultancies	442,896	Y
Legal Fees	327,696	Y

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details

8.18 Reports and Letters Requested

Reporting Officer

Director City Governance
City Governance

Community Strategic Plan

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

Officer's Recommendation

That the information be noted.

Report

Attached for the information of Councillors is a status list of reports and letters requested from Council as at 31 October 2017.

Attachments

1. Reports and Letters Requested (contained within this report)

Reports Requested as at 31 October 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Lifestyles			
29.7.14 PL 3934158	CG3.3 - Report identifying alternative methods for managing the hire of Council's sporting fields. Comment: To be considered following the adoption of the Sport and Recreation Strategy	CL	December 2017
16.08.16 GB 4976615	NM17.3 - That Council prepare a feasibility report into a possible Vivid Lighting Event or similar event during the Fishers Ghost Festival, with a ghost theme, to assist in promoting a night time economy/entertainment for Campbelltown. Comment: To be considered in 2017 upon the appointment of the Executive Manager Community Life to ensure that the investigation of all options is undertaken prior to presenting to Council for consideration.	CL	December 2017
16.08.16 RK 4962373	PE5.2 - That Council be provided with a report outlining how the 200th anniversary of Campbelltown's founding in 1820 will be celebrated.	CL (CG)	December 2017
14.02.17	3. That a further report be provided to council when the outcomes of the Asian cup applications are known for further consideration and confirmation of council's contribution Comment: The outcome of funding round is yet to be notified by the Government. Once an announcement is made a report will be provided to Council.	CL	December 2017
14.03.17	2. That a further report be provided to Council once advice is received from the NSW Department of Education in relation to the Start Strong program outlining impacts on Council's services. Comment: The Department of Education have advised that implementation has been delayed. Once further information is available a report will be provided to Council.	CL	December 2017
14.03.17 MO	NM11.3 - That a report be presented investigating the feasibility and funding options to commission a suitably qualified muralist artist to create portraits of local Aboriginal and colonial residents on the historic silos located on Appin Road.	CL	December 2017
26.09.17 BG	NM - 11.2 - That a report be presented to Council outlining the feasibility of contacting the creators of the Pokemon brand with the request to host a Pokemon Go event in the Campbelltown Local Government Area.	CL	February 2018

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Delivery			
21.06.16 FB 4851108	CW1.3 - 3. - That following completion of the Floodplain Risk Management Study and Plan, a further report be tabled for Council's consideration.	CD	October 2018
08.11.16 MO 5095792	ORD - NM - 11.1 1. That a report be presented to Council investigating the potential to establish a Georges River Bush Cycle Track from Glenfield to Wedderburn. 2. That this report include: <ul style="list-style-type: none"> possible route and various access points potential and existing sources of funding - Local, State, Federal and Non-Governmental Organisation estimated initial construction costs and ongoing maintenance costs suggested time frame and schedule potential impediments to the development an assessment of environmental issues. 	CD	February 2018
22.11.16 GB 5116854	ORD - 11.1 - That Council seeks a report on the feasibility of creating a BMX track at the St Helens Park skate park and other sites, taking into consideration using the soil from the civil works creating the car park at that location.	CD	March 2018
18.04.17 GB 5311171	ORD - NM - 11.1 1. That a report be presented on the implementation of a roundabout beautification program, which would include at least one large tree and other lower level plantings, on larger roundabouts within the Campbelltown Local Government Area. 2. That the report include costings and timeframes.	CD	February 2018
18.04.17 KH 5311169	ORD - NM - 11.3 1. That Council identify appropriate park spaces in all sections of the Local Government Area that are suitable for the installation of accessible perimeter pathways for use by residents of all ages. 2. That a report be presented on the costs and possible time frame for providing such pathways.	CD	February 2018

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
18.04.17 RM 5311168	<p>ORD - NM - 11.4</p> <ol style="list-style-type: none"> That Council investigate and review the Campbelltown Boundary Signs/Markers on all roads going into the City entry/exit points e.g. <ul style="list-style-type: none"> Welcome to Campbelltown - landscaping or entry statement Thank you for visiting or Campbelltown Exit Statement. That Council provide alternative designs, perspective layout/blueprints, appropriate entry and exit wordings, list of specific locations and cost estimates. That a comprehensive report be presented at a future Briefing evening for consideration. <p>Comment: Awaiting this item to be listed at a future briefing evening.</p>	CD	Feb 2018
18.04.17 GB 5311166	ORD - NM - 11.6 - That Council seek a report establishing a request line/email for use by residents who wish to have an appropriate tree planted by Council on their immediate nature strip.	CD	February 2018
18.04.17 GB 5311165	ORD - NM - 11.7 - That Council seek to create further avenues of trees in significant locations such as Emerald Drive, Eaglevale Drive, Eagle Vale and Campbelltown Road, Woodbine. That a report be provided on the costs and benefits of Council's annual tree planting program.	CD	March 2018
26.09.17 M. Chowdhury	<p>NM - 11.1</p> <ol style="list-style-type: none"> That a report be presented to Council on the feasibility of constructing an open air entertainment space [stage or platform] in the amphitheatre at Redfern Park, Minto. That the report include potential designs, material types, provision for weatherproof 3-phase power access and relevant costings. 	CD	February 2018
23.05.17 MO	<p>NM11.3</p> <p>That a report be presented outlining the feasibility and costs involved in formalising the unused roadside space in Pembroke Road, opposite the Leumeah Hotel, to provide angled commuter car parking places.</p> <p>Comment: This item was listed as part of the Councillor's Weekly Memo dated 3 November.</p>	CD	Complete

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Governance			
14.10.14 RK 4033794	CG2.3 - 4. That a further report will be submitted to Council once a draft VPA/Infrastructure Services Delivery Plan (ISDP) have been finalised which will deal with the compulsory acquisition/land transfer issues concerning the whole of the Claymore Urban Renewal Project. Comment: Still in the process of finalising the VPA/ISDP with Urban Growth.	CG	February 2018
23.05.17 BM	NM11.1 1. That a report be presented to Council detailing a procedure for Councillors to request that a delegated decision be called up to a meeting of Council. 2. That a report be presented to Council detailing the procedures for: a. Councillors right and responsibility regarding access to administrative information. b. Councillors right and responsibilities regarding the ability to communicate with staff. c. Councillors right and responsibility to review decisions undertaken under delegated authority and the process to call the decisions to be reviewed. Comment: Briefing date requested however has been deferred given the announcement of IHAP.	CG	December 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Development			
19.04.16 MO 4770730	CS8.1- Old Clinton's development site That a report be presented outlining any action taken by Council with regards to the dead trees on the old Clinton's development site - Queen Street, Campbelltown. Comment: Meeting held with development representatives to discuss financial contribution for street tree damage. Estimate of financial contribution prepared for further consideration and consultation.	CDVP (CS)	March 2018
08.11.16 GG 5095788	ORD - 11.5 1. That a report and a briefing be presented to Council detailing the cost associated with establishing and running a Design Excellence Panel (DEP) to encourage high quality urban design within the Campbelltown Local Government Area (LGA) including any honorariums, and the feasibility of any other options to ensure the best practice function of the panel. 2. That the report consider establishing a panel to provide an independent and transparent specialist peer review of major urban development and high density dwellings within the Local Government Area based on the following criteria: a. The Design Excellence Panel be comprised of five members consisting of, four professionals and one community representative, with membership open to: o well-known and respected professionals who are involved in the design of major projects and have extensive expertise in areas of architecture, urban design and/or landscape architecture; and o a community representative with a demonstrated understanding and experience in architecture, urban design, landscape architecture or a related field. o to ensure the panel's independence, a panel member cannot be a Councillor or council employee. b. Expert members must not live or do business in the council area in a related field. Community representatives must live in the area, but not do business in the Campbelltown area in a related field. c. That the panel members' tenure should be limited to two years with an optional extension for another two years. d. That a selection committee be established to undertake the selection of panellists. The selection committee should include the Mayor or his/her Councillor, representative and one other Councillor. Two senior staff members and two distinguished independent people with knowledge of the development assessment system. All members of the selection committee to be approved by a council resolution. e. That the appropriate Policy and Procedure and Code of Conduct be developed in line with ICAC recommendations to ensure the panel demonstrate the highest ethical standards in the exercise of their duties and responsibilities, maintain the integrity of the panel and to provide for fair and transparent dealings in making decisions. Comment: Information currently being compiled.	CDVP	December 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
13.12.16 PL 5146315	ORD 8.5 - That a report be provided investigating the use of a drone with heat detecting cameras to track and monitor Koala movement in the Local Government Area. Comment: Report is currently being compiled.	CDVP	December 2017
18.04.17 KH 5311170	ORD - NM - 11.2 - That a report be presented to Council that as part of the planning process involving all development applications relating to Appin Road and Gilead, Council include a requirement for Fauna Exclusion Fencing and appropriate tunnels and high crossing points to be provided by the applicant, to enable safe access for fauna through the wildlife corridors. Comment: Awaiting outcome of fauna studies in the Mt Gilead area.	CDVP	March 2018

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Growth and Economy			

Letters Requested as at 31 October 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Lifestyles			

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Delivery			

26.09.17 PL	<p>NM 11.4</p> <ol style="list-style-type: none"> 1. That Council write to the Minister for Roads, Maritime and Freight to request the following: <ol style="list-style-type: none"> a. To extend the merging lane onto the M31 from Narellan Road (South). b. To install street lights on the exit lane of M31 to Narellan Road (North). c. To remove or trim trees and bushes along the M31 from Menangle Road to the Old Campbelltown Road at Liverpool end, noting that when driving North or South exit signs are not clearly visible and 60kmph speed sign at Brooks Road on exit lane on left side is completely obscured. d. The first Campbelltown Road exit the left turning lane onto what was known as Old Campbelltown Road be extended. 2. That a copy of the letters be sent to the State Members of Campbelltown, Camden and Macquarie Fields and Federal Members for Macarthur and Hume seeking their support for the above requests. <p>Comment: Letter is being finalised to the Minister for 1a,1b and 1d. Request has been sent to RMS for Item 1c awaiting correspondence from RMS regarding item 1c</p>	CD	November 2017
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*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Governance			

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Development			
26.09.17 PL	NM 11.5 - That Council write to the Minister for the Environment, requesting the spraying of noxious weeds (Blackberry Bush and African Olive) along both sides of M31 from Brooks Road to St Andrews Road in the Campbelltown Local Government Area.	CDVP	December 2017

*Date of Decision *Mover *DocSet	Item/Comments	Div. Resp	Comp Date
City Growth and Economy			

8.19 National Growth Areas Alliance Strategic Plan

Reporting Officer

Executive Manager City Growth and Strategy
City Growth and Economy

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.5 - Work in partnership with the State Government to achieve positive planning outcomes

Officer's Recommendation

That the information be noted.

Report

Council is a member of The National Growth Areas Alliance (NGAA) which advocates for the needs of communities in the fastest growing outer suburbs of Australia's cities. The NGAA supports the outer suburbs across Australia including local government areas in Sydney's west and south west to Wanneroo located in Perth's north. The Alliance works with its members to promote a 'fair go' for the outer suburbs with respect to state and federal governments.

Much of the NGAA's work currently focusses on advocating for funding and infrastructure provision, and particularly for key infrastructure that has the capacity to act as a catalyst to promote job creation and transformational change in growing outer suburbs.

Council received correspondence from the NGAA regarding the adoption of its 2017-2020 NGAA Strategic Plan. This plan outlines the NGAA's mission to recognise that outer suburbs sustaining fast population growth experience particular challenges resulting from under investment in infrastructure, distance from jobs and services and the extent and pace of growth. This mission reflects much of the NGAA's current work and aligns with the key directions and future vision outlined in Council's Community Strategic Plan, Campbelltown 2027. Like the NGAA's Strategic Plan, Council's Community Strategic Plan also recognises the expected growth the area is facing, and the associated challenges and pressures.

A copy of the NGAA 2017-2020 Strategic Plan is attached for your information.

Attachments

1. National Growth Areas Alliance Strategic Plan (contained within this report)



NATIONAL
Growth Areas
ALLIANCE

www.ngaa.org.au

9 August, 2017

Ms Lindy Deitz
General Manager
Campelltown City Council
PO Box 57
CAMPBELLTOWN NSW 2170

AUG16'17 08:10:09 RCVD

Dear Ms Deitz

It is a pleasure to share with you the National Growth Areas Alliance's 2017-2020 Strategic Plan.

This is an exciting time for NGAA members:

- Our influence on Federal Government policies around cities and urban infrastructure has never been stronger.
- Our research projects are providing a sound and compelling evidence base for our advocacy positions.
- Our Member Councils are increasing their activity and engagement, using our research and advocacy campaigns to support their funding submissions, and getting results.

The 2017-2020 Strategic Plan was developed collaboratively with our Members, through a workshop at the 2016 National congress and feedback received on the draft document. I feel confident that the enclosed Plan will support a stronger and even more effective Alliance, building on solid foundations and securing our reputation as the 'go-to' organisation on growth areas in Australia.

Our 2014-17 Strategic Plan delivered many outcomes, including:

- Strong relationships with Ministers, Shadow Ministers, local MPs and advisors which have led to NGAA being consulted during the development of a range of policy positions.
- The Fund our Future campaign in the lead up to the 2016 Federal election, which mobilised our communities across the country in support of our call for dedicated funding for infrastructure in the fast-growing outer suburbs.
- A solid research base on infrastructure spending backlog in growth areas, infrastructure funding mechanisms, the City Deal model and input to Government inquiries on infrastructure, Smart Cities and City Deals to name a few.

I look forward to working with you to continue to pursue policy and funding outcomes for the five million people living in Australia's fast-growing outer suburbs.

Yours sincerely

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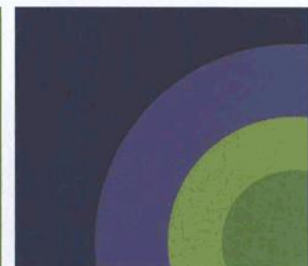
Mayor Glenn Docherty
Chair, National Growth Areas Alliance

Civic Centre, 25 Ferres Boulevard, South Morang 3752



STRATEGIC PLAN

2017-2020





VISION

NGAA is a national entity influencing policy and investment at the Federal level so communities and businesses in Australia's fast growing outer suburbs have the infrastructure they need for equitable access to jobs, services and markets.

MISSION

Our Mission is to use research, our Members' experience and the critical mass of our communities to influence policies at the Federal level across the political spectrum and build widespread support for long-term planning and funding for fast growing outer suburbs.

We are seeking:

- ▶ Recognition that outer suburbs sustaining fast population growth experience particular challenges resulting from under investment in infrastructure, distance from jobs and services and the size and pace of growth. This requires targeted policies and investment
- ▶ Policies that support transport and other critical infrastructure being planned and funded in step with development
- ▶ A funding mechanism that provides dedicated investment in infrastructure in fast growing outer suburbs
- ▶ Genuine collaboration between all levels of government to address the current infrastructure backlog and provide for the continuing burgeoning population.

CHARTER

We are a national alliance advocating for Federal policy change in support of the 5 million people living in Australia's fast-growing outer suburbs.

Our strength lies in our Membership - Municipalities from across the nation all experiencing the challenges and opportunities that come from sustained and rapid population growth.

As a collective voice for fast growing outer suburban Councils throughout Australia, the NGAA will:

- ▶ Seek to influence Federal policies and programs, with a particular focus on infrastructure
- ▶ Undertake research to continue to build the evidence base in support of the changes we seek
- ▶ Advise, assist and support member councils and state and regional groupings of members to undertake advocacy and in their approaches at State and Federal levels.

OPPOSITION POLICY

Labor's Cities Policy includes:

- ▶ Investing in properly integrated transport systems involving public transport and roads
- ▶ Promoting jobs growth in outer suburbs through direct investment or by giving consideration to incentives for location of business
- ▶ Cooperation between governments to promote the development of second or third CBD's to decentralize jobs growth.

Labor would appoint a Minister for Cities, reintroduce the Major Cities Unit, which will include a dedicated section to address growth pressure in outer suburban

areas of the major cities, reconvene the Urban Policy Forum, publish the State of Australian Cities report annually and promote the "Creating Places for People" Urban Design Protocol.

Labor's infrastructure program will target congestion in high-growth areas in the suburbs to reduce congestion so commuters can get to and from work more quickly, leaving them more time to enjoy with their families.

OPPORTUNITIES AND RISKS

The Strategic Objectives listed in this plan are designed to capitalize on opportunities and address risks NGAA faces in pursuing its vision and enacting its mission.

Opportunity/Risk	Strategy
Change of government and/or significant changes in government policy	Strong relationships and high profile with Government, Opposition and senior officials Strategic Objective 1, Actions 1, 3, 6
Lack of support from State Governments for priorities that require both State and Federal funding, or removal of support in the event of a change of government at State level	Direct representation to State Governments and support for state-based collaboration amongst NGAA members Strategic Objective 1, Actions 2, 4 Strategic Objective 3, Action 2 Strategic Objective 4, Action 6
Reduction in membership and/or member dissatisfaction with the value delivered by NGAA	Comprehensive communications, member and potential member engagement strategies and research that reflects Member priorities Strategic Objective 2, Action 1 Strategic Objective 3, Action 2 Strategic Objective 4, Actions 1-6
The Membership also provides an opportunity through expertise that is held	Utilise skills and experience of Members Strategic Objective 4, Action 2
Political volatility in a number of Member areas provides an opportunity to raise the profile of our concerns and proposals	Highlight community concerns in outer growth electorates Strategic Objective 1, Actions 1, 5, 6 Strategic Objective 2, Action 3 Strategic Objective 3, Action 2
State elections are an opportunity to align what we are asking for at a national level with states asks	Use opportunity to reinforce key issues and proposals Strategic Objective 1, Action 2 Strategic Objective 4, Actions 3, 6
City Deals are an opportunity for Members, through regional groupings, to partner with State and Federal Governments for investment to achieve economic uplift and other agreed goals	Support Members to pursue Deals Strategic Objective 4, Action 6

Strategic Objective 2: Government and Media Relations	Our arguments are soundly based in research which adds to the knowledge base about the growing outer suburbs
Outcomes Sought	Actions
<ul style="list-style-type: none"> Our research is targeted, clear and strengthens our case for investment in growing outer suburbs Collaboration extends our research reach. 	<ol style="list-style-type: none"> Commission research on issues that will assist NGAA and its Members to advance the case for investment. Initially this will include a State of the Outer Suburbs data based piece of work to deepen the understanding about our areas and help debunk some of the myths about the outer suburbs and a piece of work on Transformational Projects being possible in the outer suburbs, what it takes and what the impacts are. Explore possible research partnerships with educational institutions and other peak organisations and collaborate to leverage research outcomes. Use innovative methods such as social media, on-line information products and promotional materials to communicate our research outcomes.
Strategic Objective 3: Media Relations	NGAA is recognised as the go to organisation on issues relating to the growing outer suburbs
Outcomes Sought	Actions
<ul style="list-style-type: none"> NGAA has a high profile in traditional and social media, is regularly referenced in media coverage and government reporting and formally contributes to government policy development NGAA is respected by Governments and stakeholders. 	<ol style="list-style-type: none"> Refresh the NGAA brand to better reflect our membership and roll out a branding strategy to increase our visibility across government and community. Implement a comprehensive communications strategy that builds NGAA's profile across Governments, all media and with relevant stakeholder groups. The strategy should include audience segmentations, a variety of tactics such as direct correspondence, events, media liaison, social media and capacity building across NGAA members. Develop a new NGAA website.
Strategic Objective 4: Member Relations	The NGAA Membership is strong, energised and engaged
Outcomes Sought	Actions
<ul style="list-style-type: none"> Member Councils from Councillors through to all relevant officers are confident to engage their stakeholders and communities on NGAA issues and during our campaigns Membership numbers are increased and members are active contributors to the NGAA activities NGAA's activities firmly reflect the priorities of our members State and regional groupings of Member Councils are working together on priorities that support the overall NGAA aims and objectives. 	<ol style="list-style-type: none"> Continue to improve communication between NGAA and its members with a comprehensive member engagement and internal communications strategy. Encourage members to build 'Team NGAA' within their councils to access skills and expertise of elected officials, executives, managers and designated officers in planning and advocacy through provision of tools and action plans and meetings with officers. Build the capacity of all members to participate effectively in national and local advocacy activities by facilitating collaboration and equipping members with the skills to mobilise their communities, including through a Communications/Advocacy officers network. Collaborate with members to design a national advocacy campaign in the lead up to the 2019 Federal Election. Review the terms and conditions of NGAA membership with a view to maintaining support from current Members and enabling all eligible councils to participate. Provide advice to Members on NGAA related matters at state and regional levels through provision of key messages, media releases, attendance at meetings and events. Together with Executive representatives in each state, endeavour to build the membership by identifying all potential members, writing to them and sending NGAA materials, seeking meetings to outline the value of being a member and to understand their issues and priorities, inviting them to events.

Strategic Objective 3: The NGAA Membership and State Groupings of Members have the information and support needed to develop proposed solutions and advocate for increased investment in infrastructure

Priorities	Actions	Achievements
Provide information and advice to member Councils	Provide information and support including: <ul style="list-style-type: none"> • intelligence about Gov't thinking • what funding is available and how to approach pursuing it • relevant research • developing proposed solutions • connection with advisors and officers • advice on advocacy approaches • alignment of messaging. 	Information, toolkits and advice provided regularly throughout the Campaign. Input also provided to individual Members and state groupings of member councils seeking advice on messaging and advocacy approaches.
Provide a facilitation, support and advisory role with state groupings of members	Input to state groupings is focussed on: <ul style="list-style-type: none"> • Aligning messaging with NGAA's • Sharing advocacy programs • Considering a common narrative in the run up to state elections. 	Discussions held with state groupings in Victoria, WA and NSW.

Strategic Objective 4: A strong NGAA Membership base is maintained and potential members are recruited

Priorities	Actions	Achievements
Maintain and increase NGAA membership	<ul style="list-style-type: none"> • Identify and meet with potential members • Distribute NGAA material to potential members and invite them to relevant events • Consider additional membership categories. 	Responded to inquiries from and met with some potential members. Materials and invitations to events distributed and some potential members attended events. An alternate fee structure has been developed for Member consideration

Strategic Objective 5: Communities in member council areas have the opportunity to voice their needs

Priorities	Actions	Achievements
Support community engagement in NGAA's advocacy	Implement measures that engage NGAA communities in issues and proposals via Member Council activities and use of social media	Community engagement was a focus during the campaign through various approaches including an on line petition, activities and social media. Advice was provided to Members on community engagement.

APPENDIX 3: NGAA STAKEHOLDERS

Members

Member Contacts
Mayors
CEOs
Councillors
Council Officers

Potential Members

CEOs
Mayors
Councils Officers

Federal Government - Political

Prime Minister, Leader of the Opposition
Ministers and Shadow Ministers for Infrastructure, Transport, Cities, Treasurers
MPs of growth electorates
Parliamentary Friends for Better Cities
Advisors

State Government – Political

Premier and Leader of the Opposition
Ministers and Shadow Ministers for Infrastructure, Transport, Cities, Treasurers

Federal Government – Bureaucracy

Department of Prime Minister and Cabinet
Infrastructure
Industry and Innovation
Treasury
Local Government
Regional Development

Business

Property Developers
Transport, Logistics

Peak Bodies

Transport and Commuter
Planning and Development
Local Government

Media

National and State
Social Media commentators

Academics/Researchers

University of WA
University of Western Sydney
University of NSW
Melbourne University
RMIT University
Griffith University

8.20 Health and Education Precinct Vision and Strategy

Reporting Officer

Executive Manager City Growth and Strategy
City Growth and Economy

Community Strategic Plan

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

Officer's Recommendation

1. That Council endorse the Health and Education Precinct Vision and Strategy report and next steps included therein.
2. That Council endorse the final report on the project prepared by Deloitte Access Economics.
3. That Council report the need to plan for the retention of the four identified economic sub-precincts as key economic and sectorial drivers vital to achieve the reimagining of the Campbelltown-Macarthur Centre.

Purpose

Campbelltown-Macarthur was identified by the Greater Sydney Commission through the south west district planning process as the emerging Health and Medical University City. To better understand opportunities arising from this potential, Council has recently undertaken a body of work building on and articulating the vision and strategy for a Health and Education Precinct within the Campbelltown-Macarthur Centre. The resultant project, referred to as the Health and Education Precinct project (HEP project), has recently been completed. This report provides a brief overview of the project, its major outcomes, and presents a final report for Council's endorsement.

Council engaged specialist consultants Deloitte Access Economists to undertake this project.

Report

With the emergence of Campbelltown - Macarthur as a Health and Education University City, a number of key projects are required in order to ensure Council can position and leverage from this typology change. To this end, Council's City Growth and Economy Division commissioned a project to begin this process. The resultant Health and Education Precinct (HEP) project has been a resounding success with excellent stakeholder engagement, the development of a stakeholder led vision and an economic spatial articulation.

The HEP project identifies and builds on the emerging sectorial alliance of Health, Education and Medical research as significant potential economic drivers to assist the city's transformation. This project aimed to create a new strategic vision for the Campbelltown HEP, which would enable maximum leverage of the opportunities afforded by existing and potential new precinct partners. The HEP precinct has the potential to play a significant role in shaping the growth and transformation of South West Sydney. Importantly the precinct has the ability to act as a key economic driver for the reimagining of the centre.

The HEP Project's main aims were to provide:

- a new vision, themes and focus for future precinct investment
- a new economic structure plan of precincts
- opportunity sectors for investment
- a new vision for growth that government, business and the community can buy into and support.

Participants in the project included (but were not limited to): AusBiotech, Bob Meyer, Brezmed, Campbelltown Public Hospital, Capital Syndications Pty Ltd, Cox Richardson, Council, Federal Minister for Macarthur – Dr. Michael Freeland MP, HealthScope (Campbelltown Private Hospital), Ingham Institute, Lend Lease, Medical Technology Association of Australia, Medtronic, National Institute of Complementary Medicine (NICM), NSW Health Infrastructure, Stocklands, South West Sydney Local Health District (SWSLHD), South Western Sydney Primary Health Network (SWSPHN), Sydney University, TAFE NSW, Transport for NSW, Uniting Care, University of Wollongong, UrbanGrowth, Western Sydney University.

Through a series of workshops and consultation, precinct stakeholders collaboratively developed and agreed upon elements of a new vision and strategy for the Campbelltown Health and Education Precinct. They also provided a strategic context to the precinct, and sought to identify emerging opportunities and actions necessary to deliver a new precinct vision through locally developed strategies.

Precinct vision

The new precinct vision arose out of a collaborative stakeholder led process and builds on "potentials" as understood and articulated by the stakeholders. This vision was workshopped over a number of collaboration meetings with a range of health, medical, government, private sector and university stakeholders. The unanimous agreement on the vision is an exciting step forward for the clear articulation of this precinct.

The new precinct vision:

To provide world leading education and specialist community based care in areas of pediatrics, Aboriginal health and gastro motility through new science based research and discovery.

The development of Campbelltown - Macarthur as a premier Health and Education Precinct in Sydney is a key strategic objective for Council and work is continuing with Campbelltown Public Hospital, Campbelltown Private Hospital, Western Sydney University Campbelltown Campus, Campbelltown TAFE and other stakeholders to develop this precinct as a key economic catalyst for additional private sector investment in health, allied health and health support enterprises resulting in future enterprise development and job creation.

Economic Structure Plan

The project importantly identified an economic structure plan for Campbelltown which assists in positioning Campbelltown into a future innovation city. This important classification helps articulate and consider the Campbelltown-Macarthur Centre as a series of interconnected economic sub-precincts (or cores) enabling better articulation to leverage future innovation and growth. These four new specialised sub-precincts enable a focus for delivery and targeted investment attraction.

These economic precincts will form a basis for the catalytic economic transformation of the Campbelltown - Macarthur Centre. As such these economic precincts will need to be supported as important facets of this reimagining of the CBD.

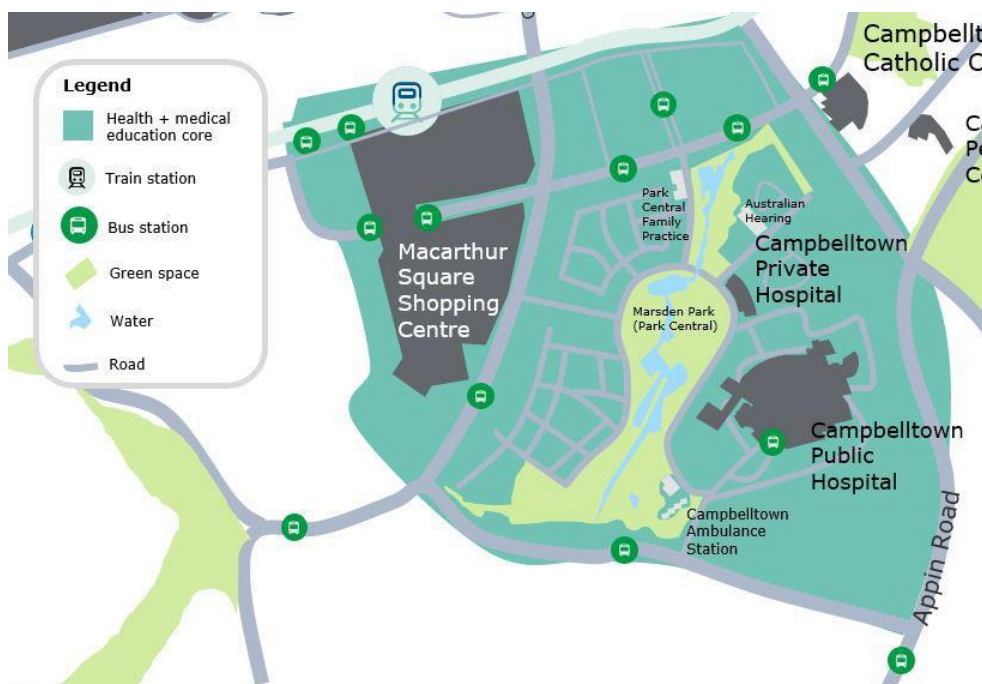
The diagram below and the following descriptors from the HEP report detail the spatial setting and major economic focus of the particular economic sub-precincts.

1. The Health, Medical and Education City Core – (location: centered around the Campbelltown Public and Private Hospital and bounded by the T2 rail line, Narellan Road, Appin Road, Therry Road and Gilchrist Avenue).

The driver for this sub-precinct is to act as a new city core that creates focus for new investment in health, education and research while also attracting skilled workers.

Some of the objectives for this economic sub-precinct include:

- to create a compact spatial focus for health, medical, education and research investment
- to encourage private sector hospital investment
- to re-orientate the centre of Campbelltown towards the precinct's existing health, clinical and teaching infrastructure
- to better integrate and connect with the education core.

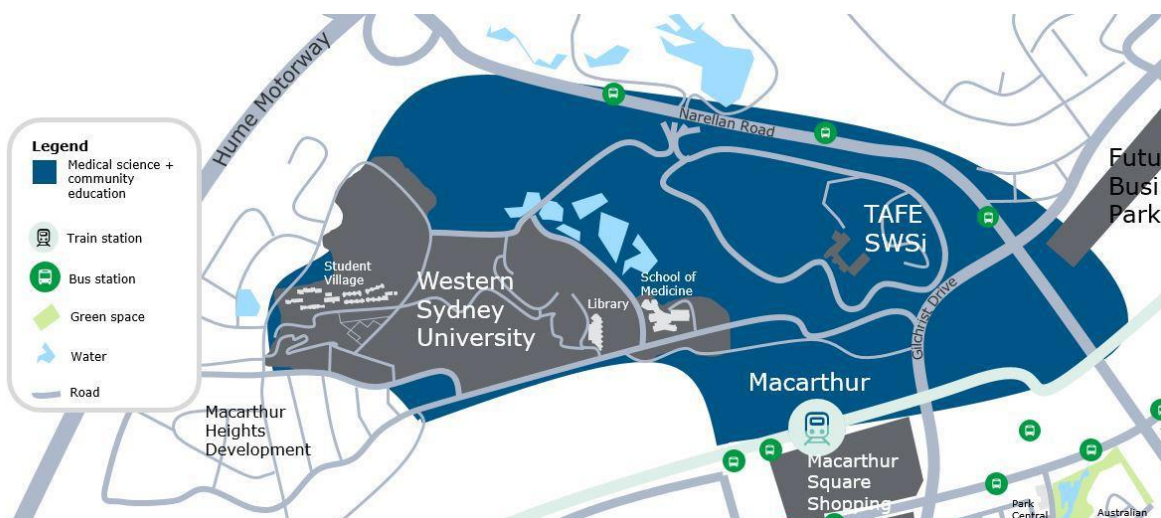


2. The Medical Science and Community Related Education Core – (location: centered on Western Sydney University and TAFE lands and bounded by the T2 rail line and Narellan Road)

It is recognised that Campbelltown's economy will be driven by strong educational institutions that enhance productivity through improving the regions skills base.

Some of the objectives for this sub-precinct include:

- to increase the role of tertiary industry and research infrastructure in Campbelltown
- to attract and integrate new industries in Campbelltown's economy through the promotion of the benefits of co-location with existing medical and research infrastructure.

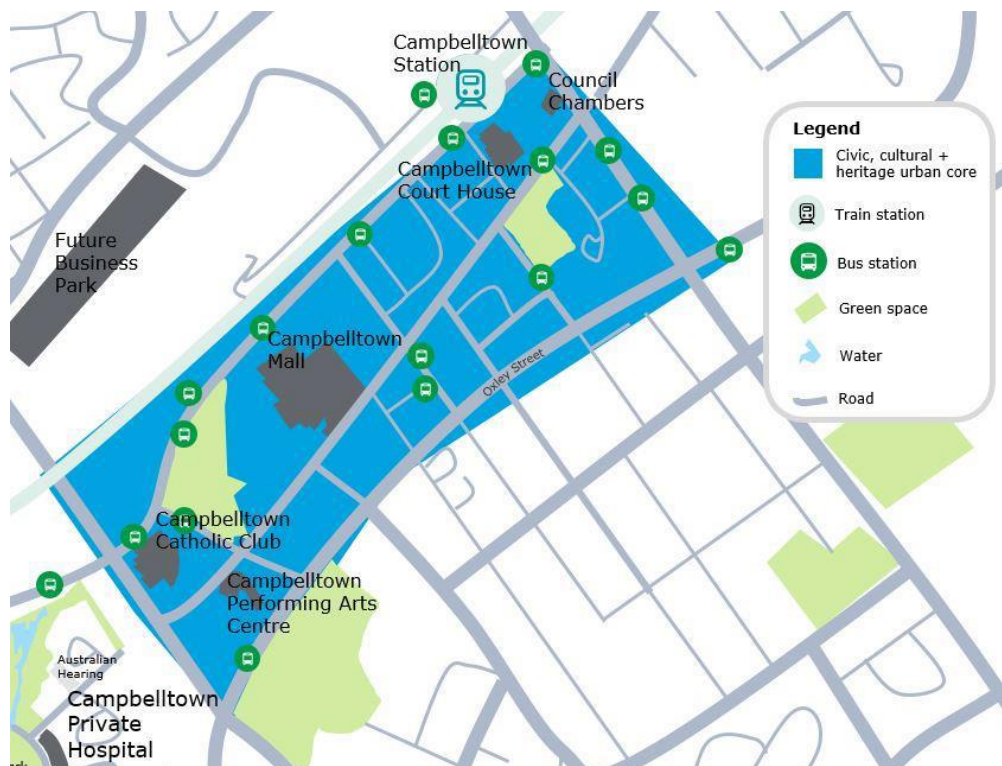


3. Civic, Cultural and Heritage Urban Core - (location: centered on the existing CBD and major cultural, arts, civic and heritage facilities bounded by Narellan Road, T2 rail line, Oxley Street and Broughton Street).

Developing high amenity urban appeal, infused with cultural arts, heritage and other community assets that create the places where precinct workers wish to live.

Some of the objectives for this sub-precinct include:

- to activate the existing CBD through dense mixed use living that leverages local civic, cultural arts and other community assets
- to create the environment where skilled and talented precinct workers will want to live
- to provide a focus for new models of housing and urban amenity that drive urban activation and appeal, and the creation of a greater night time economy in Campbelltown.

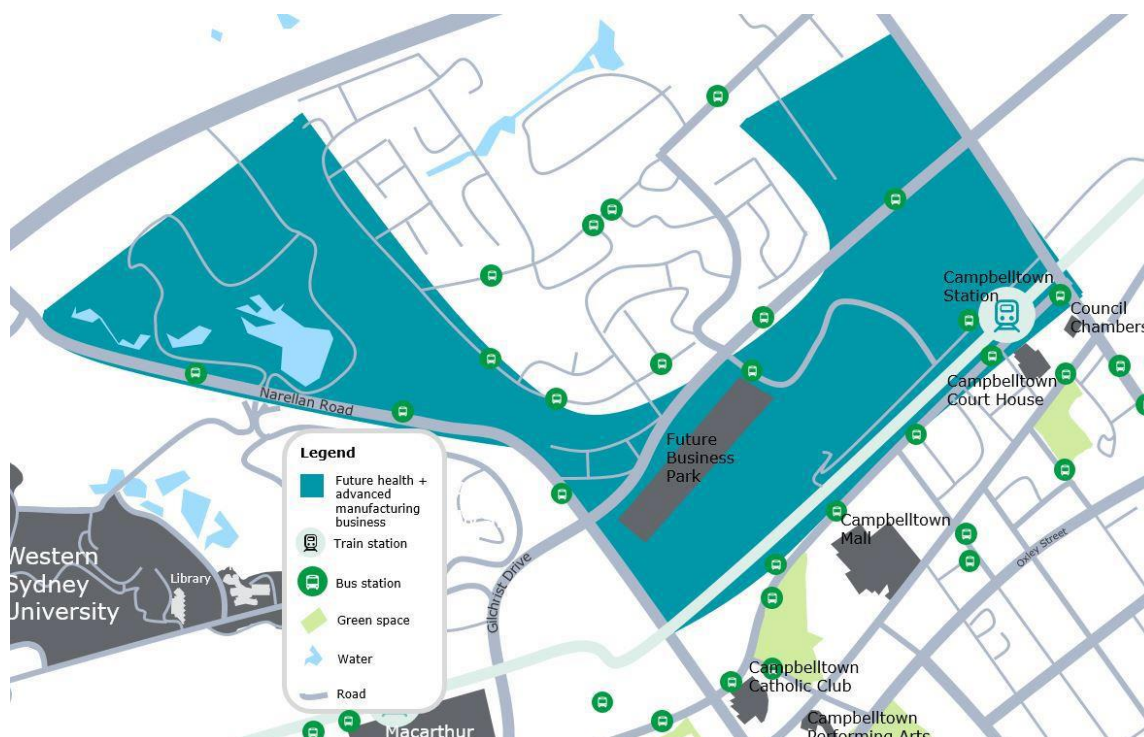


4. Future Advanced Health and Manufacturing Business Area – (location: centered around the proposed Nexus Business Park site and existing industrial lands bounded by Narellan Road, T2 rail line, the Hume Motorway, excluding the Blair Athol residential area).

The proposed Nexus Business Park and the existing business and industrial area within the precinct are to be reimagined as future locations for health related enterprises critical to growing a diverse high value economy.

Some of the objectives of the sub-precinct include:

- to provide a range of investment opportunities for industries aligned to precinct themes
- to provide opportunities to explore new forms of business park style development, along with other major public infrastructure such as new major open space, or other critical public infrastructure
- to provide a focus, clarity and certainty around the location of future health related employment growth.



Conclusions and next steps:

Located within one of Australia's largest and fastest growing regions, the Campbelltown Health and Education Precinct has potential to play a significant role in shaping the growth and transformation of the Campbelltown-Macarthur Centre and wider South West Sydney over the next two decades. To take advantage of this opportunity, Council, in partnership with Deloitte Access Economics have undertaken a body of work on the development of a new vision and strategy to grow the Campbelltown Health and Education Precinct and help underpin the future economic growth and resilience of the centre

The project was based on a robust stakeholder led process involving the health and education sphere. The HEP project importantly provides an evidence based vision for growth that governments, businesses and the community can become involved with and support. This will enable extremely important flow on impacts of driving investment and local employment opportunities.

Next steps

- finalization of a HEP Investment Prospectus
- a launch of the HEP project is currently being organised
- a series of implementation events is being scoped
- planning and retention of the economic sub precincts needs to be embraced as part of future CBD reimagining projects.

Attachments

1. Campbelltown Health and Education Precinct Vision and Strategy - due to size (distributed under separate cover)

8.21 Merging of the South West and West Districts to create the Western City District

Reporting Officer

Executive Manager City Growth and Strategy
City Growth and Economy

Community Strategic Plan

Objective	Strategy
4 Outcome Four: A Successful City	4.5 - Work in partnership with the State Government to achieve positive planning outcomes

Officer's Recommendation

That Council note the information provided regarding the NSW Government's recent decision to merge the South West and West Districts to create the Western City District.

Purpose

The purpose of this report is to inform Council about the merging of the South West and West Districts to create the Western City District.

History

The Greater Sydney Commission (GSC), which was established under the *Greater Sydney Commission Act 2015*, is responsible for leading metropolitan planning for Greater Sydney with the aims of making it more productive, sustainable and liveable.

In November 2016, the GSC released a series of documents for public comment. These documents included Towards Our Greater Sydney 2056 - a draft update to the metropolitan strategy A Plan for Growing Sydney and draft district plans for the six planning districts that it had identified for metropolitan Sydney. The six districts were:

- Central District - comprising the local government areas of Bayside, Burwood, Canada Bay, Inner West, Randwick, Strathfield, Sydney, Waverley and Woollahra
- North District - comprising the local government areas of Hornsby, Hunter's Hill, Kuring-gai, Land Cove, Mosman, North Sydney, Northern Beaches, Ryde and Willoughby
- South District - comprising the local government areas of Canterbury-Bankstown, Georges River and Sutherland
- South West District - comprising the local government areas of Camden, Campbelltown, Fairfield, Liverpool and Wollondilly

- West District - comprising the local government areas of Blue Mountains, Hawkesbury and Penrith
- West Central District - comprising the local government areas of Blacktown, Cumberland, Parramatta and The Hills.

Council made a detailed submission to the Draft South West District Plan and senior staff have worked collaboratively with the GSC to explore issues raised in the submission.

Report

On 22 September 2017, the Greater Sydney Commission (the GSC) announced the merging of the South West and West Districts to create the Western City District. The Minister for Planning and Housing, The Hon. Anthony Roberts MP, issued a formal order to enable the merger. The aim of the merger is to better facilitate planning around the Western Sydney Airport.

The new Western City District encompasses a large area from north of the Hawkesbury River to Bargo in the south and west into the Blue Mountains and the following local government areas:

- Blue Mountains
- Camden
- Campbelltown
- Fairfield
- Hawkesbury
- Liverpool
- Penrith
- Wollondilly.

The GSC's Deputy Chief Commissioner and Economic Commissioner Geoff Roberts, has been appointed as the Interim Commissioner for the new District. The Commissioners of the former South West and West Districts, Ms Sheridan Dudley and Mr Sean O'Toole respectively, will continue to provide advice to the GSC as expert consultants.

The Minister has also renamed the Central and West Central Districts to more clearly represent their location within the context of the "three cities vision" of the Eastern City, the Central City and the Western City.

The Greater Sydney Districts now become:

- Western City District (formerly the South West District and West District)
- Central City District (formerly called the West Central District)
- Eastern City District (formerly called the Central District)
- North District (unchanged)
- South District (unchanged).

On 22 October 2017, the GSC released a new draft metropolitan strategy for Greater Sydney called Our Greater Sydney 2056 - A Metropolis of Three Cities - Connecting People. Transport for NSW's plan, NSW's Future Transport 2056 was released concurrently. These documents are available for public comment until 15 December 2017 and 3 December 2017 respectively. Reports on these initiatives will be submitted to Council in due course.

The new draft Western City District Plan has also been released and a report on this matter will also be submitted to Council in due course.

Conclusion

The GSC is continuing to plan for the future of metropolitan Sydney, which has now been divided into five districts instead of six.

New draft metropolitan strategy and transport strategy documents have been released for public comment and the new draft district plans have also been released recently.

Attachments

Nil

8.22 2016-2017 Annual Report

Reporting Officer

Executive Manager City Growth and Strategy
City Growth and Economy

Community Strategic Plan

Objective	Strategy
3 Outcome Three: A Thriving, Attractive City	3.8 - Provide strong governance for all Council activities

Officer's Recommendation

That Council endorse the 2016-2017 Annual Report.

Report

In line with the Integrated Planning and Reporting guidelines, Council is required to produce a report detailing the achievements and accomplishments over the course of the financial year in line with the Delivery Program.

During the past 12 months, Council has worked in collaboration with a diverse range of key stakeholders including individuals, community groups, businesses and government departments, to further progress towards our vision for the city.

Council's new organisational structure has seen more emphasis placed on strategic planning for urban growth and transport, supporting local businesses for economic development, and the planning and provision of key assets such as open space, community and cultural facilities.

Council is also focused on telling the good story of Campbelltown, to challenge perceptions and position the city as a contemporary and vibrant hub for investment and urban growth and community exchange.

The 2016-2017 Annual Report will be the last to report on the 2013-2017 Delivery Program as Council has adopted a new suite of Integrated Planning and Reporting documents at the Council meeting of 27 June 2017.

Attachments

1. Draft 2016-2017 Annual Report - due to size (distributed under separate cover)

8.23 Easy to do Business

Reporting Officer

Manager City Marketing and Economy
City Growth and Economy

Community Strategic Plan

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

Officer's Recommendation

1. That the Council resolve to participate in Services NSW Easy to do Business initiative.
2. That the Council delegate the relevant customer service functions related to the administration of the Easy to do Business initiative to the Chief Executive Officer, Service NSW as required under the *Service NSW (One-stop Access to Government Services) Act 2013*.
3. That the Council delegate the General Manager to execute any partnership documents in relation to the Easy to do Business initiative.

Purpose

It is proposed that Council enter into a partnership with Service NSW to deliver the Easy to do Business initiative in Campbelltown LGA, which aims to streamline the processes of opening new cafe, restaurant or bar businesses. A Council resolution is required to initiate this partnership and to delegate associated customer service functions to Service NSW.

Report

Easy to do Business was initiated by the Department of Premier and Cabinet, the Office of the NSW Small Business Commissioner and Service NSW to encourage investment in small business by bringing together NSW agencies, councils and industry bodies to simplify and fast-track approvals.

The business industry sector focus for Campbelltown is initially cafés, restaurant and bars, as this sector has significant economic activity and a high level of regulatory process. The initiative focuses on helping business owners navigate through various government approvals, with the aim of streamlining the process of opening a new business which can require an owner to deal with 13 agencies (including Council), complete 48 forms and navigate 75 regulations.

Service NSW provides a digital platform and upfront information regarding what is required by a potential new business owner from all of the approval authorities, and includes a single digital form which replaces the 48 existing forms. This digital service is provided free of charge for both Council and applicants to use, and does not change Council's existing application and lodgement payment processes.

A business concierge service, via a single phone number, is also provided to support customers through the process. This means the customer can time-effectively research their regulatory obligations, lodge complete and high quality applications for assessment, as well as be kept informed throughout their end to end journey. It will also ensure that more complete and quality applications will be submitted to Council in the first instance.

Benefits of the partnership with Services NSW includes improved support and a single source of information for businesses in this particular sector; reduced duplication, particularly avoiding repeated entry of the same data such as name and address information through the single digital form; streamlining of the processes associated with opening and growing a business; and improved quality of information provided to Council, helping to reduce processing and assessment times.

It is important to note that this initiative does not change any application assessment policies, procedures or timelines that Council currently has in place in relation to approvals; it is critical that Council maintains its independence regarding each determination.

Consultation on the initiative has been undertaken with relevant staff from City Standards and Compliance, Corporate Support Systems and City Marketing and Economy. The Services NSW team will also work closely with Council to incorporate any suggestions and feedback into their Business Concierge knowledge articles, to ensure the customer is aware of and leverages specialist advice at each appropriate stage.

In accordance with the *Service NSW (One-stop Access to Government Services) Act 2013*, a Council resolution is required to empower the Service Partnership Agreement and to delegate the relevant customer service functions related to the administration of the Easy to do Business program to the Chief Executive Officer, Service NSW.

Following a 12 month period and subsequent review, it is anticipated that the Easy to do Business initiative will be an ongoing service offered in Campbelltown. A pilot program established earlier this year has seen the local government areas of Northern Beaches, Dubbo Regional, Georges River and Parramatta participate. This is now being rolled out to other council areas in NSW.

Attachments

Nil

9. QUESTIONS WITH NOTICE

Nil

10. RESCISSION MOTION

Nil

11. NOTICE OF MOTION

11.1 Caring for the Koala Population in the Local Government Area

Notice of Motion

Councillor Ben Moroney has given Notice in writing of his intention to move the following Motion at the next meeting of Council on 28 November 2017.

1. That Council is committed to maintaining the health and safety of our local koala population.
 2. That local koala rescuers and carers currently face substantial effort and cost in procuring the necessary volumes of appropriate koala food foliage and disposing of unused or inappropriate foliage.
 3. That a report be presented to Council investigating how Council can assist carers in obtaining and disposing of koala food, for example:
 - a. Council staff and contractors identifying and setting aside eucalyptus trees from worksites and tree-clearing activities for carers to access
 - b. Council providing a free green waste drop-off for registered koala carers to dispose of unused or inappropriate leaves.
-

12. URGENT GENERAL BUSINESS

13. PRESENTATIONS BY COUNCILLORS

14. CONFIDENTIAL REPORTS FROM OFFICERS

14.1 Directors of Companies - City Development

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